

Adelaide Park Lands Community Land Management Plan

Strategic Alignment - Enabling Priorities

Public

Tuesday, 5 September 2023

City Planning, Development and Business Affairs Committee

Program Contact:

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Approving Officer:

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EXECUTIVE SUMMARY

At its meeting on 11 April 2023, Council approved undertaking statutory consultation on the draft Community Land Management Plan (CLMP) for the Adelaide Park Lands. Public consultation was undertaken for 21 days from 7 July 2023 to 31 July 2023. A total of 15 community submissions were received in that time with one late submission. A summary of the consultation findings and Administration's response is provided in **Attachment A – Community Land Management Plan Consultation Summary Report**.

As a result of stakeholder and community feedback, further minor refinements have been made to the Draft consolidated CLMP for improved policy clarity and navigation of the document and associated links.

The report seeks approval from the City Planning, Development and Business Affairs Committee for the recommendation to Council that it adopts the consolidated Community Land Management Plan (CLMP) for the Adelaide Park Lands (**Attachment B - Consolidated Community Land Management Plan for the Adelaide Park Lands, August 2023**) which includes, where relevant, community feedback provided during consultation.

Kadaltilla / Adelaide Park Lands Authority received the Consultation Summary Report on the Draft CLMP for the Adelaide Park Lands and endorsed the consolidated CLMP for the Adelaide Park Lands at its 24 August 2023 meeting.

RECOMMENDATION

The following recommendation will be presented to Council on 12 September 2023 for consideration

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Receives the Consultation Summary Report on the Draft Community Land Management Plan for the Park Lands contained in Attachment A to Item 5.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 September 2023.
2. Adopts the consolidated Community Land Management Plan for the Adelaide Park Lands under the care, control and management of the City of Adelaide presented in Attachment B to Item 5.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 September 2023.
3. Notes that public notice of the adoption of the consolidated Community Land Management Plan for the Adelaide Park Lands will be published in the Government Gazette.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<p>Strategic Alignment – Enabling Priorities</p> <p>Review Council services to balance efficiencies with meeting community expectations (5.6)</p>
Policy	<p>The CLMP for the Adelaide Park Lands will supersede all pre-existing CLMPs for the Adelaide Park Lands except for the CLMP for the Adelaide Oval Precinct, Part of Tarntanya Wama (Park 26), which will remain as a standalone CLMP.</p>
Consultation	<p>Council (including Committees) considered a draft consolidated CLMP for the Adelaide Park Lands via meetings and workshops on:</p> <ul style="list-style-type: none"> • 21 June 2022, The Committee – Strategic Discussion Forum (workshop) • 2 August 2022, The Committee – Strategic Discussion Forum (report) • 9 August 2022, Council (report) • 4 April 2023, City Planning, Development and Business Affairs Committee (report) • 11 April 2023, Council (report). <p>Kadaltilla considered the draft CLMP for the Adelaide Park Lands on:</p> <ul style="list-style-type: none"> • 28 July 2022 (report) • 23 February 2023 (report). • 24 August 2023 (report). <p>Council approved the consolidated draft CLMP for the Adelaide Park Lands for consultation on 11 April 2023.</p> <p>Consultation was undertaken for 21 days between 7 July 2023 to 31 July 2023 in accordance with the statutory requirements of the Local Government Act 1999 (SA) (Section 197); Adelaide Park Lands Act 2005 (SA) (Section 19); and the consultation steps in Table 1 of the Council's Community Consultation Policy adopted by Council on 16 July 2019.</p> <p>The consultation has included engagement with:</p> <ul style="list-style-type: none"> • Kurna Yerta Aboriginal Corporation • Kadaltilla / Adelaide Park Lands Authority • The Hon, Nick Champion, Minister for Planning • State Government authorities and adjoining Councils • Community.
Resource	<p>The revised approach to preparing the CLMPs for the Adelaide Park Lands reduces the timeframe and resources required to deliver the legislative comprehensive review programme.</p>
Risk / Legal / Legislative	<p>A CLMP for the Adelaide Park Lands must meet the statutory requirements under section 196 and section 197 of the <i>Local Government Act 1999 (SA)</i> and section 19 of the <i>Adelaide Park Lands Act 2005 (SA)</i>.</p> <p>The review of existing CLMPs for the Adelaide Park Lands is beyond the statutory timeframe of five years. The current plans include content which is not legislatively required in a CLMP which increases the timeframe for review of the documents and has the potential to result in inconsistency with the Adelaide Park Lands Management Strategy and other Council documents.</p>
Opportunities	<p>The review process has identified opportunity for stronger alignment of CLMP content and review processes with statutory requirements. This includes a streamlined approach to the five-yearly review process so that it can be achieved within the statutory timeframe.</p>
23/24 Budget Allocation	<p>Not as a result of this report</p>

Proposed 24/25 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	The CLMP for the Adelaide Park Lands must be comprehensively reviewed at least once in every five years.
23/24 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

Background

1. Under the Local Government Act 1999 (LG Act) all Councils are required to develop management plans for community land which they either own or which is under their care and control. These plans are known as Community Land Management Plans or CLMPs. A CLMP shows how the land is to be used, taking into account a diverse range of recreation, conservation, heritage and cultural issues. Significant changes or amendments to a CLMP require public consultation under State legislation.
2. With regard to the review of CLMPs, the *Adelaide Park Lands Act 2005* (Park Lands Act) states that:
 - 2.1. *The Adelaide City Council must undertake a comprehensive review of its management plan for community land within the Adelaide Park Lands at least once in every 5 years.*
3. The CLMP for the Adelaide Park Lands is divided into sections according to individual parks or groups of parks, determined by their geographical location.
4. This CLMP provides the community with information about the use of the Park Lands and presents Council with the framework to manage and enhance the Park Lands for the enjoyment and well-being of all.
5. This CLMP consultation and review has been undertaken to ensure it is consistent with the Adelaide Park Lands Land Management Strategy 2015-2025 (APLMS) and to take account of the policies and plans, relevant Council decisions and legislation that have been adopted since the adoption of the current CLMP in 2013.
6. It should be noted that under legislation, the APLMS is the document under the Park Lands Act that defines the future plans, tenures, goals, priorities and strategies for the Adelaide Park Lands.
7. At its meeting on 9 August 2022, Council approved the consolidated draft Community Land Management Plan (CLMP) for the Adelaide Park Lands under the care, control and management of the City of Adelaide being released for statutory consultation, subject to consultation with the Minister for Planning.
8. That report followed advice from Kadaltilla on 28 July 2022 and provided background information on the legislative requirements and process for reviewing the CLMP and approaches by the City of Adelaide to preparing its CLMPs for the Park Lands.
9. The State Government made several public announcements that materially affected the draft CLMP for consultation approved on 9 August 2022.
10. An amended version of the CLMP was subsequently:
 - 10.1. Considered by Kadaltilla on [23 February 2023](#), including the process to finalise the CLMP
 - 10.2. Considered at the City Planning, Development and Business Affairs Committee on [4 April 2023](#)

10.3. Approved by Council on 11 April 2023 for the purpose of statutory consultation.

11. At its meeting on 24 August 2023 Kadaltilla / Adelaide Park Lands Authority received the Consultation Summary Report on the Draft CLMP for the Adelaide Park Lands and endorsed the consolidated CLMP for the Adelaide Park Lands.

Consultation

12. At its meeting on 23 February 2023, Kadaltilla / Park Lands Authority (Kadaltilla) supported the consolidated draft CLMP for the Adelaide Park Lands, inclusive of additional minor refinements, for the purposes of undertaking statutory consultation. These refinements were made prior to community consultation.
13. On 4 July 2023, the Minister for Planning provided written endorsement of the consolidated draft CLMP for the purposes of undertaking statutory consultation subject to additional refinements. The refinements requested by the Minister for Planning were consolidated within the draft CLMP prior to the commencement of community consultation on 7 July 2023.
14. Consultation on the consolidated Draft CLMP was undertaken in accordance with the section 197(1) of the *Local Government Act 1999* and section 19(2) of *Adelaide Park Lands Act 2005* from 7 July 2023 to 31 July 2023, including consultation with:
- 14.1. Kadaltilla / Adelaide Park Lands Authority
 - 14.2. Kurna Yerta Aboriginal Corporation (KYAC)
 - 14.3. Minister for Planning
 - 14.4. State Government Agencies and adjoining Councils
 - 14.5. Community.
15. A total of 15 community submissions were received, 10 of which submissions were received through the Your Say website and five submissions were received as email correspondence which included attached submissions.
16. One late submission was received on 6 August 2023 from an individual community member who had already made a submission on 31 July 2023. This late submission has been considered by Administration.
17. Three predominant themes were identified through consultation feedback:
- 17.1. The Park Lands provide valuable open space and environmental landscapes to the city, community and adjoining council areas and should be preserved from major developments.
 - 17.2. The community want the Park Lands enhanced with green space and biodiversity that is protected from development, commercialisation and privatisation.
 - 17.3. State Agencies and Local Government outlined the need for greater identification and protection of culturally and historically significant landscapes and built form.
18. The three themes highlight the importance and value of community land and specifically the Park Lands to the city, communities and South Australia.
19. A full summary of the feedback is provided in **Attachment A** - Community Land Management Plan Consultation Summary Report.
20. Feedback on the draft CLMP that is of a strategic nature will be considered as part of the current mid-point review of the Adelaide Park Lands Management Strategy, which will be presented to Council by December 2023.
21. Consultation on the Draft CLMP was undertaken concurrently with consultation on the Adelaide Aquatic Centre Redevelopment Lease and Licence. This report summarises only the consultation on the Draft CLMP.

Consolidated Draft CLMP

22. As a result of stakeholder and community feedback, minor refinements have been made to the Draft consolidated CLMP for policy clarity and improved navigation of the document and associated links.
23. The refinements are provided (and marked) in **Attachment B** - Consolidated Community Land Management Plan for the Adelaide Park Lands (August 2023).
24. The consolidated Draft CLMP meets the statutory requirements of the *Adelaide Park Lands Act 2005* and the *Local Government Act 1999* and provides for the following:
- 24.1. A single community land management plan for the Adelaide Park Lands that provides a holistic management approach to the Adelaide Park Lands under Council's care and control

- 24.2. Clear content for communicating with the community about management of the Adelaide Park Lands
- 24.3. Reduced duplication and potential for inconsistency with the Adelaide Park Lands Management Strategy (APLMS)
- 24.4. A streamlined approach for future amendments and 5 yearly reviews to the CLMP and a more reader friendly document for interested parties.
- 25. The consolidated Draft CLMP for the Adelaide Park Lands replaces the existing CLMP's for the Adelaide Park Lands, which were predominately adopted in 2013, and provide individual chapters for each park within the Park Lands.
- 26. The Adelaide Oval Precinct, Part of Tarntanya Wama (Park 26) remains as a standalone CLMP as it is governed by the *Adelaide Oval Redevelopment and Management Act 2011*.
- 27. In accordance with section 198 (1) of the *Local Government Act 1999*, except for the CLMP for the Adelaide Oval Precinct, Part of Tarntanya Wama (Park 26) the following Adelaide Park Lands Community Land Management Plans will be revoked by the adoption of the draft CLMP.
 - 27.1. **General Provisions** - Adelaide Park Lands Community Land Management Plan (November 2021)
 - 27.2. **Chapter 1** - Framework
 - 27.3. **Chapter 2** - Tuthangga (Park 17), Wita Wirra (Park 18), Pityarilla (Park 19)
 - 27.4. **Chapter 3** - Kurangga (Park 20)
 - 27.5. **Chapter 4** - Walyu Yarta (Park 21)
 - 27.6. **Chapter 5** - Mirnu Wirra (Park 21 West), Wikaparntu Wirra (Park 22), Wirrarnintheta (Park 23)
 - 27.7. **Chapter 6** - Tampawardli (Park 24), Narnungga (Park 25)
 - 27.8. **Chapter 7** - Bonython Park/ Tulya Wardli (Park 27)
 - 27.9. **Chapter 8** - Pirltawardli (Park 1)
 - 27.10. **Chapter 9** - (Pardipardinyilla (Park 2), Kantarilla (Park 3), Kangatilla (Park 4) and Ngampa Yarta (Park 5)
 - 27.11. **Chapter 10** - Nantu Wama (Park 6), Kuntingga (Park 7), Parngutilla (Park 8)
 - 27.12. **Chapter 11** - Tidlangga (Park 9), Warnpangga (Park 10), Tainmuntilla (Park 11 – Part of)
 - 27.13. **Chapter 12** - Palmer Gardens/Pangki Pangki, (Park 28), Brougham Gardens/Tantutitingga (Park 29), Karrawirra (Park 12)
 - 27.14. **Chapter 13** - Tarndanya Womma (Park 26) (excluding Adelaide Oval Precinct CLMP)
 - 27.15. **Chapter 14** - Rundle Park / Kadlitpina (Park 13), Rymill Park / Murlawirrapurka (Park 14), Ityamaitpina (Park 15)
 - 27.16. **Chapter 15** - Victoria Park/Pakapakanthi (Park 16)
 - 27.17. **Chapter 16** - Victoria Square/Tarntanyangga
 - 27.18. **Chapter 17** - Wellington Square/Kudnartu, Light Square/Wauwi, Whitmore Square/Iparrityii, Hurtle Square/Tangkaira, Hindmarsh Square/Mukata
- 28. In accordance with section 198(4) of the *Local Government Act 1999*, if Council adopts the draft CLMP for the Adelaide Park Lands it is required to give public notice.

Next Steps

- 29. If Council approves the consolidated CLMP for the Adelaide Park Lands, the following steps will be undertaken:
 - 29.1. Provide public notice of its adoption in the Government Gazette
 - 29.2. Advise respondents to the consultation process of Council's decision
 - 29.3. Publication of the CLMP for the Adelaide Park Lands to the City of Adelaide website.
 - 29.4. The CLMP for the Adelaide Park Lands works alongside the [Community Land Register](#) which will be updated to reflect the consolidated plan. The Register includes details of lease and licences in the Park Lands and is publicly available online.

DATA AND SUPPORTING INFORMATION

Link 1 – [Local Government Act 1999 \(SA\)](#)

Link 2 – [Adelaide Park Lands Act 2005 \(SA\)](#)

Link 3 – [Council's Community Consultation Policy](#)

Link 4 – [Council Agenda – Tuesday 9 August 2022](#)

Link 5 – [Council Agenda – Tuesday 4 April 2023](#)

Link 5 – [Kadaltilla Agenda – Thursday 23 February 2023](#)

Link 6 – [City Planning, Development and Business Affairs Committee Agenda – Tuesday 4 April 2023](#)

Link 7 – [Community Land Register](#)

ATTACHMENTS

Attachment A – Community Land Management Plan Consultation Summary Report

Attachment B – Consolidated Community Land Management Plan for the Adelaide Park Lands (August 2023)

- END OF REPORT -