

Summary of Council Member feedback and comparative Draft Park Lands Lease and Licence Policy wording

Policy Area Feedback	Adelaide Park Lands Leasing and Licensing Policy (2016)	Draft Park Lands Lease and Licence Policy (3 Oct)	Draft Park Lands Lease and Licence Policy (2 April)
<p><i>Review of the discounts currently contained within the draft Park Lands Lease and Licence Policy, which includes sub-letting arrangements</i></p>	<p>Policy provides for a 70% discount on lease fees for educational institutions and 80% discount on lease fees for community clubs and associations.</p> <p>Licence fees are set annually by Council.</p> <p><i>Community Park Lands rent is assessed on the basis of \$55/m² as a base rental return applied against the total floor area of each Community Park Lands building and associated land. A discount factor will be applied to the above rental to arrive at a rental applicable to the various categories of buildings/use in the Park Lands.</i></p>	<p>Draft Policy does not set lease or licence fees and recommends that these be set annually by Council.</p> <p>Draft Policy recommends a discount of up to 75% on lease and licence fees through achievement of various objectives/performance measures.</p> <p><i>Following the calculation of lease and licence fees, Council Administration will consider granting discounts to community lessees and licensees.</i></p>	<p>Draft Policy has been amended and reflects the application of fees as per existing (2016) Policy, with a minor increase.</p> <p><i>Commercial lease and licence fees will be informed by an independent market assessment and reviewed at each renewal period (where applicable).</i></p> <p><i>Community lease fees will be applied as follows:</i></p> <ul style="list-style-type: none"> <i>• Educational Institutions = \$17.04 per sqm</i> <i>• Community Clubs and Associations = \$11.36 per sqm</i> <p><i>Community licence fees will be adopted annually as part of Council's fees and charges.</i></p> <p><i>Community sub-letting fees will be determined by Council Administration.</i></p>
<p><i>Remove delegation arrangements to Administration for leases and licences less than 5 years</i></p>	<p>Policy provides delegation to Administration to grant a lease or licence in accordance with the Adelaide Park Lands Community Land Management Plan and the Policy.</p> <p>Policy requires Council resolution to granting of lease or licence as a result of an EOI process.</p> <p>Policy requires Council resolution to exempting an organisation from an EOI process.</p> <p><i>Council delegates to the Chief Executive Officer (CEO) the right to:</i></p> <ul style="list-style-type: none"> <i>• Negotiate the renewal of existing leases and licences in accordance with the Community Land Management Plan and this policy.</i> <i>• Enter into a surrender, variation or assignment of an existing lease or licence where the agreement is in accordance with the principles of this document.</i> <i>• The CEO can only act to finalise a lease / licence where it is consistent with the CLMP and is for a period of five years or less – unless it has been subject to public consultation.</i> 	<p>Draft Policy provides delegation to Administration to grant a lease or licence up to five years following EOI process.</p> <p>Draft Policy provides criteria for when EOI exemption can be applied.</p> <p><i>Kadaltilla / Adelaide Park Lands Authority will provide advice on, and Council will formally consider:</i></p> <ul style="list-style-type: none"> <i>• a lease or licence that is for a tenure period of more than five years, including any rights of renewal</i> <i>• a lease or licence that is not consistent with the Park Lands Community Land Management Plan</i> <i>• a sub-letting agreement that is for a period of more than five years</i> <i>• a lease or licence following community engagement</i> <p><i>Council Administration will:</i></p> <ul style="list-style-type: none"> <i>• identify a preferred lease or licence proponent following an EOI process</i> <i>• finalise a lease and licence in accordance with this policy where it is consistent with the Park Lands Community Land Management Plan and is for a period of five years or less</i> 	<p>Draft Policy has been amended to require Council resolution to grant a <u>commercial</u> lease or licence with a proposed tenure period of more than two years.</p> <p>Draft Policy retains delegation to Administration to grant a <u>community</u> lease or licence with a proposed tenure period up to five years, subject to it being consistent with the Adelaide Park Lands Community Land Management Plan. This enables a more efficient transition from lease expiry to lease renewal.</p> <p>Draft Policy requires Administration to report annually on Park Lands leasing and licencing activity.</p> <p><i>Kadaltilla / Adelaide Park Lands Authority will provide advice on, and Council will formally consider:</i></p> <ul style="list-style-type: none"> <i>• a lease or licence that is not consistent with the Adelaide Park Lands Community Land Management Plan</i> <i>• a lease or licence prior to and following community engagement</i> <i>• an exemption to the EOI process as a result of a Lessee or Licensee previously being granted a lease or licence through an EOI process</i> <i>• a community lease or licence that is for a tenure period of more than five years, including any rights of renewal</i> <i>• a community sub-letting agreement that is for a period of more than five years</i> <i>• a commercial lease or licence, or commercial sub-letting agreement, that is for a tenure period of more than two years, including any rights of renewal</i> <p><i>Council Administration will:</i></p> <ul style="list-style-type: none"> <i>• identify a preferred lease or licence proponent following an EOI process</i> <i>• finalise a lease or licence in accordance with this policy where it is consistent with the Adelaide Park Lands Community Land Management Plan and is for a period of five years or less, or has been subject to community engagement and the findings have been considered by Kadaltilla and Council</i> <i>• approve a community sub-letting agreement that is consistent with this policy and is for a period of five years or less</i> <i>• approve a commercial sub-letting agreement that is consistent with this policy and is for a period of two years or less</i> <i>• enter into a surrender, variation or assignment of an existing lease or licence where the agreement is consistent with this policy</i> <i>• present a 'status of Park Lands leases and licences' report to Kadaltilla / Adelaide Park Lands Authority and Council annually including information on all EOI processes undertaken and the outcomes</i>

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Liquor licence agreements	Consideration will be given to the granting of limited liquor licenses to support the activities of the sporting organisation.	<p><i>A lessee or licensee (including sub-lessees and casual use hirers) must not sell, serve or supply to persons, or allow persons to consume alcohol on or from their facilities without first obtaining the consent of Council and all required consents from any relevant Statutory Authorities as per the Liquor Licensing Act (SA) 1997.</i></p> <p><i>Council Administration will consider the proximity of the leased and licensed facility to residents in reviewing these requests.</i></p>	<p>Draft Policy amended to require Council resolution to grant consent to seek a liquor licence or make a significant amendment to an existing liquor licence.</p> <p><i>Council will formally consider:</i></p> <ul style="list-style-type: none"> <i>a request to apply for or significantly amend a liquor licence</i>
Parking arrangements regarding permanent car spaces being granted per lease agreement	Policy does not consider	<p><i>A lessee or licensee will be granted a maximum of two annual vehicle permits per leased or licensed area for the purpose of undertaking general maintenance of their facilities.</i></p> <p><i>Vehicles dropping off and/or picking up supplies, materials, equipment, etc are not permitted to park outside of designated parking areas when unattended.</i></p> <p><i>Where possible, Council Administration will prioritise adjacent designated parking spaces for lessees and licensees to reduce vehicle movements on the Park Lands.</i></p> <p><i>Requests for a vehicle permit from holders of an Australian Disability Parking permit will be considered where they are a volunteer or committee/board member of a lessee or licensee and there is no viable alternative.</i></p>	<p>Draft Policy amended to allow for one vehicle permit per leased or licensed area for temporary access to the Park Lands.</p> <p><i>A community lessee or licensee will be granted one annual vehicle permit per leased or licensed area to temporarily access the Park Lands for the purpose of undertaking general maintenance, dropping off and/or picking up supplies, materials, equipment, etc. The permit will not enable vehicles to remain unattended on the Park Lands.</i></p> <p><i>Where possible, Council Administration will prioritise adjacent designated parking spaces (ie on street) for lessees and licensees to reduce vehicle movements on the Park Lands.</i></p> <p><i>Requests for a vehicle permit from holders of an Australian Disability Parking permit will be considered where they are a volunteer or committee/board member of a lessee or licensee and there is no viable alternative.</i></p>
Advertising and sponsorship arrangements	<p><i>Permanent signage identifying a lessee or licensee in the Adelaide Park Lands will be permitted subject to gaining landlord consent and relevant Development Approvals in accordance with the Development Act 1993.</i></p> <p><i>Temporary signage depicting products sold by the lessee and/or signage depicting organisations that provide sponsorship to the lessee or licensee will be permitted subject to all Council policy, guidelines and other statutory requirements, subject to:</i></p> <p><i>The signage is only installed and displayed on the day or days of the relevant activity/event and is removed at the end of each day; and</i></p> <p><i>The signage is only installed and displayed on the facilities outer boundary or edge so that it faces inwards towards the relevant activity/event;</i></p>	<p><i>Permanent signage upon lease and licence areas will be consistent with Council's Signage Strategy.</i></p> <p><i>Permanent manual and electronic scoreboards will be permitted, providing they do not display third party advertising and in the case of electronic scoreboards, are only activated during scheduled competitions.</i></p> <p><i>Temporary signage will be supported where it is promoting specific events, activities or initiatives to be delivered by the lessee or licensee (including sub-lessees and casual use hirers) within their leased or licensed area and as per the Planning and Design Code (SA) 2022:</i></p> <ul style="list-style-type: none"> <i>not exceed 2m2</i> <i>not be displayed more than one month prior to the event and one week after the event concludes</i> <i>not move or flash, reflect light, use internal lighting or principally advertise brands or products</i> 	<p>Draft Policy amended to stipulate permanent signage requirements.</p> <p><i>All permanent outdoor signage or displays on or around leased and licenced areas must be approved by Council Administration and cannot display or depict any form of third party advertising, including but not limited to names, acronyms or logos relating to a business, company or product.</i></p> <p><i>Permanent outdoor signage upon lease and licence areas must be consistent with the City of Adelaide's signage suite and include public access details and not exceed 2m2.</i></p> <p><i>Permanent manual and electronic scoreboards will be permitted, providing they do not display or depict any form of third party advertising, including but not limited to names, acronyms or logos relating to a business, company or product.</i></p> <p><i>Electronic scoreboards can only be activated during scheduled competition times.</i></p> <p><i>Temporary signage may be supported where it is promoting specific events, activities or initiatives to be delivered by the lessee or licensee (including sub-lessees and casual use hirers) within their leased or licensed area, subject to it not exceeding 2m2 and not displayed more than one prior to an event/activity and one week after the event/activity concludes.</i></p>
Impact of sporting clubs making payments to their players	Policy does not consider	Policy does not consider	Outside the scope of this policy

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<p>Unlocking the Park Lands and the impact this has on use for other members of the community</p>	<p>In granting licences over areas of the Park Lands, licensees must work with Council to ensure optimal use of fields outside of designated game and training times, ensuring (for instance) there is a reasonable definition of required ground maintenance and rest periods.</p> <p>The lessee must obtain the written consent of Council prior to entering into any agreement with another organisation for use of a facility (with the exception of Casual Use agreements).</p>	<p><i>Sub-letting and casual hire of leased and licensed facilities is encouraged.</i></p> <p><i>Community lessees and licensees must use reasonable endeavours to make their facilities available to community groups and organisations when not in use by the lessee or licensee. The lessee or licensee must provide a contact person for managing enquiries for use of their facilities and not charge or impose more onerous obligations on the use of their facilities than Council would charge or impose.</i></p> <p><i>If Council Administration is of the view that the lessee or licensee has not made their facilities sufficiently available, Council Administration will require the lessee or licensee to submit a plan to increase the level of community access.</i></p>	<p>Programming of leased and licensed areas is adequately covered in this policy.</p> <p>In addition to programming, access to the following facilities will support diverse use of community leased and licensed sports areas in the Park Lands:</p> <ul style="list-style-type: none"> • lighting • storage • accessible toilets • shelter/shade • seating • drinking fountains • flexible common rooms • unrestricted playing fields <p>This infrastructure element sits outside the scope of this policy and is addressed in the Adelaide Park Lands Management Strategy and Draft Park Lands Community Buildings (Sport and Recreation) Policy.</p>
<p>Footprint of buildings on the Park Lands</p>	<p>Policy does not consider</p>	<p>Policy does not consider</p>	<p>Outside the scope of this policy and is addressed in the Adelaide Park Lands Management Strategy and Draft Park Lands Community Buildings (Sport and Recreation) Policy.</p>
<p>Commercial use of the Park Lands</p>	<p>Leases for commercial activities such as restaurants and kiosks support people's enjoyment of the Park Lands and provide a service which may be more efficiently delivered by the private sector.</p> <p>Other commercial leases may exist to complement or support specific recreational uses.</p> <p>Social events are essential to the success of community sport and therefore social activities of an appropriate nature and scale will be permitted in leased and/or licensed areas where they relate to identified sporting uses.</p> <p>Revenue generating activities are essential in ensuring that clubs remain financially sustainable and have the capacity to meet their management and maintenance responsibilities. These activities, while commercial in nature, must be conducted on a not-for-profit basis, ie revenue generated must be used for the benefit of the sport.</p> <p>To ensure financial viability of sporting clubs, revenue generating activities will be permitted (subject to all associated approvals) including, but not limited to:</p> <p>The operation of small scale cafes/kiosks to provide for participants, spectators and other Park Lands users.</p> <p>The holding of club-related events.</p> <p>Sports clinics operated by private or public sport and recreation organisations using the clubs facilities, or similar such activities.</p>	<p><i>Core activities of community leases and licences will relate to outdoor recreational use and enjoyment of the Park Lands. Secondary activities may relate to services that provide general community benefit and where appropriate, include limited commercial activities, enabling wider community participation of leased and licensed facilities and supporting the financial sustainability of lessees and licensees.</i></p> <p><i>Commercial activities occurring within community lease and licence settings must align with the core and/or permitted activity of the head lessee/licensee, be subservient to the activities of the head lessee/licensee and non-detrimental to community use and adjacent commercial operations.</i></p> <p><i>Core activities of commercial leases and licences will contribute to the experience and enjoyment of visiting the Park Lands.</i></p>	<p>Draft Policy amended to restrict community lessees and licensees from undertaking activities of a commercial nature.</p> <p><i>Core activities of commercial and community lessees and licensees must:</i></p> <ul style="list-style-type: none"> • <i>be consistent with the Adelaide Park Lands Management Strategy and/or Adelaide Park Lands Community Land Management Plan</i> • <i>provide community benefit</i> • <i>support the outdoor recreational use of the Park Lands</i> <p><i>Secondary activities of community lessees and licensees may be permitted where it involves:</i></p> <ul style="list-style-type: none"> • <i>use by other not for profit community organisations</i> • <i>general community development activities</i> • <i>limited scale food and beverage service in connection with their primary activity(s)</i> <p><i>Community lessees/licensees will not be permitted to sub-let or hire out their leased/licensed area to a commercial organisation.</i></p> <p><i>Kadaltilla / Adelaide Park Lands Authority will provide advice on, and Council will formally consider:</i></p> <ul style="list-style-type: none"> • <i>a commercial lease or licence, or commercial sub-letting agreement, that is for a tenure period of more than two years, including any rights of renewal</i>