

# Proposed amendment of the Community Land Management Plan (CLMP) for Community Open Space and Results of Public Consultation

Strategic Alignment - Our Places  
Public

**Tuesday, 7 May 2024**  
**City Planning, Development and Business Affairs Committee**

**Program Contact:**  
Mike Philippou, Associate  
Director Strategic Property &  
Commercial

**Approving Officer:**  
Tom McCready, Director City  
Services

## EXECUTIVE SUMMARY

At its meeting on 10 October 2023, Council approved 'in principle' the commercial use of a portion of the Community Land parcel, Allotment 21 in Deposited Plan 55398 in Certificate of Title Volume 5861 Folio 864 (an enclosed structure, built from galvanised sheeting at 8 Catherine Helen Spence Street for The Greek on Halifax restaurant located at 75-79 Halifax Street, Adelaide) for storage use and authorised the Administration to consult on an amended Community Land Management Plan (CLMP) for Community Open Space.

The public consultation on the proposed amended CLMP has been completed in accordance with Section 198 of the *Local Government Act 1999 (SA)* and Council's Community Consultation Policy.

A total of two (2) submissions were received. All submissions were received within the specified timeframe.

The purpose of this report is to seek Council's adoption of the amended CLMP.

---

## RECOMMENDATION

The following recommendation will be presented to Council on 14 May 2024 for consideration

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

THAT COUNCIL

1. Notes the results of the public consultation of the proposed amended Community Land Management Plan - Community Open Space as contained within Attachment A to Item 7.7 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 7 May 2024.
2. Adopts the amended Community Land Management Plan – Community Open Space as contained within Attachment B to Item 7.7 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 7 May 2024.
3. Authorises the Acting Chief Executive Officer to negotiate and finalise a lease agreement for storage use of a portion of the Community Land at Allotment 21 in Deposited Plan 55398 in Certificate of Title Volume 5861 Folio 864, 8 Catherine Helen Spence Street, Adelaide.
4. Authorises the Lord Mayor and Acting Chief Executive Officer to execute and affix the Common Seal of the Council to the lease agreement and associated documentation.

## IMPLICATIONS AND FINANCIALS

|  |   |
|--|---|
| City of Adelaide<br>2024-2028<br>Strategic Plan                        | <b>Strategic Alignment – Our Places</b><br>Create opportunities for sustained activation the city through outdoor dining, parking, leases and licences and support food businesses to operate safely. |
| Policy   | Community Consultation Policy prescribes public consultation for the amendment to a Community Land Management Plan pursuant to Section 198 of the <i>Local Government Act 1999 (SA)</i> .             |
| Consultation   | The Administration consulted with the public on the amendment of the Community Land Management Plan.  |
| Resource   | This activity will be managed within existing resources.  |
| Risk / Legal /<br>Legislative  | The <i>Local Government Act 1999 (SA)</i> governs the way this matter should be managed pursuant to Section 198.  |
| Opportunities  | Align the existing use of the storage facility with the permitted use as set out in the CLMP.   |
| 23/24 Budget<br>Allocation   | Not as a result of this report  |
| Proposed 24/25<br>Budget Allocation                                    | Not as a result of this report  |
| Life of Project,<br>Service, Initiative<br>or (Expectancy of)<br>Asset | CLMPs remain in place in perpetuity and are reviewed as and when needed. Consultation is required when and significant changes occur.   |
| 23/24 Budget<br>Reconsideration<br>(if applicable)                     | Not as a result of this report  |
| Ongoing Costs<br>(eg maintenance<br>cost)                              | Not as a result of this report  |
| Other Funding<br>Sources   | Not as a result of this report  |

# DISCUSSION

- There are various parcels of land within the Community Land Management Plan – Community Open Space set out in the below table:

| Name of Property                       | Location  | Certificates of Title                         |
|--|---|---|
| 1) Grenfell Plaza Open Space           | Stock Exchange Place  | Volume 5566/Folio 691                         |
|  | Brookman Fountain & Land  | Volume 5994/Folio 788 & Volume 5506/Folio 985 |
|  | 19-39 Grenfell Street   | Volume 5506/Folio 986                         |
|  | CBS Court<br>Rear of 90 - 94 King William Street  | Volume 6115/Folio 538                         |
| 2) Margaret Street Garden              | Margaret Street, North Adelaide   | Volume 5845/Folio 733                         |
| 3) Carrington Street Garden            | 219-221 Carrington Street   | Volume 5485/Folio 423                         |
| 4) Gilles Street Garden                | 230-232 Gilles Street   | Volume 6294/Folio 163                         |
| 5) Howard Florey Street                | 11-31 Howard Florey Street  | Volume 5920/Folio 895                         |
| 6) Halifax Street Gardens              | Reserve 8 Catherine Helen Spence Street   | Volume 5861/Folio 864                         |
| 7) Lombard Street Community Open Space | Eastern end of Lombard Street between O'Connell Street and Fenchurch Street, North Adelaide | Volume 6088/Folio 309                         |

## Non-significant Changes to the Community Land Management Plan (CLMP)

- Minor amendments that do not significantly impact the community's interests do not require public consultation pursuant to Section 198(3) of the *Local Government Act 1999 (SA)*.
- The minor amendments to this CLMP were changes to layout, font, branding, and updates to the Certificates of Title.
- The parcels of land identified in the current CLMP as Vaughan Place and Gilles Lane Land are classified as Private Roads and do not require a management plan. Therefore, they were removed from the CLMP.

### Lombard Street, North Adelaide

- Council adopted a separate Community Land Management Plan – Community Open Space for Lombard Street on 11 April 2017.
- The Lombard Street land within the above CLMP has been merged into the broader Community Land Management Plan for Community Open Space.

## Amendments to the Community Land Management Plan that required consultation

### Catherine Helen Spence Street

- At its meeting on 10 October 2023, Council approved 'in principle' the commercial use of a portion of the Community Land parcel Allotment 21 in Deposited Plan 55398 Certificate of Title Volume 5861 Folio 864 at 8 Catherine Helen Spence Street for storage use.
- The CLMP has been amended to include the storage facility on this parcel of Community Land, **Attachment A**.

## Results of the Public Consultation on the amended CLMP

- Public consultation was conducted in accordance with Section 198 of the *Local Government Act 1999 (SA)* and in accordance with Council's Community Consultation Policy. The public consultation was undertaken for a period commencing on 23 February 2024 and concluded on 18 March 2024.

10. Public notices requesting submissions were placed in the Government Gazette, the Advertiser, Your Say Adelaide and on the City of Adelaide's website.
11. The information relating to the amendment to the CLMP was on display for public viewing in the Customer Service Centre, Council Libraries and Community Centres. Hard copy consultation packs ([Link 1](#)).
12. A summary report of online activity and submissions received through Your Say Adelaide is available at [Link 2](#).
13. All responses from the public consultation are provided in full at [Link 3](#).
14. In addition to the consultation results themselves, Your Say Adelaide provides further insights regarding consultation activity achieved online.
15. Key insights, activities and results from the consultation are as follows:
  - 15.1. There was a total of 45 visits to the consultation web page, of those 41 appear to be unique visitors with the remaining being repeat visitors.
  - 15.2. 12 participants consumed additional information to further inform themselves on the consultation, these activities include downloading content, reviewing photos and/or reviewing FAQ pages.
  - 15.3. The Draft Community Land Management Plan document was downloaded eight (8) times.
  - 15.4. Three (3) participants reviewed the online survey page with one (1) choosing to submit a response. In addition to this response, one (1) additional response was received via email.
  - 15.5. All respondents were in support of the Proposed Amendment to the Community Land Management Plan.
  - 15.6. One (1) respondent strongly disagreed with the use of a portion of Catherine Helen Spence (adjacent Green on Halifax) for commercial storage, one (1) respondent agreed with the proposal.

## Next Steps

If Council adopts the amended CLMP

16. Negotiation and finalisation of a commercial lease to facilitate the exclusive use of a portion of the area of the Community Land Parcel Allotment 21 in Deposited Plan 55398 in Certificate of Title Volume 5861 Folio 864 for storage for a term less than five (5) years.
17. The Lessee will be required to submit a Development Application and gain associated approvals for the existing and/or a modified structure within the leased premises.
18. Public notice of Council's adoption of the amended Community Land Management Plan – Community Open Space pursuant to Section 198(4) of the *Local Government Act 1999 (SA)*.

If Council does not adopt the amended CLMP

19. Noting this option is not recommended, Council will commence the encroachment removal process pursuant to Section 200 of the *Local Government Act 1999 (SA)* by contacting the owners and issuing a formal notice to remove the infrastructure within three (3) months.

---

## DATA AND SUPPORTING INFORMATION

**Link 1** – Consultation pack available at Customer Centre, Libraries and Community Centres

**Link 2** – Public Consultation Results – Your Say Adelaide Summary Report

**Link 3** – Public Consultation Results – Your Say Adelaide Full Responses

---

## ATTACHMENTS

**Attachment A** – Results of the public consultation

**Attachment B** – Amended Community Land Management Plan – Community Open Space