

MOTION ON NOTICE

Councillor Martin will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

That Council:

Asks the Administration to include in its current review of Park Lands Leasing and Licencing:

1. The competition posed, in the wake of Covid, to existing CBD and North Adelaide hospitality venues from sporting clubs leasing Park Lands and advertising meeting/event rooms for hire, licenced dining and entertainment and
2. Whether restrictions should or could be imposed on existing leased premises and future leased premises to protect privately owned hospitality businesses not on the Park Lands.'

ADMINISTRATION COMMENT

1. On 10 May 2022, a draft Park Lands Lease and Licence Policy was approved by Council for the purpose of community consultation. Consultation on the draft Policy closes on 14 June 2022.
2. It should be noted that any feedback received during this consultation that relate to the points of this motion would be inform the report that would come back to Council for their consideration.
3. The draft Policy states that Council will consider granting a lease or licence to an organisation where the proposed activity:
 - 3.1. is consistent with the Adelaide Park Lands Management Strategy and/or Adelaide Park Lands Community Land Management Plan
 - 3.2. provides community benefit
 - 3.3. supports outdoor recreational use of the Park Lands.
4. Both the existing and draft Park Lands Lease and Licence Policies recognise the requirement for community lessees to undertake fund raising activities in order to be financially viable. This is particularly pertinent for community lessees in the Adelaide Park Lands, who are responsible for all of their operational costs and asset maintenance and renewal expenses.
5. The 2015-2025 Adelaide Park Lands Management Strategy (APLMS) provides two key references within its strategies and actions that relate to envisaged commercial activity specifically related to sport and recreation, these are:

STRATEGY 1.4 Support activation of the Park Lands by upgrading and enhancing buildings and structures responsive to their park setting

ACTIONS

6. *Permit commercial services to operate where they provide community benefit and support outdoor recreational use of the Park Lands.*

STRATEGY 1.6 *Strengthen the role of the Park Lands as a regional destination for competitive sport and a variety of active and passive forms of recreation*

ACTIONS

4. *Deliver a variety of facilities, including clubrooms and smallscale commercial operations, to support community use and participation in sport and recreation.*
6. The draft Policy also states that secondary activities eg commercial activities that support the financial sustainability of lessees must be appropriate and subservient to the core activity for which the lease or licence was granted.
7. The Park Lands environment is equally challenging for commercial lessees, who do not have the benefit of steady foot traffic and are impacted by various external factors including events and seasonal weather. Similar to other city businesses, commercial lessees in the Park Lands have been impacted by COVID-19.
8. There is also the potential to unintentionally discriminate against sporting clubs and limit their ability to drive commercial activity for their purposes that is allowed for within current Council policy. These uses are consistent with the many other commercial applications currently offered across the Park Lands and are envisaged within the Adelaide Park Lands Management Strategy. These are offered across the many diverse lessees within the Park Lands ranging from education institutions, major sporting venues, restaurants, cafes and kiosks, through to our local sporting clubs.
9. While liquor licences are not managed by Council, existing lease and licence agreements contain clauses that require Council's consent before a lessee can seek a liquor licence to serve, sell or allow the consumption of alcohol within their premises.
10. We are not able to change permitted uses defined in existing lease and licence agreements. Any restrictions on permitted uses introduced through a new Park Lands Lease and Licence Policy will affect the negotiation of new lease and licence agreements going forward.
11. If the restrictions proposed by this motion were promoted for inclusion into the Policy, they conflict with current envisaged activity within the 2015-2025 APLMS. The APLMS would subsequently need to be reviewed to remove a policy conflict, noting that this document will be reviewed through community engagement and reports to Council across 2022/23.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Public Consultation in progress.
External consultant advice	Not applicable
Legal advice / litigation (eg contract breach)	Not applicable
Impacts on existing projects	Not applicable
Budget reallocation	Not applicable
Capital investment	Not applicable
Staff time in preparing the workshop / report requested in the motion	Not applicable
Other	Not applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 4 hours.