

Kadaltilla

Review of Adelaide Park Lands Community Land Management Plan

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Board Meeting

Author:

Sarah Gilmour, Associate
Director Park Lands, Policy &
Sustainability

Public

Purpose

At its meeting held on 24 February 2022, Kadaltilla / Park Lands Authority (Kadaltilla) considered a report item on Community Land Management Plan (CLMP) Objectives, Targets and Measures, and supported the current review of Targets and Measures for Adelaide Park Lands CLMPs.

The approach for preparing CLMPs outlined in the report on 24 February 2022 has been reviewed to further consider community feedback and statutory obligations for CLMPs arising from the *Local Government Act 1999* (SA) (LG Act) and *Adelaide Park Lands Act 2005* (SA) (APL Act).

The review identified opportunities for stronger alignment of CLMP content with statutory requirements, which in turn should streamline the five-yearly review process such that it can be achieved within statutory timeframes.

The purpose of this report is to present a single, consolidated CLMP for the Adelaide Park Lands under the care, control and management of the City of Adelaide (CoA) for the consideration of Kadaltilla. The proposed CLMP focuses on statutory content. Strategic initiatives are to be addressed through the Adelaide Park Lands Management Strategy (APLMS) (currently under review). The CLMP is legislatively required to be consistent with the APLMS and content need not be duplicated across plans.

Recommendation

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That the Kadaltilla / Park Lands Authority:

1. Supports, for the purposes of public and stakeholder consultation, the consolidated draft Community Land Management Plan for the Adelaide Park Lands under the care, control and management of the City of Adelaide presented as Attachment A to Item No. xxx on the agenda of the Board Meeting of Kadaltilla / Park Lands Authority held on 28 July 2022.

Implications

Adelaide Park Lands Management Strategy 2015-2025	Adelaide Park Lands Management Strategy 2015-2025 The Adelaide Park Lands Community Land Management Plan (CLMP) is required by the APL Act to be consistent with the Adelaide Park Lands Management Strategy.
APLA 2020-2025 Strategic Plan	Adelaide Park Lands Authority 2020-2025 Strategic Plan Strategic Plan Alignment – Management and Protection Key Action 3.3 - Review the City of Adelaide Community Land Management Plans and State Government Management Plans.
Policy	The proposed CLMP would supersede all pre-existing CLMPs for the Adelaide Park Lands excluding the CLMP for the Adelaide Oval Precinct, Part of Tarntanya Wama (Park 26).
Consultation	Public consultation on a CLMP for the Adelaide Park Lands must be undertaken in accordance with the statutory requirements of the LG Act and APL Act (Section 19) and the consultation steps in Table 1 of the CoA Community Consultation Policy adopted by Council on 16 July 2019. A workshop was held with Council Members at The Committee Strategic Discussion Forum on 21 June 2022.
Resource	The revised approach to preparing the CLMPs for the Adelaide Park Lands reduces the timeframe and resources required to deliver the comprehensive review programme.
Risk / Legal / Legislative	The review of existing CLMPs for the Adelaide Park Lands is beyond the statutory timeframe of five-years. Legal review has confirmed that a consolidated draft CLMP meets statutory requirements.
Opportunities	The review process has identified an opportunity for stronger alignment of CLMP content and review processes with statutory requirements. This includes a streamlined approach to the five-yearly review process such that in future it can be achieved within the statutory timeframe.
City of Adelaide Budget Allocation	The project is targeting completion in the 2022/2023 financial year and can be delivered within existing operating budgets.
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.
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

Discussion

Requirements and Process

1. Section 196(1a) of the LG Act sets out the following requirements for a Community Land Management Plan (CLMP) to address, including specific requirements for the Adelaide Park Lands:
 - (1a) *"The Adelaide City Council must prepare and adopt a management plan for the Adelaide Park Lands.*
 - (2) *A single management plan may apply to one or more separate holdings of community land.*
 - (3) *A management plan must—*
 - (a) *Identify the land to which it applies; and*
 - (b) *State the purpose for which the land is held by the council; and*
 - (c) *State the council's objectives, policies (if any) and proposals for the management of the land; and*
 - (d) *State performance targets and how the council proposes to measure its performance against its objectives and performance targets; and*
 - (e) *In the case of the management plan for the Adelaide Park Lands:*
 - (i) *Provide information on any arrangements or restrictions on public use of any part of the park lands, or on movement through the park lands; and*
 - (ii) *Provide specific information on the council's policies for the granting of leases or licences over any part of the park lands."*
2. Section 19 of the APL Act states that the management plan for community land within the Adelaide Park Lands must be:
 - 2.1. Consistent with the Adelaide Park Lands Management Strategy (APLMS).
 - 2.2. Comprehensively reviewed at least once in every five years.
3. Section 8 of the LG Act provides a list of mandatory considerations of Council when making a statutory decision under the LG Act. In preparing a CLMP, Council must have regard to the following principles:

Principles to be observed by Council	CLMP response
Provide open, responsive and accountable government.	The CLMP includes performance objectives, targets and measures as a means of being accountable for the management of community land.
Be responsive to the needs, interests and aspirations of individuals and groups within its community.	The CLMP is subject to statutory community consultation (under the LG Act).
Participate with other councils, and with State and national governments, in setting public policy and achieving regional, State and national objectives.	Council must, before it releases a proposed CLMP for public consultation under the LG Act, consult on a draft of its proposal with the relevant Minister, the Adelaide Park Lands Authority (Kadaltilla), and any State authority or adjoining council that has a direct interest in the matter.
Give due weight, in all its plans, policies and activities, to regional, State and national objectives and strategies concerning the economic, social, physical and environmental development and management of the community.	The CLMP identifies key national, State, regional and local legislation and policies relevant to the management of community land.

Principles to be observed by Council	CLMP response
Seek to co-ordinate with State and national government in the planning and delivery of services in which those governments have an interest.	The CLMP for the Adelaide Park Lands must be consistent with the APLMS which reflects a range of shared objectives for the Adelaide Park Lands and gives rise to partnerships in planning and service provision.
Seek to collaborate, form partnerships and share resources with other councils and regional bodies for the purposes of delivering cost-effective services (while avoiding cost-shifting among councils), integrated planning, maintaining local representation of communities and facilitating community benefit.	
Seek to facilitate sustainable development and the protection of the environment and to ensure a proper balance within its community between economic, social, environmental and cultural considerations.	The CLMP sets out the purpose for which land in the Adelaide Park Lands, under the care and control of Council, is held. There is alignment with the principles contained in APL Act which includes economic, social, environmental and cultural considerations.
Manage its operations and affairs in a manner that emphasises the importance of service to the community.	The CLMP sets out performance objectives, targets and measures for management of community land which identifies community service provision. In large part these apply equally across the Adelaide Park Lands. Where specific service need has been identified, this is outlined in the CLMP.
Seek to ensure that council resources are used fairly, effectively and efficiently and council services, facilities and programs are provided effectively and efficiently.	
Seek to provide services, facilities and programs that are adequate and appropriate and seek to ensure equitable access to its services, facilities and programs.	
Achieve and maintain standards of good public administration.	The CLMP establishes links with other Council documents including policies and operating guidelines for the management of community land.
Seek to balance the provision of services, facilities and programs with the financial impact of the provision of those services, facilities and programs on ratepayers.	The CLMP identifies a relationship with Council's asset management plans which are directly related to the long-term financial management plan and sustainability of the Council.
Ensure the sustainability of the council's long-term financial performance and position.	

Current CLMP Approach

4. The first CLMP (1999) was a single, comprehensive management plan for the Adelaide Park Lands.
5. The second iteration of the CLMP (2005) transitioned to the creation of separate plans for each park. This aligned with the commencement of the APL Act and its requirement to develop an APLMS which focusses on a vision and enhancement proposals for the Park Lands.

6. The 2013 series of CLMPs transitioned back to a more consolidated approach, by:
 - 6.1. Combining many parks into 'Chapters'.
 - 6.2. Including Chapter 1 which provided the overall 'Legislative and Planning Framework' and certain provisions which applied to all parks (to avoid duplication in each park section).
7. The current CLMPs mostly date from 2013 and, except for three, are outside of the five-year legislative timeframe for review.
8. Since November 2020, Council has adopted (following support from Kadaltilla), the General Provisions of the Adelaide Park Lands Community Land Management Plan and three reviewed CLMPs for:
 - 8.1. Golden Wattle Park / Mirnu Wirra (Park 21W)
 - 8.2. The Adelaide Oval Precinct
 - 8.3. Bunday's Paddock / Tidlangga (Park 9).

Proposed Consolidated CLMP

9. At its meeting held on 24 February 2022, Kadaltilla supported the current review of Targets and Measures for Adelaide Park Lands CLMPs (Link 1 [here](#)).
10. The approach for preparing CLMPs outlined in the report on 24 February 2022 has been reviewed to further consider community feedback and statutory obligations for CLMPs arising from the LG Act and APL Act.
11. The review identified opportunities for stronger alignment of CLMP content and review processes with statutory requirements, which in turn should streamline the five-yearly review process such that it can be achieved within statutory timeframe.
12. The current approach, the subject of this report, is to transition back to a consolidated CLMP (refer to **Attachment A**).
13. The consolidated CLMP meets the statutory requirements and takes the approach of containing information which applies to the management of the Adelaide Park Lands as a whole system including:
 - 13.1. The management framework for the Adelaide Park Lands, including key legislation and CoA strategies, policies and plans.
 - 13.2. The overall purpose for which the Adelaide Park Lands are held (as a system of parks):
 - 13.2.1. To provide benefit for the people of South Australia by being publicly accessible green open space.
 - 13.2.2. To support a diverse range of environmental, natural heritage, cultural and social values and activities.
 - 13.2.3. To support outdoor and community based recreational activities.
 - 13.2.4. To provide a defining feature to the City of Adelaide.
 - 13.2.5. To contribute to the economic and social wellbeing of the city.
 - 13.3. The overarching objectives, targets and measures for the Adelaide Park Lands.
14. The consolidated CLMP also provides park specific management information as each park has a specific context and management considerations. Each park has a dedicated page in the CLMP which includes:
 - 14.1. Identification of the land.
 - 14.2. Park context.
 - 14.3. Purpose for which the land is held (this is in addition to the overall purpose for which the Adelaide Park Lands are held).
 - 14.4. Park specific objectives, targets and measures for managing the land (these are in addition to the overarching objectives, targets and measures for the Adelaide Park Lands which also can apply where relevant).
 - 14.5. Management proposals.
 - 14.6. Restrictions of public use and movement.

15. The previously adopted (April 2021) CLMP for the Adelaide Oval Precinct will remain a stand-alone document due to the inherent complexities introduced into the management of that Precinct by the *Adelaide Oval Redevelopment and Management Act (SA) 2011* and the resulting Licence Area and a link to this document will be provided in the consolidated CLMP.

Benefits of the proposed consolidated approach

16. The new, consolidated CLMP is more functional and provides the following benefits:
 - 16.1. A more holistic management approach to the Adelaide Park Lands under Council's care and control.
 - 16.2. Clear content for communicating with the community about management of the Adelaide Park Lands.
 - 16.3. A functional and easy to use document.
 - 16.4. Statutory compliance with plan content and improved ability to achieve review timeframes.
 - 16.5. Reduced duplication and potential for inconsistency with the Adelaide Park Lands Management Plan.
 - 16.6. More efficient consideration by Kadaltilla, State Government and Council.
17. The proposed consolidated CLMP is strongly aligned with the intent of the relevant legislation by focusing on Council's objectives, policy and proposals for the management of land and how it proposes to measure its performance against management objectives and targets.
18. Rather than duplicate existing content in other documents, which can result in inconsistency, additional information (such as the Cultural Landscape Assessment, relevant Council strategies, policies, guidelines and land titles) are provided through linked documents.

Consultation

19. Consultation on a CLMP for the Adelaide Park Lands must be undertaken in accordance with the statutory requirements of the LG Act and APL Act.
20. Council must, before it releases a proposed CLMP for public consultation under the LG Act, consult on a draft of its proposal with:
 - 20.1. The Minister responsible for the APL Act, currently the Minister for Planning (The Hon Nick Champion MP).
 - 20.2. The Adelaide Park Lands Authority (Kadaltilla).
 - 20.3. Any State authority or adjoining council that has a direct interest in the matter.
21. The subsequent consultation steps for statutory consultation on a proposed CLMP are set out in Table 1 of the CoA Community Consultation Policy, which states:
 - 21.1. Council will provide public notice of the options for consideration.
 - 21.2. Information provided on a CoA corporate website.
 - 21.3. Council to ensure that any documents that are legislatively required to be freely available for inspection are on public display and print versions are available to purchase for a fixed fee in the customer centre; and freely available for view and/or purchase for a fixed fee in the City's libraries and community centres as required.
 - 21.4. Notice published in a local newspaper circulating in the CoA.
 - 21.5. Provide a minimum of 21 days for people to make submissions to Council (unless stated).
 - 21.6. Receipt of submissions by CoA.
 - 21.7. Submissions to be considered by Council in decision-making.
 - 21.8. Inform public of outcome (as per relevant section).

Next Steps

22. Council will formally consider the reviewed and consolidated CLMP at its meeting on 9 August 2022. If Council approves the CLMP for consultation, the document will be forwarded to the Minister for Planning (The Hon Nick Champion MP) for consultation, along with adjoining Councils and relevant State Authorities). The outcome of this consultation process may determine whether the CLMP proceeds to public consultation, or is referred back to Council, and possibly Kadaltilla also.
23. If the CLMP proceeds to public consultation, this will be for a minimum of 21 days.
24. The results of any public consultation will be compiled and analysed in a report for Kadaltilla and Council to consider.

Attachments

Attachment A – Reviewed and consolidated Community Land Management Plan for the Adelaide Park Lands under the care, control and management of the City of Adelaide.