

Kadaltilla

Draft Community Land Management Plan – Amendments Prior to Consultation

Thursday, 23 February 2023
Board Meeting

Author:

Sarah Gilmour, Associate
Director Park Lands, Policy &
Sustainability

Public

Purpose

The purpose of this report is to seek Kadaltilla's recommendation to Council on the amended draft CLMP. Pending Council approval, the next step will be consultation with the Minister for Planning, State Government agencies and adjoining Councils on the draft CLMP, prior to public release. Amendments are shown in track changes in **Attachment A** for ease of reference and will not appear in the CLMP released for public consultation.

Executive Summary

At its meeting held on 28 July 2022 Kadaltilla/ Park Lands Authority (Kadaltilla) supported, for the purposes of public and stakeholder consultation, the consolidated draft Community Land Management Plan (CLMP) for the Adelaide Park Lands under the care, control and management of the City of Adelaide.

This draft CLMP will improve Council's ability to achieve statutory compliance and review timeframes. The draft CLMP is focused on its statutory intent to communicate clearly about the management of the Adelaide Park Lands. The draft CLMP must be consistent with the Adelaide Park Lands Management Strategy and the revised document reduces duplication and potential for inconsistency with the Adelaide Park Lands Management Strategy.

At its meeting on 9 August 2022, Council approved the draft consolidated CLMP being released for statutory consultation, subject to consultation with the Minister for Planning. Kadaltilla sought inclusion of an Objective, Targets and Measure(s) in section 10 of the draft CLMP for trails and paths in the Park Lands. This has now been incorporated into the draft CLMP.

Since the Council decision on 9 August 2022, the State Government has made several public announcements that are considered to materially affect the draft CLMP for consultation, including:

- Denise Norton Park/ Pardipardinyilla (Park 2) as it relates to the Adelaide Aquatic Centre
- Frome Park/ Nellie Raminyemmerin as it relates to Botanic High School
- Bonython Park/ Tulya Wardli and Kate Cocks Park as it relates to the new Women's and Children's Hospital
- Helen Mayo Park as it relates to the Riverbank Precinct.

A full review of the draft CLMP has been undertaken and minor amendments are also proposed where it provides improved clarity of Councils' intent for managing community land in the Park Lands.

Recommendation

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES COUNCIL:

That 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 5.3 on the Agenda for the meeting of the Board of Kadaltilla / Park Lands Authority held on 23 February 2023.
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Implications

<p>Adelaide Park Lands Management Strategy 2015-2025</p>	<p>Adelaide Park Lands Management Strategy 2015-2025 The Adelaide Park Lands Community Land Management Plan (CLMP) is required by the <i>Adelaide Park Lands Act 2005 (SA)</i> to be consistent with the Adelaide Park Lands Management Strategy.</p>
<p>2020-2025 Strategic Plan</p>	<p>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.</p>
<p>Policy</p>	<p>The proposed CLMP would supersede all pre-existing CLMPs for the Adelaide Park Lands excepting the CLMP for the Adelaide Oval Precinct, Part of Tarntanya Wama (Park 26). Existing Council policy relating to temporary works and compounds in the Park Lands unintentionally omitted from the draft CLMP for consultation is reinstated.</p>
<p>Consultation</p>	<p>Public consultation on a CLMP for the Adelaide Park Lands must be undertaken in accordance with the statutory requirements of the <i>Local Government Act 1999 (SA)</i> and <i>Adelaide Park Lands Act 2005 (SA)</i> (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 on 21 June 2022. Kadaltilla / Park Lands Authority considered the approach on 28 July 2022. Council approved the draft CLMP for the Adelaide Park Lands for consultation on 9 August 2022.</p>
<p>Resource</p>	<p>The revised approach to preparing the CLMPs for the Adelaide Park Lands reduces the timeframe and resources required to deliver a five yearly review programme and ensures the plans which will assist with legislative compliance.</p>
<p>Risk / Legal / Legislative</p>	<p>A CLMP for the Adelaide Park Lands must meet the statutory requirements of the <i>Local Government Act 1999 (SA)</i> and <i>Adelaide Park Lands Act 2005 (SA)</i>. 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.</p>
<p>Opportunities</p>	<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>
<p>City of Adelaide Budget Allocation</p>	<p>The project is targeting completion in 2023 financial year and can be delivered within existing operating budgets.</p>
<p>Life of Project, Service, Initiative or (Expectancy of) Asset</p>	<p>The CLMP for the Adelaide Park Lands must be comprehensively reviewed at least once in every five years.</p>
<p>Ongoing Costs (eg maintenance cost)</p>	<p>Not as a result of this report</p>
<p>Other Funding Sources</p>	<p>Not as a result of this report</p>

Discussion

1. At its meeting held on 28 July 2022 Kadaltilla/ Park Lands Authority (Kadaltilla) supported, 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.
2. That report 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. LINK: [Review of Adelaide Park Lands Community Land Management Plan.pdf \(cityofadelaide.com.au\)](https://www.cityofadelaide.com.au/~/media/2022/07/Review-of-Adelaide-Park-Lands-Community-Land-Management-Plan.pdf)
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 / Park Lands Authority), 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.
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	

Consolidated draft CLMP

4. The consolidated CLMP meets Council's statutory requirements, including:
 - 4.1. The management framework for the Adelaide Park Lands, including key legislation and strategies, policies and plans.
 - 4.2. The overall purpose for which the Adelaide Park Lands are held (as a system of parks).
 - 4.3. The overarching objectives, targets and measures for management of the Adelaide Park Lands.
5. As each park has specific context and management considerations, the consolidated CLMP still provides park specific management information as a series of Annexures, with the following benefits:
 - 5.1. A more holistic management approach to the Adelaide Park Lands under Council's care and control.
 - 5.2. Clear content for communicating with the community about management of the Adelaide Park Lands.
 - 5.3. A functional and easy to use document.
 - 5.4. Statutory compliance with plan content and improved ability to achieve review timeframes through more efficient consideration by Kadaltilla, State Government and Council.
 - 5.5. Reduced duplication and potential for inconsistency with the Adelaide Park Lands Management Strategy.
 - 5.6. Reduced frequency of public consultation.

Amendments to consolidated draft CLMP

6. In accordance with section 19(2) of the *Adelaide Park Lands Act 2005 (SA)* (APL Act), Council must before it releases a draft CLMP or an amendment to a CLMP for consultation, consult on its proposal with the Minister for Planning, Kadaltilla/ Park Lands Authority, and any State Authority or adjoining Council that has a direct interest in the matter.
7. In preparing the consultation program, the following matters are identified as requiring amendment to the draft CLMP prior to consultation:
 - 7.1. Clarification that the CLMP for the Adelaide Oval Precinct remains a standalone CLMP due to the inherent complexities introduced into the management of that Precinct by the Adelaide Oval Redevelopment and Management Act 2011 (SA) and the resulting Licence Area
 - 7.2. Reinstate existing Council policy relating to temporary works and compounds in the Park Lands unintentionally omitted from the draft CLMP for consultation
 - 7.3. Inclusion of an Objective, Target and Measure(s) specific to trails and paths in the Park Lands in response to the significant role of trails and paths in the Park Lands and to reflect the discussion of Kadaltilla on 28 July 2022
 - 7.4. Identification of the future redevelopment of the Aquatic Centre in Denise Norton Park/ Pardipardinyilla (Park 2) and potential changes to State-local care, control and management arrangements
 - 7.5. Identification of the future use of a portion of Frome Park/ Nellie Raminyemmerin as a high school (expansion of the Adelaide Botanic High School), and transfer of that portion of land to the State Government
 - 7.6. Identification of the State Government's legislation enabling the new Women's and Children's Hospital development and impacts to Bonython Park/ Tulya Wardli (Park 27) and Kate Cocks Park
 - 7.7. Identification of proposed changes to State-local care, control and management arrangements in relation to Helen Mayo Park.
8. The aforementioned matters are addressed through amendment to the following sections of the draft CLMP:
 - 8.1. Section 2 - About this Community Land Management Plan
 - 8.2. Section 8 - Key City of Adelaide Strategies, Policies and Plans
 - 8.3. Section 10 - Overarching Objectives, Targets and Measures for the Adelaide Park Lands
 - 8.4. Section 11 - Annexures
 - 8.5. Other minor amendments to improve clarity of Council's intent for managing community land in the Park Lands.
9. The proposed amendments are provided for consultation with the Minister for Planning and the State Government.

Consultation

10. 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, including consultation with the Minister for Planning (The Hon Nick Champion) and State Government Agencies prior to public release.
 11. Subsequent community consultation is undertaken in accordance with Table 1 of the CoA Community Consultation Policy, which states:
 - 11.1. Council will provide public notice of the options for consideration
 - 11.2. Information provided on a CoA corporate website
 - 11.3. 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
 - 11.4. Notice published in a local newspaper circulating in the CoA
 - 11.5. Provide a minimum of 21 days for people to make submissions to Council (unless stated)
 - 11.6. Receipt of submissions by CoA
 - 11.7. Submissions to be considered by Council in decision-making
 - 11.8. Inform public of outcome.
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Attachments

Attachment A – Draft Community Land Management Plan for the Adelaide Park Lands under the care, control and management of the City of Adelaide (January 2023)