

Draft Community Land Management Plan – Amendments Prior to Consultation

Strategic Alignment - Enabling Priorities

Public

Tuesday, 4 April 2023

City Planning, Development
and Business Affairs
Committee

Program Contact:

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Approving Officer:

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EXECUTIVE SUMMARY

The purpose of this report is to seek Council approval for final amendments to the consolidated draft CLMP prior to consultation with the Minister for Planning, state agencies and adjoining councils (prior to public release).

Amendments are highlighted in yellow and green for ease of reference in **Attachment A** and will not appear in the CLMP released for consultation.

At its meeting on 23 February 2023 Kadaltilla / Park Lands Authority (Kadaltilla) supported the consolidated draft CLMP (**Attachment A**), inclusive of the additional minor amendments (highlighted in green), for the purposes of undertaking statutory consultation.

RECOMMENDATION

The following recommendation will be presented to Council on Tuesday 11 April 2023 for consideration

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

THAT COUNCIL

1. Approves 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 per **Attachment A** to Item 6.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 April 2023, for the purposes of undertaking statutory consultation.
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IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities Review Council services to balance efficiencies with meeting community expectations (5.6)
Policy	The proposed CLMP would supersede all pre-existing CLMPs for the Adelaide Park Lands excepting the CLMP for the Adelaide Oval Precinct, Part of Tarantanya 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.
Consultation	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 Adelaide Park Lands Act 2005 (SA) (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 and the amended draft CLMP on 23 February 2023. Council previously approved the consolidated draft CLMP for the Adelaide Park Lands for consultation on 9 August 2022.
Resource	The revised approach to preparing the CLMPs for the Adelaide Park Lands reduces the timeframe and resources required to deliver the legislative comprehensive review programme.
Risk / Legal / Legislative	A CLMP for the Adelaide Park Lands must meet the statutory requirements of the Local Government Act 1999 (SA) and Adelaide Park Lands Act 2005 (SA) . 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.
Opportunities	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.
22/23 Budget Allocation	Not as a result of this report
Proposed 23/24 Budget Allocation	Not as a result of this report
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.
22/23 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report

DISCUSSION

Background

1. At its meeting on 9 August 2022, Council approved the consolidated draft Community Land Management Plan (CLMP) for the Adelaide Park Lands under the care, control and management of the City of Adelaide being released for statutory consultation, subject to consultation with the Minister for Planning.
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 1 view here [Review of Adelaide Park Lands Community Land Management Plan.pdf \(cityofadelaide.com.au\)](https://www.cityofadelaide.com.au/Review%20of%20Adelaide%20Park%20Lands%20Community%20Land%20Management%20Plan.pdf).
3. 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:
 - 3.1. Denise Norton Park/ Pardipardinyilla (Park 2) as it relates to the Adelaide Aquatic Centre
 - 3.2. Frome Park/ Nellie Raminyemmerin as it relates to Botanic High School
 - 3.3. Bonython Park/ Tulya Wardli and Kate Cocks Park as it relates to the new Women's and Children's Hospital
 - 3.4. Helen Mayo Park as it relates to the Riverbank Precinct.
4. A full review of the draft CLMP has been undertaken and amendments made to reflect State Government announcements and improve clarity of Councils' intent for managing community land in the Park Lands.
5. It should be further noted that on 11 March 2022, the State Government publicly commented that it would seek to set up the base for its Mounted Police Unit in Park 21W.
 - 5.1. Noting the site has not been officially announced, no amendment is currently proposed for the CLMP for Park 21W with respect to this announcement.
 - 5.2. In future, should the State Government formally announce this site and exercise its powers to acquire the site under the *New Women's and Children's Hospital Act 2022*, then the State would need to formalise its own management plan.

Review of CLMP approach

6. Most of the current CLMPs were adopted by Council in 2013. This approach:
 - 6.1. Combined many parks into 'chapters'; and
 - 6.2. Included an introductory chapter which provided the overall 'Legislative and Planning Framework' and certain provisions which applied to all parks (to avoid duplication in each park section).
7. Since November 2020, Council has adopted the General Provisions of the Adelaide Park Lands Community Land Management Plan and reviewed three CLMPs for:
 - 7.1. Golden Wattle Park / Mirnu Wirra (Park 21W)
 - 7.2. The Adelaide Oval Precinct
 - 7.3. Bunday's Paddock / Tidlangga (Park 9).
8. The current review approach that updates individual park 'chapters' is not meeting statutory requirements and was reviewed in 2022.
9. The review considered Council's statutory obligations for CLMPs arising from the [Local Government Act 1999](#) (LG Act) and the [Adelaide Park Lands Act 2005](#) (APL Act), as follows:
 - 9.1. Section 196 of the LG Act sets out the requirements for a CLMP to address, including specific requirements for the Adelaide Park Lands.
 - 9.2. Section 19 of the APL Act states that the management plan for community land within the Adelaide Park Lands must be:
 - 9.2.1. Consistent with the Adelaide Park Lands Management Strategy (APLMS).
 - 9.2.2. Comprehensively reviewed at least once in every five years.

10. The review identified opportunities for stronger alignment of CLMP content and review processes with statutory requirements through the creation of a single consolidated CLMP.

Consolidated draft CLMP

11. The consolidated draft CLMP addresses Council's statutory requirements, including:
 - 11.1. The management framework for the Adelaide Park Lands, including key legislation and strategies, policies and plans.
 - 11.2. The overall purpose for which the Adelaide Park Lands are held (as a system of parks).
 - 11.3. The overarching objectives, targets and measures for management of the Adelaide Park Lands.
12. As each park has specific context and management considerations, the consolidated CLMP provides park specific management information as a series of Annexures, with the following benefits:
 - 12.1. A more holistic management approach to the Adelaide Park Lands under Council's care and control
 - 12.2. Clear content for communicating with the community about management of the Adelaide Park Lands
 - 12.3. A functional and easy to use document
 - 12.4. Statutory compliance with plan content and improved ability to achieve review timeframes through more efficient consideration by Kadaltilla, State Government and Council
 - 12.5. Reduced duplication and potential for inconsistency with the Adelaide Park Lands Management Strategy
 - 12.6. Effective public consultation via a single document instead of a series of separate consultations.

Amendments to draft consolidated CLMP

13. Since the Council decision on 9 August 2022 to consult on the consolidated draft CLMP, the State Government has made several public announcements that are considered to materially affect the draft CLMP and amendments to the following parks are proposed to accurately reflect these changes:
 - 13.1. Denise Norton Park/ Pardipardinyilla (Park 2) as it relates to the Adelaide Aquatic Centre
 - 13.2. Frome Park/ Nellie Raminyemmerin as it relates to Botanic High School
 - 13.3. Bonython Park/ Tulya Wardli and Kate Cocks Park as it relates to the new Women's and Children's Hospital.
 - 13.4. Helen Mayo Park as it relates to the Riverbank Precinct.
14. As provided for in the [New Women's and Children's Hospital Act 2022](#), it is also anticipated that the Mounted Operations Unit will be relocated to an alternative location within the Park Lands. Should this occur, an additional amendment will be required to the relevant Annexure upon the final determination of the location. This can occur post the consultation on the consolidated draft CLMP if necessary.
15. In preparing the amended consolidated draft CLMP, the following matters were identified as requiring amendment to the draft CLMP prior to consultation:
 - 15.1. 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.
 - 15.2. Reinstatement of existing Council policy relating to temporary works and compounds in the Park Lands unintentionally omitted from the draft CLMP for consultation.
 - 15.3. 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.
 - 15.4. 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.
 - 15.5. 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.
 - 15.6. 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.
 - 15.7. Identification of proposed changes to State-local care, control and management arrangements in relation to Helen Mayo Park.

16. The aforementioned matters are addressed through amendment to the following sections of the draft CLMP:
 - 16.1. Section 2 - About this Community Land Management Plan.
 - 16.2. Section 8 - Key City of Adelaide Strategies, Policies and Plans.
 - 16.3. Section 10 - Overarching Objectives, Targets and Measures for the Adelaide Park Lands.
 - 16.4. Section 11 – Annexures.
 - 16.5. Other minor amendments to improve clarity of Council's intent for managing community land in the Park Lands.
17. At its meeting on 23 February 2023 Kadaltilla supported the amended consolidated draft CLMP, inclusive of some additional minor changes (highlighted in green), for the purposes of undertaking consultation.

Consultation

18. In accordance with section 19(2) of the 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.
19. Subsequent community consultation is undertaken in accordance with Table 1 of the CoA [Community Consultation Policy](#), which states:
 - 19.1. Council will provide public notice of the options for consideration.
 - 19.2. Information provided on a CoA corporate website.
 - 19.3. 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.
 - 19.4. Notice published in a local newspaper circulating in the CoA.
 - 19.5. Provide a minimum of 21 days for people to make submissions to Council (unless stated)
 - 19.6. Receipt of submissions by CoA.
 - 19.7. Submissions to be considered by Council in decision-making.
 - 19.8. Inform public of outcome.

Next Steps

20. An overview of the anticipated next steps and timeline is provided below:



DATA AND SUPPORTING INFORMATION

Link 1 – Council Report 9 August 2022

ATTACHMENTS

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