

Governance of Adelaide Park Lands

Thank you for the opportunity to address APLA regarding its statutory functions.

So far, APLA is 'unaware' of the proposed takeover of Denise Norton Park / Pardinpardinyilla (Park 2) by Adelaide Football Club: APLA has not had an opportunity to see the substance of the proposal nor to comment on it.

This situation is unacceptable, considering the legislated functions of APLA and the requirements of the Local Government Act.

1. Functions of APLA as listed in the *Adelaide Park Lands Act*

The functions of APLA are laid out in the Act. They include:

to undertake a key policy role with respect to the management and protection of the Adelaide Park Lands;

Other functions are mentioned below however I won't read out all of them, except as highlighted below:

to prepare and to revise and provide comments on the the Adelaide Park Lands Management Strategy and to monitor its implementation; to provide comments or advice in relation to the operation of any lease, licence or other form of grant; on the basis of any request or on its own initiative, to provide advice to the Adelaide City Council or to the Minister on policy, development, heritage or management issues affecting the Adelaide Park Lands; to promote public awareness of the importance of the Adelaide Park Lands and the need to ensure that they are managed and used responsibly; **to ensure that the interests of South Australians are taken into account, and that community consultation processes are established, in relation to the strategic management of the Adelaide Park Lands;** to administer the Adelaide Park Lands Fund; to undertake or support other activities that will protect or enhance the Adelaide Park Lands, or in any other way promote or advance the objects of this Act.

It should also be noted that the ACC 'Unsolicited Proposals' policy which is being used by Council as a stalking horse to progress this proposal, includes a provision that the Adelaide Park Lands Authority (APLA) must scrutinise any proposal.

2. Local Government Act and the Park Lands

May I also ask APLA to note that under the Local Government Act, the classification of the Adelaide Park Lands as community land cannot be revoked unless the revocation is by force of a provision of another Act. The Adelaide City Council must

- (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;**

Other provisions of the Act are mentioned below however I won't read out all of them, except as highlighted below:

- (ii) provide specific information on the council's policies for the granting of leases or licences over any part of the park lands.

(2) A council may only adopt a proposal for amendment to, or revocation of, a management plan after the council has carried out the public consultation that would be required if the proposal were for a new management plan.

(2) Before the council grants a lease or licence relating to community land, it must follow the relevant steps set out in its public consultation policy.

(6) A lease or licence must be consistent with any relevant management plan

3. None of these provisions have been met.

The proposal by the Adelaide Crows Football Club to take over Denise Norton Park / Pardinpardinyilla (Park 2) needs to be examined by APLA on its own initiative as a matter of urgency so that any decision by council is not *Ultra Vires*. Almost certainly as individuals, each of you has heard about this proposal however this issue has not been brought before APLA for consideration.

INSERT TO THE SPRING 2019 NEWSLETTER OF THE NORTH ADELAIDE SOCIETY INC. The Adelaide Football Club's proposed Park 2 park lands takeover;

https://gallery.mailchimp.com/8d5ffe71c995a1cbceb0bbd6d/files/6d521136-62ca-41c6-81a9-d42815dc0f5a/Spring2019_NAS_NEWSLETT_Insert_v2.pdf