

Community Land Management Plan

Boat Ramps (CL074, CL076-A, CL164)



1. INTRODUCTION

This community land management plan (**the CLMP**) has been prepared by the District Council of Grant (**the Council**) in fulfilment of its obligations under Section 196 of the *Local Government Act 1999* (**the Act**).

2. IDENTITY OF LAND TO WHICH THIS PLAN APPLIES

Common Name	Location	Ref.	Ownership
Donovans Pier and Boat Ramp	Dry Creek Road, Donovans	CL074	The Crown (under the care, control and management of the District Council of Grant)
Legal Description			
Section 807, Hundred of Caroline, Crown Record Volume 5725, Folio 854			
Common Name	Location	Ref.	Ownership
Tenterden Reserve/Boat Ramp Facilities	Sea Parade, Port MacDonnell	CL076-A	The Crown (under the care, control and management of the District Council of Grant)
Legal Description			
Sections 804 & 805, Hundred of MacDonnell, Crown Record Volume 5661, Folio 902			
Common Name	Location	Ref.	Ownership
Blackfellows Caves Boat Ramp	Height Drive, Blackfellows Caves	CL164	The Crown (under the care, control and management of the District Council of Grant)
Legal Description			
Section 621, Hundred of Kongorong, Crown Record Volume 5629, Folio 599			

3. NATURE OF ANY TRUST, DEDICATION OR RESTRICTION

CL074 is dedicated for foreshore purposes pursuant to the *Crown Lands Act 1929* (SA), by Government Gazette dated 5 March 1987 at page 552. The dedication of the Land continues in force under the provisions of the *Crown Land Management Act 2009* (SA).

CL076-A is dedicated for district council purposes pursuant to the *Crown Lands Act 1929* (SA), by Government Gazette dated 12 August 1965 at page 357. The dedication of the Land continues in force under the provisions of the *Crown Land Management Act 2009* (SA).

CL164 is dedicated for boat ramp, car park and Aboriginal heritage purposes pursuant to the *Crown Land Management Act 2009* (SA), by instrument in writing to the District Council of Grant on 28 May 2014.

4. REASON WHY MANAGEMENT PLAN IS REQUIRED

4.1. This CLMP is required for the Land because:

4.1.1. portion of the Land is, or is to be, occupied under a lease or licence;

4.1.2. portion of the Land has been, or is to be, specifically modified or adapted for the benefit or enjoyment of the community.

5. PROVISIONS REQUIRED BY OWNER

The Council must manage any Crown Land in accordance with the dedicated purpose, pursuant to the *Crown Land Management Act 2009* (SA).

The Council are currently a party to the First Nations of the South East #1 which is anticipated to amend the Native Title status of several parcels within Council's area. The Council must manage any Land where Native Title has been recognised in accordance with the requirements under the *Commonwealth Native Title Act 1993*.

6. PURPOSE FOR WHICH THE LAND IS HELD BY COUNCIL

6.1. The Land is held for the following purpose consistent with its dedication:

- 6.1.1. assets facilitating public access to coastal, marine and river water areas;
- 6.1.2. for the provision of community facilities that meet the social and recreation needs of the broader community;
- 6.1.3. to preserve natural environments along foreshore and riverbank areas.

7. POLICIES AND PROPOSALS FOR MANAGEMENT OF THE LAND

7.1. Council Policies

The following policies / plans have some direct or indirect application to the Land as at the date of this CLMP. Council policies and plans undergo regular review, and may be amended, superseded or replaced:

- Boat Ramp Policy;
- Free Camping Policy;
- Strategic Management Plan 2020 – 2030;
- River & Coastal Communities Urban Design Framework and Masterplan;
- Open Space Asset Management Plan 2019-2029;
- Disability Inclusion and Access Plan 2020-2024.

The Council may from time to time revoke and/or replace its policies / plans.

7.2. Council By-laws

The Council has established by-laws under the Act. The following by-laws have been identified as relevant to the management of the Land:

- By-Law 1 - Permits and Penalties; and
- By-Law 2 - Local Government Land.

The Council may from time to time revoke and/or replace its by-laws.

7.3. Proposals for Management of the Land

- 7.3.1. The Land is to be managed consistently with its dedication and with any applicable Council policies and plans.
- 7.3.2. Council has proclaimed that these land parcels are Dog on Leash areas (except within playground areas which have been proclaimed as Dog Prohibited areas).

8. OBJECTIVES FOR MANAGEMENT OF THE LAND

8.1. The objectives for the management of the Land are:

- 8.1.1. to support use of the Land by the public for outdoor recreational activities;

- 8.1.2. to provide and maintain land and infrastructure that encourages, promotes and supports recreational, pastimes and activities;
- 8.1.3. to regulate the balance between the requirement for public access and the preservation of the natural environment;
- 8.1.4. to facilitate open space infrastructure being accessible as appropriate by users of varying ages and abilities; and
- 8.1.5. to provide and manage community infrastructure and physical assets in a safe, functional, sustainable and efficient manner, appropriate to identified levels of service.

9. LEASES, LICENCES AND PERMITS

- 9.1. Subject to the provisions of the Act and the *Crown Land Management Act 2009*, the granting of exclusive and non-exclusive leases and licences over the Land or part of the Land for the following purposes (in no particular order) is consistent with this CLMP and is authorised for the purposes of Section 202(3) of the Act in relation to the Land:
 - 9.1.1. to support ongoing occupation of the Land for the use of the community, including community groups and clubs for social purposes recreational purposes;
 - 9.1.2. to provide and maintain land and infrastructure that promotes recreational pursuits, activities and assists in meeting the social needs of the community and visitors;
 - 9.1.3. to support ongoing occupation, use, management and upkeep of land and other community assets;
 - 9.1.4. to enable temporary use of land for specific functions, activities and events;
 - 9.1.5. to allow for the provision of essential infrastructure for the provision of electricity, gas, water, internet and telecommunications services; and
 - 9.1.6. to allow for business uses of the Land that are consistent with or ancillary to the above purposes;
- 9.2. The granting of permits for one or more of the following purposes (in no particular order) is consistent with this CLMP and is authorised for the purposes of Section 202(3) of the Act in relation to the Land:
 - 9.2.1. to enable temporary use of the Land for specific functions, activities and events.
 - 9.2.2. to support ongoing occupation of the building on the Land and/or for the use of the community including community groups and clubs for social and recreational purposes.
- 9.3. As at the date of this CLMP:
 - 9.3.1. the Port MacDonnell Offshore Angling Club occupies the portion of the Land identified as CL076A pursuant to an occupancy arrangement with the Council; and
 - 9.3.2. the Land identified as CL164 has been designated by the Council as a free camping area, in accordance with By-Law 2 – Local Government Land and Free Camping Policy.
- 9.4. Other than where rights of occupation are granted in leases and licences, the Land is available for community use at all other times.

10. MANAGEMENT OBJECTIVES, PERFORMANCE TARGETS AND MEASURES

Objective	Performance Target	Performance Measure
Access and Use		
To provide a caravan/tourist park with associated administration to service tourists and visitors.	A fit for purpose facility is provided and maintained.	The facility meets the needs of the community.

Community Involvement		
To ensure the community is provided the opportunity to be informed and contribute to the management of and decisions about community land.	Council consults with the community before adopting any changes to its Community Land Management Plans in accordance with legislation and Council policy.	Plans and land register is publicly available and consultation is undertaken in accordance with Council policy.
Environment		
To control noxious weeds which may occur on the land.	A noxious weed program has been implemented in consultation with NRM.	Noxious weeds are controlled.
Governance		
Where appropriate, grant or renew lease or licence agreements, and grant or accept easements and rights of way over the land in accordance with the relevant legislation and Council policy, plans and by-laws detailed within this management plan (as amended from time to time).	Lease or licence agreements are in place and periodical reviews of agreements are undertaken to ensure terms and conditions are met.	Periodical reviews of agreements identify that terms and conditions are being complied with.
To meet legislative and Council policy and legal requirements regarding community land.	Council's Community Land Management Plan meets the requirements of all application legislation and due consideration has been given to all Council policies and by-laws during their development.	Council endorsed management plan and register for community land.
Safety and Enjoyment		
To minimise real and perceived adverse impacts on nearby residents as a result of the facility.	No adverse impacts are reported by nearby residents.	Number of complaints from nearby residents.

11. NOTES

The sequence of dot points and numbering of purposes, objectives, policies, proposals and performance targets and measures listed within this CLMP do not infer a hierarchy or order of priority.

The Land identified as CL164 is also managed in accordance with the CLMP "Camping Sites" as a result of having two (2) concurrent land use priorities, and as such this plan should be read in conjunction with the above when considering management and use of that Land.

This Community Land Management Plan was considered at the Ordinary Meeting of Council on 17 April 2023 and endorsed to be published for public consultation with the landowner and the community [minute reference 23077]. This Community Land Management Plan was further considered at the Ordinary Meeting of Council on 19 June 2023 and adopted [minute reference 23126].

12. MAP

CL074:



CL076-A:



CL164:

