

Community Land Management Plan

Port MacDonnell Senior Citizens & EA Milstead Health Centre (CL042)



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
Port MacDonnell Senior Citizens & E A Milstead Health Centre	2 Elizabeth Street, Port MacDonnell	CL042	The District Council of Grant
Legal Description			
Section 900, Hundred of MacDonnell, Certificate of Title Volume 5523, Folio 191			

3. NATURE OF ANY TRUST, DEDICATION OR RESTRICTION

There are no known trusts, dedications or restrictions over the Land.

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

Land owned or controlled by Council to be leased or licensed to community groups for the purpose of recreation, education or provision of community services.

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 Council policies and plans undergo regular review, and may be amended, superseded or replaced:

- Disposal of Land Other Assets Policy;
- Community Funding and Support Policy;
- Leases and Licences Policy;
- Public Consultation Policy;
- Strategic Management Plan 2020 – 2030;
- Port MacDonnell Urban Design Framework and Master Plan.

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.

8. OBJECTIVES FOR MANAGEMENT OF THE LAND

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

- 8.1.1. to provide and maintain land and infrastructure that encourages, promotes and supports recreational, social and educational pastimes and activities;
- 8.1.2. to facilitate community facilities and open space infrastructure being accessible as appropriate by users of varying ages and abilities.

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 buildings on the Land for the use of the community, including community groups for social, recreational and meeting purposes;
- 9.1.2. to provide and maintain land and infrastructure that promotes recreational pursuits and assists in meeting the social, health and wellbeing needs of the community and visitors;
- 9.1.3. to support ongoing occupation, use, management and upkeep of buildings, land and other community assets;
- 9.1.4. to enable temporary use of buildings and/or 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, recreational and meeting purposes.

9.3. As at the date of this CLMP:

9.3.1. the Port MacDonnell Senior Citizens Inc occupies the portion of the Land identified as CL042 pursuant to an occupancy arrangement with the Council; and

9.3.2. the E A Milstead Health Centre occupies the portion of the Land identified as CL042 pursuant to an occupancy arrangement with the Council.

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 and maintain land and infrastructure that encourages, promote and support recreational, social and educational pastimes and activities.	Infrastructure is fit for purpose, visually attractive and complements the character of the land.	The recreational, social and educational needs of the community are met.
To facilitate open space infrastructure being accessible as appropriate by users of varying ages and abilities.	Council has a program in place to address compliance with Council's obligations under the Disability Discrimination Act 1992.	Open space infrastructure asset improvements are budgeted and delivered.
To provide and maintain land and infrastructure that encourages, promote and support the provision of essential health services to our community and visitors.	Infrastructure is fit for purpose, visually attractive and complements the character of the land.	The health and wellbeing needs of the community are met.
Amenity		
To maintain the amenity and cleanliness of community land.	Public conveniences are kept hygienic and in a clean and tidy state and litter bins, if installed, are regularly emptied.	Customer requests for service are responded to in accordance with service standards.
Asset Management and Function		
To provide and manage community infrastructure and physical assets in a safe, functional, sustainable and efficient manner, appropriate to identified levels of service.	Assets are effectively managed to meet the needs of users and in accordance with Council's asset management plans.	Council's asset management plans are reviewed in accordance with the review schedule.
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.
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 identify potential hazards in a timely manner to minimise Council exposure to	Potential hazards are identified and eliminated and damaged equipment and infrastructure is repaired as soon as	An appropriate inspection and maintenance program for high use areas

complaints, compensation claims and litigation.	practicable or removed if damaged beyond repair and dangerous.	has been implemented within resource constraints.
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.

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

CL042:

