

Community Land Management Plan

Parkland & Community Facilities
(CL007, CL008, CL009, CL030, CL049, CL053, CL062,
CL065, CL075, CL076-B, CL078, CL082-B, CL082-C,
CL154, CL118, CL163)



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
Clarke Park (Part)	Lot 485 Springs Road, Port MacDonnell	CL007	The District Council of Grant
Legal Description			
Allotment 485, Deposited Plan 195097, Hundred of MacDonnell, Certificate of Title Volume 5822, Folio 957			
Common Name	Location	Ref.	Ownership
Lions Park (Part)	54 Compton Street, Port MacDonnell	CL008	The District Council of Grant
Legal Description			
Allotment 44, Deposited Plan 7844, Hundred of MacDonnell, Certificate of Title Volume 5890, Folio 754			
Common Name	Location	Ref.	Ownership
Lions Park (Part)	52 Compton Street, Port MacDonnell	CL009	The District Council of Grant
Legal Description			
Allotment 41, Deposited Plan 7844, Hundred of MacDonnell, Certificate of Title Volume 5890, Folio 753			
Common Name	Location	Ref.	Ownership
Nene Valley Memorial Park	5 Neville Avenue, Nene Valley	CL030	The District Council of Grant
Legal Description			
Allotment 103, Deposited Plan 76474, Hundred of Kongorong, Certificate of Title Volume 6116, Folio 847			
Common Name	Location	Ref.	Ownership
Unger Recreation Reserve	Hammer Parade, Blackfellows Caves	CL049	The Crown (under the care, control and management of the District Council of Grant)
Legal Description			
Section 612, Hundred of Kongorong, Crown Record Volume 5628, Folio 928			
Common Name	Location	Ref.	Ownership
Volunteer Park	Lot 142 Meylin Street, Port MacDonnell	CL053	The Crown (under the care, control and management of the District Council of Grant)
Legal Description			
Allotment 142, Town of Port MacDonnell, Hundred of MacDonnell, Crown Record Volume 5633, Folio 64			
Common Name	Location	Ref.	Ownership
Clarke Park (Part)	Springs Road, Port MacDonnell	CL062	The Crown (under the care, control and management of the District Council of Grant)
Legal Description			
Section 795, Hundred of MacDonnell, Crown Record Volume 5661, Folio 901			

Common Name	Location	Ref.	Ownership
Clarke Park Spring	Lot 486 Springs Road, Port MacDonnell	CL065	The District Council of Grant
Legal Description			
Allotment 486, Deposited Plan 195098, Hundred of MacDonnell, Certificate of Title Volume 5779, Folio 947			
Common Name	Location	Ref.	Ownership
Donovans Landing	Dry Creek Road, Donovans	CL075	The Crown (under the care, control and management of the District Council of Grant)
Legal Description			
Section 876, Hundred of Caroline, Crown Record Volume 5725, Folio 859			
Common Name	Location	Ref.	Ownership
Port MacDonnell Foreshore Reserve (Little Hunter Playground)	Sea Parade, Port MacDonnell	CL076-B	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
Mount Schank Recreation Reserve	Lot 4 Mountain Path Road, Mount Schank	CL078	The Crown (under the care, control and management of the District Council of Grant)
Legal Description			
Allotment 4, Deposited Plan 112756, Hundred of MacDonnell, Crown Record Volume 6182, Folio 56			
Common Name	Location	Ref.	Ownership
Germein Reserve	Lot 3 Dingley Dell Road, Port MacDonnell	CL082-B	The Crown (under the care, control and management of the District Council of Grant)
Legal Description			
Allotment 3, Deposited Plan 51387, Hundred of MacDonnell, Crown Record Volume 5819, Folio 235			
Common Name	Location	Ref.	Ownership
Lions Park (Part)	Lot 3 Dingley Dell Road, Port MacDonnell	CL082-C	The Crown (under the care, control and management of the District Council of Grant)
Legal Description			
Allotment 3, Deposited Plan 51387, Hundred of MacDonnell, Crown Record Volume 5819, Folio 235			

Common Name	Location	Ref.	Ownership
Kongorong Bushfire Memorial Reserve	Lot 51 Locks Road, Eight Mile Creek	CL154	The District Council of Grant
Legal Description			
Allotment 51, Deposited Plan 85220, Hundred of MacDonnell, Certificate of Title Volume 6086, Folio 902			
Common Name	Location	Ref.	Ownership
Glenelg River Public Lookout	Lot 1 Dry Creek Road, Donovans	CL118	The Crown (under the care, control and management of the District Council of Grant)
Legal Description			
Allotment 1, Deposited Plan 62346, Hundred of Caroline, Crown Record Volume 5906, Folio 537			
Common Name	Location	Ref.	Ownership
Brown Bay Carpark and Toilets	1164 Eight Mile Creek Road, Wye	CL163	The Crown (under the care, control and management of the District Council of Grant)
Legal Description			
Allotment 31, Deposited Plan 92097, Hundred of Caroline, Crown Record Volume 6119, Folio 579			

3. NATURE OF ANY TRUST, DEDICATION OR RESTRICTION

CL049 is dedicated for recreation purposes pursuant to the *Crown Lands Act 1929* (SA), by Government Gazette dated 12 March 1987 at page 608. The dedication of the Land continues in force under the provisions of the *Crown Land Management Act 2009* (SA).

CL053 is dedicated for tree planting purposes pursuant to the *Crown Lands Act 1929* (SA), by Government Gazette dated 1 December 1887 at page 1054. The dedication of the Land continues in force under the provisions of the *Crown Land Management Act 2009* (SA).

CL062 is dedicated for district council purposes pursuant to the *Crown Lands Act 1929* (SA), by Government Gazette dated 12 June 1969 at page 1720. The dedication of the Land continues in force under the provisions of the *Crown Land Management Act 2009* (SA).

CL075 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-B 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).

CL078 is dedicated for tree planting purposes pursuant to the *Crown Lands Act 1929* (SA), by Government Gazette dated 21 October 1943 at page 501. The dedication of the Land continues in force under the provisions of the *Crown Land Management Act 2009* (SA).

CL082-B & CL082-C are dedicated for parkland purposes pursuant to the *Crown Lands Act 1929* (SA), by Government Gazette dated 4 March 1999 at page 1232. The dedication of the Land continues in force under the provisions of the *Crown Land Management Act 2009* (SA).

CL118 is dedicated for community purposes pursuant to the *Crown Lands Act 1929* (SA), by Government Gazette dated 25 September 2003 at page 3617. The dedication of the Land continues in force under the provisions of the *Crown Land Management Act 2009* (SA).

CL163 is dedicated for community purposes pursuant to the *Crown Land Management Act 2009* (SA), by instrument in writing to the District Council of Grant on 23 September 2013.

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

A Public and Community facility is defined as a piece of land or building set aside to encourage, promote and facilitate cultural, social, historical and educational pastimes and activities and to provide for passive recreational activities.

These facilities may include walking trails, halls, playgrounds, public conveniences, BBQ facilities, marine and river facilities.

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;
- Business Activity on Council Land Policy;
- Public Consultation Policy;
- Free Camping Policy;
- Hire and Use of Council Facilities Policy;
- Strategic Management Plan 2020 – 2030;
- Disability Access and Inclusion Plan 2020 – 2024;
- Greater Mount Gambier Master Plan;
- Strategic Asset Management Plan 2020 – 2023.

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;

- By-Law 2 - Local Government Land; and
- By-Law 5 - Dogs.

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 some of these land parcels are prescribed areas for lighting gas fires or using electric elements for cooking purposes on fire ban days.
- 7.3.3. Council has proclaimed that some of 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, social and educational pastimes and activities;
- 8.1.3. to facilitate open space infrastructure being accessible as appropriate by users of varying ages and abilities; and
- 8.1.4. to actively promote the facilities to the community to maximise useage.

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 and/or the Land for the use of the community, including community groups and clubs for social, recreational and educational purposes;
- 9.1.2. to provide and maintain land and infrastructure that promotes recreational pursuits with organised formal and informal sporting and non-sporting 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 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 educational purposes.

9.3. As at the date of this CLMP:

9.3.1. there are no occupancy arrangements over the Land via lease or licence pursuant to an arrangement with the Council; and

9.3.2. the Land identified as CL007 and CL163 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 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.
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.
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 identify potential hazards in a timely manner to minimise Council exposure to complaints, compensation claims and litigation.	Potential hazards are identified and eliminated and damaged equipment and infrastructure is repaired as soon as practicable or removed if damaged beyond repair and dangerous.	An appropriate inspection and maintenance program for high use areas has been implemented within resource constraints.
To ensure the land does not create a fire hazard to adjacent residents or buildings.	Land is maintained so as not to present a fire risk.	Inspections of land identified as a fire hazard to adjoining land owners or buildings are undertaken prior to fire danger season.
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 CL007 and CL163 are 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

CL007:



CL008:



CL009:



CL030:



CL049:



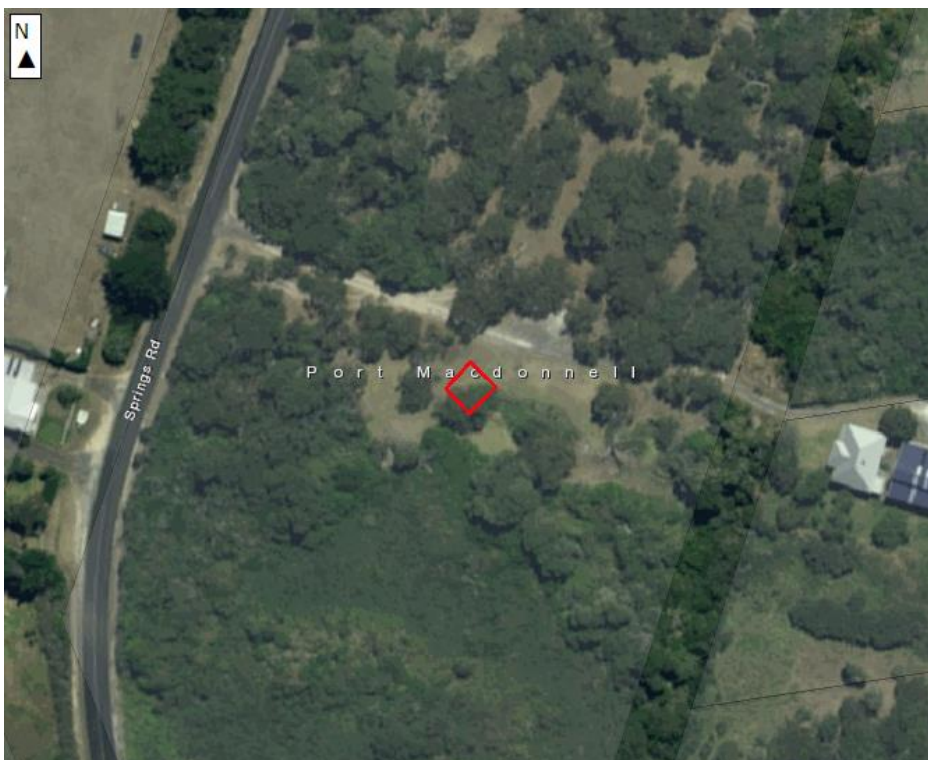
CL053:



CL062:



CL065:



CL075:



CL076-B:



CL078:



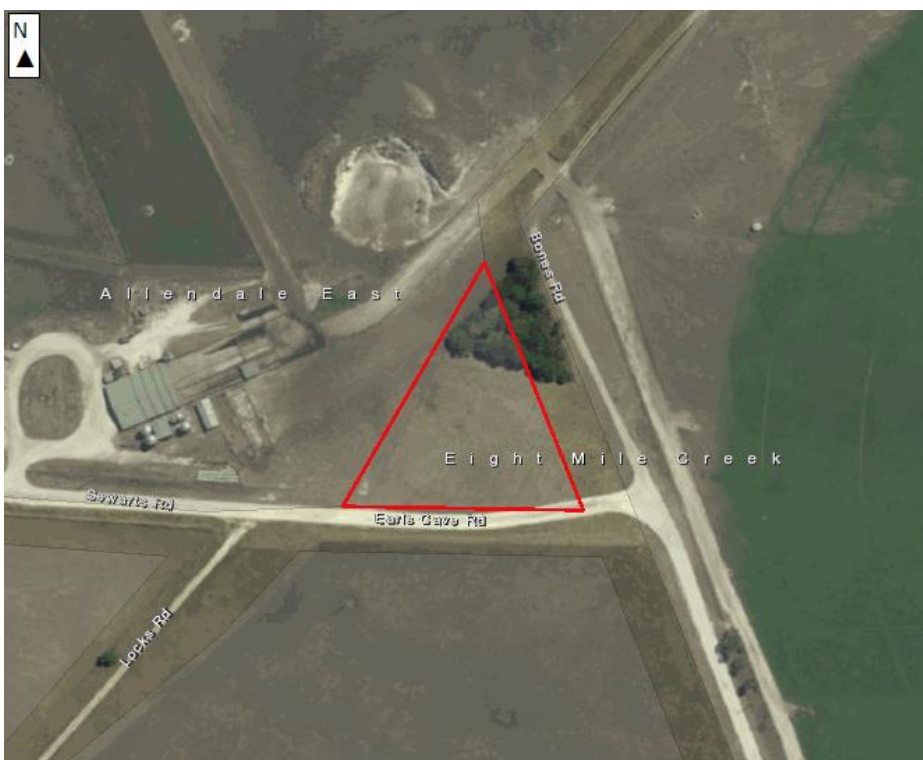
CL082-B:



CL082-C:



CL154:



CL118:



CL163:

