

Community Land Management Plan

Cattle Reserve (CL081-E, CL082-A)



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
Cattle Reserve	Lot 150B Elizabeth Street, Port MacDonnell	CL081-E	The Crown (under the care, control and management of the District Council of Grant)
Legal Description			
Allotment 150, Deposited Plan 117261, Hundred of MacDonnell, Crown Record Volume 6211, Folio 871			
Common Name	Location	Ref.	Ownership
Cattle Reserve	Lot 3 Dingley Dell Road, Port MacDonnell	CL082-A	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			

3. NATURE OF ANY TRUST, DEDICATION OR RESTRICTION

CL081-E is dedicated for parklands purposes pursuant to the *Crown Lands Act 1929* (SA), by Government Gazette dated 15 November 1984 at page 1560. The dedication of the Land continues in force under the provisions of the *Crown Land Management Act 2009* (SA).

CL082-A is dedicated for parklands 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).

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 for the purpose of primary production or support of key industry within Council's area.

Sportsgrounds and ancillary infrastructure are retained for the purpose of facilitating participation in organised sports and for the provision of recreation facilities that meet the social and recreation needs of the broader community.

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;
- 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

The objectives for the management of the Land are:

8.1. For key industry:

- 8.1.1. to support use of the Land to support key industry, including but not limited to primary production, fishing and forestry.
- 8.1.2. to provide and maintain land and infrastructure that encourages, promotes and supports economic activities and enterprise;
- 8.1.3. to strategically minimise Council's resource burden of open space maintenance.

8.2. For recreation:

- 8.2.1. to support use of the Land by the public for outdoor recreational activities;
- 8.2.2. to provide and maintain land and infrastructure that encourages, promotes and supports recreational, social and educational pastimes and activities;
- 8.2.3. to facilitate sporting 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 for support of key industries and economic purposes;
 - 9.1.2. to support ongoing occupation, use, management and upkeep of buildings, land and other community assets;
 - 9.1.3. to enable temporary use of buildings and/or land for specific functions, activities and events;
 - 9.1.4. to allow for the provision of essential infrastructure for the provision of electricity, gas, water, internet and telecommunications services; and
 - 9.1.5. 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.
- 9.3. As at the date of this CLMP:
- 9.3.1. the natural persons Wayne Robert Mansell and Mandy Lee Brown occupy the portion of the Land identified as CL081-E pursuant to an occupancy arrangement with the Council; and
 - 9.3.2. the natural persons Wayne Robert Mansell and Mandy Lee Brown occupy the portion of the Land identified as CL082-A 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 facilitate use of the Land to support key industry, including but not limited to primary production, fishing and forestry and strategically minimise Council's resource burden of open space maintenance.	Council is supporting enterprise pursuits which strengthen our local economy.	Council's primary industries are sustainable and Council is not utilising unnecessary resources on open space maintenance where practicable.
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 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 sporting needs of the community and visitors.	A high quality, safe, attractive and fit for purpose facility is provided and maintained commensurate with resources available.	The sporting needs of the community are met.

Amenity		
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 and requisite actions are implemented.
Governance		
To meet legislative and Council policy and legal requirements regarding community land and management of CWMS.	Council's Community Land Management Plan and CWMS infrastructure 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 compliant management plan and register for community land and CWMS Asset Management Plan.
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 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

CL081-E:



CL082-A:

