



Community Land Management Plan

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1 - Introduction

1. INTRODUCTION

1.1. What is Community Land?

Section 193 of *The Local Government Act (1999)* (the Act) classifies community land as: *All local government land (except roads) that is owned by a council or under a council's care, control and management.*

1.2. What are Community Land Management Plans?

Section 196 of the Act sets out the requirement for Councils to prepare and adopt management plans for its community land. A council must prepare and adopt a management plan or management plans for its community land if:

- The land is, or is to be, occupied under a lease or licence; or
- The land has been, or is to be, specifically modified or adapted for the benefit or enjoyment of the community.

Section 196 of the Act outlines that a community land management plan must:

- Identify the land to which it applies; and
- State the purpose for which the land is held by the council; and
- State the council's objectives, policies (if any) and proposals for the management of the land; and
- State performance targets and how the council proposes to measure its performance against its objectives and performance targets.

Under Section 199 of the Act, a Council must manage community land in accordance with any management plan for the relevant land.

1.3. Register of Community Land

The land to which this community land management plan applies is identified in Council's Register of Community Land. Under Section 207 of the Act a Council must keep a register of all community land in its area, and must contain the information required by *the Local Government (General) Regulations* (2013):

- The legal description of the land;
- The street address of the land, including the locality or suburb in which the land is situated;
- The name by which the land is commonly known;
- The area of the land;
- The name of the owner of the land; and
- The following details concerning any lease or licence granted over the land:
 - » The name of the lessee or licensee;
 - » The term of the lease or licence (including information on the term of any extension or renewal stated in the lease or licence);
 - » The actual land to which the lease or licence relates (which may be identified by a plan kept in conjunction with the register); and
 - » The purpose for which the lease or licence has been granted.



2 – Community Land Profile

2. COMMUNITY LAND PROFILE

2.1. The Purpose of Community Land

The Council is required by Section 7 of the *Local Government Act 1999* to (amongst other things) -

- Provide services and facilities that benefit its area, its ratepayers and residents, and visitors to its area, including amongst other things community services and facilities, and cultural or recreational services and facilities;
- Provide for the welfare, well-being and interests of individuals and groups within its community;
- Plan at the local and regional level for the development and future requirements of its area;
- Manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner, and to improve amenity;
- Manage and, if appropriate, develop, public areas vested in, or occupied by, the council; and
- Provide infrastructure for its community and for development within its area.

2.2. Categories of Community Land

The Port Pirie Regional Council retains its community land for a range of purposes. Council's community land has been categorised based on the predominant physical characteristics, use, and purpose of the land. Subsequently ten categories of community land are included in this Community Land Management Plan:

- **Category 1 - Community Parks**

Community Parks are retained to provide landscape amenity for built up areas, accessible open space for recreation, and to provide local area urban functions including urban cooling. Community Parks can be subject to lease and licence arrangements and/or permit hire.

- **Category 2 - Sports Grounds**

Sports Grounds 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. Such facilities can be subject to lease and licence arrangements and/or permit hire.

- **Category 3 - Road Reserves, Screening & Buffer Reserves**

Road Reserves, Screening, and Buffer Reserves are retained to minimise impact between neighbouring land uses. This can include the provision of space between roads, primary production, drainage, commercial and residential land use, and easements or laneways between properties. Road Reserve, Screening and Buffer Reserves can be subject to lease and licence arrangements and/or permit hire.

- **Category 4 - Drainage Reserves**

Drainage Reserves are retained for the primary purpose of stormwater management. These reserves are maintained to mitigate the potential impacts of flooding on communities and vulnerable infrastructure.

- **Category 5 - Cemeteries & Memorials**

Cemeteries and Memorials are retained as cultural, heritage or civic memorials accessible by the public. Such sites can be subject to contract agreements.

- **Category 6 - Community & Commercial Tenancy**

Community and Commercial Tenancy sites incorporate buildings and leasable open spaces, and are retained for the purposes of facilitating accessible community and commercial services of benefit to the community. Such sites are subject to contract agreements, lease and licence arrangements or permit hire.

- **Category 7 - Natural Reserves, Coastal Reserves, & Roadside Vegetation**

Natural Reserves, Coastal Reserves and Roadside Vegetation are retained for the protection of remnant vegetation, the benefit of biodiversity, nature based recreation, cultural landscapes, and enhancement of ecosystem quality. These sites can be subject to specific management plans and policies and may also be subject to contract agreements, lease and licence arrangements or permit hire.

- **Category 8 - Council Operational Facilities**

Council Operational Facilities are retained for the purpose of administering and delivering the functions of the Council and are primarily comprised of facilities owned and operated by the Council including the Council civic centre, Council depot, and decentralised outreach services such as libraries, and community centres. Such sites can be subject to contract agreements, lease and licence arrangements or permit hire.

- **Category 9 - Miscellaneous**

Miscellaneous land is retained under Council ownership, or under Council's care and control. Such sites can be subject to contract agreements, lease and licence arrangements or permit hire.

- **Category 10 – Temporary Accommodation Site**

Category 10 is site specific, with the following objectives, performance targets and measures in place.

Objectives

To derive a community benefit from the use of the land.

To provide an option for Council or a third party to develop above ground accommodation infrastructure supported by the existing infrastructure below and above ground to provide opportunities to capture flow on economic and social benefit for Port Pirie and local businesses.

Performance Targets

- Increased employment.
- Increased local development.
- Economic benefit retained.

Performance Measures

ABS employment statistics.

Specific reference to number of persons accommodated on the site.

Use of economic modelling software via the RDA Yorke and Mid North to estimate economic impact based on number of persons accommodated.

If leased, attempt to include requirements for lessee to provide information on local services consumed by the accommodation.



3 – Policies & Official Plans

3. POLICIES & OFFICIAL PLANS

3.1. Legislation

In addition to the *Local Government Act 1999*, the management of community land is affected by the following main legislation:

- **Planning & Development**
 - » *Planning, Development and Infrastructure Act 2016;*
 - » *Liquor Licensing Act 1997;*
 - » *Development Act 1993;*
 - » *Disability Discrimination Act 1992; and*
 - » *Encroachments Act 1944.*
- **Land Management**
 - » *Crown Land Management Act 2009; and*
 - » *Port Pirie Racecourse Site Act 1946.*
- **Culture & Heritage**
 - » *Native Title (South Australia) Act 1994;*
 - » *Aboriginal Heritage Act 1988; and*
 - » *Heritage Act 1993.*
- **Tourism & Economic Development**
 - » *The Local Government (Mobile Food Vendors) Amendment Act 2017.*
- **Environment & Natural Resources**
 - » *Native Vegetation Act 1991;*
 - » *Natural Resources Management Act 2004;*
 - » *Environment Protection Act 1993; and*
 - » *National Parks and Wildlife Act 1972.*
- **Environmental Health**
 - » *Local Nuisance and Litter Control Act 2016;*
 - » *Dog and Cat Management Act 1995;*
 - » *South Australian Public Health Act 2011; and*
 - » *Graffiti Control Act 2001.*
- **Marine & Foreshore**
 - » *Harbors and Navigation Act 1993.*

In the event of an inconsistency between the provision of an official plan or policy under another Act and the provisions of a management plan under the *Local Government Act 1999*, the provisions of the official plan or policy prevail to the extent of the inconsistency.

3.2. Council By-laws

Council has established by-laws, under the *Local Government Act 1999*, relevant to the management of community land:

- Permits and Penalties By-law 2016 (By-law No. 1 of the Port Pirie Regional Council);
- Local Government Land By-law 2016 (By-law No. 3 of the Port Pirie Regional Council);
- Dog By-law 2016 (By-law No. 5 of the Port Pirie Regional Council); and
- Cats By-law 2016 (By-law No. 6 of the Port Pirie Regional Council).

3.3. Council Policies

A community land management plan must identify Council policies for the management of community land. Main policies include:

- Asset Management Policy;
- Community Engagement Policy;
- CWMS Customer Service Charter Policy;
- Disposal of Land and Assets Policy;
- Footpath Development and Maintenance Policy;
- Memorials Policy;
- Outdoor Trading Policy;
- Public Art Policy;
- Signs Policy; and
- Trees Policy.

3.4. Council Plans

Section 122 of the Act sets out that a council must develop and adopt plans (which may take various forms) for the management of its area, to be called collectively the strategic management plans.

The strategic management plans of the Port Pirie Regional Council are:

- Community (Strategic) Plan 2016 - 2025;
- Asset Management Plan 2013-2023; and
- Long Term Financial Plan 2017 - 2027

Council may from time to time development other Council strategies and plans or have legislated requirements to develop specific plans that may assist in managing its responsibilities. This includes:

- Port Pirie Regional Public Health Plan;
- Port Pirie Animal Management Plan;
- Port Pirie Growth Plan;
- Port Pirie Bicycle Strategy; and
- Port Pirie Regional Council Tree Strategy.

3.5. Access to Documents

Council by-laws, policies, and plans are available for inspection at the Council's principal office during ordinary business hours and on Council's website at www.pirie.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon payment of a fee as fixed by the Council at its discretion.



4 –Management Objectives

4. MANAGEMENT OBJECTIVES, PROPOSALS, TARGETS & MEASURES

Management of community land within the Port Pirie Regional Council will seek to support the following:

4.1. Objective - Access & Use

1. To manage access and use of community land appropriate to the intended use and purpose of the site.
2. To facilitate open space, outdoor facilities and buildings being accessible as appropriate by users of varying ages and abilities.

Management Proposals for Access & Use:

- Council has a program in place for open space and building asset improvements to address compliance with Council's obligations under the Disability Discrimination Act 1992;
- Access to sensitive landscapes and sites is effectively managed through sign posted information and vehicle barriers where required;
- Council has appropriate tenancy arrangements with service providers operating from community land and facilities; and
- Council has an accessible application process for the casual hire of community land.

Performance Targets for Access & Use:

- Open space and building asset improvements are budgeted and delivered.
- Council has an up to date lease and licence register; and
- Council has a permit register for casual hire and temporary organised use of community land.

Performance Measures for Access & Use:

- Expenditure on open space and building asset improvements.
- Council's lease and licence register is reviewed in accord with review schedule; and
- Permits for casual hire and temporary organised use of community land are captured in Council's record management system.

4.2. Objective - Asset Management & Function

1. To provide and manage community infrastructure and physical assets in a safe, functional, sustainable and efficient manner, appropriate to identified levels of service.
2. To ensure the community obtain value in the management of community land, including appropriate development of community land and disposal of non-performing land and assets.

Management Proposals for Asset Management & Function:

- Assets are effectively managed to meet the needs of users and the purpose of each community land category in accord with Council's asset management plan(s) and policies.

Performance Targets for Asset Management & Function:

- Council has an up to date asset management plan and register that:
 - » Identifies the lifecycle of assets on community land;
 - » Contains service levels for asset replacement and maintenance on community land;
- Community consultation on asset replacement is undertaken annually as part of the Council's Annual Business Plan and Budget process;
- A satisfaction survey is undertaken at each review of Council's asset management plan.

Performance Measures for Asset Management & Function:

- Council's asset management plan and register is reviewed in accord with review schedule;
- Customer requests for service are responded to in accord with service standards.
- Customer satisfaction with Council assets and infrastructure.

4.3. Objective - Environmental Sustainability

1. To support the conservation and enhancement of the natural environment, biodiversity and remnant vegetation, and control of pest plants and animals.

Management Proposals for Environmental Sustainability:

- Council has policies and processes for guiding activities on sensitive landscapes and sites under Council's ownership or care and control.

Performance Targets for Environmental Sustainability:

- Council has management plans for nature based tourism sites;
- Council has a roadside vegetation management policy; and
- Maintenance specifications for high biodiversity value sites are documented for Council or contractor delivery.

Performance Measures for Environmental Sustainability:

- Compliance with environmental legislative requirements.

4.4. Objective - Safety & Enjoyment

1. To mitigate and minimise the incidents of nuisance.
2. To protect the convenience, comfort and safety of members of the public and staff.
3. To promote responsible dog and cat ownership and management.

Management Proposals for Safety & Enjoyment:

- Use of, and activities occurring on, community land will be managed in accord with relevant Council By-Laws;
- Casual hire and temporary organised use of community land will be managed via Council permit system;
- Animal management and nuisance management will be in accord with Council By-Laws and statutory obligations.

Performance Targets for Safety & Enjoyment:

- Routine regulatory site visits of community land are undertaken;
- Council has a permit register for casual hire and temporary organised use of community land;
- Off and on leash areas for dogs on community land are nominated and sign posted in accordance with the Dog and Cat Management Act 1995;
- Dry areas are nominated and sign posted in accordance with the Liquor Licencing Act 1997; and
- Customer request response times are captured and available for reporting.

Performance Measures for Safety & Enjoyment:

- Site inspections documented and actioned in accord with Council maintenance standards;
- Customer requests for service are responded to in accord with service standards;
- Council By-Laws are reviewed in accord with review schedule; and
- Permits for casual hire and temporary organised use of community land are captured in Council's record management system.

4.5. Objective – Amenity

1. To maintain the amenity and cleanliness of community land.
2. To reasonably mitigate and rapidly respond to interference, vandalism and damage to community land.

Management Proposals for Amenity:

- A maintenance specification that supports the use and function of each type of community land is in place;
- Rapid response matters will be managed in accord with documented Council procedure; and
- A customer request system is available for community identification and reporting of maintenance requirements.

Performance Targets for Amenity:

- Routine regulatory site visits of community land are undertaken;
- A rapid response procedure is in place; and
- Customer request response times are captured and available for reporting.

Performance Measures for Amenity:

- Site inspections documented and actioned in accord with Council maintenance standards;
- Rapid response procedure documented;
- Customer requests for service are responded to in accord with service standards.

4.6. Objective - Tourism & Economic Development

1. Where appropriate community land attracts and supports visitation.
2. Where appropriate Council's community land is managed to support new or existing outdoor trading and economic opportunities for the Council area.

Management Proposals:

- Community land is utilised for the benefit of the community and local economy.

Performance Targets:

- Council has nominated sites for Recreation Vehicle tourism;
- Council has an outdoor dining and trading policy in place;
- Permits for use of community land for business purposes are issued in accordance with Section 222 of the Local Government Act;
- Leases and licences for commercial use of community land are issued in accordance with Section 206 of the Local Government Act.

Performance Measures:

- Council's lease and licence register is reviewed in accord with review schedule; and
- Permits for casual hire and temporary organised use of community land are captured in Council's record management system.

4.7. Objective - Community Involvement

1. To ensure the community is provided the opportunity to be informed and contribute to the management of and decisions about community land.
2. To ensure open and accountable management of community land assets.

Management Proposals:

- Community Land Management Plans will be publicly available documents; and
- Council will consult with the community before adopting any changes to its Community Land Management Plans in accord with:
 - » The *Local Government Act 1999*; and
 - » Council's community consultation policy.

Performance Targets:

- Council's Community Land Management Plan meets the requirements of the Local Government Act 1999; and
- Consultation on community land meets the requirements of the Local Government Act 1999.

Performance Measures:

- Council's management plan and register for community land is publicly available.
- Community consultation is undertaken in accord with policy.

4.8. Objective – Governance

1. To meet legislative requirements regarding community land.
2. To provide for good governance of community land and assets.

Management Proposals:

- The Council has an adopted management plan for its community land that contains all the information as required by the Local Government Act.

Performance Targets:

- Council's Community Land Management Plan meets the requirements of the Local Government Act 1999;
- Legislation affecting the management of Council's community land is identified and incorporated in the management proposals for relevant categories; and
- The Council has an up to date register for community land.

Performance Measures:

- Council endorsed management plan and register for community land.

The following table summarises the relevant categories of community land against management objectives:

Management Objective	Community Land Categories
Access and Use	Category 1 - Community Parks
	Category 2 - Sports Grounds
	Category 5 - Cemeteries and Memorials
	Category 6 - Community and Commercial Tenancy
	Category 7 - Natural Reserves, Coastal Reserves, and Roadside Vegetation
	Category 8 – Council Operational Facilities
Asset Management and Function	All Categories
Environmental Sustainability	All Categories
Safety and Nuisance	All Categories
Amenity	All Categories
Tourism and Economic Development	Category 1 - Community Parks
	Category 6 - Community and Commercial Tenancy
	Category 7 - Natural Reserves, Coastal Reserves, and Roadside Vegetation
	Category 10 – Temporary Accommodation Site
Community Involvement	All Categories
Governance	All Categories



5 –Community Land Register

5. COMMUNITY LAND REGISTER