



GOYDER
South Australia's Heartland

REGIONAL COUNCIL OF GOYDER COMMUNITY LAND MANAGEMENT PLAN

Prepared by:
Holmes Dyer
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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 Regional Council of Goyder 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 eleven 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 townships, accessible open space for recreation, and to provide local area functions such as shade and 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 and other facilities that meet the social, economic and recreation needs of the broader community, including visitors to the Council's area. This can include the provision of one or more of buildings, hard and turf playing surfaces, clubrooms, sheds, furniture and other ancillary infrastructure and facilities and infrastructure that support and to accommodate tourism and visitation to the Council's area. Such facilities can be subject to lease and licence arrangements and/or permit hire.

Category 3 Significant Parks and Heritage

Significant Parks and Heritage is retained for the conservation and promotion of heritage. This can include significant parks, gardens, trails and other places of interest to the community and visitors. These sites can be subject to lease and licence arrangements and/or permit hire.

Category 4 Road Reserves, Screening and 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 5 Drainage Reserve

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 6 Cemeteries and 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 7 Community and Commercial Tenancy

Community and Commercial Tenancy sites are retained for the purposes of facilitating accessible community and commercial services of benefit to the community. Such sites may incorporate buildings and leasable open spaces and may be subject to contract agreements, lease and licence arrangements or permit hire. This category may include sites of significant business activities conducted by Council.

Category 8 General Parkland

General Parkland is retained to provide spaces that can be improved to cater for events, sports or building facilities or utilised for community fundraising activities that could include use of land for cropping or grazing. Such sites are subject to contract agreements, lease and licence arrangements or permit hire.

Category 9 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 community centres. Such sites can be subject to contract agreements, lease and licence arrangements or permit hire.

Category 10 Rural Vacant Land, Water Reserve and Stone Reserve

Rural Vacant Land, Water Reserve and Stone Reserves are retained under Council ownership, or under Council's care and control and can be subject to historic dedications. Such sites can be subject to contract agreements, lease and licence arrangements or permit hire. At least one site is known to contain Aboriginal remains. This site is subject to protection under the Aboriginal Heritage Act cannot be leased, licensed or subject to permit hire.

Category 11 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.



3 – POLICIES AND OFFICIAL PLANS

3. Policies and Official Plans

3.1. Legislation

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

Planning and Development

- *Development Act 1993*
- *Disability Inclusion Act 2018*
- *Encroachments Act 1944*
- *Liquor Licensing Act 1997*
- *Planning, Development and Infrastructure Act 2016*

Land Management

- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Federal)*
- *Crown Land Management Act 2009*
- *Disability Discrimination Act 1992 (Federal)*
- *Native Title Act 1994 (Federal)*
- *Native Title (South Australia) Act 1994*

Culture and Heritage

- *Aboriginal Heritage Act 1988*
- *Heritage Act 1993*
- *Heritage Places Act 1993*

Environment and Natural Resources

- *Environment Protection Act 1993*
- *Environment Protection and Biodiversity Act 1999 (Federal)*
- *Landscape South Australia Act 1999*
- *Local Nuisance and Litter Control Act 2016*
- *National Parks and Wildlife Act 1972*
- *Native Vegetation Act 1991*
- *Natural Resources Management Act 2004*
- *Water Resources Act 1997*

Public Health and Safety

- *Dog and Cat Management Act 1995*
- *Food Act 2001*
- *South Australian Public Health Act 2011*
- *Graffiti Control Act 2001*
- *Mining Act 1971;*
- *Work Health and Safety Act 2012.*

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

The Regional Council of Goyder has not exercised its power to make by-laws under the *Local Government Act 1999* (Part 1, Section 246).

3.3. Council Policies

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

- ~~Animal and Plant Control~~
- Assets
- Asset Management Plan- Buildings
- Cemeteries
- Community Consultation
- Community Grants
- Competitive Neutrality
- Disposal of Land and Other Assets
- Environmental Health
- Fees and Charges
- Finance
- Grants
- Halls
- Limited Liquor Licences
- Mobile Food Vendors
- National Heritage Place Sub-Delegation Terms and Conditions
- Open Spaces
- Request for Service
- Reserves
- Revenue and Financing Policy
- Tourism, Arts and Heritage.

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 Regional Council of Goyder are:

- Goyder Master Plan
- Long Term Financial Plan
- Asset Management Plan

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

- Annual Business Plan and Budget



- Goyder Tourism Strategic Plan
- Regional Public Health Plan
- Animal Management Plan
- Burra Conservation Management Plan
- ~~Burra Cultural Centre~~
- Water Management Plan(s)
- Roadside Vegetation Management Plan

3.5. Access to Documents

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



4 – MANAGEMENT OBJECTIVES

4. Management Objectives, Proposals, Targets and Measures

The following table summarises management objectives against categories of community land with each objective carrying equal weight.

Table 1. Application of Management Objectives to Categories of Community Land

Management Objective	Community Land Categories
Community Involvement	Category 1 Community Parks Category 2 Sports Ground Category 3 Significant Parks and Heritage Category 6 Cemeteries and Memorials Category 7 Community and Commercial Tenancy Category 8 General Parkland
Economic Development and Tourism	Category 1 Community Parks Category 2 Sports Ground Category 3 Significant Parks and Heritage Category 6 Cemeteries and Memorials Category 7 Community and Commercial Tenancy Category 8 General Parkland
History and Heritage	Category 1 Community Parks Category 2 Sports Ground Category 3 Significant Parks and Heritage Category 6 Cemeteries and Memorials Category 7 Community and Commercial Tenancy
Access and Use	Category 1 Community Parks Category 2 Sports Ground Category 3 Significant Parks and Heritage Category 6 Cemeteries and Memorials Category 7 Community and Commercial Tenancy Category 8 General Parkland
Asset Management and Function	All Categories
Amenity and Environment	All Categories
Governance	All Categories
Aboriginal Sites	All Categories

Management of community land within the Regional Council of Goyder will seek to support the following management objectives, proposal, targets and measures.

4.1. Objective – Community Involvement

1. To encourage and support community organisations and groups to contribute to the maintenance, management and improvement of community land and assets.
2. To ensure the distribution and use of limited Council funds to support community involvement is equitable.
3. To respond to community requests for service.

4.1.1. Management Proposals

- Council lease and license arrangements or other agreements clearly set out community involvement in the management, maintenance and improvement of community land.
- Council maintains relevant policy to guide decision making regarding community involvement in and shared costs for community land and assets.
- A customer request service will be available for community identification and reporting of maintenance requirements.

4.1.2. Performance Targets

- Council lease and licence arrangements are standardised to include a consistent set of terms and conditions for each new agreement.
- Council has an up-to-date lease and license register that is cross-referenced with Council's community land register.
- Council support for cemetery conservation works by community groups is in accord with Council policy.
- Customer requests and response times are captured and available for reporting.

4.1.3. Performance Measures

- Council's lease and licence register is reviewed in accord with an agreed review schedule.
- Council has up-to date policy reviewed in accord with a review schedule.
- Community requests for service are responded to in accord with Council policy.

4.2. Objective – Economic Development and Tourism

1. To encourage tourism and economic growth opportunities.

4.2.1. Management Proposals

- Community land used for local business or economic purposes where it is appropriate to do so and benefits the community or supports visitation.
- Significant business activities conducted by Council and the carrying out of commercial activities subject to principles for competitive neutrality.

4.2.2. Performance Targets

- Council has nominated locations for Recreational Vehicles (RVs), dumps points and caravan sites.
- Council has a well-managed approach to mobile food vendors.
- Council has an established permit system for use of community land for events and business purposes.
- Conduct of business activities by Council in accord with principles and policy for competitive neutrality.

4.2.3. Performance Measures

- Permits are issued in accord with Council policy and captured in Council's record management system.
- Use of community land for business and commercial purposes complies with statutory requirements.

4.3. Objective – History and Heritage

1. To conserve and enhance cultural, built and landscape history and heritage.
2. To provide the community and visitors a wide range of opportunities to engage with heritage.

4.3.1. Management Proposals

- Council will manage and maintain places of state heritage and on the national heritage list.
- Council will seek advice and work in partnership with history and heritage groups in managing its community land.

4.3.2. Performance Targets

- Places on the national heritage list are managed in accordance with Australian Government guidelines and National Trust.
- Burra Township and Historic Mine Site will be managed in accord with Council's Conservation Management Plan and guidelines for State Heritage Areas.

4.3.3. Performance Measures

- Council has adopted principles for heritage protection and enhancement.
- Council has up-to date policy reviewed in accord with a review schedule.

4.4. Objective – Access and Use

1. To provide access to and encourage use of community land for community benefit and such that the value of community assets is optimised.
2. To facilitate community land and other assets being accessible for users of all ages and abilities.
3. To manage access and use of community land appropriate to the intended use and purpose of the site.

4.4.1. Management Proposals

- Council has policies and systems in place to enable community access, booking and use of land and buildings for events, meetings and gatherings and the like.
- Council has a program in place for improvements to community land that address compliance with Council's obligations under the *Disability Inclusion Act 2018*.
- Council will consider requests to use community land to place signs, promotional material and advertising on a case-by-case basis.

4.4.2. Performance Targets

- Council has an easy-to-use application process for the casual hire and temporary organised use of community land.
- Council will review annually its fees and charges for the use of community facilities and infrastructure.
- Open space and building asset improvements are budgeted and delivered.
- Community consultation on asset improvements are undertaken annually as part of the Council's Annual Business Plan and Budget process.

4.4.3. Performance Measures

- The use and cost for using community land is in accord with Council policy.
- Council has a permit system or similar in place that is captured in its record management system.
- Expenditure on open space and building asset improvements.

4.5. Objective – Asset Management and Function

1. To provide, manage and maintain community land assets to be functional and achieve identified levels of service.
2. To ensure investment in community land is strategically planned and where appropriate supported through external grants.
3. To ensure the community obtain value in the management of community land, including appropriate improvement of community land and disposal of non-performing land and assets.

4.5.1. Management Proposals

- Community land and assets are managed to meet the needs of users and the purpose of each community land category.
- Improvement of community land in accord with strategic management plans and asset management plan(s) and policies.
- Council will consult with the community prior to the disposal of community land and assets deemed surplus to requirements in accord with Council policy and statutory requirements.

4.5.2. Performance Targets

- Council's asset management plan and register identify the lifecycle of assets on community land and contain service levels for asset replacement and maintenance of community land.
- Expenditure on community land and building assets is prioritised in accord with Council's asset management plan(s) and policies.
- Community consultation on asset replacement and maintenance expenditure undertaken annually as part of the Council's Annual Business Plan and Budget process.
- External funding opportunities for community land are sought in accord with Council policy.

4.5.3. Performance Measures

- Strategic management plans reviewed at least every four years.
- Community consultation undertaken in accord with Council policy and statutory requirements.

4.6. Objective – Amenity and Environment

1. To manage community land in a manner that enhances the appeal of the landscape and protects important vegetation.
2. To reasonably mitigate and respond to pest plant infestation, damage or other interference with community land.

4.6.1. Management Proposals

- A maintenance schedule that supports the use and function of each community land category will be put in place.
- Council tree planting on community land will contribute to the amenity of the Council area and recognise places with special qualities.
- A planned approach to management of important roadside vegetation.

4.6.2. Performance Targets

- Routine site inspections for community land are undertaken.
- Council plans and policies in place for tree planting and management of important roadside vegetation.
- Vehicles left on community land are removed in accord with Council policy.
- Council will supply and install sharps disposal containers in public toilets at the request of appropriate community committees and/or cleaners.
- Animal management undertaken in accord with statutory obligations and relevant Council plans.

4.6.3. Performance Measures

- Site inspections documented and actioned in accord with Council maintenance standards.
- Council notifies the Landscapes Board of relevant works on community land.

4.7. Objective – Governance

1. To ensure Council acts in a manner that is transparent in the management of community land.
2. To meet legislative requirements regarding community land.
3. To ensure Council has a policy framework that supports the management of community land.

4.7.1. Management Proposals

- Council's management plan and register for community land will be publicly available documents.
- Council will consult with the community before adopting any changes to its Community Land Management Plan in accord with:
 - The *Local Government Act 1999*; and
 - Council's community consultation policy.
- Council maintains relevant policy to guide decision making regarding community land.

4.7.2. Performance Targets

- Council's management plan and register for community land meet the requirements of the *Local Government Act 1999*.
- Consultation on community land meets the requirements of the *Local Government Act 1999*.

4.7.3. Performance Measures

- The Council has an endorsed and up-to-date management plan and register for community land.
- Council's management plan and register for community land is publicly available.
- Community consultation is undertaken in accord with policy.
- Council policy reviewed in accord with review schedule.

4.8. Objective – Aboriginal Sites

1. To sensitively and collaboratively manage the potential or actual discovery of Aboriginal object, site or remains.

4.8.1. Management Proposals

- Council will work in accordance with its Conservation Management Plan Policies and the Aboriginal Heritage Act 1998 regarding protection and registration of known Aboriginal sites, objects or remains.

4.8.2. Performance Targets

- Council has a documented procedure or policy regarding discovery of aboriginal sites, objects or remains.

4.8.3. Performance Measures

- Known sites containing Aboriginal objects or remains are registered with the Department of State Development – Aboriginal Affairs and Reconciliation;
- Known sites containing Aboriginal objects or remains are identified within Council's Community Land Register.



5 – COMMUNITY LAND REGISTER



5. Community Land Register