

# YORKE PENINSULA COUNCIL COMMUNITY LAND MANAGEMENT PLAN

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## CATEGORY 3 – PUBLIC AND COMMUNITY FACILITIES

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### PROPERTY DETAILS

- Community Land Register – Item 1-7

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### OWNERSHIP DETAILS

- Community Land Register – Item 8

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### PURPOSE FOR WHICH LAND IS HELD

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

Council community facilities may include:

Conservation areas	Passive recreation
Public toilets	Playgrounds
Kindergartens/childcare facilities	Cemeteries
Public halls	Walkways
Bike and Walking Trails	

Facilities should be protected and improved where appropriate, for current and future generations.

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### REASON WHY MANAGEMENT PLAN IS REQUIRED

- Land specifically modified for the benefit and enjoyment of the public
- Lease/Licence
- Act of Parliament or Trust

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### **OBJECTIVES FOR THE MANAGEMENT OF THE LAND**

- To maintain the land for mixed uses including conservation, active and passive recreation, educational facilities and broad community uses.
  - To improve the maintenance of public infrastructure and facilities and to preserve local heritage and places of significance.
  - To increase the use, enjoyment and accessibility and safety of community land.
  - Where appropriate, grant leases and grant or accept easements, and or rights of way over the land.
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### **POLICIES AND PROPOSALS FOR MANAGEMENT OF THE LAND**

Ensure consistency with the objectives set out in the Yorke Peninsula Council's corporate documents and any other council by-law, plan or policy or government legislation where applicable. Including but not limited to the following:

- **Strategic Management Plan**
- **Indigenous Land Use Agreement (Yorke Peninsula and adjoining coastal waters)**
- **Planning, Development and Infrastructure Act 2016**
- **Planning and Design Code**
- **Animal Management Plan**
- **By Law No. 2 Local Government Land**
- **By Law No. 5 Dogs**
- **By Law No. 6 Cats**
- or future Acts, or council by-law, plan or policy where the above has been updated or superseded.

### **DEPARTMENT FOR ENVIRONMENT AND WATER**

- Dedicated land may only be used for purposes consistent with that for which it was dedicated, and no other purpose. A change of land use will require the resumption of the land and re-dedication for a purpose consistent with the new use.
- The granting of a lease/licence over dedicated land requires approval from the Minister if native title has not been extinguished and the lease will cause any development (within the meaning of the *Planning, Development and Infrastructure Act 2016*). That the Council is satisfied that the lease would not detract from any existing public use and enjoyment of the land, would not prevent the land being used for the purpose for which it was dedicated and would not otherwise be improper or undesirable.

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- The Doctrine of Fixtures applies to dedicated land. Any buildings or other improvements erected on the land determined to be fixtures will be the property of the Crown unless the Minister has expressly stated in writing that the improvements shall be deemed to be severed from the land.
  - Easements required over dedicated land may only be granted by the Minister pursuant to the Crown Land Management Act 2009.
  - The clearance of native vegetation (including grasslands) must not occur without the prior approval of the relevant Minister and the Native Vegetation Council.
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### PERFORMANCE TARGETS

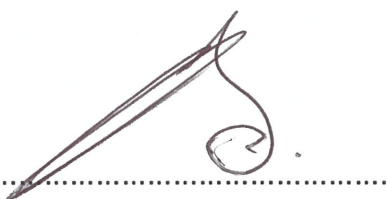
- See Schedule
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### PERFORMANCE MEASURES

- See Schedule
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ADOPTED BY COUNCIL:

Minute 306/2023 (13/12/2023)



MAYOR



CHIEF EXECUTIVE OFFICER

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### PERFORMANCE TARGETS AND MEASURE

#### Schedule

Management Issues	Objectives, Policies and Proposals	Performance Targets	Performance Measures
Car park/drive-ways/footpaths/stairways	Carparks/drive-ways/footpaths/stairways are provided for use by the public where required.	To ensure infrastructure is in reasonable condition, can be utilised by the public and is safe.	Regular inspections and maintenance in conjunction with the inspection process schedule.
Public Toilets	To provide public toilet facilities as deemed necessary by Council for use by the community.	To ensure public toilets are serviced and maintained to a satisfactory condition.	Regular inspection by Council staff as part of an ongoing maintenance schedule and to identify any issues for rectification.
Cemeteries	To provide well maintained cemeteries to meet the needs of the community and provide burial/internment rights for the deceased.	<p>To facilitate granting of appropriate burial/internment rights for the deceased. To ensure all areas of the cemetery are maintained to an acceptable standard.</p> <p>To ensure all fencing is safe and in reasonable condition. To ensure infrastructure and improvements are in reasonable condition and suitable for use by the community.</p>	Periodic inspections of fencing, lawned and garden areas, leased/licensed areas, infrastructure and improvements and implementation of maintenance measures as appropriate.
Residential Tenancies	To provide residential housing as deemed appropriate by Council.	To negotiate adequate lease/licences to persons/organisations for use of the	Periodical reviews of agreement arrangements and responsibilities to ensure terms and conditions are satisfied.



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		property and improvements. To ensure lessees/licensees meet the terms and conditions of the agreement.	
Drainage Reserves	To provide drainage systems in appropriate locations for redirection of stormwater.	To ensure drainage systems are unobstructed, act as part of Council's drainage network systems and that they do not pose a safety hazard to members of the public.	Regular inspections of the drainage systems and rectification of any issues identified.
Easements to Service Authorities	To grant easements required by service authorities for above or below ground infrastructure.	To ensure service authorities infrastructure for community needs is located and installed with minimal impact on land use.	Inspection of infrastructure location to ensure compliance with easement requirements.
Campgrounds	To provide maintained campgrounds that meet the needs of the community and visitors.	To ensure campgrounds are maintained to a satisfactory condition.	Regular inspection by Council staff as part of an ongoing maintenance schedule and to identify any issues for rectification.
Memorial walls/monuments/plaques	To approve memorial infrastructure as requested by community members.	To facilitate granting of appropriate memorials for the deceased.	Inspection of memorial infrastructure to ensure compliance with Council policy.
Airstrips	To provide maintained airstrips that service the community.	To ensure airstrips are unobstructed, safe and meet all requirements.	Regular inspection and maintenance program.
Landscape Character for Conservation Area	Reflect the character of adjoining conservation areas.	Maintain and manage according to biodiversity principles and expectations.	Clear of illegal dumping including building material, garden waste and general household waste  Fenced

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			<p>Pest plant species controlled within budgetary constraints</p> <p>Management of access points including prevention of unauthorised access points</p>
Fire Prevention and Fuel Reduction	Such measures as may be identified and specified by Council's Fire Prevention Officer from time to time	Implement identified measures as needed	Regular inspections for fire prevention and fuel reduction and rectification of any issues identified
Bike/Walking Trails (where applicable)	To maintain accessibility and safety of reserves whilst minimising degradation of biodiversity	Increase the emphasis on design for improved physical access, safety and biodiversity protection	Carry out periodic audits

### Permits, Licences and Leasing of Public and Community Facilities

The granting of a lease, licence or permit formalises the use of council facilities by groups such as community groups, commercial organisations or individuals who are providing facilities or services for public use that is consistent with the intent and purpose of the land.

The terms and conditions of a lease, licence or permit will ensure that property management of the area is undertaken such that it is maintained in a safe and functional condition, and that the interest of Council and the public are protected.

There are a number of leases, licences and permits issued to various parties over land included in this Management Plan – details of these agreements are displayed in the Schedule, Item 12-13.

A lease, licence or permit enables Council to negotiate agreements with organisations and individuals who occupy or manage Community Land. These agreements allow clear legal definition of the rights and obligations that an organisation or individual has in regard to the land whilst ensuring public access is maintained. From time to time leases, licences and permits will expire, require renewal and/or renegotiation, and new leasing proposals considered.

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Where the agreement is for a period exceeding five years, Council is required by the Local Government Act, 1999 to consult with the community. However, exemptions of certain leases/licences over community land from consultation requirements when it is a term of the lease/licence that there is to be no substantial change in the use of the land. Local Government (General) Regulations 2013, Section 22, (1) (b).

Council will only grant a lease, licence or permit for use of Community Land under this Management Plan if it is:

- Consistent with the current use and purpose of the land
- For activities appropriate to the current and future needs of the community
- Acknowledged that all suitable insurances have been sighted by Council.