

Community Land Management Plans

Part 1 - Introduction

1.1 What is Community Land?

The Local Government Act 1999 (“The Act”) introduced the concept of community land.

Subject to exclusion from classification and revocation, Section 193 of the Act defines community land as “All Local Government land (except roads) that is owned by a Council or under the Council’s care, control and management.”

Chapter 11 of the Act deals with the obligations and responsibilities that are imposed upon Councils as the custodians of land for the benefit of current and future generations of the community, i.e. community land.

Section 207 of the Act requires Council to prepare and adopt a Community Register. The Community Land Register includes all of the Council’s community land. The next stage in compliance with the community land provisions under the Act is the implementation of community Land Management Plans.

1.2 What is a Community Land Management Plan (CLMP)?

Pursuant to Section 196 of the Act, the Council must prepare and adopt a Management Plan for its community land if:

- The land is, or is to be, occupied under a lease or license: or The land has been, or is to be specifically modified or adapted for the benefit or enjoyment of the community.
- A CLMP is required for all parcels of land identified within this plan as it has been identified as having been specifically modified for the benefit or enjoyment of the public.

A CLMP must also state the purpose for why the land is held.

A Community Land Management Plan (CLMP) is a document that identifies community land, the purpose or which it is held and dictates how the Council manages the land to which it relates. CLMP’s provides a means to control future use, development and maintenance of that land.

A CLMP is a legislative requirement for specified community land owned by Council. The plan aims to balance the unique site conditions with community requirements for open space recreation opportunities and facilities.

1.3 Purpose of a Community Land Management Plan

Community land is recognised as an important component of the urban environment, providing opportunities for recreation and leisure and a CLMP provides a framework within which Council can develop a balanced response to current opportunities and address future pressures in respect thereof.

These Management Plans identify clear objectives and establish directions for planning, resource management and maintenance.

1.4 Before adopting a CLMP, Council must undertake community consultation. Community consultation plays an important role in the production of any CLMP as it provides Council with a sound understanding of relevant local issues from people who are familiar with and use the land. To a large degree, the direction for future development of land (in particular open space) is based on the views expressed by the general public.

Public involvement and consultation generates an understanding of Council’s Land Management aims. It combats misinformation and misunderstandings and fosters support for Council’s programs and policies.

Draft CLMP's will be exhibited for a 21 day period and will enable interested parties to comment on and have input into the management of the land (i.e. make a submission). In order to generate widespread community awareness of the draft CLMP, the following steps have been undertaken:

- Advertisements in the Messenger Newspaper
- Copy of draft document posted on Council's Website
- Copy of draft document available at Council's Customer Service Desk and Libraries

1.4.1 Writing a Submission

Submissions give members of the public an opportunity to express their opinions, provide information and suggest alternatives to Council's proposed management strategies for the relevant land.

If you would like to make a submission, ensure submissions are as effective as possible by:

- Listing all points according to the section and page number in the CLMP.
- Briefly describe each subject or issue you wish to raise.
- State specifically which objectives, proposals, policies, strategies and performance measures you agree or disagree with, and give reasons.
- Suggest alternatives to deal with any issue with which you disagree.

1.4.2 Public Notice

Once a CLMP has been adopted by the Council, the Council must give public notice of its adoptions i.e. publish a notice in the Gazette and the newspaper circulating throughout the State.

Part 2 - Policy and Planning Issues

2.1 Council/Government Policies

These CLMP's are closely linked to the City of West Torrens Strategic Plan and to the City of West Torrens Open Space Strategy Plan (2004).

The following controlling legislation, Council Policies and Plans will impact upon Council's Management of Community Land.

- City of West Torrens By-laws
- City of West Torrens Open Space Strategy Plan
- City of West Torrens Policies on Playgrounds, Trees, Reserves, Community Halls, Public Consultation, Graffiti, Environment, Risk Management, Dogs and Signs
- City of West Torrens Strategic Plan
- Local Government Act 1999
- Development Act 1993
- EPA Act 1993
- Aboriginal Heritage Act 1988
- Heritage Act 1993
- Native Title Act 1993 (Commonwealth)
- Native Title Act 1993 (South Australia)
- Recreational Greenways Act 2000
- Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)
- National Parks and Wildlife Act 1972
- Recreational Grounds Rates and Taxes Exemption Act 1981
- Recreational Grounds (Joint Schemes) Act 1947
- Water Resources Act 1997

OCCUPIED / LEASED PROPERTIES

Occupied and leased properties form a class of Community Land that is typically a stand alone property which is not included in other categories generally associated with Parks or Recreation / Sports Grounds. These properties are leased to various parties for a range of activities including commercial activities, Community Centres, RSL and Senior Citizens Halls.

Other classes of community land for which management plans have been prepared include council parks, recreational and sporting grounds, the River Torrens Linear Park, rail corridors, drainage lands, the Brickworks Markets, car parks, kindergartens, walkways / buffer zones & screening reserves, Cummins House, City of West Torrens Memorial Gardens, and a miscellaneous class including parcels of land reserved for various purposes.

This plan details management issues, goals, performance targets and performance measures for various Occupied and/or Leased properties.

OCCUPIED / LEASED PROPERTY IDENTIFICATION

Land designated as Occupied and Leased property and subject to this Management Plan is identified in Appendix 1.

OCCUPIED / LEASED PROPERTY OWNERSHIP

Occupied / leased properties are owned by the City of West Torrens. Ownership details are provided in Appendix 1. The tenure of the land and details of any trusts, reservations, dedications or other restrictions affecting the land is stated in Appendix 1. Details of any known Native Title claims are provided in Appendix 1.

PURPOSE FOR WHICH OCCUPIED / LEASED PROPERTIES ARE HELD BY COUNCIL

These properties provide a range of activities including Community Centres, Theatres, Halls, Libraries and Clubrooms, all of which are used by groups or individuals under terms and conditions specified under Lease or Licence.

The primary purposes of Council owning these buildings include benefit and enjoyment of Ratepayers and Local Residents or for Commercial return to Council.

REQUIREMENT FOR MANAGEMENT PLANNING

A management plan has been prepared for Occupied / Leased Properties as the properties have been specifically modified for the benefit and enjoyment of the community and the properties listed may be subject to Lease or licence at present or at some time in the future.

OBJECTIVES FOR THE MANAGEMENT OF OCCUPIED / LEASED PROPERTIES

- To provide buildings and associated improvements to be used by approved individuals or groups as specified under formal agreements with council.
- To ensure that all terms and conditions specified in formal agreements are met by both parties.
- To provide a well-maintained property, which enhances its overall appeal and general amenity.
- To allow the lease/licence of the whole or any part of the land or property and improvements.
- Provision of access to the property and in some cases on site parking areas.
- To ensure compliance with all legislative and statutory rules and regulations applicable to the building.
- To ensure compliance with all Policies and By-laws which may impact on the use of any Community Land.
- To safeguard the community and the assets held on their behalf by taking appropriate measures to control risk.
- To provide for business / commercial use as approved by Council.

MANAGEMENT ISSUES AND PERFORMANCE TARGETS

Management issues and performance targets relating to the provision and maintenance of Occupied / Leased Properties are summarised in the following schedule:

MANAGEMENT ISSUES	PROPOSALS	PERFORMANCE TARGETS	PERFORMANCE MEASURES
Reserve Infrastructure	To provide reserve infrastructure which may include but is not limited to bins, benches, signage, lighting, monuments etc. for the benefit of members of the public.	To ensure the infrastructure is in reasonable condition to be utilised by patrons.	Infrastructure listed in asset database. Inspection of assets and maintenance as required.
Safety and Risk Management	To identify, measure and manage potential hazards in a timely manner to minimise exposure to complaint, compensation and litigation.	Continue to carry out inspection programs to identify and eliminate all potential hazards.	Reduction in numbers of complaints and claims.
Landscape Character <i>Lawns, turf and vegetation</i>	To provide lawned and landscape areas to be used by patrons and to add to the amenity of the property.	To mow and maintain areas as needed, allowing for seasonal growth rates and required use.	Turf maintained in useable condition. Vegetation maintained.
<i>Litter</i>	To maintain in a tidy state free of litter.	To remove litter during regular scheduled maintenance.	Properties maintained free of excessive litter.
<i>Graffiti</i>	To maintain the properties free from graffiti.	Offensive graffiti to be removed within one working day of report being received. Inoffensive graffiti to be removed within 3 working days of report being received. Regular inspections of high profile streets to be scheduled.	Graffiti removed within specified timeframes.
Parking Areas	To provide parking areas for use by patrons.	To ensure that parking areas can be accessed and utilised by all patrons.	Parking issues monitored regularly and as required.
Driveways	To provide driveways as required for vehicles.	To ensure that all driveways are maintained in a reasonable condition and remain easily accessible.	Regular inspection as part of scheduled park maintenance processes.
Fencing	Erection of fencing throughout and around the perimeter of the property to bound the site from adjoining land and road frontages, where necessary.	To ensure all fencing is maintained to a reasonable standard.	Regular inspection and maintenance of fences as required.

MANAGEMENT ISSUES	PROPOSALS	PERFORMANCE TARGETS	PERFORMANCE MEASURES
Leases/ Licenses	To allow the lease/license of the whole of or any part of the land and improvements as deemed appropriate by Council.	To negotiate lease/license agreements with organisations and/or members of the public for the use of the Council Parks and associated facilities. To ensure any lessees/licensees meet the terms and conditions of the agreement.	Maintenance and regular update of a lease/license register. Appropriate maintenance registers kept. Periodical inspections to ensure adequate maintenance is being undertaken.
Commercial Properties	To allow for the business/ commercial use of the whole or any part of the land or building as deemed appropriate by Council.	To negotiate agreements that maximise commercial return to Council and that clearly specify occupier responsibilities.	Commercial returns to Council. Compliance with lease /licence conditions.
	Rationalisation.	Council to investigate options and opportunities for the rationalisation of its facilities.	Council to adopt a strategy for rationalisation and disposal.
	To repair or remove structures that are in poor condition or which are no longer used.	Undertake an asset audit which details conditions and develop a strategy to address issues.	Condition audit completed. Strategy developed.
	To provide appropriate facilities for people with disabilities.	Develop a DDA action plan that identifies and prioritises issues.	Needs identified and plan updated. Funds provided in budgets.
Permits	To provide permits to enable specified use of the property or a portion of the property.	To monitor the issue of permits to members of the community so that fair use of the facilities is achieved.	Maintain records of permits issued and monitor use.
Exercising of Dogs	To allow for areas to be set aside for both dog owners and/or other members of the public.	Compliance with all restrictions on the exercising of dogs.	Reduced numbers of complaints regarding dogs in parks and reserves.

APPENDIX 1

REED BEDS COMMUNITY CENTRE

Asset Number(s)	54
Name of Reserve	Reed Beds Community Centre
Location	Fitch Road, Fulham
Certificate of Title	Portion CT 5344/959
Plan	DP 32505
Parcel	Allotment 50
Area	5,119
Registered Proprietor	City of West Torrens
Tenure	Reserve
Reservations/Dedications	Held as a Reserve
Native Title	No known Native Title claims

LOCKLEYS CINEMA

Asset Number(s)	84
Name of Reserve	Lockleys Cinema
Location	Henley Beach Road, Lockleys
Certificate of Title	CT 5842/983
Plan	FP 124330
Parcel	Allotment 36
Area	1,176
Registered Proprietor	City of West Torrens
Tenure	Freehold
Reservations/Dedications	Nil
Native Title	No known Native Title claims

THEATRE 62 & STAR THEATRE

Asset Number(s)	131 & 139
Name of Reserve	Theatre 62 & Star Theatre
Location	Sir Donald Bradman Drive, Hilton
Certificate of Title	CT 5776/128, CT 5792/740
Plan	FP 145156, DP 639
Parcel	Allotment 28, Allotment 9
Area	905
Registered Proprietor	City of West Torrens
Tenure	Freehold
Reservations/Dedications	Nil
Native Title	No known Native Title claims

HILTON RSL

Asset Number(s)	132
Name of Reserve	Hilton RSL
Location	Sir Donald Bradman Drive, Hilton
Certificate of Title	CT 5832/7
Plan	DP 3002
Parcel	Allotments 3 and 4
Area	1,200
Registered Proprietor	City of West Torrens
Tenure	Freehold
Reservations/Dedications	Nil
Native Title	No known Native Title claims

CAMDEN COMMUNITY HALL

Asset Number(s)	317
Name of Reserve	Camden Community Hall
Location	Carlton Road, Camden Park
Certificate of Title	CT 5815/594
Plan	DP 1901
Parcel	Allotment 22
Area	1,191
Registered Proprietor	City of West Torrens
Tenure	Freehold
Reservations/Dedications	Nil
Native Title	No known Native Title claims

LIONS CLUB OF RICHMOND CLUBROOMS

Asset Number(s)	336
Name of Reserve	Lions Club of Richmond Clubrooms
Location	Penong Avenue, Camden Park
Certificate of Title	CT 5733/409
Plan	DP 53506
Parcel	Allotment 50
Area	3,100
Registered Proprietor	City of West Torrens
Tenure	Reserve
Reservations/Dedications	Held as a Reserve
Native Title	No known Native Title claims

THEBARTON LIBRARY

Asset Number(s)	365
Name of Reserve	Thebarton Library
Location	166-168 South Road, Torrensville
Certificate of Title	CT 5825/857
Plan	FP 122900
Parcel	Allotment 6
Area	820
Registered Proprietor	City of West Torrens
Tenure	Freehold
Reservations/Dedications	Nil
Native Title	No known Native Title claims

THEBARTON THEATRE & LIBRARY CAR PARK

Asset Number(s)	374
Name of Reserve	Thebarton Theatre & Library Car Park
Location	108 Henley Beach Road, Torrensville
Certificate of Title	CT 5494/979
Plan	FP 1085
Parcel	Allotment 22
Area	900
Registered Proprietor	City of West Torrens
Tenure	Freehold
Reservations/Dedications	Nil
Native Title	No known Native Title claims

THEBARTON THEATRE

Asset Number(s)	375
Name of Reserve	Thebarton Theatre
Location	114 Henley Beach Road, Torrensville
Certificate of Title	CT 5237/221
Plan	FP 125494
Parcel	Allotments 2 and 3
Area	2,000
Registered Proprietor	City of West Torrens
Tenure	Freehold
Reservations/Dedications	Nil
Native Title	No known Native Title claims