

Generic Management Plan for Business Areas

Community Land Management Plans



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Introduction

Generic Management Plan for Business Areas

A Management Plan is a document prepared in consultation with the community that provides direction as to the use of Community Land. Management Plans assist Council to audit land stocks and in formalising the use of all Community Land parcels. They also assist the Leasing, Licensing and Permit process.

A Generic Management Plan covers all Community Land that is either owned or managed by the City of Onkaparinga that has common characteristics and intent. This Management Plan provides for all Community Land that has been placed into the category "Business Areas" and does not contain characteristics that require a Site Specific Management Plan.

Where a site has been divided into multiple categories e.g. Business Areas and General Community Areas, this Management Plan applies only to that area categorised as "Business Areas". The remaining area will be covered by a Generic Management Plan for that category.

Legislative Requirements

When preparing a Management Plan there are various conditions to which local government must comply. Below is a list of the main legislation that influences the use and management of land included in this plan:

- *Local Government Act 1999*
- *Development Act 1993*
- *Environmental Protection & Biodiversity Conservation Act 1999*
- *Significant Tree control under the Development Act 1993*
- *Native Vegetation Act 1991*
- *Native Title Act 1994*
- *Heritage Act 1993*
- *Aboriginal Heritage Act 1988*
- *National Parks & Wildlife Act 1972*
- *Retail and Commercial Leases 1995*
- *Residential Tenancies Act 1995*
- *Residential Parks Act 2007*
- *Real Property Act 1886*
- *Liquor Licensing Act 1997*

Ecologically Sustainable Development

All Management Plans prepared by Council must take into consideration Ecologically Sustainable Development (ESD) principles. Council has embraced ESD principles in its policies and strategies. ESD requires Council to use, conserve and enhance its natural resources so that the ecological processes on which life depends are maintained, and the total quality of life now and in the future, is improved.

There are a number of guiding principles of ESD relevant to Council. These principles are:

- Integration – the effective integration of environmental, social and economic considerations in decision making.
- Ecological integrity – to protect ecological diversity and maintain essential ecological processes and life support systems.
- Continual improvement – a long-term commitment to achieve local ESD and a permanent feature of the way in which Council carries out its functions and responsibilities.
- Equity within and between generations – fairness and equal access to opportunities both in our lifetimes and future generations.
- Precautionary behaviour – where there are threats of serious or irreversible environmental damage, however lack of full scientific certainty should not be used as a reason to postpone measures to prevent it

Land Description and Planning

Definitions of a Business Area and Sub-Categories

A Business Area may be defined as a Community Land parcel that is either owned or under Council's care and control that generally provides for a business or community service that generates an income. Such sites may be under the sole control of Council through a Lease or outsource management. Sites may include a kiosk, tourist park, golf course, golf driving range and community dwellings on Community Land.

Council recognise that areas of land that are associated with natural features such as the coast, waterways, remnant vegetation, and biodiversity may have significance to Indigenous communities due to their significant relationship with the natural environment.

For the purpose of this Management Plan, each parcel of Community Land has been categorised based on its core usage. Therefore if a parcel of land's core role for Council purposes were a drainage reserve (although it had other cultural or heritage significance), it would be placed under the Reserve category.

The Business Areas category is further broken down into sub-categories. These sub-categories will enable users of the Management Plan to understand the purpose for the land and conditions under which the land is available for community use. The sub-categories are as follows:

Leisure Facilities

A *Leisure Facility* is defined as a high profile community accessible facility that provides for the enjoyment of passive and active recreational pursuits. The operation of these facilities is usually through an out source management contract. Examples of such facilities include golf courses and tourist parks.

Commercially Leased Premises

A *Commercially Leased Premises* is defined as a strategic Community Land parcel that allows a commercial operator to provide the community with a variety of retail services that are non-core activities of Council. A medium to long-term lease is negotiated to provide commercial stability to both parties. Activities may include restaurants, cafés or kiosks.

Rental Dwellings

A *Rental Dwelling* is defined as a residential property set aside for housing developed to meet specific community needs and objectives, or purchased for future land requirements. This category also includes land parcels provided for disabled housing joint ventures.

The attached **Table A** lists the parcels placed into the Business Areas category, together with their assigned sub-category, property and ownership details, any applicable leases or licences held over the land and whether the land is subject to any special conditions.

Acquisitions of land by Council, either by purchase or dedication that is classified as Community Land may be added to **Table A** without the need to remake this Management Plan.

Management Objective Strategies

What are the Permitted Uses in this Management Plan?

Permitted Uses

This Generic Management Plan for Business Areas provides a range of activities for the community through outsource management or ground lease operators that provide a community service.

Based on the core objectives of this plan, the uses permitted on any land covered by this Management Plan are:

- The construction of community facilities and use of those facilities to allow individuals and groups to come together for social, community, educational, cultural, leisure and welfare activities.
- The granting of Leases for community facilities for such purposes.
- The provision of public utilities and works associated with or ancillary to public utilities
- Passive recreational activities and pastimes and the construction of facilities to cater for these activities.
- The granting of a Permit or Licence under Sections 200 and 202 of the *Local Government Act 1999* for activities appropriate to the objectives for the Business Areas category

It should be noted that Council still has powers under a number of Acts to police a range of activities and behaviour in public places irrespective of whether Council has formal control over land.

Note: Permit Holders must comply with all Permit Conditions and Council By-Laws.

Existing Uses

This Generic Management Plan for Business Areas provides for the continuation of existing uses on land parcels listed in **Table A** subject to compliance with relevant statutory and regulatory obligations.

Any change to existing uses will, where significant, require public consultation and amendment of the Management Plan. The level of significance of a change is determined by the extent or type of proposal, by the importance the land has to the public, current users and future generations and its proximity to other uses.

Permit, Licence and Leasing of Business Areas

The granting of a Lease, Licence or Permit formalises the use of land categorised as Business Areas by groups such as commercial organisations, community or individuals who are providing facilities or services for public use or are seeking use of a land parcel that is consistent with the intent and function of the land.

Activities under a Lease, Licence or Permit should be compatible with any zoning or reservation, provide benefits, services or facilities for users of the land, and be consistent with the Management Plan.

The terms and conditions of a Lease, Licence or Permit will ensure that proper management of the area is undertaken such that it is maintained in a safe and visually pleasing condition, and that the interests of Council and the public are protected.

Conditions of approval must be in keeping with the existing relevant Council policies and may require a resolution from Council.

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 **Table A**.

New Leases, Licences and Renewal of Existing Leases and Licences

A Lease or Licence enables Council to formalise 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, individual or the wider community has in regard to the land. From time to time Leases and Licences will expire, requiring renewal and/or renegotiation, and new leasing proposals considered.

The establishment of new agreements or changes to existing agreements will not require public consultation where there is no change to the proposed use or activity on that particular parcel of Community Land. However, where the Lease or Licence is for a period exceeding five years, Council is required by the *Local Government Act 1999* to consult with the community. Further, if the Lease is for a portion of Crown land, ministerial consent may be required in accordance with the *Crown Land Management Act 2009*.

As with any proposed change of use of Community Land, where a new Lease or Licence is proposed that constitutes a change in use, the Management Plan must be amended to provide for the change of use and must be advertised for public comment.

Granting of a Lease or License for a commercial activity is conditional on the activity being consistent with Management Plan objectives.

Council will only grant a Lease or Licence 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
- Anticipated that no significant damage to the land is likely to be caused as a result of the proposed activity
- Anticipated that no significant disturbance will affect adjacent property owners
- Relating to wider community purposes such as public recreation and cultural development
- Acknowledged that all suitable insurances have been provided to Council

Other Development or Activities that may be carried out on the Land

Below is a list of additional activities (generally of an operational nature) that typically may be undertaken on the land in accordance with Management Plan objectives:

- Telecommunication facilities providing they are in accordance with Council's 'Telecommunications Facilities on Council Land' document and that the structure would not detrimentally affect native vegetation, areas or places of Indigenous or European heritage, or the amenity of any locality
- Bushfire hazard reduction
- Community notice signs and temporary signs
- Cycle ways
- Drainage
- Horticulture
- Landscaping
- General maintenance
- Remediation works
- Temporary structures
- Work sheds or storage required in connection with the maintenance of the land
- Visitor facilities
- Vehicular access
- Public utility infrastructure
- Establish, enhance and maintain vegetation to provide:
 - Shade
 - Windbreaks
 - Enhanced scenic or recreational value or visual screening
 - Habitat for native wildlife
 - Enhancement of biodiversity
 - Suitable buffers for the protection of water quality and ecological processes in neighbouring watercourses or wetlands.

Community Objectives, Policies and Proposals for Business Areas

Land categorised as Business Areas provide important focal points for community identity, social interaction and culture. Good design and maintenance of land categorised as Business Areas also project an appealing image to investors and visitors to the area.

Land categorised as Business Areas should be accessible to local communities and visitors whilst being safe, functional and sensitive to local culture and heritage. Once established, these areas should be protected and enhanced where appropriate, for current and future generations.

Council is required within Management Plans for Community Land to set out its vision for the land through objectives.

The core objectives for management of land categorised as Business Areas are:

- a) To minimise the environmental impacts associated with buildings throughout their life cycle via the efficient design, construction and operation
- b) To enhance the design and appearance of land categorised as Business Areas through the installation or expansion of infrastructure, provided there is no significant detrimental impact on the main purpose for which the land is reserved
- c) To provide ancillary facilities within Council's budgetary constraints to support the main purposes for which the land has been categorised
- d) To provide people with safe, equitable and dignified access to buildings in accordance with the Disability Discrimination Act (DDA) and the Building Code of Australia (BCA)
- e) To provide the appropriate level of maintenance within Council's budgetary constraints and community expectations to ensure the land is safe for the general public
- f) To enhance the landscaping and provision of public amenities for public use within Council's budgetary constraints
- g) To preserve local heritage and cultural places
- h) To protect and restore the natural environment by revegetating areas with appropriate species and rehabilitating degraded sites
- i) To protect and enhance significant remnant vegetation that may exist on particular parcels of Community Land - This may at times involve excluding the public

The development of land categorised, as Business Areas must have regard to the objectives contained within the following Council Policies:

- Urban Design
- Environmental Management
- Open Space

- Cultural Heritage and Diversity
- Leisure and Recreation
- Sustainable Land Management
- Economic Development

The attached **Table B** sets out the objectives for each of the Business Areas sub-categories and how these will be achieved, as well as a plan for assessing the success in meeting these objectives.

While it is the intention of Council to meet its objectives, the commencement and completion of the performance targets are dependent on available Council resources and funding assessed against the other priorities of Council.

Disclaimer

The City of Onkaparinga has made every reasonable attempt to ensure the accuracy of the information presented in the following Tables. However, it does not guarantee the information is complete, correct or up to date and the information is subject to change without notice.

In no event shall the City of Onkaparinga be liable to any third party who obtains access to the information contained in the Tables under any law for any loss or damage (including, but not limited to, direct, indirect, economic and consequential damage) in respect of any matter whatsoever related to any information contained in the Tables.

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Table A: Land Covered by the Generic Management Plan for Business Areas

Parcel ID	Common Name	Title Ref	Valuation Number	Lot(s)	Street	Suburb	Sub-Category	Lease or Licence	Comments	Owner	Area (Ha)	Map Ref
1	Aldinga Beach Ramp Kiosk	CR5352/513	1300769107	A53 in DP45095	Esplanade	Aldinga Beach	Commercially Leased Premises	Pearl Aldinga Beach – 21 years Lease expires 28/01/2039		CROWN	0.010	107
2	Car Park	CT6155/955	1478660504	A101 in DP45935	Grants Gully Rd	Clarendon	Leisure Facilities			COO	0.188	37
3	Car Park	CT5243/430	8613230008	A2120 in DP41754	Grand Blvd	Seaford	Leisure Facilities			COO	0.826	76
4	Car Park	CT6136/836	8611518083	A36 in DP7247	Gertrude St	Morphett Vale	Leisure Facilities			COO	0.098	41
5	Car Park	CT6136/837	8611518083	A37 in DP7247	Main South Rd	Morphett Vale	Leisure Facilities			COO	0.113	41
6	Car Park	CT6136/839	8611518083	A38 in DP7247	Main South Rd	Morphett Vale	Leisure Facilities			COO	0.097	41
7	Car Park	CT6163/833	8611292352	A23 in DP92692	Stanley St	Morphett Vale	Leisure Facilities			COO	0.036	41
8	Car Park	CT6136/840	8611291907	A40 in DP7247	Main South Rd	Morphett Vale	Leisure Facilities			COO	0.095	41
9	Car Park	CT6136/838	8611291907	A39 in DP7247	Main South Rd	Morphett Vale	Leisure Facilities			COO	0.106	41
10	Car Park	CT5334/263	861322250*	A1215 in DP44842	Tiffany Street	Seaford	Leisure Facilities			COO	0.176	76
11	Car Park	CT5798/135	8638493250	A17 in DP8018	Conington Cr	Morphett Vale	Leisure Facilities			COO	0.220	41
12	Car Park	CT5068/83	8699999001	A51 in DP22343	Old South Rd	Old Reynella	Leisure Facilities			COO	0.012	26
13	Car Park	CT5300/951	8613224556	A1099 in DP43231	Main St	Seaford	Leisure Facilities			COO	0.126	76

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Parcel ID	Common Name	Title Ref	Valuation Number	Lot(s)	Street	Suburb	Sub-Category	Lease or Licence	Comments	Owner	Area (Ha)	Map Ref
14	Car Park	CT5374/422	8613223246	A1110 in DP45911	Walker St	Seaford	Leisure Facilities			COO	0.106	76
15	Christies Beach Tourist Park	CT5929/623	8619021039	A11 in DP64165	Sydney Crescent	Christies Beach	Leisure Facilities	Council Operated Park		COO	1.512	52
16	Coromandel Valley Institute Hall	CT5831/522	1455422001	A44 in FP149129	Main Rd	Coromandel Valley	Commercially Leased Premises			COO	0.089	7
17	Dwellings - 77 Red Cedar Dr	CT6184/169	8644464202	A101 in DP44566	Red Cedar Dr	Reynella	Rental Dwellings	Housing Spectrum Incorporated - Management Agreement expires 14/01/2032		COO	0.043	33
18	Dwellings - 79 Red Cedar Dr	CT6184/170	8644464253	A102 in DP44566	Red Cedar Dr	Reynella	Rental Dwellings	Housing Spectrum Incorporated - Management Agreement expires 14/01/2032		COO	0.044	33
19	Foreshore Restaurant	CR6090/451	8618503802	A1647	Saltfleet St	Port Noarlunga	Commercially Leased Premises	Para Praia Pty Ltd, 21 year Lease expires 24/10/2032		CROWN	0.042	57
20	Foreshore Kiosk	CR6090/451	8618503853	A1647	Saltfleet St	Port Noarlunga	Commercially Leased Premises	Para Praia Pty Ltd, 21 year Lease expires 24/10/2033		CROWN	0.012	57
21	Maslin Beach Kiosk	CR5752/695	1300760604	S808	Gulf Pde	Maslin Beach	Commercially Leased Premises			CROWN	0.055	89
22	Moana Tourist Park	CT6246/21	8614319055	A2 in DP 37183	Nashwauk Cr	Moana	Leisure Facilities	Council Operated Park		COO	4.08	79
23	O'Sullivan Beach Kiosk	CT6106/266	8621904666	QP56 in DP75381	Marine Dr	O'Sullivan Beach	Commercially Leased Premises	O'Sullivan's Beach Kiosk & Boat Ramp, Robert & Linda Mackay, Lease expires 07/10/2021		COO	0.018	39
24	Port Noarlunga Golf Driving Range, W M Hunt Reserve	CT5677/962	8622730901	A2 in FP1062	River Rd	Port Noarlunga	Commercially Leased Premises	D Galloway – lease expires 30/06/2020	In Holding Over	COO	4.390	57
25	Port Willunga Kiosk (Star of Greece Cafe)	CT5875/933	130076420*	A1	Esplanade	Port Willunga	Commercially Leased Premises	Star of Greece Holdings Pty Ltd, Lease expires 30/06/2021	In Trust to be used at all times as a Reserve for Tourist and Kiosk Purposes	COO	0.050	96
26	SAHT Home Units	CT5693/957	1346252509	A549 in FP164372	Aldinga Road	Willunga	Rental Dwellings	South Australian Housing Trust – 50 year Lease expires 16/11/2036		COO	0.175	98

Table A: Plans for Business Areas

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Parcel ID	Common Name	Title Ref	Valuation Number	Lot(s)	Street	Suburb	Sub-Category	Lease or Licence	Comments	Owner	Area (Ha)	Map Ref
27	Saubier House	CT5321/746	8618464751	A10	21 Wearing St	Port Noarlunga	Commercially Leased Premises	Council operated Arts venue		COO	0.173	57
28	Silver Sands Kiosk	CR5752/695	1300776104	A808	Esplanade	Aldinga Beach	Commercially Leased Premises			CROWN	0.055	109
29	386 Main Road	CR5437/26	1455439006	A2 in FP125348	Main Rd	Coromandel Valley	Rental Dwellings			CROWN	0.328	7
30	McLaren Vale & Fleurieu Visitor Centre - Vineyard (part)	CT6161/849	1341534304	A9 in FP3532 DP87209	Stump Hill Rd	McLaren Vale		McLaren Vale Grape Wine and Tourism – 42 year lease expiring 2050		COO	4.059	82
31	Willunga Golf Course Restaurant	CT6152/338	1346400006	A100 in DP54392	St Peters Tce	Willunga	Commercially Leased Premises			COO	0.026	98
32	Willunga Golf Course	CT6152/338	1346400401	A100 in DP54392	St Peters Tce	Willunga	Commercially Leased Premises	Council Operated Licence The Willunga Golf Club Inc. 5 year Licence Expires 30 June 2024		COO	38.984	98
33	Willunga Golf Course Pro Shop	CT6152/338	1346400006	A100 in DP54392	St Peters Tce	Willunga	Commercially Leased Premises	Peter Bickley, Lease expires 30 June 2024		COO	0.013	98
34	Willunga Golf Course Club Rooms	CT6152/338	1346400006	A100 in DP54392	St Peters Tce	Willunga	Commercially Leased Premises	Licence The Willunga Golf Club Inc. 5 year Licence Expires 30 June 2024		COO	0.060	98
35	Willunga Basin Water Co Pty Ltd	CT5488/28	1352762003	A16 in FP4134	Norman Rd	Willunga	Commercially Leased Premises	Willunga Basin Water Co Pty Ltd, 35 year lease expires 30/06/2039		COO	2.507	98
1817	Willunga Detention Basins	CT5943/469	135306010*	A16 in FP34948	Little Rd	Willunga	Commercially Leased Premises	Willunga Basin Water Co Pty Ltd, 35 year lease expires 30/06/2039(of portion) McLaren Vale Vine Improvement Society Incorporated 5 Year Lease commencing on 1 Dec 2015 expiring 30 November 2020 (of portion)		COO	15.008	98
1894	Willunga Bowling Club	CT6152/338	1346400401	A100 in DP54392	St Peters Tce	Willunga	Commercially Leased Premises	Aldinga Senior Citizens Club Incorporated. Lease expires 30/06/2028		COO	0.329	98

Table B: Plans for Business Areas

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Business Areas - Table B: Performance Targets and Measures in Managing Community Land

Management Issues	Objective Target	Performance Target	Means of Achievement (Management Actions)	Means of Assessment (Of the Actions)
Management and Administration - Leisure Facilities	Develop and maintain to a high standard Leisure Facilities in key locations that reflect the characteristics of the City and provide a safe and functional area		Develop asset management plans for Leisure Facilities. Ensure that Leisure Facilities are safe by complying to all Statutory requirements	Monitor planned maintenance regimes to ensure that building standards are maintained. Oversee the attendance of Statutory maintenance providers and ensure that remedial works are progressed.
			Ensure that Leisure Facilities are planned in accordance with annual financial budgets, and to achieve their function. Perform periodic Asset Management Inspections and submit strategies to maintain high standards ensuring that continuous improvement increases patronage	Perform periodic Asset Management Inspections and submit strategies to maintain properties within planned budgets
	Provision of well developed and well maintained Leisure Facilities that reflect Community expectations and Council policies		Ensure that Commercially Leased Premises are planned in accordance with annual financial budgets, and to achieve their function	Perform periodic Asset Management Inspections and submit strategies to maintain properties within planned budgets

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Management Issues	Objective Target	Performance Target	Means of Achievement (Management Actions)	Means of Assessment (Of the Actions)
Management and Administration - Commercially Leased Premises	Develop and maintain to a high standard Commercially Leased Premises in key locations that reflect the characteristics of the City and provide a safe and functional area		Develop asset management plans for Leased Premises Ensure that Commercially Leased Premises are planned in accordance with annual financial budgets and to achieve their function	Monitor planned maintenance regimes to ensure that building standards are maintained. Oversee the attendance of Statutory maintenance providers and ensure that remedial works that they recommend are progressed.
	Provision of well developed and well maintained Commercially Leased Premises that reflect Community expectations and Council policies		Ensure that Commercially Leased Premises are Managed in accordance with annual financial budgets, and to achieve their function	Monitor planned maintenance regimes to ensure that building standards are maintained. Oversee the attendance of Statutory maintenance providers and ensure that remedial works that they recommend are progressed.
Management and Administration - Rental Dwellings	Develop and maintain to a high standard Rental Dwellings that reflect the characteristics of the City and provide a safe and functional area		Ensure that Rental Dwellings are Managed in accordance with annual financial budgets, and to achieve their function	Monitor planned maintenance regimes to ensure that building standards are maintained. Oversee the attendance of Statutory maintenance providers and ensure that remedial works that they recommend are progressed.

Table B: Plans for Business Areas