



COMMUNITY LAND MANAGEMENT PLAN

ROBE CEMETERY



1. INTRODUCTION

This Community Land Management Plan (**CLMP**) has been prepared by the District Council of Robe (**Council**) in fulfilment of its obligations under section 1996 of the *Local Government Act 1999* (**the Act**)

2. LAND TO WHICH THIS CLMP APPLIES



Certificate of Title CR 6259/263

Allotment 2 Deposited plan 63771 in the area named Robe Hundred of Waterhouse, Robe SA 5276. Crown Land under the care and control of Council.

Certificate of Title CT45/10

Section 590 in the Hundred of Waterhouse which is situated at Burr Street, Robe. This portion of land is known as the Historic Cemetery. Owned by District Council of Robe.

Collectively these two titles make up the land identified publicly as the Robe Cemetery.

3. NATURE OF ANY TRUST, DEDICATION OR RESTRICTION

CR6259/263:

- Dealing Number 13596723 - Dedicated pursuant to Section 18 of *Crown Lands Management Act 2009* for District Council, Cemetery and Community Purposes.
- Dealing Number 13596725 - Custodian subject to conditions pursuant to Section 20 of *Crown Land Management Act 2009*.
- Confirmed in SA Heritage Register 08/11/1984 as a State Heritage Place.

Allotment 2 in DP63771 (CR 6259/263) is Crown Land dedicated for Cemetery and Community Purposes. Native Title has not been extinguished, and the land forms part of the First Nations of the Southeast Native Title Claim (SAD211/2017). Accordingly,

subdivision, disposal, or permanent re-alignment of this land is not permitted. Additionally, any permanent structures, development works, or changes in land use—including construction, infrastructure installation, or vegetation clearance—may require prior approval under the *Crown Land Management Act 2009*, *Native Title Act 1993*, and relevant heritage and environmental legislation. No further dealings or alterations should occur unless and until an Indigenous Land Use Agreement (ILUA) is negotiated and executed.

CT45/10:

- To permit and suffer the said piece of land to be used at all times as a Public Cemetery.
- Confirmed in SA Heritage Register 08/11/1984 as a State Heritage Place

4. PROVISIONS REQUIRED BY OWNER

The Council must manage any Crown Land in accordance with the dedicated purpose, pursuant to the *Crown Lands Management Act 2009*.

As a parcel of cemetery land is part of the First Nations of the Southeast Native Title Claim (SAD211/20174), the Council must manage any land where Native Title has been recognised with the requirements under the *Native Title Act 1993*.

5. PURPOSE FOR WHICH LAND IS HELD

Objectives

- to provide a reserve for interments; memorials, burials and placement of cremated ashes
- to accommodate assets to provide maintenance, related services and activities that are supportive of the character and function of a cemetery
- for Community, wellbeing recreation purposes
- as a heritage and tourism asset for Robe; and
- in relation to the area of land currently used as a golf course, the intent is to provide for passive sport and recreational services, as well as open space that benefit ratepayers, residents and visitors.

6. APPLICABLE LEGISLATION, PLANS AND POLICIES

The following legislation, by-laws, plans and policies are relevant to the management of the Land:

6.1 Legislation

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

- Burial and Cremation
 - *Burial and Cremation Act 2013*

- Culture & Heritage
 - *Aboriginal Heritage Act 1988; and*
 - *Heritage Act 1993.*
 - *Native Title Act 1993 (Cth)*
- 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*
- *Crown Lands Management Act 2016*

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.

6.2 Council By-laws

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

- By Law 1 Permits and Penalties;
- By Law 2 Local Government Land;
- By Law 4 Moveable Signs;
- By Law 5 Dogs; and
- By Law 6 Cats.

6.3 Council Policies

This Plan must identify Council key policies for the management of community land. Main policies include:

- Cemetery Policy

6.4 Council Plans

Section 122 of the *Local Government Act 1999* 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 District Council of Robe are:

- Strategic Plan 2024-2028;
- Long Term Financial Plan 2024-2034; and
- Infrastructure and Asset Management Plans.

6.5 Access to Documents

Council by-laws, policies, and plans are available for inspection at Council's principal office during ordinary business hours and on Council's website at www.robe.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 Council at its discretion.

7. PROPOSALS FOR MANAGEMENT OF THE LAND

Cemeteries and Memorials

Overview

Cemeteries and memorials that are under the care, control and management of local government are places of burial and remembrance with historical and cultural significance. Council follows the relevant legislation to ensure cemeteries are managed in a way which will preserve and enhance their cultural and heritage values while, where appropriate, allowing them to continue to function as operational burial places.

Purpose for Which the Land is Held

To provide current and future land suitable for cemetery and burial use for the local community. Interment rights will be granted in accordance with applicable legislation, as well as leases and licences granted where desirable to achieve the objectives of the land.

Sporting and Recreation

Overview

Sporting and recreation land includes amenities and outdoor spaces for passive sporting pursuits. This may include the use of open space for recreational activities.

Purpose for Which the Land is Held

Sport and recreation use on Crown Land components (e.g., Allotment 2) are limited to licenced use only. No permanent structures, subdivision or formal re-zoning can be undertaken without Native Title resolution and authorisation under the *Crown Land Management Act, 1996*.

8. OBJECTIVES, TARGETS AND PERFORMANCE MEASURES

Objective	Performance Targets	How Performance will be Measured
To provide a facility for the use of the general public to enable long term burial/internment of deceased persons.	The granting of appropriate burial/internment rights for the deceased are facilitated.	The general public have a facility for the internment of deceased persons.
To ensure the availability of cemetery plots and memorial options continue to meet the needs of the community in the future.	Cemetery plot and memorial availability is monitored to ensure sufficient planning for future expansion.	The general public have a facility with the capacity to meet their long-term needs.
To maintain the amenity and cleanliness of the cemetery.	All areas of the cemetery are maintained to an acceptable standard	Customer requests for service and maintenance are responded to in accordance with relevant service standards.
To maintain as a heritage and tourism asset for Robe	Cemetery is a valued heritage and tourism asset	Positive feedback from visitors. Information and tour options available through the Robe Visitor Information Centre.
To ensure community involvement with the opportunity to be informed and contribute to the management of and decisions about community land.	Council consults with the community when changes are made to the Community Land Management Plans in accordance with legislation and Council policy.	Plans are available for the public and consultation is undertaken in accordance with Council policy.
To identify potential hazards in a timely manner.	Potential hazards are identified and eliminated and damaged equipment and infrastructure is repaired as soon as practicable or removed if damaged beyond repair and dangerous.	An appropriate inspection and maintenance program has been created and implemented.

9. LICENCES AND PERMITS

9.1 Authorised Licences and Permits

Council is authorised to grant licences and permits over the land in accordance with this section.

9.1.1 Golf Course

For Crown Land (Allotment 2 – DP63771), use by the Robe Golf Club is currently authorised via the licence issued under Section 22A of the Crown Land Management Act 2009. This licence does not extinguish Native Title and will remain in effect only until resolution of the FNSE Native Title Claim and, if applicable, execution of an ILUA.

9.1.2 Permits

Council may grant permits under the *Local Government Act 1999* or relevant council by-laws for short term access to and use of the land or any building or structure on the land, including for business use of the Land.

9.1.3 Other Licences

The grant of any other licence must be consistent with the dedicated purpose of the land and is subject to the requirements of section 202 of the *Local Government Act 1999*.

10. NOTES

The sequence of dot points and numbering within this CLMP does not infer any hierarchy or order of priority.