



# CLARENCE TOWN SCHOOL OF ARTS HALL



Adopted 15 June 2004

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## 1 Policy

Dungog Shire Council's vision for the Shire is for "a vibrant, united community, with a sustainable economy. An area where rural character, community safety and lifestyle are preserved." Council's mission is "to manage, enhance and protect the resources of the Shire in consultation with the Community."

The Clarence Town School of Arts Hall is vital to Dungog Council's efforts in achieving its vision for the Shire and assisting the community to improve its lifestyle. As directed by the Local Government Act 1993 it is necessary that a plan of management be prepared that guides Council's actions with the premises. This plan of management will identify how Council and the community will manage, enhance and protect the Clarence Town School of Arts Hall for the future.

## 2 Aim

To develop a plan of management that satisfies the requirements of the Local Government Act 1993, that is it identifies:

- the category of land,
- the objectives and performance targets,
- the means to achieve the objectives and performance targets, and
- the manner to assess progress in achieving the objectives and performance targets).

To identify how the local community has historically interacted with and utilised the Clarence Town School of Arts Hall, including the history of the physical development of the premises.

## 3 Scope

This interim plan of management is to identify the category of the public land, set preliminary objectives and targets for the land, and identify means by which Council proposes to achieve these plans and objectives and the manner in which Council proposes to assess its performance for these objectives and performance targets.

## 4 References

Local Government Act 1993 (as amended)

Building Code of Australia (as amended) – (specifically Section H Special Use Buildings - Part H1 Theatres, Stages and Public Halls)

## 5 Associated Documents

Management Plan 2004-2007, Dungog Shire Council

Dungog Shire Council Meeting Procedure Policy

## 6 Definitions

<b>Council</b>	means the Council of an area, and includes an administrator, specifically Dungog Shire Council.
<b>Councillor</b>	means a person elected or appointed to civic office, and includes a mayor.
<b>Exercise</b>	of a function includes, where the function is a duty, the performance of the duty.
<b>Function</b>	includes a power, authority and duty.
<b>Newspaper</b>	means a paper containing news, which is printed, for sale or free distribution, at intervals not exceeding 26 days and which circulates within the area with respect to which the term is used.
<b>Notice</b>	includes notification, order, direction and demand.
<b>Notify</b>	means notify by publication in the Gazette or by such other method as may be prescribed by the regulations.
<b>Parcel of Land</b>	in relation to rateable land, means a portion or parcel of land separately valued under the <u>Valuation of Land Act 1916</u> .
<b>Plan of Management</b>	means a plan of management adopted by a council under Division 2 of Part 2 of Chapter 6 and in force in relation to an area of public land.
<b>Premises</b>	means any of the following: <ul style="list-style-type: none"><li>(a) a building of any description or any part of it and the appurtenances to it,</li><li>(b) land, whether built on or not,</li><li>(c) a shed or other structure,</li><li>(d) a tent,</li><li>(e) a swimming pool.</li></ul>
<b>Public Authority</b>	means a public authority constituted by or under an Act, a government department or a statutory body representing the Crown, and includes a person exercising any function on behalf of the authority, department or body and any person prescribed by the regulations to be a public authority.
<b>Public Entertainment:</b>	(a) means entertainment to which admission may ordinarily be gained by members of the public on payment of money, or other consideration, as the price or condition of admission and an entertainment does not cease to be a public entertainment merely because: <ul style="list-style-type: none"><li>(i) some (but not all) persons may be admitted to the entertainment otherwise than on payment of money, or other consideration, as the price or condition of admission, or</li><li>(ii) such payment, or other consideration, is demanded as the charge for a meal or other refreshment, or</li></ul>

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for any other service or thing, before admission to the entertainment is granted or as the charge for the entertainment after admission to the entertainment has been granted, and

- (b) includes a public meeting.

### **Public Land**

means any land (including a public reserve) vested in or under the control of the council, but does not include:

- (a) a public road, or
- (b) land to which the Crown Lands Act 1989 applies, or
- (c) a common, or
- (d) land subject to the Trustees of Schools of Arts Enabling Act 1902, or
- (e) a regional park under the National Parks and Wildlife Act 1974.

### **Public Meeting**

means an assembly held for a public purpose to which admission may ordinarily be gained by members of the public (whether or not on payment of money, or other consideration, as the price or condition of admission), but does not include an assembly held for the purpose of religious worship only.

### **Public notice**

means public notice given as referred to in section 705 of the Local Government Act 1993.

### **Public Place**

means:

- (a) a public reserve, public bathing reserve, public baths or public swimming pool, or
- (b) a public road, public bridge, public wharf or public road-ferry, or
- (c) a Crown reserve comprising land reserved for future public requirements, or
- (d) public land or Crown land that is not:
  - (i) a Crown reserve (other than a Crown reserve that is a public place because of paragraph (a), (b) or (c)), or
  - (ii) a common, or
  - (iii) land subject to the Trustees of Schools of Arts Enabling Act 1902, or
  - (iv) land that has been sold or leased or lawfully contracted to be sold or leased, or
- (e) land that is declared by the regulations to be a public place for the purposes of this definition.

### **Theatre or Public Hall**

means any building or part of a building that is used or intended to be used for the purpose of providing public entertainment or conducting public meetings.

## 7 Property Description

### 7.1 Land Title

Lot 1040 DP 758250. The property is located at 48-50 Grey Street, Clarence Town, and it is 2023 square metres in area. In appendix 3 can be found a rough location map that shows the location of the property relative to the surrounding streets of Clarence Town.

#### 7.1.1 Certificate of Title

##### Estate and Land Referred to:

Torrens Title, Lot 12 of Section 7 in Deposited Plan 758250 at Clarence Town in the Shire of Dungog Parish of Uffington and County of Durham.

##### Torrens Title Register:

Date of issue : 23<sup>rd</sup> August 2003

##### First Schedule:

Dungog Shire Council

##### Second Schedule (Easements):

1. Reservations and conditions in the crown grant(s).
2. Qualified title. Caution pursuant to section 28J of the Real Property Act, 1900. Entered 23-07-2003 BK3144 No 989.
3. Limited title. Limitation pursuant to Section 28T(4) of the Real Property Act, 1900. The boundaries of the land comprised herein have not been investigated by the Registrar General.

#### 7.1.2 Historic Certificate of Title

1841, July 26<sup>th</sup> – Purchased by Auction for £10 – J.H. Crummer

1857, July 24<sup>th</sup> – Indenture J.H. Crummer and wife (Catherine Crummer); trustee Francis Wilkins Lodge 10/-

1911, August 14<sup>th</sup> – Indenture Henry Samuel Alexander Crummer – eldest son (1840, April 2<sup>nd</sup> Baptismal Certificate) – (Mrs Catherine Crummer died 8<sup>th</sup> August 1907); abstracting indenture John Broughton Dark £45

1911, October 12<sup>th</sup> – Finalisation of estate, sold to John Broughton Dark for £40

1911, November 14<sup>th</sup> – Sale to Samuel Henry Mogensen for £52-12-6

1915, May 26<sup>th</sup> – Sale to Trustees of the Clarence Town School of Arts (Stephen Thwaites Robards – died 1927, July 7<sup>th</sup>, James Ikin, Augustus Edward Eagleton, and Samuel Henry Mogensen)

1935, August 7<sup>th</sup> – Mortgage to secure £188 and 3% interest to the rural bank of NSW

1940, October 17<sup>th</sup> – Mortgage released

1974, March 19<sup>th</sup> – ownership passed to the Council of the Shire of Dungog by trustees (David Flannery – greengrocer, Dudley Keith Lawrence – farmer, and Phillip Flannery – farmer)

### **7.2 Category of Land**

Community Land – General Community Use, property number 3 in councils community land register.

### **7.3 History**

To be developed.

### **7.4 Assets**

To be developed.

## **8 Objectives & Performance**

### **8.1 Targets**

The Clarence Town School of Arts Hall is currently being utilised by several community groups on a regular basis. On rare occasions it is utilised for other public and private functions such as meetings, shows, etc. These current uses are to continue with priority given to the current users.

The medium to long term target is for the operations conducted at the hall to generate sufficient income to fund ongoing maintenance and repairs and a reasonable proportion (approximately 50%) of capital works while being available for general community use.

### **8.2 Means**

Council will assist the 355 committee who manage the Clarence Town School of Arts Hall by developing a more thorough plan of management that is prepared utilising risk management processes. This more thorough plan of management will include:

- Maintenance management plan;
- Capital management plan;
- Financial operating plan;
- Marketing plan;
- Operating plan;
- OH&S plans;
- Training plan; and
- Asset register.

These plans will be progressively developed and will be attached to this document as appendices; summaries of them will be included in the body of this plan of management as they are developed.

### **8.3 Assessment**

The maintenance management plan, capital management plan, and asset register are to be prepared to allow their consideration in the 2007/2008 Council budget. The other plans are to be prepared for preliminary completion in the 2006/2007 financial year.

Each of the plans will identify key performance indicators (KPI's) that will assist in monitoring the progress of both the 355 committee that manages the

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Clarence Town School of Arts Hall and Council. These KPI's will be summarised and included in the main body of this plan of management and will be included in Council's annual report.

### **9 Review**

This Plan of Management is an interim Plan of Management that meets the minimum requirements of the Local Government Act 1993. Significant work is required to undertake risk assessments, establish asset registers, develop detailed maintenance management and capital management plans, develop volunteer documentation, etc. The current timetable for this is completion by June 2007.

### **10 Appendices**

#### **Appendix 1 – Section 36 NSW Local Government Act 1993**

##### **Preparation of draft plans of management for community land**

- (1) A council must prepare a draft plan of management for community land.
- (2) A draft plan of management may apply to one or more areas of community land, except as provided by this Division.
- (3) A plan of management for community land must identify the following:
  - (a) the category of the land,
  - (b) the objectives and performance targets of the plan with respect to the land,
  - (c) the means by which the council proposes to achieve the plan's objectives and performance targets,
  - (d) the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets,
- (3) and may require the prior approval of the council to the carrying out of any specified activity on the land.
- (3A) A plan of management that applies to just one area of community land:
  - (a) must include a description of:
    - (i) the condition of the land, and of any buildings or other improvements on the land, as at the date of adoption of the plan of management, and
    - (ii) the use of the land and any such buildings or improvements as at that date, and
  - (b) must:
    - (i) specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used, and
    - (ii) specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise, and
    - (iii) describe the scale and intensity of any such permitted use or development.



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- (4) For the purposes of this section, land is to be categorised as one or more of the following:
  - (a) a natural area,
  - (b) a sportsground,
  - (c) a park,
  - (d) an area of cultural significance,
  - (e) general community use.
- (5) Land that is categorised as a natural area is to be further categorised as one or more of the following:
  - (a) bushland,
  - (b) wetland,
  - (c) escarpment,
  - (d) watercourse,
  - (e) foreshore,
  - (f) a category prescribed by the regulations.
- (6) The regulations may make provision for or with respect to the categorisation of community land under this section, including:
  - (a) defining any expression used in subsection (4) or (5), and
  - (b) prescribing guidelines for the categorisation of community land and the effect of any guidelines so prescribed.

### **Appendix 2 – Section 112 NSW Crown Lands Act 1989**

#### **Preparation of draft plan of management**

- (1) The Minister may cause a draft plan of management to be prepared for a reserve.
- (2) A reserve trust may with the Minister's consent, and if the Minister so directs shall, prepare a draft plan of management for the reserve.
- (3) If the Minister directs a reserve trust to prepare a draft plan of management, the reserve trust shall:
  - (a) prepare it within the time directed by the Minister, and
  - (b) forward a copy of it to the Minister.
- (4) A draft plan of management prepared by a reserve trust shall include provision for such matters as the Minister requires.

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## Appendix 3 – Location Plan – Dungog

