

2. Authorise the Chief Executive Officer (CEO) or delegate to commence preparation of the proposed addition of a 10-year right of renewal to the lease which if exercised would commence 1 January 2034 and expire 31 December 2043, subject to the following additional Special Condition 22 (with all other conditions remaining unchanged):
 - a. The lessee must make changerooms, public conveniences and supporting carparking constructed on the Premises available to, and co-operate with, other community groups who use the broader facilities, as Council may direct from time to time. Council will, where reasonably practicable to do so, provide notice of such access and ensure that times of use do not conflict with regular use by the Licensee such as during game times etc.
3. Endorse the proposed right of renewal inclusive of the above condition be released for public consultation in accordance with the requirements of the Local Government Act 1999 and Council's adopted Public Consultation and Community Engagement Policy; and
4. Subject to the successful completion of the public consultation process as per Item 3, with successful completion determined by the CEO, authorise the CEO or delegate to execute the deed giving effect to the right of renewal and additional condition. Should reasonable community concern be evidenced through the consultation process, and the CEO determines the public consultation process as unsuccessful, the CEO will refer the matter to Council in a further report.

12.8. PROPOSAL FOR REVOCATION OF COMMUNITY LAND – PUBLIC CONSULTATION ON SECTION 194 STATUTORY REPORT

REPORT PURPOSE

The purpose of this report is to provide Council with information regarding a number of parcels of community land which are currently underutilised, and which the Administration believe would be better disposed of, either for new housing, an aged care facility, or a childcare centre. Disposal would require the revocation of the community land status of the land, and this report seeks Council's endorsement to initiate this process.

RECOMMENDATION

That in the exercise of the power contained in section 194 of the *Local Government Act 1999*, the Council commences the process to revoke the community land status of the parcels of land identified in the Report comprised in Appendix A (66906) by:

- adopting the Report included as Appendix A (66906) for consultation purposes; and
- undertaking public consultation on the Report in accordance with the Council's Public Consultation and Community Engagement Policy, pursuant to section 194(2) of the Act.

12.8. PROPOSAL FOR REVOCATION OF COMMUNITY LAND – PUBLIC CONSULTATION ON SECTION 194 STATUTORY REPORT

REPORT INFORMATION									
Report Title	Disposal of Community Land – Public Consultation on Section 194 Statutory Report								
Document ID	66908								
Organisational Unit	Environment & Infrastructure								
Responsible Officer	Chief Executive Officer - Eric Brown Manager Places & Presentation - Brad Tolley Coordinator – Land Tenure – Tony Moritz								
Report Attachment/s	Yes 66906 Appendix A Community Land Revocation Draft Statutory Report 66721 Community land Revocations Annexures A – E (Complete)								
REPORT PURPOSE									
The purpose of this report is to provide Council with information regarding a number of parcels of community land which are currently underutilised, and which the Administration believe would be better disposed of, either for new housing, an aged care facility, or a childcare centre. Disposal would require the revocation of the community land status of the land, and this report seeks Council's endorsement to initiate this process.									
REPORT DECISION MAKING CONSIDERATIONS									
Council Role	Owner / Custodian - Manage community assets including buildings, facilities, public space, reserves on behalf of current and future generations								
Strategic Alignment	SDP GOAL: Goal 1: Economic Growth and Opportunity SDP ACTION: 1.2 Investigate and implement policies to facilitate and enable diversity of economic development and investment activities								
Annual Business Plan 2023/24	ABP INITIATIVE: Housing strategy ABP PROJECT: Not Applicable								
Annual Business Plan 2024/25	ABP INITIATIVE: Economic Development projects ABP PROJECT: Not Applicable								
Legislation	Local Government Act 1999								
Policy	Disposal of Land & Assets 16.63.7								
Budget Implications	Not Applicable <table border="1"> <thead> <tr> <th>DESCRIPTION</th> <th>BUDGET AMOUNT \$</th> <th>YTD \$</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Budget assessment comments:			DESCRIPTION	BUDGET AMOUNT \$	YTD \$			
DESCRIPTION	BUDGET AMOUNT \$	YTD \$							
Risk Implications	Moderate Risk								

Resource Implications	This is a planned resource allocation
Public Consultation	Yes - Mandatory
IAP2 Commitment	CONSULT - We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public feedback input has influenced the decision.
OFFICER'S RECOMMENDATION	
<p>That in the exercise of the power contained in section 194 of the <i>Local Government Act 1999</i>, the Council commences the process to revoke the community land status of the parcels of land identified in the Report comprised in Appendix A (66906) by:</p> <ul style="list-style-type: none"> • adopting the Report included as Appendix A (66906) for consultation purposes; and • undertaking public consultation on the Report in accordance with the Council's <i>Public Consultation and Community Engagement Policy</i>, pursuant to section 194(2) of the Act. 	

PURPOSE OF REPORT

To enable the Council to commence the process to revoke the community land status of multiple parcels of land and, for that purpose, to adopt the report required for community consultation (the **Report**) in accordance with section 194 of the *Local Government Act 1999* (the **Act**) so it may be released for public consultation.

COMMENTARY

As indicated above, the purpose of this report is for the Council to adopt the Report included at **Appendix A (Doc 66906)**, and to commence public consultation in accordance with the Council's Public Consultation and Community Engagement Policy – Policy 2.63.1 (the **Policy**).

The Report has arisen in circumstances where the Administration has re-evaluated the need for several parcels of community land to continue to be held by the Council. The properties are each considered to be surplus to the Council's needs such that there is an opportunity for them to be included in a long-term divestment strategy.

These allotments are categorised as community land since they each have a reservation affecting their title but it is considered that they are no longer required for a community purpose.

Land that has status as community land under the Act cannot be sold unless the community land status is first revoked.

The revocation of the classification of land as community land may only occur pursuant to the prescriptive process set out at section 194 of the Act. The power to revoke the community land classification of land is only available with the Minister's approval.

The report contained in Appendix A (the **Report**) identifies the community land that is considered suitable for inclusion in the Council's divestment strategy. For this to occur and, to enable the land to be sold at a future date, the Council must first undertake a process to revoke the community land status attaching to each parcel of land in accordance with section 194 of the Act.

The allotments identified, by and large, are considered to be surplus to the Council's needs as they are not fully utilised by the community and cost the Council money to maintain and upkeep. It is considered that the value held in these properties may better be realised if they were sold (either now or in future), with the funds to be redistributed into other community assets and infrastructure. The disposal of these assets will also leave open the opportunity for much needed community services and housing to be developed on the land.

Indeed, given the zoning, positioning and general nature of these parcels of land, the Administration considers that it is in the best interests of the community if they were sold, not only because the proceeds of sale can then be expended or invested in the community's interest, but because the sale of the parcels would also present beneficial economic and community opportunities.

This conclusion has been reached for several reasons (which are described for each individual allotment throughout the Report), however are generally summarised as:

- the zoning of many of the allotments would enable residential development in the Council area that could address ongoing housing shortages as outlined in Council's adopted Housing Strategy 2024-2029, which identifies as a specific action the investigation of surplus Council land for development to address housing shortages;
- Council has received an expression of interest for the development of social and affordable housing on 7 Monalena Street, which identifies an opportunity for 40-, two- and three-bedroom residences to be developed by a not for profit, registered housing provider. Overcrowding and homelessness are key issues in the City of Port Lincoln and it is believed that this development could significantly address identified demand;
- as indicated through the development of Council's adopted Empowering our Elders Strategy, there is a significant need for future aged care and ancillary services in Port Lincoln, disposal of Harbourview Reserve is specifically focused for development of residential aged care or retirement living/village and ancillary care. Council has received requests from two (2) local not for profit aged care providers to assist with dealing with the significant increasing demand and Harbourview Reserve is considered to be suitable for development for aged care facilities.
- The disposal of reserves as proposed follows on from significant upgrades of several Council reserves, including Whait Reserve, Puckridge Park, the Foreshore Playground and Nelson Park among others. It is considered that these upgrades ensure that there is, already, adequate supply of open space areas to meet the current demand.
- any and all money recouped through the sale of the properties may be redistributed into the Council's Land and Building Reserve for reinvestment into community assets and infrastructure, as approved by the Council.

Before the Council can proceed with a divestment strategy, it must first comply with the provisions of the Act, namely to revoke the community land status attaching to each of the parcels of land.

For the Council to revoke the community land classification of the properties identified in the Report, it is necessary to undertake the process prescribed under section 194 of the Act (as mentioned above).

The first step is to prepare and adopt the Report, which addresses the criteria prescribed by section 194(2) of the Act, being:

- a summary of the reasons for the proposal; and
- a statement of any dedication, reservation or trust to which the land is subject; and
- a statement of whether revocation of the classification is proposed with a view to sale or disposal of the land and, if so, details of any Government assistance given to acquire the land and a statement of how the council proposes to use the proceeds; and
- an assessment of how implementation of the proposal would affect the area and the local community; and

- if the Council is not the owner of the land—a statement of any requirements made by the owner of the land as a condition of approving the proposed revocation of the classification - as the Council owns all the land identified in the Report, this is not a relevant consideration for the current revocation proposal.

The Report must then be released for public consultation in accordance with the Policy. The Policy provides that public consultation will occur as follows:

1. Prepare a document that sets out Council's proposal in relation to the topic – this is the Report; and
 - a. publish a public notice:
 - i. in a newspaper circulating within the area of the Council; and
 - ii. on a website determined by the Chief Executive Officerdescribing the matter under consideration and inviting interested persons to make submissions in relation to the matter within a period (which must be at least 21 days) stated in the public notice.
2. When submissions have been received by the closing date, Council staff will:
 - a. Consider, summarise and analyse all submissions received;
 - b. Prepare a report for Council or the relevant Council Committee which:
 - i. summarises the public consultation outcomes;
 - ii. presents the information in the broader context of the matter under consideration;
 - iii. makes recommendations for Council or the Committee to consider when deciding on the matter/s; and
 - iv. is included on the agenda for a suitable Council or Committee meeting.
3. Council will consider the report and relevant recommendation/s and decide on the matter/s.

If, following consideration of the consultation outcomes from the Report, the Council wishes to proceed, then it must submit the Report together with a report on all submissions made on it as part of the public consultation process to the Minister.

If (and only if) the Minister approves the proposal, the Council can then proceed to make a resolution revoking the classification of the land as community land.

If the Council resolves in line with the recommendation contained in this report, a further report will be brought back to the Council addressing the outcome of the public consultation process.

Proposal for the Revocation of the Classification of and as Community Land

Report pursuant to section 194(2)(a) of the *Local Government Act 1999*

Introduction

What is Community Land?

Pursuant to section 193 of the *Local Government Act 1999* (the **Act**), all land (except roads) that is owned by the City of Port Lincoln (the **Council**) or, is under its care, control and management, is 'community land' unless:

- the land been excluded by resolution of the Council pursuant to section 193(1) or 193(4) of the Act; or
- the community land classification of the land has been revoked pursuant to section 194 of the Act.

Community land is land that is set aside for the benefit of the greater public. The land is available for use by and the enjoyment of the public and the Council is responsible for its general care and management.

In managing community land, the Council must take into consideration a myriad of factors, including the cultural and historic relevance of the land, changing population demographics, community needs and shifts in leisure trends.

Of course, over time, community expectations and priorities change in regards to how community land should be managed. It is, therefore, important for the Council to continually assess its community land holdings with a view to ensuring the long-term interests of its residents and ratepayers.

The Council continuously assesses the ongoing need to retain community land in its area, including having regard to the need to ensure responsible use of public resources in the interests of its community.

How and Why is Community Land Revoked?

The Act contains important restrictions on the Council's ability to deal with community land. Community land cannot be sold and it must otherwise be managed in accordance with any community land management plan prepared for the land. In many cases a lease or licence cannot be granted over community land without the Council first consulting with the broader community, and thereby giving the public an opportunity to consider any relevant proposal.

Where the Council seeks to have greater flexibility to manage land that has status as community land, including by being able to dispose of it to market, the Council is required to first revoke the community land status of the land.

Chief to the revocation process is effective consultation in managing expectations and ensuring the community has a full understanding of the nature and impacts of the revocation proposal.

In order to commence the process a report that addresses the following criteria prescribed by section 194(2) of the Act, must be prepared:

- a summary of the reasons for the proposal; and
- a statement of any dedication, reservation or trust to which the land is subject; and

- a statement of whether revocation of the classification is proposed with a view to sale or disposal of the land and, if so, details of any Government assistance given to acquire the land and a statement of how the council proposes to use the proceeds; and
- an assessment of how implementation of the proposal would affect the area and the local community; and
- if the Council is not the owner of the land—a statement of any requirements made by the owner of the land as a condition of approving the proposed revocation of the classification.

The report must be released for public consultation in accordance with the Council's *Public Consultation Policy*. If, following consideration of the consultation outcomes, the Council wishes to proceed, then it must submit the report together with a report on all submissions made on it as part of the public consultation process to the Minister.

If (and only if) the Minister approves the proposal, then the Council can proceed to make a resolution revoking the classification of the land as community land.

Summary of this Proposal

This Report has been prepared to address the criteria prescribed by section 194(2) of the Act in respect of five (5) parcels of land held by the Council. This has arisen in circumstances where the Council has re-evaluated the need for it to continue to own this land and wishes to pursue its divestment.

Historically, the land subject of this report (the **Land**) has been used as reserves that are open to and free for use by the public. One of the five parcels has facilities for persons to skate, another a playground, while one is used as an overflow carpark. The remainder are vacant land, largely under-utilised.

In four (4) cases, the Land has gone largely unused by members of the public or their use has been superseded by upgrades to nearby reserves, such as Whait reserve, and this fact has been considered in the selection and analysis of the Land against the Council's future needs in the interests of ensuring greater value to the community. For the Harbourview Reserve, it is believed that the overwhelming need for increased aged care in the Port Lincoln Community and broader Eyre Peninsula outweighs the value to the community of the current use of the land. However, the intent is to ensure that a portion of the land continues to be available to the community as a playground.

The Council has formed the view that the Land is surplus to its needs and, noting that the Land is not used to its potential by the community and, that it cost the Council to maintain and upkeep the Land, the Council seeks to pursue alternate proposal for the Land. More specifically, the Council considers that the Land is ideal to be included in the Council's ongoing strategic plans relating to its Strategic Directions Plan 2025-2034, Housing Strategy 2024-2029, Empower our Elders Strategy, Economic Development Strategy 2023-2026 and Open Spaces Strategy 2021-2026. This includes because the value held in the Land is likely to be better realised by sale and redevelopment (either now or in future), with the resultant funds to be redistributed into other community assets and infrastructure and allow for the development of houses and services that would benefit the local community.

Indeed, having regard to the zoning, positioning and general nature of the Land, the Council has determined that the future sale of the Land (in accordance with a long-term divestment strategy to be established by the Council) is in the best interests of the community, not only in light of the revenue to be derived from any sale, but also for the key social and economic opportunities the sale of the land presents residents and ratepayers. For example, the development of aged care, affordable housing and childcare.

This conclusion has been reached for several reasons that are described throughout this Report in relation to each parcel of the Land.

Taking the above into account, the Council is now proposing to revoke the community land status of the Land and this Report has been prepared to pursue this proposal.

The Report addresses the statutory criteria under section 194(2) of the Act for each parcel of the Land.

For the avoidance of doubt, if the community land status of the Land is revoked (for either all or some of the properties) and future disposal of the Land will occur in accordance with the Council's *Disposal of Land and Assets Policy - Policy No 16.63.7* (the **Policy**) adopted in accordance with section 49 of the Act.

1. Harbourview Reserve

Property Details

The Council is considering a proposal to revoke the Community Land classification of Allotment 44 in Deposited Plan 7766, Allotment 75 in Deposited Plan 7765, Allotment 400 in Deposited Plan 7313, and Allotment 75 in Deposited Plan 7765, Hundred of Lincoln, being the land collectively comprised in Certificate of Title Volume 3302 Folio 108, Certificate of Title Volume 5510 Folio 485, and Certificate of Title Volume 2622 Folio 87 and more commonly known as Harbourview Reserve (**Harbourview Reserve**).

The Certificates of Title for Harbourview Reserve are **Annexure A** to this report and their location is shown in the aerial photograph below:



Reasons for Revocation Proposal

The allotments comprising Harbourview Reserve are zoned *Suburban Neighbourhood* and are suitable for residential or aged care/retirement living development. The Council presently has no plans to utilise the broader lot for community purposes beyond the existing nature of being a reserve. The Council considers that the community would be better served if the allotments are available for the development of aged care/retirement living. The reason for this is the significant and growing demand for aged care identified in Council's Empowering Our Elders Strategy.

In considering this option, the Council is aware of market interest in Harbourview Reserve as a site for a retirement village or aged care facility. Aged-care housing providers have informally expressed interest in the land for this purpose.

The need for an expansion of all facets of aged care has been identified by local Aged Care providers and the broader community. This has also been confirmed through the recently developed Empowering Our Elders Strategy as adopted by Council following significant community consultation.

The potential to for this land to be developed for aged care would also generate jobs in the community and drive economic growth.

The Council is not in a position to, itself, realise these opportunities in respect of the land.

Any sale of this land would occur in accordance with the Policy and the proceeds of sale would be reinvested into the Council's Land and Building Reserve for reinvestment into community assets and infrastructure, as approved by the Council.

In all of the circumstances this land has been identified as being surplus to the Council's requirements and by way of revocation can be utilised to assist the local vulnerable population of those in need of aged care facilities

Current Use

Harbourview Reserve is used as an open space, it is largely undeveloped, but does have some improvements, being a small playground, barbeque, shade structure and seating.

How the Council Proposes to Use the Proceeds of any Sale

If sold, the proceeds of sale would be included in the Land and Building Reserve for reinvestment into community assets and infrastructure, as approved by the Council.

Government Assistance

There is no record of any assistance having been provided by the Government to the Council at the time the Council acquired this land or otherwise in relation to the land.

How the Proposal will Affect the Local Community

If the community land status of the land is revoked, the Council will be able to sell a substantial portion of the land to facilitate the construction of an aged care facility to support the local communities aging population. It is intended that a portion of the land (approx. 1000m²) would be retained by the Council for open space.

Residents in the immediate vicinity of the land would be affected through the loss of open space and a playground, however, as above, the Council's intention is to preserve a portion of the land (approximately 1000m²) as open space that would include a new playground to mitigate the loss of the existing playground.

The Council has also investigated significant upgrades of reserves within reasonable proximity to this area with the upgrade of Puckridge Park (at 1.2km distance), Whait Reserve (at 1.6km) and the Foreshore Playground (at 1.5km). Additionally, Mena Place Reserve (580m), Pioneer Park (650m), Flinders Park (700m), the Train Park (700m) and the heritage walk (450m) are all in close proximity and meet a similar need.

Further, the expansion of aged care facilities in Port Lincoln is a critical community need. Development of this land for aged care would encourage job growth and assist the aging population of the area. It is difficult to see how the community need for this service will be met without the creation of more aged care facilities and the Council sees the land as presenting a valuable opportunity in this regard.

Registered Interests over the Land

The land is subject to an easement which is a SA Water wastewater gravity main across the very northern end of Harbourview Reserve noted on the Certificates of Title. (**Annexure A**).

Dedication, Reservation or Trust to which the Land is Subject

All parcels comprising Harbourview Reserve are designated as a reserve.

Intention of the Council once Revocation has Occurred

To seek expressions of interest from reputable aged care providers to develop a retirement village or aged care facility or a combination of both and, to retain a portion of the land as a reserve with a new playground being constructed.

Whilst two (2) aged care providers have raised an interest in acquiring the land, these are merely inquiries of interest and have no effect on the revocation proposal. The Council has made clear its position that any future sale of the land (if the community land status is revoked) would be in accordance with the Policy and will use the Council's adopted Policy on Sale of Land when considering the sale.

2. Lot 120 Monalena Street Port Lincoln

Property Details

The Council is considering a proposal to revoke the Community Land classification of allotment (Reserve) 76 Deposited Plan 116510 in the Town of Lincoln Hundred of Lincoln, being the land comprised in Certificate of Title Volume 6210 Folio 879 and more commonly known as Lot 120 Monalena Street Port Lincoln (**Lot 120 Monalena Street**).

The Certificate of Title for Lot 120 Monalena Street is **Annexure B** to this report and its location is shown in the aerial photograph below:



Reasons for Revocation Proposal

The Council adopted a Housing Strategy 2024-2029 which has identified a significant shortage in housing across the local area, but specifically in Port Lincoln. This is reflected across the rental and residential market and is a major community issue.

One of the actions in the adopted strategy, which underwent a full community consultation process, was to utilise Council land for residential development. Council has received an expression of interest to develop Lot 120 Monalena Street for social and affordable housing, including 40 properties with 2 to 3 bedroom residences.

Current Use

Lot 120 Monalena Street is currently open space, with low utilisation. Lot 120 Monalena Street is largely unimproved but includes a skate rink and bowl.

Lot 120 Monalena Street was considered as part of the Council Adopted Open Space Strategy 2021-2026. This plan identified the potential for this land to be disposed of, providing that:

“Once upgrades have been completed to Whait Reserve, consideration as to the need to retain [Lot 120 Monalena Street] vs disposal will need to be considered as part of the future planning for that reserve.”

How the Council Proposes to Use the Proceeds of Sale

If sold, the proceeds of sale would be included in the Land and Building Reserve for reinvestment into community assets and infrastructure, as approved by the Council.

Government Assistance

There is no record of any assistance having been provided by the Government to the Council at the time the Council acquired this land or otherwise in relation to the land.

How the Proposal will Affect the Local Community

The immediate vicinity may be affected through the loss of open space. However, Council has recently invested in significant upgrades of reserves within reasonable proximity to Lot 120 Monalena Street, including Whait Reserve (at 350m) and the Foreshore Playground (at 2km).

Specifically, Whait Reserve has recently been improved, which has been received positively by the community. Further, there are three other open space reserves within 400m of this open space (Dickens Street, Cronin Avenue and Argent Street).

In relation to the greater community at large, social and affordable housing is seen as an absolute priority to the local community. Overcrowding and homelessness are significant community issues that can be assisted by increasing the supply of affordable housing to members of the local community. Lot 120 Monalena Street has significant potential to address this need.

Registered Interests over the Land

There is a registered interest in the form of a service easement for sewerage purposes to SA Water noted on the Certificate of Title (**Annexure B**).

Dedication, Reservation or Trust to which the Land is Subject

Lot 120 Monalena Street is subject to a reservation (it is a reserve) that can be lifted through the revocation process pursuant to section 195(1) of the *Local Government Act 1999*.

Intention of the Council once Revocation has Occurred

To seek expressions of interest from non-for-profit affordable housing providers to develop Lot 120 Monalena Street into approximately 40 residences which can be used for social and affordable housing.

3. 25 Chapman Street

Property Details

The Council is considering a proposal to revoke the Community Land classification of Allotment (Reserve) 70 Deposited Plan 11045 in the area Named Port Lincoln Hundred of Lincoln, being the land comprised in Certificate of Title Volume 5796 Folio 568 and more commonly known as 25 Chapman Street Port Lincoln (**25 Chapman Street**).

The Certificate of Title for 25 Chapman Street is **Annexure C** to this report and its location is shown in the aerial photograph below:



Reasons for Revocation Proposal

The Council adopted a Housing Strategy 2024-2029 which has identified a significant shortage in housing across the local area, but specifically in Port Lincoln. This is reflected across the rental and residential market and is a major community issue. One of the actions in the adopted strategy, which was subject to a full community consultation process, was to utilise Council land for residential development.

25 Chapman Street has been identified as being surplus to the Council's needs and is land that would serve a benefit the community by being sold and developed into residential homes.

Current Use

25 Chapman Street is currently underutilised and has no community function. The land is undeveloped and contains no notable features of public interest. The Council is regularly required to conduct fire prevention and pest control works at the site, which come at a cost.

How the Council Proposes to Use the Proceeds of Sale

If sold, the proceeds of sale would be included in the Land and Building Reserve for reinvestment into community assets and infrastructure, as approved by the Council.

Government Assistance

There is no record of any assistance having been provided by the Government to the Council at the time the Council acquired this land or otherwise in relation to the land.

How the Proposal will Affect the Local Community

It is not expected that there would be any significant impact on the community or if 25 Chapman Street were to be repurposed.

The disposal of 25 Chapman Street would enable the Council's expenditure on pest and fire control at this site to be repurposed into other community assets that have greater utilisation.

If the community land status of the land is revoked this would allow for further residential development on the land, which would go some way towards addressing the challenges facing the community as a result of the current affordable housing crisis.

Registered Interests over the Land

There are two registered interests in the form of easements for sewerage and drainage purposes noted on the Certificate of Title (**Annexure C**).

Dedication, Reservation or Trust to which the Land is Subject

25 Chapman Street is subject to a reservation (it is a reserve) that can be lifted through the revocation process pursuant to section 195(1) of the *Local Government Act 1999*.

Intention of the Council once Revocation has Occurred

To list 25 Chapman street for sale through a competitive market process to secure the best price in accordance with the Policy.

4. 10 Oswald Drive

Property Details

The Council is considering a proposal to revoke the Community Land classification of allotments Allotment (Reserve) 103 Deposited Plan 22525 in the area named Port Lincoln Hundred of Lincoln, being the land comprised in Certificate of Title Volume 5520 Folio 195 and more commonly known as 10 Oswald Drive, Port Lincoln (**10 Oswald Drive**).

The Certificate of Title for 10 Oswald Drive is **Annexure D** to this report and its location is shown in the aerial photograph below:



Reasons for Revocation Proposal

The Council adopted a Housing Strategy 2024-2029 which has identified a significant shortage in housing across the local area, but specifically in Port Lincoln. This is reflected across the rental and residential market and is a major community issue. One of the actions in the adopted housing strategy was for Council land to be utilised for residential development.

10 Oswald Drive has been identified as being surplus to the Council's needs and is land that would serve a benefit to the community by being sold and developed into residential homes.

Current Use

10 Oswald Drive is currently underutilised and has no community function. The land is undeveloped and contains no notable features of public interest. The Council regularly undertakes works of fire prevention and pest control thereon.

The Council considers that 10 Oswald Drive is not suitable for redevelopment into a reserve due to its limited road frontage and its topography.

How the Council Proposes to Use the Proceeds of Sale

If sold, the proceeds of sale would be included in the Land and Building Reserve for reinvestment into community assets and infrastructure, as approved by the Council.

Government Assistance

There is no record of any assistance having been provided by the Government to the Council at the time the Council acquired this land or otherwise in relation to the land.

How the Proposal will Affect the Local Community

It is not expected that there would be significant impact on the community or neighbours if 10 Oswald Drive were to be repurposed.

The disposal of 10 Oswald Drive would enable the Council's expenditure on pest and fire control at this site to be repurposed into other community assets that have greater utilisation.

If the community land status of the land is revoked, this would allow for further residential development on the land, which would go some way towards addressing the challenges facing the community as a result of the current affordable housing crisis.

Registered Interests over the Land

There are no registered interests noted on the Certificate of Title (**Annexure D**).

Dedication, Reservation or Trust to which the Land is Subject

10 Oswald Drive is subject to a reservation (it is a reserve) that can be lifted through the revocation process pursuant to section 195(1) of the *Local Government Act 1999*.

Intention of the Council once Revocation has Occurred

To list 10 Oswald Drive for sale through a competitive market process to secure the best price in accordance with the Policy.

5. 3 Willison Street

Property Details

The Council is considering a proposal to revoke the Community Land classification of Allotment 53 in Deposited Plan 4606 in the Hundred of Lincoln County of Flinders, being the land comprised in Certificate of Title Volume 2058 Folio 124 and more commonly known as 3 Willison Street, Port Lincoln (**3 Willison Street**).

The Certificate of Title for 3 Willison Street is **Annexure E** to this report and its location is shown in the aerial photograph below:



Reasons for Revocation Proposal

3 Willison Street is adjacent to an existing early learning centre. The Council considers that the site would be better utilised if it were repurposed to develop a childcare centre to address the lack of availability for childcare in the area.

Current Use

3 Willison Street is currently open space, with low utilisation. It is largely unimproved land and has the predominant use as an overflow parking area for the neighbouring early learning centre.

How the Council Proposes to Use the Proceeds of Sale

If sold, the proceeds of sale would be included in the Land and Building Reserve for reinvestment into community assets and infrastructure, as approved by the Council.

Government Assistance

There is no record of any assistance having been provided by the Government to the Council at the time the Council acquired this land or otherwise in relation to the land.

How the Proposal will Affect the Local Community

3 Willison Street does not provide any facilities to the community outside of it being open space. It is used as an overflow carpark for the early education centre. The land is currently undeveloped and contains no features of public interest. The Council regularly undertakes works of fire prevention and pest control on the land.

It is the view of the Council that 3 Willison Street should be utilised for the development of a child care centre to assist the local community. In a recent report of the Regional Development Australia Eyre Peninsula organisation it was concluded that there are approximately 289 childcare places required across the lower Eyre Peninsula area. The local community is in need for increased access to childcare centres.

Registered Interests over the Land

There are no registered interests noted on the Certificate of Title (**Annexure E**). However, SA Power networks powerlines run across the north-western corner of 3 Willison Street and are subject to a statutory easement.

Dedication, Reservation or Trust to which the Land is Subject

3 Willison Street is subject to a reservation (it is a reserve) that can be lifted through the revocation process pursuant to section 195(1) of the *Local Government Act 1999*.

Intention of the Council once Revocation has Occurred

To commence an expression of interest process for the development of a childcare or early learning facilities on 3 Willison Street to assist the growing needs of the community.

ANNEXURE A

South Australia

(CERTIFICATE OF TITLE)



Register Book,

Vol. 3302 Folio 108

Pursuant to Memorandum of Transfer No.2601579 Registered on Vol.3148 Folio 9

SOUTH AUSTRALIAN HOUSING TRUST

is the proprietor of an estate in fee simple
subject nevertheless to such encumbrances liens and interests as are notified by memorial underwritten or endorsed hereon in
THAT piece of land situate in the HUNDRED of LINCOLN COUNTY of FLINDERS
being PORTION OF SECTION 361 containing eight acres two roods and thirty perches or thereabouts and
PORTION OF SECTION 362 containing one acre three roods and twelve perches or thereabouts and more
particularly delineated and bounded as appears in the plan in the margin hereof and therein colored
green

Which said Sections are delineated in the public map of the said Hundred deposited in the Land Office at Adelaide.

In witness whereof I have hereunto signed my name and affixed my seal this *sixteenth* day of March 19 65

Signed the *sixteenth* day of March
19 65, in the presence of *J. M. McBarth*

Registrar-General



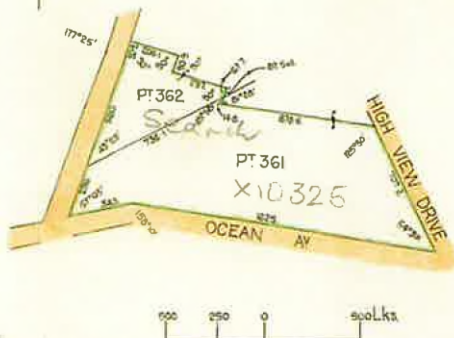
Resubdivision Approved under
Sec. 111 of T.P. Act 1929-1967 Vide
Dkt 2132 of 1964.

RESERVE and ROADS
in Deposited Plan 7766
REDESIGNATED as
Amendment(s) 44 to 48 ind.

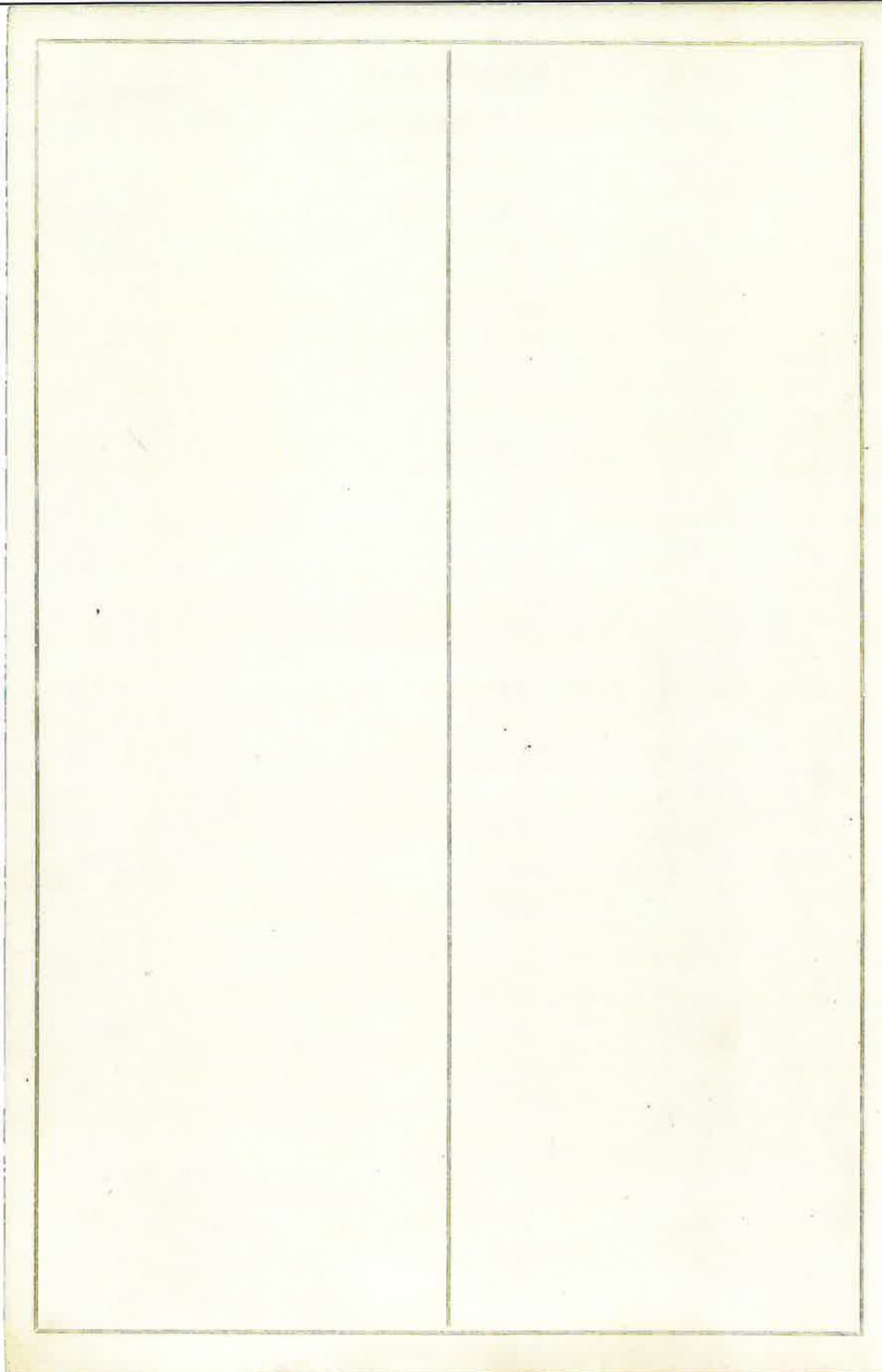
In Search X10325
437/F C. 1014 DUE 1/54/65

CANCELLED AS REGARDS PORTION OF THE WITHIN LAND (LAND
NOW IN PLAN No. 7766) AND NEW CERTIFICATE OF TITLE
ISSUED VIDE L.T.O. 4154 OF 1965 VOL 3384 FOL 551 & 1014 ind.

B. Nelson Hughes DEP. REG. GENL.



Balance of THE WITHIN LAND
IN DEPOSITED PLAN No. 7766 VESTED IN
the Corporation of the City of Port Lincoln
BY VIRTUE OF SEC. 14 SUB SEC. 1 OF ACT 1949
L.T.O. VIDE L.T.O. DOCKET No. 4154 OF 1965
B. Nelson Hughes DEP. REG. GENL.



Notations

Dealings Affecting Title

NIL

Priority Notices

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL



Product Register Search Plus
(CT 5510/485)
Date/Time 03/02/2025 02:08PM
Customer Reference TMoritz 21805.706
Order ID 20250203007361

REAL PROPERTY ACT, 1886



South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5510 Folio 485

Parent Title(s) CT 4134/936
Creating Dealing(s) CONVERTED TITLE
Title Issued 05/03/1998 Edition 1 Edition Issued 05/03/1998

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF PORT LINCOLN
OF PO BOX 1787 PORT LINCOLN SA 5606

Description of Land

ALLOTMENT (RESERVE) 75 DEPOSITED PLAN 7765
IN THE AREA NAMED PORT LINCOLN
HUNDRED OF LINCOLN

BEING A RESERVE

Easements

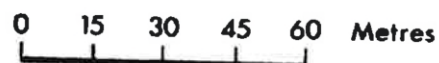
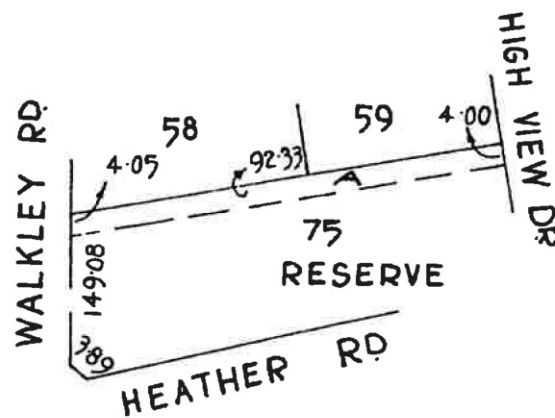
SUBJECT TO EASEMENT(S) OVER THE LAND MARKED A HEREON TO THE MINISTER FOR INFRASTRUCTURE (T 4302913)

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

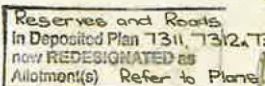


Certificate of Title

Title Reference: CT 5510/485
Status: CURRENT
Parent Title(s): CT 4134/936
Dealing(s) Creating Title: CONVERTED TITLE
Title Issued: 05/03/1998
Edition: 1

Dealings

No lodged Dealings found.



7230726 21805.706

TRANSFER No. **2310726**
 To the within named *Norman Alfred*
Easton of Box 309 Port Lincoln
 and *Natachela Easton of Port Lincoln*
 OF THE WITHIN LAND. PRODUCED *6/10/1961* AT *1 PM*.
K. Gordon P.D. DEP. REG. GENL.

1893809
1699681 *Q* *the* *to the*
 THE WITHIN LAND IS DISCHARGED FROM MORTGAGE
 No. *1756018* VIDE No. *2333787* PRODUCED *13/2/1961* AT *11.20*.
K. Gordon P.D. DEP. REG. GENL.

Portion of THE WITHIN *lot 366* has been
 VESTED IN *the District Council of Lincoln*
 FOR ROAD VIDE SEC. 14 TOWN PLANNING ACT 1929.
 1957 (DOCKET No. *1311* OF 1962)
B.D. Nairn DEP. REG. GENL.

CANCELLED AS REGARDS PORTION OF THE WITHIN LAND (LAND
 NOW IN PLAN No. *7311*) AND A NEW CERTIFICATE OF TITLE
 ISSUED VIDE L.T.O. *4731* OF 1961 VOL *3137* FOL *111*
B.D. Nairn DEP. REG. GENL.

PORTION OF THE WITHIN LAND *(BEAVER COURT, NINE DRIVE,
 SUMMER ROAD, RITA STREET,
 AND NEWTON STREET)*
 IN DEPOSITED PLAN No. *7311* VESTED IN
 THE CPN of *the Town of Port Lincoln*
 BY VIRTUE OF SEC. 14 SUB SEC. 1 OF ACT 1945
 OF 1929 VIDE L.T.O. DOCKET No. *4731* OF 1961
B.D. Nairn DEP. REG. GENL.

PORTION OF ALLOTMENTS *16 & 63 & 65, 69, 72 & 75, 107, 123 & 128, 137 and 138*
 IN DEPOSITED PLAN No. *7311* SUBJECT TO
 AN EASEMENT TO THE *Minister of Works*
 BY VIRTUE OF SEC. 14A. TOWN PLANNING ACT 1929-1957
B.D. Nairn DEP. REG. GENL.

CANCELLED AS REGARDS PORTION OF THE WITHIN LAND (LAND
 NOW IN PLAN No. *7312*) AND A NEW CERTIFICATE OF TITLE
 ISSUED VIDE L.T.O. *4731* OF 1961 VOL *3137* FOL *112*
B.D. Nairn DEP. REG. GENL.

PORTION OF ALLOTMENTS *5 & 9, 27, 30 & 34, 56 & 60, 62, 119 & 123, 142,
 147 & 150 and 153*
 IN DEPOSITED PLAN No. *7312* SUBJECT TO
 AN EASEMENT TO THE *Minister of Works*
 BY VIRTUE OF SEC. 14A. TOWN PLANNING ACT 1929-1957
B.D. Nairn DEP. REG. GENL.

PORTION OF THE WITHIN LAND *(BEAVER COURT, NINE DRIVE,
 SUMMER ROAD, RITA STREET,
 AND NEWTON STREET)*
 IN DEPOSITED PLAN No. *7312* VESTED IN
 THE CPN of *the Town of Port Lincoln*
 BY VIRTUE OF SEC. 14 SUB SEC. 1 OF ACT 1945
 OF 1929 VIDE L.T.O. DOCKET No. *4731* OF 1961
B.D. Nairn DEP. REG. GENL.

PORTION OF THE WITHIN LAND (RESERVE)
 IN DEPOSITED PLAN No. *7313* VESTED IN
 THE CPN of *the Town of Port Lincoln*
 BY VIRTUE OF SEC. 14 SUB SEC. 1 OF ACT 1945
 OF 1929 VIDE L.T.O. DOCKET No. *4731* OF 1961
B.D. Nairn DEP. REG. GENL.

as regards portion of the within land
 AND *NEW* CERTIFICATE OF TITLE
 ISSUED VIDE *4731* OF 1961 VOL *3137* FOL *113*
B.D. Nairn DEP. REG. GENL.

Notations

Dealings Affecting Title

NIL

Priority Notices

NIL

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

ANNEXURE B



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Elook and other notations at the time of searching.



Certificate of Title - Volume 6210 Folio 879

Parent Title(s)	CT 5796/570, CT 6197/20				
Creating Dealing(s)	RTU 12796779				
Title Issued	27/07/2018	Edition	1	Edition Issued	27/07/2018

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF PORT LINCOLN
OF PO BOX 1787 PORT LINCOLN SA 5606

Description of Land

ALLOTMENT (RESERVE) 76 DEPOSITED PLAN 116510
IN THE AREA NAMED PORT LINCOLN
HUNDRED OF LINCOLN

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED A ON D116510 FOR SEWERAGE PURPOSES TO
SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

Certificate of Title

Title Reference: CT 6210/879
Status: CURRENT
Parent Title(s): CT 5796/570, CT 6197/20
Dealing(s) Creating Title: RTU 12796779
Title Issued: 27/07/2018
Edition: 1

Dealings

No lodged Dealings found.

ANNEXURE C



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5796 Folio 568

Parent Title(s)	CT 5542/515			
Creating Dealing(s)	RT 8934130			
Title Issued	07/08/2000	Edition 1	Edition Issued	07/08/2000

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF PORT LINCOLN
OF PO BOX 1787 PORT LINCOLN SA 5606

Description of Land

ALLOTMENT (RESERVE) 70 DEPOSITED PLAN 11045
IN THE AREA NAMED PORT LINCOLN
HUNDRED OF LINCOLN

BEING A RESERVE

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED A ON DP 11045 FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED B ON DP 11045 FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

Schedule of Dealings

NIL

Notations

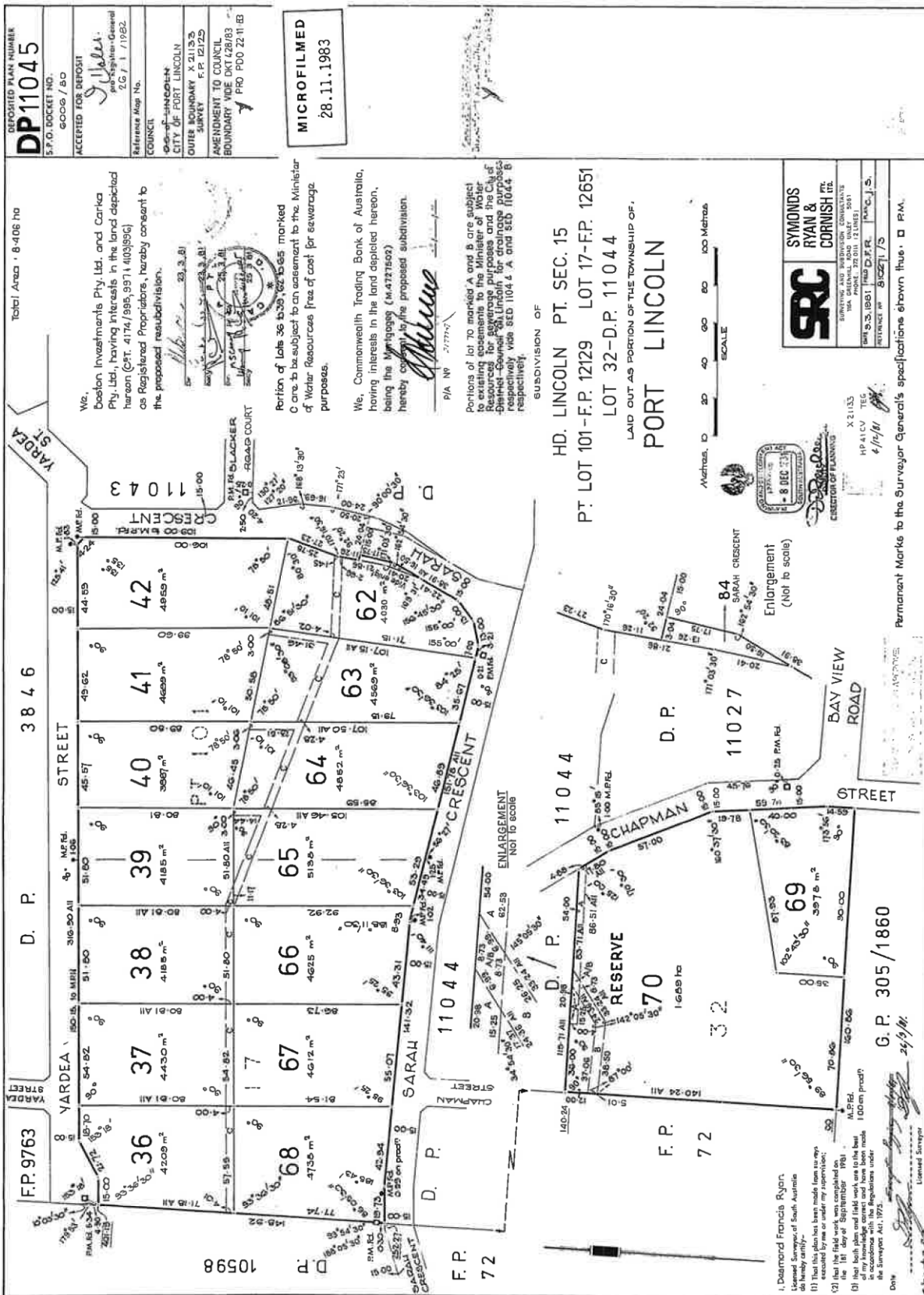
Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

Certificate of Title

Title Reference: CT 5796/568
Status: CURRENT
Parent Title(s): CT 5542/515
Dealing(s) Creating Title: RT 8934130
Title Issued: 07/08/2000
Edition: 1

Dealings

No lodged Dealings found.



ANNEXURE D



Certificate of Title - Volume 5520 Folio 195

Parent Title(s)	CT 4324/935		
Creating Dealing(s)	CONVERTED TITLE		
Title Issued	01/04/1998	Edition 1	Edition Issued 01/04/1998

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF PORT LINCOLN
OF PO BOX 1787 PORT LINCOLN SA 5606

Description of Land

ALLOTMENT (RESERVE) 103 DEPOSITED PLAN 22525
IN THE AREA NAMED PORT LINCOLN
HUNDRED OF LINCOLN

BEING A RESERVE

Easements

NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

Certificate of Title

Title Reference: CT 5520/195
Status: CURRENT
Parent Title(s): CT 4324/935
Dealing(s) Creating Title: CONVERTED TITLE
Title Issued: 01/04/1998
Edition: 1

Dealings

No lodged Dealings found.

LTO F

DEPOSITED PLAN NUMBER

DP 22525

ACCEPTED FOR DEPOSIT

[Signature]
pro Registrar-General

✓ pro Registrar-General
261911988

COUNCIL
CORPORATION OF THE CITY OF

CORPORATION OF THE CITY OF
PORT LINCOLN
Development No. 931 : D008 : 86



(b) that both plan and field work are to the best of my knowledge correct and have been made in accordance with the Department's contract.

<p>Date</p>	<p>Licensed Surveyor</p>
--------------------	---------------------------------

Permanent marks shown thus: ☒ PM

Licensed Surveyor

11

ANNEXURE E

South Australia.

(CERTIFICATE OF TITLE.)



Register Book,

Vol. 2058

Folio 124

Pursuant to Memorandum of Transfer No.1586774 Registered on Vol.1747 Folio 132

SOUTH AUSTRALIAN HOUSING TRUST of Adelaide

is the proprietor of an estate in fee simple

subject nevertheless to such encumbrances liens and interests as are notified by memorial underwritten or endorsed hereon in

THAT piece of land situate in the HUNDRED of LINCOLN

COUNTY of FLINDERS

being PORTION OF SECTIONS 181 and 182 containing together nine acres one rood and nineteen perches or thereabouts and more particularly delineated and bounded as appears in the plan in the margin hereof and therein colored green

Which said Sections are delineated in the public map of the said Hundred deposited in the Land Office at Adelaide.

In witness whereof I have hereunto signed my name and affixed my seal this twelfth day of January 1950

Signed the 12th day of January 1950, in the presence of

G. W. Davis

G. Hontelow

Acting Registrar-General.



ROADS and RESERVE
in Deposited Plan 4606
now REDESIGNATED as
Allotment(s) 50, 51, 52, 53



TRANSFER 1664444 FROM
South Australian Housing Trust
to Lloyd Herbert George
of Port Lincoln Storekeeper
OF AN ESTATE IN FEE SIMPLE IN THE WITHIN LAND
PRODUCED FOR REGISTRATION THE 1 DAY OF
March 1951 AT 2.30pm
W. H. H. H.

March 2051

over

CANCELLED AS REGARDS PORTION
OF THE WITHIN LAND (LAND NOW IN
PLAN No. 4606) AND A NEW
CERTIFICATE OF TITLE ISSUED VIDE
L.T.O. 1376 OF 1957 VOL. 2153
POL. 134

affecaus
DEP. REG. GENL.

Balance of THE WITHIN LAND
IN DEPOSITED PLAN No. 4606 VESTED IN
THE *Corporation of the town of Port Lincoln*
BY VIRTUE OF SEC. 14 SUB SEC. 1 OF ACT 1945
OF 1929 VIDE L.T.O. DOCKET No. 1376 OF 1957.

affecaus DEP. REG. GENL.

Notations

Dealings Affecting Title

NIL

Priority Notices

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL