



Proposed Revocation of Community Land Q & A Sheet

Q. What's happening?

- A. Council is reviewing a small number of underused properties.

These properties are currently classified as community land, which means they can't be sold unless the status is changed. Revoking this classification would enable Council to sell or dispose of the land or use it for other purposes in the future.

We're now asking for community feedback to consider the potential opportunities to repurpose these sites.

The reason for this review is that Council knows that Port Lincoln is short of childcare, aged care and housing and we want to use Council land proactively to address this need.

Q. Why encourage childcare, aged care and housing?

- A. Over the last two (2) years, based on community demand, Council completed a review of housing availability in Port Lincoln. Based on the work done, it was clear that there was a significant and worsening shortage of houses in Port Lincoln and that there was a need for Council to actively pursue opportunities to do something about it. These actions were captured in a Council adopted Housing Strategy 2024-2029. One of the solutions identified in this strategy was to repurpose Council land to encourage housing development. This is exactly what Council is looking to do.

However, at the same time, Council also completed a strategy on living and ageing well in Port Lincoln which identified, based on feedback from the community and aged care providers, that there was a significant shortage in aged care in Port Lincoln which is going to get significantly worse over the next ten (10) years due to an ageing population.

A further strategy on Childcare was also developed by Regional Development Australia which identified that across the Lower Eyre Peninsula, there was a need for in the order of 300 additional childcare spaces.

All three of these are significant community issues and although not necessarily a Council responsibility, without Council support may not be addressed. For this reason, Council is proactively pursuing solutions to assist in encouraging developers to construct housing, aged care and childcare in Port Lincoln.

Q. What sites are Council wanting to re-classify (revoke)?

- A. Council have identified five (5) community land parcels that could be used to benefit the community and wider region. These are:
- Harbourview Reserve – Highview Drive
 - Seaview Park - Monalena Street
 - 25 Chapman Street
 - 10 Oswald Drive
 - Trigg Street Reserve - Willison Street

Q. What is community land?

- A. Community land is a category of land created under the Local Government Act – this is the Act that instruct council's on how to operate. This category of land is specific to local governments (councils) therefore many people have not heard of this concept. Community land is land for public use and is typically used for parks, reserves or community facilities. Council can also own land that is not community land which is generally land used for council's depot/workshop or for example the Civic Centre, or land council may purchase to develop and resell at a future date.

The reason this category of land was created was to ensure that if a council wanted to sell land that was categorised as Community land, a thorough consultation and approval process had to be followed.

Q. Are any of these sites Crown Land?

- A. No. Crown land is owned and managed by the State Government and is generally not held under freehold. The five identified sites are classified as Community Land, which means they are owned by Council.

Q. Can Council sell or dispose of the land for other purposes now?

- A. No. First, the land's 'community land' status must be changed – and that can only happen after a formal revocation process to remove that classification is undertaken pursuant to section 194 of the Local Government Act - public consultation, and approval from the Minister of Local Government is required.

Q. Why has Council chosen these five parcels of land?

- A. Although Council owns a reasonable number of lots of land, there are only a few that may be suitable for repurposing into aged care, housing or childcare.

To identify these five (5) lots, Council did a comprehensive review of all its owned land and after a multi criteria analysis and commonsense test, identified these five lots specifically due to their size, zoning, topography, location, current infrastructure and overall pattern of community use.

The kinds of development being proposed for the sites are:

- **Harbourview Reserve – Highview Drive**
 - Development of aged care/retirement living
 - identified in Council's Empowering Our Elders Strategy the significant need for future aged care and ancillary services in Port Lincoln

- **Seaview Park - Monalena Street**
 - Development of Residential housing/affordable housing
 - identified in Council's Housing Strategy 2024-2029 significant shortage in housing across the local area
- **25 Chapman Street**
 - Development of Residential housing/affordable housing
 - identified in Council's Housing Strategy 2024-2029 significant shortage in housing across the local area
- **10 Oswald Drive**
 - Development of Residential housing/affordable housing
 - identified in Council's Housing Strategy 2024-2029 significant shortage in housing across the local area
- **Trigg Street Reserve - Willison Street**
 - Development of a child centre (behind the Bishop Kindergarten)
 - identified in a recent report of the Regional Development Australia Eyre Peninsula the need for increased access to childcare centres

Q. Are the land parcels currently zoned for development, or is rezoning also required?

A. As listed below, the identified land, is correctly zoned for the proposed developments.

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|---|-----------------------------|
| • Harbourview Reserve – Highview Drive | Suburban Neighbourhood Zone |
| • Seaview Park - Monalena Street | Suburban Neighbourhood Zone |
| • 25 Chapman Street | Rural Neighbourhood Zone |
| • 10 Oswald Drive | Suburban Neighbourhood Zone |
| • Trigg Street Reserve - Willison Street | Suburban Neighbourhood Zone |

Suburban Neighbourhood Zone – Desired outcome:

Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.

Rural Neighbourhood Zone – Desired outcome:

Housing on large allotments in a spacious rural setting, often together with large outbuildings. Easy access and parking for cars. Considerable space for trees and other vegetation around buildings, as well as on-site wastewater treatment where necessary. Limited goods, services and facilities that enhance rather than compromise rural residential amenity.

Q. Will any proposed development block or impact existing views?

A. Depending on the location and design of any future development there may be changes to the current outlook or view.

While views from private properties are not protected under planning legislation, Council understands that they are valued by many residents.

Where required, as part of the development approval process, appropriate community consultation will be undertaken to ensure residents have the opportunity to provide feedback and raise any concerns before final decisions are made.

Please be advised that not all development applications are legally required to undergo a Public Notification process. Depending on the nature of development proposed for each site, adjoining or surrounding land owners may not be afforded an opportunity to have a say pursuant to Planning, Development & Infrastructure Act 2016.

Below are the current South Australian Planning & Design Code Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF) for Building Height for each site.

Rural Neighbourhood Zone

DTS/DPF 2.1 Building Height (excluding garages, carports and outbuilding) is no greater than 2 building levels and 9m and wall height no greater than 7m (not including a gable end).

Suburban Neighbourhood Zone

DTS/DPF 4.1 Building height (excluding garages, carports and outbuildings) is no greater than:

- (a) The following:
 - Maximum building height is 9m
 - Maximum building height is 2 levels
- (b) In all other cases (i.e. there are blank fields for both maximum building height (metres) and maximum building height (levels)) – 2 building levels up to a height of 9m.

In relation to DTS/DPF 4.1 in instances where:

- (c) more than one value is returned in the same field, refer to the Maximum Building Height (Levels) Technical and Numeric Variation layer or Maximum Building Height (Metres) Technical and Numeric Variation layer in the SA planning database to determine the applicable value relevant to the site of the proposed development.
- (d) Only one value is returned for DTS/DPF 4.1(a) (i.e. there is one blank field), then the relevant height in metres or building levels applies with no criteria for the other.

Harbourview Reserve – Highview Drive	Maximum Building Height is 2 levels (9 metres)
Seaview Park - Monalena Street	Maximum Building Height is 2 levels (9 metres)
25 Chapman Street	Maximum Building Height is 2 levels (9 metres)
10 Oswald Drive	Maximum Building Height is 2 levels (9 metres)
Trigg Street Reserve - Willison Street	Maximum Building Height is 2 levels (9 metres)

Q. Will there be enough parks and reserves available to the community?

- A. Yes. When preparing the Open Space Strategy, adopted by Council in 2021, it was clear that by both population and area, Port Lincoln has an oversupply with respect to public open space. With this understood, Goal 1 of the Open Space Strategy put action onto Council to carry out the review which has identified these sites as surplus and pursue their disposal or reutilisation.

The five parcels of land identified for potential development make up approximately 60,000 square metres – or just 3.2% of the City's total community land. As Port Lincoln continues to grow, Council must consider how to best balance public land use with housing, infrastructure, and community needs.

Council has recently made significant investments in upgrading key open spaces and reserves, including Whait Reserve, Puckridge Park, the Foreshore Playground and Nelson Square. These upgrades have better met community needs by providing new play equipment and park infrastructure, improving useability, attractiveness, and safety.

By having fewer parks and open spaces to maintain, Council can direct more resources into enhancing and maintaining the parks it retains.

Q. What impact will development have on local wildlife and birdlife, including kookaburras and koalas?

- A. Council recognises the importance of protecting local wildlife and the value placed on animals such as kookaburras, koalas and other species that may inhabit the area.

The assessment of any development proposal that involves removal of native vegetation would require formal investigation into flora and fauna impacts. This assessment helps ensure that important habitats are considered and, where possible, preserved or offset through appropriate design and landscaping.

Council is committed to balancing growth with environmental responsibility. Accordingly, any future development proposals will be assessed in accordance with the South Australian Planning and Design Code, which includes provisions for the protection of native vegetation.

Where relevant, the Native Vegetation Overlay within the South Australian Planning and Design Code will guide how development must avoid, minimise or appropriately manage the clearance of native vegetation. This ensures that environmental values are carefully considered as part of the planning and assessment process.

An application that requires native vegetation removal may also be referred to the Native Vegetation Council for further assessment.

Q. What impact might the development have on property values in the area?

- A. Well-designed development that is in-keeping with the local character, provides needed housing, and improves infrastructure or amenity can have a positive influence on property values.

Council's planning process is designed to ensure that any development is appropriate for the site and surrounding neighbourhood, and that potential impacts, including on amenity and traffic, are considered in accordance with the South Australian Planning & Design Code.

Q. Will there be an increase in traffic? If so, how will it be managed?

- A. There may be an increase in local traffic volumes if a future development were to occur. As part of the planning and assessment process, a traffic management assessment would typically be required to evaluate potential impacts on local roads, intersections, and parking availability.

For example, if an aged care or childcare facility proceeds to full development approval, any necessary traffic improvements would be implemented as part of the development conditions to help manage impacts on the community.

Q. What impact will the development have on parking in my area?

- A. Any development proposal will be required to meet the South Australian Planning & Design Code off-street parking requirements, which are designed to reduce pressure on surrounding streets.

Council is aware that some residents currently use the vacant land for informal or overflow parking, particularly on Willison Street. If the land is sold and developed, this informal parking use will no longer be available, and nearby parking demand may change.

Q. What is the process for revoking the community land status?

- A. The Council must undertake a formal revocation process in line with section 194 of the Local Government Act.

The revocation process involves:

- Preparing a detailed report outlining the reasons for the proposal,
- Advising of any dedication, reservation, or trust to which the land is subject, and the potential future use of the land
- Advising whether revocation of the classification is proposed with a view to sell or dispose of the land and, if so, details of any Government assistance given to acquire the land, including how any sale proceeds would be used.
- Assessment of the potential impact of the proposal on the community and local area.
- Releasing the report for public consultation in line with Council's Public Consultation & Community Engagement Policy and, ensuring the community understands the proposal and can provide feedback.
- Consider all public feedback before deciding whether to proceed.
- Submitting the report and public feedback to the Minister for approval.
- Only after the Minister for Local Government approves the revocation, can the Council formally resolve to change the classification and proceed with the sale, disposal or use the land for another purpose.

Q. What will happen, if, the community land status is revoked?

- A. If the Minister for Local Government approves the proposal of each site, council staff will prepare and present a report to Council with the resolution revoking the classification of the land, as community land, at a meeting of Council. Council will also need to give notice of the revocation to the Register-General to make appropriate amendments to any relevant instrument of title or other public record.

Q. What happens next, if, the community land classification is revoked?

- A. In accordance with a long-term divestment strategy to be established by Council, Council may look to sell or dispose of the land or use it for other purposes now or in the future. Any future sales of the land would be in accordance with Council's Disposal of Land & Assets Policy 16.63.7 adopted in accordance with Section 49 of the Local Government Act.

Council's intention for each site is:

Harbourview Reserve – Highview Drive

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 to be constructed.

Seaview Park - Monalena Street

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

25 Chapman Street

To list the parcel of land for sale through a competitive market process to secure the best price in accordance with Council's Disposal of Land & Assets Policy 16.63.7. This would allow the site to be used for housing.

10 Oswald Drive

To list the parcel of land for sale through a competitive market process to secure the best price in accordance with Council's Disposal of Land & Assets Policy 16.63.7. This would allow the site to be used for housing.

Trigg Street Reserve - Willison Street

To commence an expression of interest process for the development of a childcare or early learning facility to assist the growing needs of the community.

Q. What will happen to the proceeds if the land is sold?

- A. Any funds generated from any future land sales will be placed into the Council's Land and Building Reserve. These funds can then be reinvested into other community assets and infrastructure projects, as approved by Council.

Q. How can the community provide input on this proposal?

- A. The Council will undertake public consultation as part of the process. Community members will have the opportunity to provide feedback before any decision is made.

Public consultation on the proposal will open from Thursday, 15 May 2025 to 10am on Thursday, 12 June 2025.

People wanting to make a submission on the proposed sites can do so by making a written submission to Council.

Written submissions can be made to the City of Port Lincoln via:

- Online Engagement Hub: yoursay.portlincoln.sa.gov.au
- Email: yoursay@plcc.sa.gov.au
- Post: PO Box 1787, Port Lincoln SA 5606
- In Person: Level One, Civic Centre, 60 Tasman Terrace, Port Lincoln SA 5606

Q. What happens after the public consultation process?

- A. Council staff will consider, summarise and analyse all submissions received.

A report will be presented to Council summarising all community feedback received during consultation and will include the broader outcomes presented. A recommendation will be put to Council for consideration. Council will then consider whether to proceed with the revocation of each parcel of land and, if so, submit the report together with a report on all submissions made on it as part of the public consultation process to the Minister for Local Government for approval.

It is intended the report will go to the Ordinary Council Meeting in July 2025.

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