

12.5 REVOCATION OF COMMUNITY LAND STATUS – TRIGG STREET RESERVE – PUBLIC CONSULTATION SUMMARY REPORT

REPORT INFORMATION	
Report Title	Revocation of Community Land Status – Trigg Street Reserve – Public Consultation Summary Report
Document ID	84502
Organisational Unit	Environment & Infrastructure
Responsible Officer	Chief Executive Officer - Eric Brown Manager Places & Presentation - Brad Tolley
Report Attachment/s	Yes 84892 Consultation Summary Report - Redacted 84477 Consolidated Consultation and Engagement Records
REPORT PURPOSE	
<ul style="list-style-type: none"> The purpose of this report is to present to Council the submissions received in connection with Public Consultation process for the Council's proposal to revoke the classification of land as Community Land under section 194 of the Local Government Act 1999 (the Act) for 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 Trigg Street Reserve, Willison Street, Port Lincoln; and, Make recommendations to proceed with the community land revocation having considered the submissions received as part of the consultation 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: 1.4 Actively investigate and facilitate options for expanded childcare services.
Annual Business Plan 2023/24	ABP INITIATIVE: Choose an item. ABP PROJECT: Choose an item.
Annual Business Plan 2024/25	ABP INITIATIVE: Choose an item. ABP PROJECT: Choose an item.
Legislation	Local Government Act 1999
Policy	Public Consultation & Community Engagement 2.63.1

Budget Implications	Moderate Variation > \$10,000 < \$50,000		
	DESCRIPTION	BUDGET AMOUNT \$	YTD \$
	See body of report	-	-
	Budget assessment comments: Should the land be revoked of the classification as Community Land and disposed of, there is a potential saving to the annual operating budget of approximately \$11,000 excl. GST.		
Risk Implications	Low Risk		
Resource Implications	Moderate Variation > 5 hours < 20 hours		
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			
That Council:			
1. Is satisfied the public consultation process undertaken as outlined in this report has met the requirements of the Local Government Act 1999 and the Council's Public Consultation & Community Engagement Policy; and			
2. Receives and note the submissions received in connection with the Public Consultation process, which are as contained in the attachment to this report; and			
3. In the exercise of the power contained in section 194 of the <i>Local Government Act 1999</i> and having considered the outcomes of the public consultation process, submits to the Minister for Local Government:			
1. the Proposal to Revoke Community Land Classification of Land Report and attached appendices; and			
2. a report addressing all submissions made in connection with the public consultation process; and			
3. all other documentation as required or as the CEO determines,			
For the purposes of seeking the Minister's approval for the Council to revoke the community land classification attaching to 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 Trigg Street Reserve, Willison Street, Port Lincoln.			

BACKGROUND

At the March Ordinary Meeting of Council held 17 March 2025, a Statutory Report (the **Report**) was presented to Council which detailed the proposal to revoke the classification of land as Community Land pursuant to section 194 of the Act for five (5) parcels of land. The Report addressed the criteria prescribed by section 194(2) of the Act in relation to each parcel of land. This criteria is:

- a summary of the reasons for the proposal;
- a statement of any dedication, reservation or trust to which the land is subject;
- 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;
- 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 arose following growing pressures within the community for an increase in accessibility to housing, childcare and aged care¹*, which initiated a review of the Council's land holdings for sites that would be suitable to be used for these purposes. The review was progressed by the Council in an effort to address the community concerns by Council playing a facilitative role and, where practicable, removing barriers to meaningful developments for these essential services by releasing suitable land which, due to being held by Council, could be leveraged to achieve much needed outcomes on behalf of the community. In assessing the suitability of land for this purpose, consideration was given to land size, topography, land zoning, neighbourhood amenity and access to open space, service levels, ownership status (not Crown Land), native vegetation, and reasonable assessment of viability of a project.

The 5 parcels of land for which the proposal and Report pertains were identified to be, without dismissing their current use by the community, undeveloped or underdeveloped open space, that is surplus to the broader community's needs. This determination was made having regard to the current underutilised state and condition of the land compared to the potential outcomes they can deliver for provision of the much-needed essential services, (and the quantum of open space in the council area².

¹ Refer to [City of Port Lincoln Housing Strategy 2024-2029](#), [Empowering our elders Strategy 2025-2029](#), [RDA Eyre Peninsula Early Education and Care November 2023](#) and [Strategic Directions Plan 2025-2034](#).

² Refer to City of Port Lincoln [Open Space Strategy 2021-2026](#).

Having considered the Report and supporting information, the Council resolved as follows.

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

CO 25/072 Moved: Councillor Linn

Seconded: Councillor Staunton

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.**

CARRIED

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 Trigg Street Reserve, Willison Street, Port Lincoln was one (1) of the 5 identified parcels of land subject of the revocation proposal set out in the Report

As identified in the council report that contextualised and presented the Report– having undertaken public consultation in relation to a revocation proposal, the next steps required to be undertaken are:

1. Consider, summarise and analyse all submissions received; and
2. Prepare a report for Council that addresses the consultation outcomes and includes recommendations to proceed to facilitate the Council determining whether or not to progress the revocation proposal.

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 revocation proposal, the Council can then proceed to make a resolution revoking the classification of the land as community land.

This report serves the purpose of informing the Council of the consultation outcomes and making recommendations to facilitate a decision by the Council regarding the next steps. In doing so, this report:

1. details the consultation process undertaken;
2. summaries the consultation outcomes; and
3. sets out the Administration's response to the matters raised in the submissions that were received.

CONSULTATION AND ENGAGEMENT PROCESS

The Council has an adopted policy regarding public consultation and engagement, *Public Consultation & Community Engagement 2.63.1* (the Policy). Further, section 194 of the Act is prescriptive regarding the requirement of the consultation process as it relates to a proposal to revoke the classification of land as community land.

Specifically, section 194(2)(b) of the Act confirms that the Council must consult upon the Report by following the relevant steps set out in its public consultation policy. To that end, the Policy prescribes the following steps that must be undertaken (that comply with the requirements under section 50(4) of the Act):

- (1) Prepare a document that sets out Council's proposal in relation to the topic and publish a public notice:*
 - a. in a newspaper circulating within the area of the Council; and*
 - b. on a website determined by the Chief Executive Officer,*

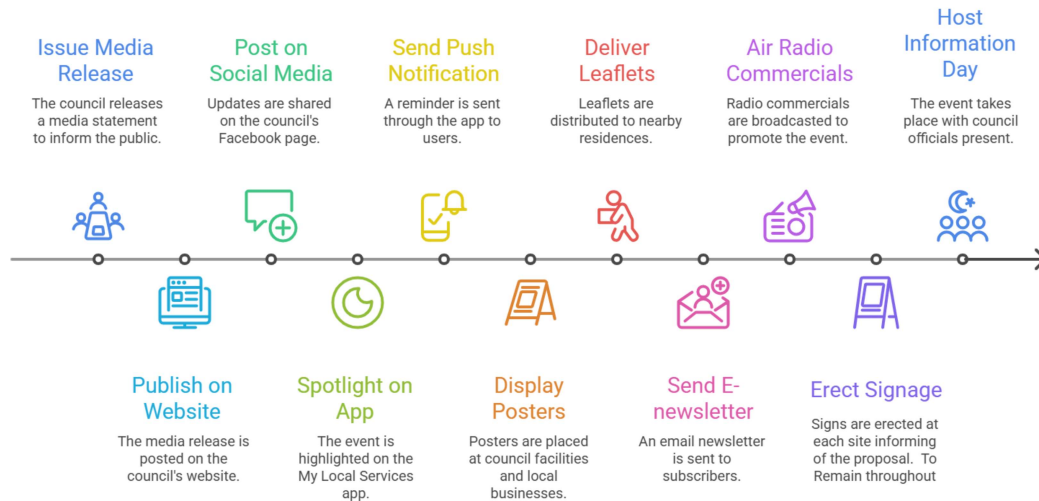
describing the matter under consideration and inviting interested persons to make submissions in relation to the matter within a period (which must be at least 21 days) stated in the public notice.
- (2) When submissions have been received by the closing date, Council staff will:*
 - a. Consider, summarise and analyse all submissions received;*
 - b. Prepare a report for Council or the relevant Council Committee which: ☐ summarises the public consultation outcomes;*
 - c. presents the information in the broader context of the matter under consideration;*
 - d. makes recommendations for Council or the Committee to consider when deciding on the matter/s; and*
 - e. 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.*

Additionally, the Department of Infrastructure and Transport (DIT) on behalf of the Office of Local Government has a published guidance paper - Section 194 – Revocation of Community Land Classification Guidance paper no. 5 April 2022 – which was referred to when conducting the consultation process.

As per Council's policy, Council will take every reasonable step to ensure the community is informed on matters of Council and of decisions that may affect the local and wider community through effective communication and consultation processes.

The formal consultation process ran from 15 May 2025 until 10am on 12 June 2025 with submissions able to be made through Council's YourSAy

The following is a detailed, step-by-step, summary of the promotional activities to ensure the local and wider community was aware of the proposal to revoke the classification of land as Community Land from Trigg Street Reserve separated by actions taken to promote the Information Day prior to commencement of formal consultation, and those actions taken relevant to the formal consultation.

PROMOTION OF INFORMATION DAY HELD SATURDAY, 10 MAY 2025**Media Release – Issued 28/04/2025 – Doc 72973**

- Issued to All Staff, Elected Members and Media Distribution List
- Published on Council's website home page as a News Item

To inform residents and community of upcoming public consultation on the proposed revocation of community land and to drop by and find out more on site and ask questions – Information Day 10 May 2025

Website – Home Page Hero Banner – published 28/04/2025, 4.08pm – 14/05/2025, 4.23pm

- Linking to Media Release issued 28/04/2025

Social Media Posts - Published on Council's Corporate Facebook Page:

- 29/04/2025 – 9.35am
- 8/05/2025 – 9.00am
- 10/05/2025 – 7.31am

Spotlight through the My Local Services App – As of 1 May 2025 – 1119 people have downloaded the app.

- Published 1/05/2025 – 11.47am – 10/05/2025, 4.37pm

Push Notification sent through the My Local Services App – 9/05/2025 – 6.30pm

- To remind the community of the Information Day on Saturday, 10 May 2025

Promotion of Proposal for Revocation of Community Land – Information Day Poster – displayed at various Council facilities and local business display board on 3/05/2025 – Doc 83651

- Council Office reception area
- Port Lincoln Civic Centre
- Port Lincoln Library
- Porter Street Plaza Fruit & Veg
- Port Lincoln Leisure Centre
- Cruisers Café
- Port Lincoln Boat Supplies

Project Team hand delivered Poster, Letter & Q&A Sheet to residences nearby between Monday 5 and Friday 9 May 2025 - Doc 74546

- Trigg Street Reserve – Willison Street – 40 delivered

For comparison:

- Harbourview Reserve – Highview Drive – 146 delivered
- Seaview Park – Monalena Street – 120 delivered
- 25 Chapman Street – 14 delivered
- 10 Oswald Drive – 16 delivered

Image depicting letter drop area**Corporate E-newsletter – April 2025 – Doc 72943**

- 479 recipients are subscribed to the Corporate E-newsletter, (189 Opens and 31 clicks)
- E-newsletter sent 2/05/2025, 3.11pm

Radio Script – 30 second commercial on Eyre Peninsula Broadcasters – Doc 72904

- 84 commercials to air between 3/05/2025-10/05/2025 (5 to 6 adverts per station per day)

Signage erected at site – Erected 9 May 2025 – in place throughout full consultation period

- Sign erected as encouraged by the DIT Guidance Paper summarising the proposal and advising on where to locate further information including a QR code linking directly to information held on the Engagement Hub.
- The sign was placed in a prominent location at the corner of Trigg Street and Willison Street
- The sign was 600mm W x 450mm D with legible font type and size.



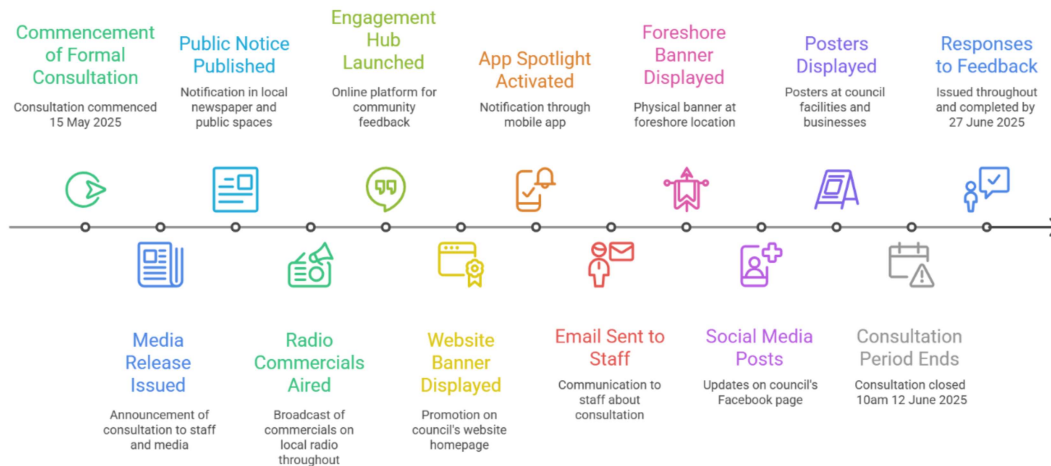
Information Day on site Trigg Street Reserve – 10 May 2025 – 2.00pm to 3.00pm

- Council's CEO, General Manager Corporate & Community, Manager Economic Development & Tourism, Manager Places & Presentation, and Elected Members present
- Proposal for Revocation of Community Land – Reader-friendly version - Doc 83651 – available as hand out for attendees.
- Bound copies of related Council Plans available for attendees to view.
 - Strategic Directions Plan 2025-2034
 - Housing Strategy 2024-2029
 - Empowering our Elders Strategy
 - Economic Development Strategy 2023-2026
 - Open Spaces Strategy 2021-2026
- 14 people attended the session.

For reference:

- Harbourview Reserve – Highview Drive – 11.00am to 12.00pm
 - Approx. 85-90 people in attendance
- 10 Oswald Drive – 11.00am to 12.00pm
 - 29 people in attendance
- Seaview Park - Monalena Street – 12.30pm to 1.30pm
 - 2 people in attendance
- 25 Chapman Street – 12.30pm to 1.30pm
 - 13 people in attendance

PROMOTION OF FORMAL CONSULTATION - INVITED WRITTEN SUBMISSIONS – 15/05/2025-12/06/2025 – 10AM



Media Release – Issued 13/05/2025 – Doc 74659

- Issued to All Staff, Elected Members and Media Distribution List
- Published on Council's website home page as a News Item

To inform and invite feedback on the proposal to revoke the community land status of multiple parcels of land – consultation open and written submissions invited from 15/05/2025 to 12/06/2025 – 10am

Public Notice – Published in the Port Lincoln Times 15/05/2025 – Doc 74903

- Public Notice displayed at Council Office reception pin up board
- Civic Centre Display Cabinet at front of building
- Council's website (public notice news item)

Radio Script – 30 second commercial on Eyre Peninsula Broadcasters – Doc 75323

60 commercials to air between 21/05/2025-11/06/2025

Website – Home Page Hero Banner – published 14 May 2025, 4.23pm – 12 June 2025 – 10.07am

- Linking to Council's online Engagement Hub

Spotlight through the My Local Services App – As of 1 May 2025 – 1119 people have downloaded the app.

- Published 14/05/2025 – 4.20pm – 12/06/2025, 10.07am

Engagement Hub – Proposal for Revocation of Community Land promoted through Council's online Engagement Hub - 15 May 2025

- YourSAy page link - [City of Port Lincoln | Proposal for Revocation of Community Land - Trigg Street Reserve - Willison Street, Port Lincoln](#)
- Trigg Street Reserve – Willison Street – Doc 83420

Email sent to All Staff – 15 May 2025, 9.18am – Doc 74673

- Advising of formal consultation on the Proposal for Revocation of Community Land sites has begun and attached copy of Poster and Q&A Sheet

Have your say Banner displayed on Port Lincoln Foreshore – Tasman Terrace

- 19/05/2025 – 9am to 2/06/2025 – 9am (14 days)

Social Media Posts – Published on Council’s Corporate Facebook Page:

- 15/05/2025 – 1.10pm
- 21/05/2025 – 10.04am
- 27/05/2025 – 10.00am
- 4/06/2025 – 12.00pm
- 10/06/2025 – 9.00am

Promotion of Proposal for Revocation of Community Land – Formal Consultation Poster – displayed at various Council facilities and local business display board on 15 May 2025 – Doc 83651

- Council Office reception area
- Port Lincoln Civic Centre
- Port Lincoln Library
- Porter Street Plaza Fruit & Veg
- Cruisers Café
- Port Lincoln Leisure Centre
- Port Lincoln Boat Supplies
- Port Lincoln Aboriginal Community Council

Proposal for Revocation of Community Land – Reader-friendly version (includes Q&A Sheet) – Doc 83651 + Annexures A-E – Doc 66721 + original report presented and adopted by Council at the Ordinary Council Meeting - Doc 66906 all made available 15 May 2025

- 50 printed copies were available during the consultation period
 - 25 at the Council Office
 - 25 at the Port Lincoln Library

Email sent to Port Lincoln Aboriginal Community Council 15 May 2025, 11.24am – Doc 74749

- Corporate Communications Officer spoke with Sharon Betts at the PLACC Office to deliver post for display and followed up with an email providing copy of Poster and Proposal for Revocation of Community Land (consultation document) to share with their contacts.

Email to Local Schools – Proposal for Revocation of Community Land – Poster and Facebook Image asking to share with parents/students and staff

- Port Lincoln High School – Doc 79954
- St Joesph’s School
- Port Lincoln Primary School
- Navigator College
- Port Lincoln Special School
- Kirton Point Primary School
- Port Lincoln Junior Primary School
- Lincoln Gardens Primary School

Corporate E-newsletter – May 2025 – Doc 78991

- 494 recipients are subscribed to the Corporate E-newsletter, (212 Opens and 21 clicks)
- E-newsletter sent 29/05/2025. 8.59am

Media Enquiry received from ABC Eyre Peninsula 30 May 2025 and response provided 2 June 2025, 9.28am – Doc 76505

Email to All Staff advising consultation has closed 12 June 2025 – 10.57am – Doc 78965

Engagement Hub –updated after consultation closed – 12 June 2025

Acknowledgement of Submissions sent to all respondents during the process and after the consultation closed. All Acknowledgements sent by 27 June 2025 via:

- Engagement Hub
- Email - Doc 74939
- Letter – 83211 (4 letters)

As is evident from above, the consultation process, which has culminated in the preparation of this report to satisfy step 2 of the Policy (as identified above), has occurred in compliance with the Policy and the Act.

CONSULTATION FEEDBACK SUMMARY

A total of 56 submissions (0.37% of council population) were received as part of the consultation process this includes two (2) submissions received late on the 13 June 2026 which related broadly to all 5 sites. Where multiple submissions were made by the same respondent, these have been treated as one (1) submission and have been compiled together in the Attachment. It should be noted that thirty-four (34) submissions were provided as direct feedback for the proposal as it relates to Trigg Street Reserve with the remaining twenty-two (22) being submissions received where the respondent provided feedback broadly across the 5 sites identified by Council for revocation.

Submissions were received through the YourSAy engagement hub (51%), via direct email (49%) with no submissions being made by physical letter.

Of all the 56 of submissions received in relation to the revocation proposal for Trigg Street Reserve:

- 7 indicated support for the proposal; and
- 49 expressed objection to the proposal.

The main grounds for the objections raised are reflective of the grounds that are commonly raised in connection with revocation proposals and included residents' strong attachment to local open space, uncertainty about future land use, and an expectation of transparency and community benefit.

The key themes that emerged from the consultation, both in support for and in opposition to the proposal are set out in detail below.

Key Themes of Support

A small number of submissions expressed support for the proposal, with the following themes:

1. Critical Need for Childcare

- Supporters referred to the well-documented shortage of childcare places on the Eyre Peninsula, viewing this proposal as a proactive solution.
- Some submissions cited the benefits of accessible, walkable childcare in neighbourhoods with young families.

2. Efficient Use of Underutilised Land

- A few submissions agreed that the site is underused in its current state and would better serve the community with a structured, socially beneficial use like childcare.
- Respondents thought it was strategically sensible to use land adjoining the existing kindergarten facility for this use.

Response:

Respondents raised concern about the immediate need for increased childcare places within Port Lincoln and implied an urgency for a need to address the issue. The issue is well described and evidenced in the [*RDA Eyre Peninsula Early Education and Care November 2023*](#) report.

The comments suggest it is appropriate that Council proactively facilitate suitable developments on land that has been identified as surplus for this use when considering nearby open space alternatives. As above, this action aligns with the Strategic Directions Plan and Annual Business Plan and the feedback received from the community during its development of each. By proactively managing its land portfolio, the Council can contribute to ease pressure in the childcare sector in a responsible and strategic manner enabling people to enter and/or remain in the workforce, in turn positively contributing to our local economy.

Any development on the land would be subject to the applicable Property and Development Policies relevant to the land's zoning. This includes matters such as minimal allotment size and street frontage, which would limit any development to something complimentary to the existing area and neighbourhood character.

The zoning, and proximity to alternative formal and informal reserves, provides an opportunity for strategically aligned, low impact means to use the land for the construction of a childcare facility. Its shared location with the Department for Education Kindergarten affirms this view.

Key Themes of Opposition

The majority of submissions opposed the proposal, with the following themes:

1. Loss of Green/Open Space

- Concern that once green space is lost, it is irreversible.
- Trigg Street Reserve is seen as a valued community asset, primarily to the adjoining residents, even if underdeveloped.

2. Underutilisation and Childcare Facility Needs Disputed

- Residents challenged the claim that the park is underused.
- Descriptions of use by families, children, and dog walkers were cited.
- Requests for greater transparency, including data on park usage and maintenance costs.
- Respondents included claims that the lack of available childcare services stems from staffing challenges, not physical capacity.

3. Concerns About Development and Impacts on Nearby Properties

- Some respondents raised concerns around matters such as traffic
- Worries about the impact future development may have on existing property views were noted from those overlooking the reserve.
- Assertions were made that property values would be negatively impacted should the revocation process proceed, and the land be developed.

4. Historical and Community Significance

- Some submissions cited the land as being donated and intended to be used for the betterment of community.

Response to Key Themes of Opposition:

	Key Theme/Concern Raised	Council Response
1	Loss of Green/Open Space <ul style="list-style-type: none">- Concern that once green space is lost, it is irreversible.- Trigg Street Reserve is seen as a valued community asset, primarily to the adjoining residents, even if underdeveloped.	<p>The City of Port Lincoln is committed to providing access to a range of open spaces varying in quality, appearance and amenity in a well-distributed manner, as an 'open space network' within the city.</p> <p>Council maintains a large area of nearby reserve at Pioneer Park (100m), Mena Place (350m) and Flinders Park (380m) which provide similar or higher amenity to Trigg Street Reserve as recreational reserves.</p> <p>Assessment shows, when referring to the Open Space Strategy, that there is surplus open space within the city when compared to common quantitative standards. When applying quantitative planning standards, the City of Port Lincoln has an oversupply of public open space. In percentage terms, it is more than the 12.5% referred to in Section 198 of the Planning, Development and Infrastructure Act.</p> <p>In proportion to the population, however, there is approximately four (4) times the amount of open space referred to in the planning standard identified above. In this calculation, Council has excluded over 50% of the area of its underdeveloped reserves. If these were included, the amount would be closer to eight (8) times.</p> <p>The below table taken from the Open Space Strategy provides visual of a high-level analysis when looking at the total open space area within the city.</p>

		<table><tr><th colspan="7">Available Public Open Space</th></tr><tr><th></th><th>Existing Population in 2016</th><th>Anticipated Population 2026</th><th>Amount of Open Space in Port Lincoln - Existing</th><th>Amount of Open Space as a % of the Residential area in Port Lincoln in 2016</th><th>Amount of Open Space Necessary in Port Lincoln to provide 3ha per 1,000 people in 2016</th><th>Amount of Open Space Necessary in Port Lincoln to provide 3ha per 1,000 people in 2026</th></tr><tr><td>City of Port Lincoln</td><td>14,064</td><td>16,200</td><td>185ha*</td><td>Approx. 15%</td><td>44.2ha</td><td>48.6ha</td></tr></table> <p>*Murray's Point Reserve (119ha), Grantham Island Reserve (50ha) and two-thirds of the Caravan Park Reserve have been excluded from the calculation of total public open space given that they are substantial areas of open space that are not readily accessible/usable to most residents/visitors (i.e. accessible only by boat or fenced).</p> <p>It is important to note that, although there are increased maintenance and ownership costs, it is not necessarily a detriment to the city to hold this surplus, unless, when faced with increasing demands for other competing essential services that the community expects. Responsible provision of open space must be balanced against these competing community priorities.</p>	Available Public Open Space								Existing Population in 2016	Anticipated Population 2026	Amount of Open Space in Port Lincoln - Existing	Amount of Open Space as a % of the Residential area in Port Lincoln in 2016	Amount of Open Space Necessary in Port Lincoln to provide 3ha per 1,000 people in 2016	Amount of Open Space Necessary in Port Lincoln to provide 3ha per 1,000 people in 2026	City of Port Lincoln	14,064	16,200	185ha*	Approx. 15%	44.2ha	48.6ha
Available Public Open Space																							
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City of Port Lincoln	14,064	16,200	185ha*	Approx. 15%	44.2ha	48.6ha																	
2	<p>Underutilisation and Childcare Facility Needs Disputed</p> <ul style="list-style-type: none">- Residents challenged the claim that the park is underused.- Descriptions of use by families, children, and dog walkers were cited.- Requests for greater transparency, including data on park usage and maintenance costs.- Respondents included claims that the lack of available childcare services stems from staffing challenges, not physical capacity.-	<p>Given that Trigg Street Reserve has been found to be suitable when considering things such as zoning, size etc. and that spatial assessment shows that there is reasonable access to several other local level reserves nearby, there is a high level of reasonableness to the proposal to revoke to classification of Trigg Street Reserve as Community Land to address, in part, the significant demand for childcare in lieu of its current community benefit as a local open space reserve.</p> <p>Underutilisation must be being considered in this context as the term ‘underutilised’ is not a claim that the site is currently unused as a reserve. The Council acknowledges that members of the community use the land from time to time for passive recreation.</p>																					

In respect of maintenance costs, whilst the revocation proposal has been driven primarily due to the suitability of the land for use in addressing childcare shortages, there are some positive financial outcomes that could also be realised should the land be disposed of and repurposed, which are shown in the below table.

Trigg Street Reserve - Willison Street	24/25
Lincon Tree control	\$ 468.86
Water - no charge	\$ -
Trigg Street Reserve expenses	\$ 468.86
 Potential Annual Rate Revenue	 \$ 2,505.04
 Potential Disposal Price based on OVG value	 \$ 215,000
Interest on funds @ 4.15%	\$ 8,922.50
 Total Annual opportunity cost	 \$ 11,896.40

The childcare sector, along with other industry in Port Lincoln, do face ongoing challenges with staff attraction and retention. Research and consultation with industry suggests that access to housing and childcare services are key barriers to success in this area. As previously mentioned, Council is taking a coordinated approach to these issues and has proposals targeting the development additional childcare facilities and proposals directed at addressing housing shortages.

Works to address these will improve the staffing issue, however, there is clear evidence that, even at full staffing capacity, existing childcare facilities do not provide sufficient numbers to cater to the current and growing demand.

3	<p>Concerns About Development and Impacts on Nearby Properties</p> <ul style="list-style-type: none"> - Some respondents raised concerns around matters such as traffic - Worries about the impact future development may have on existing property views were noted from those overlooking the reserve. - Assertions were made that property values would be negatively impacted should the revocation process proceed, and the land be developed. 	<p>With the development being Council-led, Council will be able to work with proponents to ensure best outcomes for traffic impacts and all other impacts the development may have, in a manner above that of a private development. Council would have an active role in this regard. It is noted that existing traffic challenges exist during peak times of demand for the adjoining kindergarten facility, which could be addressed through improvements</p> <p>Any development on the land would be subject to the relevant requirements assessed as part of Development Application process, as such the impact would be within normal planning and infrastructure outcomes in line with those requirements imposed on a private developer.</p> <p>Development on the land may change the outlook for onlooking properties, and this impact must be assessed against the intended community benefit of the proposal.</p> <p>It is difficult to determine at this stage of a proposal the positive or negative impacts a development on the land could have on nearby property values. Evidence suggests that residences closer to essential services do attract a premium when sold on the market. The Council's ability to influence the development due to ownership of the land, will minimise adverse effects of the development, and has every potential to match the broader trends of property values adjoining such services.</p>
4	<p>Historical and Community Significance</p> <ul style="list-style-type: none"> - Some submissions cited the land as being donated, and intended to be used for the betterment of community. 	<p>It is understood that the land was transferred to Council in 1951 under s223LG of the Real Property Act or prior to that, s14(1) of the Town Planning Act as a developer's contribution in lieu of monetary consideration. Whilst the requirement for such contributions remain to this day, it is important to put this into the context of the surrounding area and competing strategic needs. With several nearby reserves, and pressing need for childcare placement availability, the most strategic use, and most beneficial use to the community, of the land could be reasonably demonstrated as being for use for childcare facility development.</p>

ALIGNMENT WITH COUNCIL STRATEGIES:**Strategic Directions Plan 2025–2034**

Following broad community consultation, the City's Strategic Directions Plan 2025–2034 identifies a specific action, Action 1.4 is: "Actively investigate and facilitate options for expanded childcare services."

Open Space Strategy 2021–2026

The Open Space Strategy 2021–2026, developed by the City of Port Lincoln, identifies under Goal 1, Action 2: "Dispose of existing surplus land," and Action 3: "Identify and dispose of surplus land during reserve planning processes where appropriate after consultation with the community." The strategy also assesses the and environmental value of the Trigg Street Reserve as 3–4 (out of 10) and its play and recreation scores as 3–4 (out of 10). This strategy involved significant community consultation and provides a framework for managing public open spaces in a way that aligns with community needs and resources.

SUMMARY & RECOMMENDATION

The consultation process for the revocation proposal has been comprehensive. It occurred in compliance with the Act and the Policy and was informed by the state government guidance paper.

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 Trigg Street Reserve, Willison Street, Port Lincoln, driven by the strategic goals of the Council including the Open Space and Strategic Directions Plan has been identified as surplus. Further investigations have confirmed this position.

This assessment took into account many of the concerns raised during consultation when conducted and measured those against the beneficial outcomes of the proposal and to existing service levels such as nearby community assets.

56 submissions were received in connection with the revocation proposal, with 49 of 56 being submitted in direct response to Trigg Street Reserve. The majority of the submissions opposed this proposal.

Whilst it is acknowledged that the loss of this reserve would affect members of the community, primarily the adjoining residents, there are still considered to be compelling reasons to progress the proposal. Indeed, this is necessary if the Council wishes to take steps itself to address the childcare issue, as Council committed to do in Action 1.4 of Goal 1 of the Strategic Directions Plan 2025-2034.

When assessing the positive strategic outcomes versus the immediate impacts upon residents and taking into consideration that funds generated from disposal can be put back into further improvements to community assets, this revocation proposal is considered to be significantly beneficial for the community.

OPTIONS:

There are two (2) options for Council to consider in determining whether or not to proceed with the proposed revocation (1) do not proceed and retain the land as a reserve (2) proceed with revocation.

The 2 proposed options/resolutions are as follows:

Option 1: To not proceed with revocation

This option stops the land revocation process and thereby retains the community land status of the reserve.

That Council:

1. **Having regard to the process undertaken, is satisfied the public consultation has met the requirements of Council's Public Consultation & Community Engagement Policy; and**
2. **Receive and note the submissions received during the Public Consultation process as presented as an attachment to this report; and**
3. **In the exercise of the power contained in section 194 of the Local Government Act 1999 and having considered the results of the public consultation process determine not to proceed further with an application to revoke community land status for 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 Trigg Street Reserve, Willison Street, Port Lincoln.**

Option 2: To proceed with revocation

This option initiates the process of an application to the Minister to request permission to revoke the Community Land status and, if successful, would trigger a further process to dispose of the land as per relevant Council policy.

That Council:

4. **Is satisfied the public consultation process undertaken as outlined in this report has met the requirements of the Local Government Act 1999 and the Council's Public Consultation & Community Engagement Policy; and**
5. **Receives and note the submissions received in connection with the Public Consultation process, which are as contained in the attachment to this report; and**
6. **In the exercise of the power contained in section 194 of the *Local Government Act 1999* and having considered the outcomes of the public consultation process, submits to the Minister for Local Government:**
 1. **the Proposal to Revoke Community Land Classification of Land Report and attached appendices; and**
 2. **a report addressing all submissions made in connection with the public consultation process; and**
 3. **all other documentation as required or as the CEO determines,**

For the purposes of seeking the Minister's approval for the Council to revoke the community land classification attaching to 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 Trigg Street Reserve, Willison Street, Port Lincoln.

RECOMMENDATION:

Public consultation on the proposed revocation of Community Land status for Trigg Street Reserve generated good engagement (56 submissions) and clear concern about loss of open space, local amenity and impacts on the immediate resident's property views and values, even as respondents acknowledged the City's pressing childcare challenges.

Given the significance of the community response and the legislative safeguards around revocation under s194 Local Government Act 1999 (SA) (including Ministerial consent and best-practice engagement per DIT Guidance Paper No.5), and the overall predictable outcomes the development of the land would have on the City's Childcare, Option 2 to proceed with the revocation is being put to the Council.

Accordingly, It is the recommendation of the Council Administration that Council proceed with the revocation process in accordance with Section 194 of the Act and for this purpose, prepare and submit a report to the Minister seeking approval of the revocation of 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 Trigg Street Reserve, Willison Street, Port Lincoln.

Given the known challenges associated with existing developments in this sector—and the increasing likelihood that some may not progress to delivery—it is prudent to initiate the revocation process for this parcel. This approach ensures proactive steps are taken to address the city's pressing need for childcare infrastructure, should other proposals fail to materialise.

If the Council resolves in line with the Administration's recommendation then:

- The application to the Minister will be submitted inclusive of all relevant documents and supporting information seeking approval for the Council to revoke the of the classification of the land as community land; and
- A further report will be presented to Council once a response from the Minister has been received.