

12.3 REVOCATION OF COMMUNITY LAND STATUS – HARBOURVIEW RESERVE – PUBLIC CONSULTATION SUMMARY REPORT

REPORT INFORMATION	
Report Title	Revocation of Community Land Status – Harbourview Reserve – Public Consultation Summary Report
Document ID	84900
Organisational Unit	Environment & Infrastructure
Responsible Officer	Chief Executive Officer - Eric Brown Manager Places & Presentation - Brad Tolley
Report Attachment/s	Yes 84887 Harbourview Reserve – Consultation Summary Report - Redacted 84477 Consolidated Consultation and Engagement Records 78114 Petition cover page – Revocation of Community Land – Harbourview Reserve
REPORT PURPOSE	
<p>The purpose of this report is</p> <ul style="list-style-type: none"> 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 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, Port Lincoln; and, make recommendations to not proceed with the community land revocation at this time 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: 1.3 Continue to implement Council's Housing Strategy to expand fit for purpose housing options, including through the release of Council land and reassessing Council's City masterplan and associated zoning.
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 \$44,000 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 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 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 combined as Harbourview Reserve, Port Lincoln at this time.			

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 care^{1*}, 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.

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

13.1. 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 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 combined as Harbourview Reserve, Port Lincoln was one (1) of the 5 identified parcels of land.

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

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](#).

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 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.

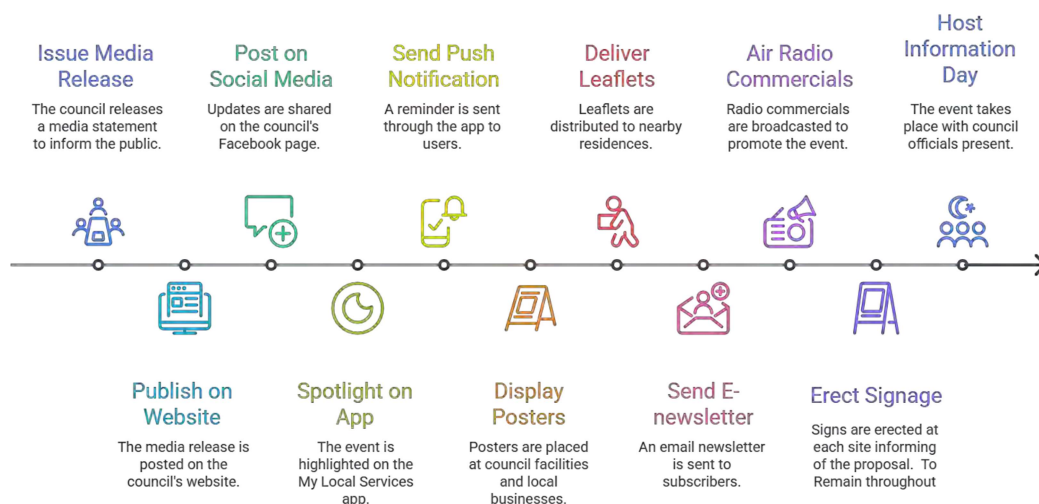
As per Council's policy, Council takes every reasonable step to ensure the community is informed on matters of Council and of decisions that may affect the local and wider community through effective communication and consultation processes.

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

Below is a detailed, step-by-step, summary of the promotional activities that were undertaken by the Council to ensure the local and wider community was aware of the proposal to revoke the classification of land as Community Land from Harbourview 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. These activities were to promote:

- (1) the information day (including a public meeting) arranged by the Council relating to the proposal; and
- (2) the formal consultation process and opportunity to make written submissions, which included publishing notice of the proposal that invited submissions on both the Council's website and in the local paper as required by the Policy.

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

- Harbourview Reserve – Highview Drive – 146 delivered
- For comparison:
- 25 Chapman Street – 30 delivered
- Seaview Park – Monalena Street – 120 delivered
- 10 Oswald Drive – 30 delivered
- Trigg Street Reserve – Willison Street – 40 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 nearest to existing improvements on the land along Highview Drive, Port Lincoln.
- The sign was 600mm W x 450mm D with legible font type and size.



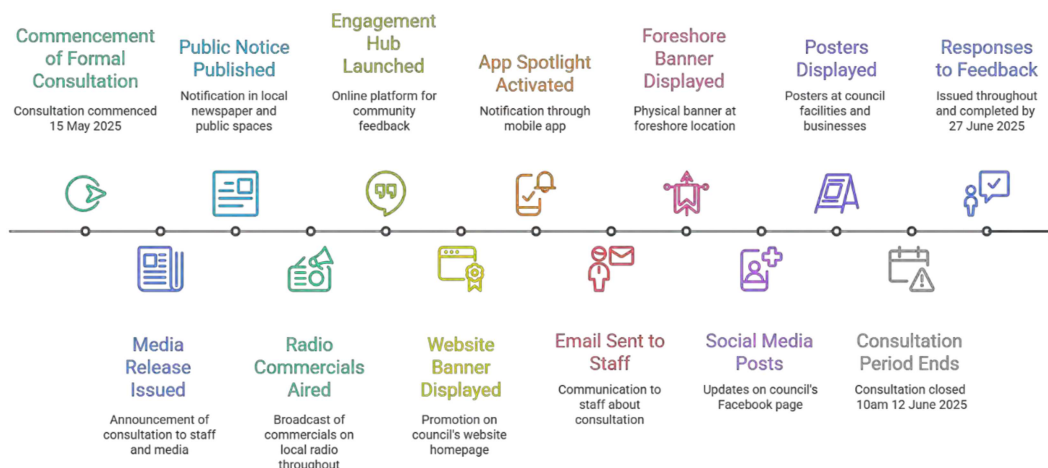
Information Day on site Harbourview Reserve – 10 May 2025 – 11.00am to 12.00pm

- Council's CEO, 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
- Between 85-90 people attended the session.

For reference:

- 10 Oswald Drive – 11.00am to 12.00pm
 - 29 people in attendance
- 25 Chapman Street – 12.30pm to 1.30pm
 - 13 people in attendance
- Seaview Park - Monalena Street – 12.30pm to 1.30pm
 - 2 people in attendance
- Trigg Street Reserve - Willison Street – 2.00pm to 3.00pm
 - 14 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 - Harbourview Reserve - Highview Drive](#)
- Harbourview Reserve – Highview Drive – Doc 83415

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 185 submissions (1.23% of council population) were received as part of the consultation process this includes four (4) submissions received late on the 13 June 2026. 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 is to be noted that a hundred and seventy-three (173) submissions were provided as direct feedback for the proposal as it relates to Harbourview Reserve, with the remaining twelve (12) 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 (48%), via direct email (50%) and by physical letter (2%). A redacted copy of all submissions is provided as an attachment to this report, and a non-redacted copy provided to Elected Members by Council Server.

Of all the 185 of submissions received in relation to the revocation proposal for Harbourview Reserve:

- 11 indicated support for the proposal; and
- 174 expressed objection to the proposal.

In addition to the consultation feedback, a petition was tabled to Council via email on 12 June 2025 from the Head Petitioner, Ms Tiharna Stockham, on behalf of the persons that signed the petition. The petition contained 414 valid and unique signatures.

The petitioners ‘drew the council’s attention to the proposed revocation of community land status for Harbourview Reserve. They strongly opposed this and urged the council to keep Harbourview Reserve as community land, preserving it for public use and protecting it from future development’.

The petition was presented to Council at the Ordinary Meeting of Council held 16 June 2025. Upon receiving the petition, Council resolved the following.

PETITION RECEIVED – COMMUNITY LAND REVOCATION PROPOSAL AT HARBOURVIEW RESERVE PORT LINCOLN

CO 25/139

Moved: Councillor Ritchie

Seconded: Councillor Cowley

That Council:

- 1. Notes and receives the petition submitted by Ms Tijana Stockham on behalf of the residents and community members of Port Lincoln, and surrounds, who have been included in the petition as tabled; and**
- 2. Acknowledges the significant effort and dedication put into gathering the identified signatures and thanks Ms Tijana Stockham for her active citizenship; and**

3. Advise Ms Tijana Stockham that the petition will be seriously considered as part of the consultation process on the Community Land Revocation proposal along with all other submissions received and the tabling of the community consultation is scheduled for consideration at the July Ordinary Council meeting.

CARRIED

As per Council Policy, only the first cover page of the petition which provided the details of the Head Petitioner, the subject matter and action that they are seeking Council to consider was included as an attachment to the report. The full petition was made available to the Elected Members via Council Server.

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 minority of submissions expressed support for the proposal, with the following themes:

1. Urgent Need for Aged Care Facilities

- Supporting respondents supported the revocation, citing a growing aged population and shortage of suitable facilities in Port Lincoln.
- Reference was made to the increasing instances of families being forced to take up aged care options outside of Port Lincoln and the flow on impacts that has on the people affected and broader community and saw this proposal as a suitable response to the issue.

2. Strategic Alignment and Economic Outcomes

- Submissions acknowledged the land is underutilised and could be better used to meet broader community need for increased services and options in aged care.
- Supporting submissions highlighted the broader strategic outcomes derived from a significant project of this nature such as economic stimulus through the construction works and the ongoing employment opportunities.

Response:

Access to aged care services is an increasingly well-documented issue faced by the Port Lincoln and broader Eyre Peninsula community, as raised during the preparation of Council's adopted Empowering our Elders Strategy 2025-2029. Population and age projections show the issue reaching crisis point in coming years.

Research shows that the Eyre Peninsula's population is aging faster than average. With only a handful of residential facilities, bed capacity is forecasted to fall behind demand.

With no current significant developments in the pipeline, and consideration of the actions the community supported during consultation of the Empowering Our Elders Strategy, Open Space Strategy, Strategic Directions Plan 2025-2029, and the current Annual Business Plan 2025-26 the proposal from Council to revoke the classification of this land as community land and seek investment through a managed expression of interest (EOI) process for additional aged care facilities is strategically aligned.

As Council is taking a coordinated approach to this issue by initiating proposals and projects targeting increased housing availability and childcare places, some of which are progressing to delivery, the strategic and economic outcomes have real opportunity to be realised.

Key Themes of Opposition

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

1. Loss of Green/Open Space and Historical Intent for the Land

- Concern that once green space is lost, it is irreversible.
- A number of responses highlighted that the Harbourview Reserve is used for activities which necessitates its large size and raises concern for Council's proposal to retain 1000m² for use as a playground and BBQ reserve area.
- Responses from nearby residents disputed the suitability of reference to nearby reserves as servicing them.
- Queries raised surrounding the means by which Council was transferred the land and its requirement to be preserved as a reserve.

2. Underutilisation and Aged Care Facility Needs Disputed

- Residents challenged the claim that the park is underused.
- Descriptions of daily 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 age care services stems from staffing challenges, not physical capacity.

3. Infrastructure and Traffic concerns

- Concerns that the reserve serves a function in the area's stormwater management and local infrastructure (sewer, power, roads) capacity to support development.
- Concerns about increased traffic, parking, and strain on road network.

4. Environmental and Biodiversity Impact

- Worries about the impact on native vegetation, wildlife, and climate impact.
- Some submissions noted the park's role in stormwater management and biodiversity.

5. Impact to Property Views and Values

- 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.

6. Alternative Solutions Suggested

- Suggestions to:
 - Use privately-owned land for development.
 - Use other Council reserves for the development.
 - Improve the park rather than sell it.

Response to Key Themes of Opposition:

	Key Theme/Concern Raised	Council Response														
1	<p>Loss of Green/Open Space</p> <ul style="list-style-type: none">- Concern that once green space is lost, it is irreversible.- A number of responses highlighted that the Harbourview Reserve is used for activities which necessitates its large size and raises concern for Council's proposal to retain 1000m2 for use as a playground and BBQ reserve area.- Responses from nearby residents disputed the suitability of reference to nearby reserves as servicing them.- Queries raised surrounding the means by which Council was transferred the land and its requirement to be preserved as a reserve.	<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, maintaining an 'open space network' within the city.</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> <div><table><tr><th></th><th>Existing Population in 2016</th><th>Anticipated Population in 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><small>*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).</small></p></div>		Existing Population in 2016	Anticipated Population in 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
	Existing Population in 2016	Anticipated Population in 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										

	<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 requires. Responsible provision of open space must be balanced against these competing community priorities.</p> <p>It is noted that the local neighbourhood would be best serviced by retaining a nearby reserve, in addition to Mena Place Reserve (580m), Pioneer Park (650m), Flinders Park (700m), the Train Park (700m) and the Heritage Trail (450m). Council's proposal consulted upon included reference to an area of 100m² being retained as a playground and BBQ area. Considering the feedback received and further assessing the service levels Council strives to implement, any future project planning should the revocation process proceed would seek to set aside an increased 2000m² area to be retained as a reserve. Such a reserve will not provide the full function of the large portion of existing unimproved land at Harbourview Reserve but will be a suitably serviced local open space with high amenity.</p> <p>The Council has invested significantly in 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) which are intended and known to be frequented by the broader community.</p> <p>Having access to the nearby reserves, and seeing a reserve retained immediately on the site meets the service levels intended through the Open Space Strategy which were developed following significant community consultation. Whilst people may not be able to interact with these closely accessible reserves in the same way as done with the existing Harbourview Reserve, the reserves do provide opportunity for recreation and community enjoyment and would exceed offerings elsewhere within the city.</p> <p>It is understood that the land was transferred to Council over separate transfers – two (2) parcels in 1961, one (1) parcel in 1965 and one (1) in 1979 under s223LG of the Real Property 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 the proposal seeing the retention of an area as reserve, there being several nearby reserves, and the current and future need for aged care services, the most strategic use of the land could be reasonably demonstrated as being for this use.</p>
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		For this to occur, the revocation process under Section 194 of the Act must be followed, which, if completed in full, removes the reservation of the land as a 'reserve' as described in Section 195 of the Act. This process exists in legislation to enable communities to adapt over time and facilitate such changes in use.
2	Underutilisation Disputed and Lack of Benefit from Proposal <ul style="list-style-type: none"> - Residents challenged the claim that the park is underused. - Descriptions of daily 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 age care services stems from staffing challenges, not physical capacity. 	<p>Given that Harbourview Reserve has been found to be suitable when considering things such as zoning, size etc., that an area is to be retained as a reserve, and that spatial assessment shows that there is reasonable access to several other local level reserves nearby¹, there is a high level of reasonableness to changing the use of the majority portion of the land to address the significant demand for aged care facilities in lieu of its current community benefit as a large, mostly unimproved 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, more so, that there can be higher benefit to the community should it be used for the proposed use. The Council acknowledges that members of the community use the land from time to time for passive recreation.</p> <p>While it is noted that Councillors have formally visited the site twice during the assessment process, it is important to clarify that Council staff and contractors routinely visited this site. Site visits were also integral to the development of the Open Space Strategy 2021–2026. A subsequent review was then conducted utilising key criteria, such as land tenure, size, native vegetation, environmental value, proximity to other parks and reserves, service availability, topography, use, current improvements, and zoning to evaluate the site's suitability for retention as public open space or redevelopment. These evaluations have informed the current proposal and underscore the Council's commitment to evidence-based decision-making.</p> <p>In respect of the broader benefit beyond that of aged care needs, whilst this process has been driven primarily due to suitability of the land for use in addressing housing shortages, there are some positive financial outcomes that could be realised. In the scenario that the land is disposed of, the below table provides some indication on these outcomes using the Office of the Valuer General valuation, which by precedence is typically lower than market value.</p>

		<table><tr><th>Harbourview Reserve - Highview Drive</th><th>24/25</th></tr><tr><td>BBQ Cleaning</td><td>\$ 1,560.00</td></tr><tr><td>Playground cleaning</td><td>\$ 1,820.00</td></tr><tr><td>Insurance</td><td>\$ 127.54</td></tr><tr><td>Depreciation</td><td>\$ 1,414.00</td></tr><tr><td>Water</td><td>\$ 635.80</td></tr><tr><td>Mowing/Slashing</td><td>\$ 1,877.99</td></tr><tr><td>Playground inspections</td><td>\$ 170.00</td></tr><tr><td>Harbourview Reserve Expenses</td><td>\$ 7,605.33</td></tr><tr><td>Potential Rating</td><td>\$ 6,204.55</td></tr><tr><td>Potential Disposal Price based on OVG value</td><td>\$ 740,000</td></tr><tr><td>Interest on funds @ 4.15%</td><td>\$ 30,710.00</td></tr><tr><td>Total Annual opportunity cost</td><td>\$ 44,519.88</td></tr></table>	Harbourview Reserve - Highview Drive	24/25	BBQ Cleaning	\$ 1,560.00	Playground cleaning	\$ 1,820.00	Insurance	\$ 127.54	Depreciation	\$ 1,414.00	Water	\$ 635.80	Mowing/Slashing	\$ 1,877.99	Playground inspections	\$ 170.00	Harbourview Reserve Expenses	\$ 7,605.33	Potential Rating	\$ 6,204.55	Potential Disposal Price based on OVG value	\$ 740,000	Interest on funds @ 4.15%	\$ 30,710.00	Total Annual opportunity cost	\$ 44,519.88
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		<p>The aged care 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.</p>																										

	<p>Works to address these will improve the employment market, however, there is clear evidence that, even at full staffing capacity, existing aged care facilities do not provide sufficient bed numbers to cater to the current and growing demand.</p> <p>Aged Care Need:</p> <p>The City of Port Lincoln had a 2021 Census population of 14,404 with a median age of 41 and a comparatively high share of older residents; aggregated age-band data show more than 2,100 residents aged 70+ living in the LGA at that time. Population projections prepared by the South Australian Government (medium series) indicate continuing ageing across the Eyre Peninsula & South West region through 2036, implying growth in the older cohorts that drive residential aged-care demand even where total population growth is modest.</p> <p>Port Lincoln functions as the principal coastal health and aged-services centre for the Eyre Peninsula outside Whyalla: it hosts the region’s two substantive residential aged-care campuses—Matthew Flinders Care Services (Port Lincoln) and Pioneer Village / Eyre Peninsula Old Folks Home (Southern Eyre Peninsula primary provider)—and draws older residents from surrounding smaller towns seeking proximity to hospital, specialists, and family supports. Providers report that when local beds are unavailable, frail residents are being placed hundreds of kilometres away (Ceduna, Adelaide), underscoring Port Lincoln’s hub role and the consequences of constrained local capacity. Families unable to secure a place locally are facing separation and long-distance travel burdens.</p> <p>As at January 2025 reporting, the 76-bed not-for-profit Matthew Flinders Home had ~60 people on its waiting list and the 74-bed Eyre Peninsula Old Folks Home (Pioneer Village campus) had ~30 people waiting—about 90 residents in total seeking local placement. The Old Folks Home has at times reduced usable beds by ~10% to meet mandated registered-nurse staffing ratios, further tightening availability. However, significant work by Eyre Peninsula Old Folks Home, UNIHUB, Matthew Flinders, UNISA, have significantly increased local training opportunities for nursing (RN) students. It is understood that there are in the order of 30 students being trained locally at this time. It is also understood that there may be some positive news in the TAFE/Enrolled Nurse training in Port Lincoln in the foreseeable future.</p> <p>Therefore, staffing is slowly being addressed through local training. The remaining elements to be addressed includes workers accommodation, childcare and then increasing residential aged care supply.</p>
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		<p>Demand outlook to 2036</p> <p>The Commonwealth, benchmark planning historically applied is 78 residential places per 1,000 residents aged 70 or over. Applying that to Port Lincoln’s 2021 70+ cohort (~2,100) yields an indicative requirement of ~165–170 places; licensed supply is 150 (76 + 74). When the current 90-person wait list is considered—together with Port Lincoln’s draw as the Eyre Peninsula hub attracting retirees from neighbouring districts—the effective shortfall widens markedly.</p> <p>Even a conservative 20% catchment uplift (to reflect in-migration from the broader peninsula, excluding Whyalla) lifts the benchmark need to ~200 places, before allowing for higher 80+ growth flagged in State projections. Without additional licences and staff, the gap will grow across the decade to 2036.</p> <p>The combination of (i) a current wait-list backlog equivalent to roughly 60% of existing licensed capacity, (ii) mandated staffing ratios that can cap operational beds below licence numbers, and (iii) projected ageing and regional in-migration to Port Lincoln, indicates that additional residential aged-care capacity planning is urgent.</p> <p>Current need:</p> <table><tr><th>Facility</th><th>Licensed / Approved Places</th><th>Operational Beds (Jul 2025 est.)</th><th>Current Wait list</th><th>Notes.</th></tr><tr><td>Matthew Flinders Home</td><td>76</td><td>76</td><td>60</td><td>\$12.85m Commonwealth capital grant to build 30 additional rooms;</td></tr><tr><td>Pioneer Village / Eyre Peninsula Old Folks Home (incl. Bishop Lodge secure dementia)</td><td>74</td><td>74</td><td>30</td><td></td></tr><tr><td>Total Current</td><td>150</td><td>150</td><td>90</td><td></td></tr></table>	Facility	Licensed / Approved Places	Operational Beds (Jul 2025 est.)	Current Wait list	Notes.	Matthew Flinders Home	76	76	60	\$12.85m Commonwealth capital grant to build 30 additional rooms;	Pioneer Village / Eyre Peninsula Old Folks Home (incl. Bishop Lodge secure dementia)	74	74	30		Total Current	150	150	90	
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		<p>https://www.abc.net.au/news/2025-01-20/aged-care-residents-far-from-home/104736458</p> <p>It is understood that RDAEP will be doing a broader assessment of aged care demand in the coming financial year across the Eyre Peninsula. This will allow for a clearer picture to trigger further investment in this space.</p>
3	<p>Infrastructure and Traffic concerns</p> <ul style="list-style-type: none">- Concerns that the reserve serves a function in the area's stormwater management and local infrastructure (sewer, power, roads) capacity to support development.- Concerns about increased traffic, parking, and strain on road network.	<p>Any development completed on site will require a full development approval process, including referral to external agencies (including those dealing with Sewer and Power such as SAPN and SAWater). Further, any development application will be independently assessed through the Regional Assessment Manager or Regional Assessment Panel, depending on delegations.</p> <p>As such, the concerns raised as part of this objection will be independently assessed and be addressed in a manner consistent with normal planning and infrastructure outcomes (i.e. which include requirements on private developers to deliver strategies to mitigate adverse development impacts). This includes careful consideration of access roads to ensure traffic is appropriately managed and ensuring provision for off street parking.</p> <p>Relevantly, the internal assessment undertaken to determine suitability of Council for residential development did include consideration of existing infrastructure and stormwater management within the broader network. This land was still identified as being suitable having regards to these matters, including on the basis that any works required to facilitate changes to its function and performance would reasonably be achievable.</p> <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.</p>

4	Environmental and Biodiversity Impact <ul style="list-style-type: none"> - Worries about the impact on native vegetation, wildlife, and climate impact. - Some submissions noted the park's role in stormwater management. 	<p>Any future development of the site would be subject to review under the Native Vegetation Act 1991 or similar relevant legislation at the time of assessment. This process will ensure that, if the proposed development at the site has a negative impact, it is offset via a Significant Environmental Benefit (SEB) outcome within the region. It is likely that a future project would require the removal of vegetation on the site, however, there may be mandatory requirements for some to be retained or for other open space to be established in the development.</p> <p>This would necessitate a report to be commissioned by an accredited Native Vegetation consultant has under the requirements of the Native Vegetation Regulations 2017.</p> <p>Whilst protections exist and are imposed onto developers, it is considered likely that the type of development that would take place on the land would be intentionally sensitive to native vegetation and wildlife that remains on the site, noting that the majority of the site presents as cleared land.</p> <p>As noted above, any proposed development would be required to satisfy stormwater management within its design, and would be assessed for its performance as part of any Development Application process.</p>
5	Impact to Property Views and Values <ul style="list-style-type: none"> - 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>Again, as a Council-led development, assessment of suitable developments by proponents would be assessed for minimal reasonable impact on neighbouring properties.</p> <p>The assessment of the land included suitability, by way of size, for a single storey, or largely single storey with a two-storey building to the lower portion of the site. Whilst no concepts for the site have been prepared, they would be a requirement of any future EOI or similar process for assessment when considering options for the development of the land.</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, particular health 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>

6	Alternative Solutions Suggested <ul style="list-style-type: none">- Use privately-owned land for development.- Use other Council reserves for the development.- Improve the park rather than sell it.	<p>As indicated in the Empowering our Elders Strategy and publications by others, there is a shortfall in available aged care beds within the City of Port Lincoln area and there are no known planned projects to address this in the pipeline. Additionally, the level of investment required to construct such facilities is such that it will require state and federal government funding to deliver. Access to this funding, which funding streams exist for, will be significantly improved where the project includes partnership with Council and is not a solely private development.</p> <p>Assessment of Council's freehold land identified this site as the most suitable parcel/s of land for this development as detailed above.</p> <p>As indicated above, the current level of open space/reserve is in the order of four times the required under planning guidelines based on population numbers. However, this proposal does include retention of a smaller portion of the site for continued use as a local reserve inclusive of investment into playground equipment, shade structures, fencing and BBQ areas.</p>

ALIGNMENT WITH COUNCIL STRATEGIES:

Housing Strategy 2024-2029 and Community Needs

The proposal aligns with the City of Port Lincoln's Housing Strategy 2024–2029, which identifies a significant shortage of housing in Port Lincoln. This shortage is evident in both the rental and residential markets and is recognised as a major community issue. One of the Strategy's key actions is to consider the use of Council-owned land for residential development. It is noted Council received over 260 submissions in preparing this plan noting the challenges the broader community face. It is important to reflect on the fact that aged care is housing and also allows for additional, often larger, residences to be freed up for larger families as part of the transition to retirement for many creating not only a solution for housing but also aged care.

Strategic Directions Plan 2025–2034

The City of Port Lincoln's *Strategic Directions Plan 2025-2034* commits Council to "increasing aged care facilities," developing "aged-friendly spaces," advocating for affordable housing, and expanding respite supports for carers—priority actions identified in the Plan's adoption announcement and key actions list. These sit within the Plan's goal areas of *Liveable & Active Communities* and *Community Assets & Placemaking*, and build on the earlier 2021-2030 Strategic Directions Plan community aspirations that specifically called out "aged friendly spaces" and accessible health services for a regional hub population.

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 access and environmental value of the Harbourview reserve as 1–4 (out of 10) and its design and appearance as 3-6 (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.

Empowering Our Elders: A Strategy for Living and Ageing Well in Port Lincoln

Council's *Empowering Our Elders: A Strategy for Living and Ageing Well in Port Lincoln* (adopted 20 May 2024) commits Council to create age-friendly places, support social connection, improve transport and housing options, and advocate for services that enable residents to age in place. These roles are directly implicated by the documented residential aged-care wait list of roughly 90 local people (~60 Matthew Flinders; ~30 Pioneer Village) and by Port Lincoln's function as the Eyre Peninsula's principal ageing hub. Delivering the Strategy therefore requires Council to progress land-use planning, partnerships and advocacy that expand local aged-care capacity and align with the broader Strategic Directions Plan commitment to "increase aged care facilities" in the city.

REPORT SUMMARY

The consultation process for the proposal to revoke the classification of Harbourview Reserve as Community Land was comprehensively undertaken, aligned with the Council's policy and guided by the state government guidance paper.

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 combined as Harbourview Reserve, Port Lincoln, driven by the strategic goals of the Council including the Open Space Strategy, Strategic Directions Plan, Annual Business Plan and Empowering our Elders Strategy has been identified as potentially surplus.

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.

Feedback received was majority opposed, with the highest number of responses across the 5 sites, being 185 (173 directly related to Harbourview Reserve) and a petition opposed to the proposal containing 414 signatures. The key concerns, as addressed above, primarily relate to; the enjoyment of the land in its current large size being compromised, the potential impacts of views, and the increase in local traffic.

Whilst the loss of the majority portion of this reserve will have effect on the community, primarily the immediate residents, it appears necessary should Council wish to proactively involve itself in addressing the aged care issue. Additionally, when assessing the positive strategic outcomes versus the immediate impacts taking into consideration the investment proposed to retain and improve an area as a reserve, and that the funds generated from the disposal can be put back into further improvements, the proposal could be reasonably viewed as higher benefit to the community.

It is important to consider that the consultation feedback received does demonstrate a clear opposition to the proposal from the most affected segment of the community, being the immediate neighbourhood, and even more so the residents overlooking the reserve.

OPTIONS:

There are several options for Council to consider in determining whether or not to proceed with the proposed revocation. However, there appear to be three main options with a few variations: (1) do not proceed and retain the land as a reserve (2) do not proceed and do further work to formally determine aged care demand through an independent study, investigate alternate sites/options and if unsuccessful reconsider this site but with a clear proposal on the aged care as well as the proposed upgrade/retained park or (3) proceed with an application to the Minister for approval to revoke the community land status.

The three (3) 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 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 combined as Harbourview Reserve, Port Lincoln.**

Option 2: To not consider revocation until further investigative work is done

Do not proceed at this stage and await completion of further work to formally determine aged care demand through an independent study, investigate alternate sites/options and if unsuccessful reconsider this site but with a clear proposal on the aged care as well as the proposed upgrade/retained park to alleviate concerns regarding impact on green space, impact on traffic, views etc.

It may be that this results in the matter not being considered again for the foreseeable future or ever if alternative locations or sites can be identified.

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 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 combined as Harbourview Reserve, Port Lincoln at this time.**

Option 3: 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 seek expressions of interest to develop this site for residential and other forms of aged care and in accordance with the Council Policy on sale of land.

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 *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 sees fit,**

For the purposes of seeking the Minister's approval for the Council to revoke the community land classification attaching to 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 combined as Harbourview Reserve, Port Lincoln.

RECOMMENDATION:

Public consultation on the proposed revocation of Community Land status for Harbourview Reserve generated strong engagement (185 submissions; 414-signature petition) and clear concern about loss of valued open space, local amenity and traffic impacts, even as respondents acknowledged the City's pressing aged-care and broader accommodation challenges. Council's own strategic documents recognise both sides of this tension: the *Strategic Directions Plan 2025-2034* commits Council to "increased aged care facilities," aged-friendly spaces and leveraging Council land to meet changing community needs; the *Empowering Our Elders* Strategy calls on Council to support ageing in place, social connection and access to appropriate housing and care; and Council's Housing Strategy/Goal 1 Economic Growth & Opportunity reinforces the need to reassess zoning and release suitable land.

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), Option 2 provides a balanced path thereby not proceeding with the revocation at this time, allowing for further investigative work to be completed to find an alternative.

This approach provides for a considered balance between the need for aged care and the strongly held views of the majority of responses received. It is also clear from some of the feedback received that there were several concerns raised which could have impacted decision making, which primarily related to a lack of available information with respect to the need for aged care and exactly what was being proposed on site. In fairness, these require more work and details on exactly what would be proposed are not yet available as that would have followed an expression of interest process.

It is also appropriate to await the completion of further work by the RDAEP to further independently confirm demand and demand growth in residential aged care need over coming years as well as

further considering alternate solutions that may be able to be achieved without the revocation of this lot of Community Land. This may still result in the option not proceeding, however, that decision can then be made with a greater understand of alternatives.

It is therefore the recommendation of the Council Administration **that Council not proceed** with the revocation process for 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 combined as Harbourview Reserve, Port Lincoln at this time.