

7.4 Proposal to commence a revocation of community land process for portion of the land at 23 Highwray Drive, Morphett Vale

Report contact	Meeting
David Haslam, Senior Property Officer	Strategic Directions Committee
8301 7226	
Approving officer	Date
Anthony Spartalis, Chief Financial Officer	7 July 2020

1. Purpose

This report:

1. Requests approval to declare a portion of reserve land at 23 Highwray Drive, Morphett Vale as surplus to requirements and potentially suitable for disposal, and to commence the revocation of community land process by undertaking public consultation and
2. Seeks direction on the manner in which public consultation will be undertaken, by confirming the area of land considered appropriate for revocation and the proposed method of disposal (if ultimately approved by Council), taking into account the approximate area excluded from our open space plans and the examples of disposal concepts contained within this report.

2. Recommendations

That for the council owned land described as portion of Allotment 272 in Deposited Plan 6509 comprised in Certificate of Title Volume 6201 Folio 449 and bordered in red on attachment 1 to the agenda report, the Strategic Directions Committee recommends to Council that it:

1. Recognises that the proposal to revoke and dispose of the subject land was a strategic outcome from both the Council endorsed Community Facilities District Plan (CFDP) and the Council endorsed Open Space Strategic Management Plan (OSSMP).
2. Declares that the subject council owned community land and building are surplus to requirements and potentially suitable for disposal on the open market.
3. Approves the commencement of the revocation of community land process, including undertaking public consultation in accordance with the provisions of subsection 194(2) of the *Local Government Act 1999* and in accordance with the Community Engagement Plan included as attachment 2 to the agenda report.
4. Approves that the public consultation process clearly articulates to the **community that it is Council's intention to subdivide and dispose of the subject land** (if ultimately approved by Council).
5. Notes that the public consultation process will include the five disposal concept options outlined in this report, and further notes that a report will come back to Council summarising the outcome of the public consultation process and community preferences.

6. Approves the assignment of tree canopy replacement costs totalling \$9,841 associated with the disposal of the reserve to the Urban Tree Fund, as outlined in the Background Section of this report, if the revocation and disposal of the subject land parcel is successfully completed.
7. Approves the net proceeds from the sale of the subject land (if ultimately approved by Council) to be assigned to the Community Investment Fund (CIF) to **be used strictly in accord with Council's approved use of that Fund.**
8. Requests a further report be presented to Council detailing the outcomes of the public consultation phase of the revocation process to enable Council to determine if the revocation and disposal should proceed.

3. Background

At its meeting on 5 December 2017, Council's Strategic Directions Committee approved the Communities Facilities District Plan (CFDP).

At its meeting on 12 December 2017, Council approved the Open Space Strategic Management Plan (OSSMP) and associated district mapping.

Both the CFDP and OSSMP included an analysis of council's land holdings to identify potential buildings and land that may not be required for community or open space purposes, with the view to a long-term rationalisation plan to dispose of excess buildings and open space to ultimately deliver a network of high-quality facilities that better meet future community needs.

The former kindergarten building at 23 Highwray Drive, Morphett Vale (more recently occupied by Faded Lane Studio until they surrendered their lease in September 2017) was identified as a surplus building in the approved CFDP. The CFDP used a model to assess community needs and floor area service levels for community facilities in each district and adopted those figures relative to the projected 2035 population.

The area on which the building and fenced in land is located is approximately 2,000 m² and was also excluded from the open space district maps as part of the original open space public engagement process. This land was specifically excluded from the open space maps to facilitate the intended future disposal outcome and to ascertain if there was any community objection to that intention. At the time we did not receive any community objection to the exclusion of the subject area (bordered in red on Attachments 1 and 2) from the open space maps and received considerable support for the concept of a reduction in open space in return for improving parks to a higher standard.

The area proposed for revocation and disposal is approximately 2,000 m² of an approximate 25,200 m² area of open space, which equates to approximately 8 per cent of the reserve (bordered in yellow on Attachment 2).

Our Community Assets Team has advised that the subject former kindergarten building is dated and requires considerable expenditure to render it suitable for any future tenancies. The current design is specific to its use as a kindergarten and would be difficult to use for other purposes without a refurbishment.

Our Community Assets Team has estimated it may cost up to \$300,000 to refurbish the building and meet the necessary compliance, particularly for disabled access and amenities.

Experience derived from previous attempts to lease these purpose-built buildings generally indicate that they are attractive to small scale non-profit organisations, hobbyists or charitable service clubs. These organisations generally have an expectation that Council will upgrade the facilities to a higher standard but do not have the financial capacity to pay a commensurate rent or to contribute funding (shared equally) towards the upgrades.

Inevitably Council is requested to invest sizable funds into a surplus circa 70's building that has served its purpose as a kindergarten and has reached the end of its asset life.

The outcomes from the approved CFDP and OSSMP recognise that this building and associated land are surplus to building and open space requirements and as a result, this report recommends disposal of the building and adjacent land as the most cost-effective outcome for Council in the long term.

Other Council owned buildings

There are several other Council owned buildings in this district (with spaces for lease, licence or hire) required to meet the community facilities service level.

To demonstrate accessibility to other community facilities in close proximity to the subject land and building located at 23 Highway Drive, Morphett Vale, the following table is provided.

Building	Address	Approx. distance from 23 Highway Drive Morphett Vale
Wakefield House	65-75 Acre Avenue, Morphett Vale	150 metres
Morphett Vale Hall	9 William Street, Morphett Vale	1.4kms
Base 10 Youth Centre	10-20 Main South Road, Old Reynella	1.6kms
Woodcroft Community Centre	175 Bains Road, Morphett Vale	2.8kms
Elizabeth House	112 Elizabeth Road, Christie Downs	2.8kms
Reynella Neighbourhood Centre	164-170 Old South Road, Old Reynella	3.0kms
Christie Downs Community House	Cnr Morton & Flaxmill Roads, Christie Downs	3.1kms
Karawatha Hall	12 Baden Terrace, O'Sullivan Beach	3.8kms

Right of Way

A portion of the subject land (shaded in blue on Attachment 1 and measuring approximately 835 m²) is subject to a registered free and unrestricted right of way appurtenant to the walkway to the north. It is intended that this right of way be maintained to ensure walking connectivity between Brenton Street to the north and Highway Drive to the south.

Internal investigations regarding the use of the subject land

Addition comprehensive internal investigations across the organisation since the approval of the CFDP and OSSMP, have not identified any strategic or operational need to retain the subject land.

No future negative impact on council owned infrastructure was identified if revocation and disposal occurred as recommended in this report.

Open Space

The OSSMP and district mapping (the Report) endorsed by Council on 12 December 2017 sets the provision of open space at 4-5 hectares per 1000 head of population. The subject parcel of land is approximately 2,000 m² and is located within the Central North planning district. Even

taking into consideration future population growth the disposal of this land (2,000 m²) and other potential land parcels within this planning district will result in an overall allocation of 6.35 hectares of open space per 1000 head of population.

Attachment 2 shows the balance area of the Wakefield Neighbourhood Family Reserve (approximately 25,200 m²) that is being retained as open space together with the Cimaron Close reserve in close proximity. The Cimaron Close reserve (2,317 m²), which is classified as a Local Passive reserve, is also proposed for retention. Both reserves will continue to remain available for use by the public.

Green City

Our Parks and Natural Resources Team has advised that there are 15 planted native and exotic trees surrounding the building on the subject land. Breakdown is four small trees, nine medium sized trees and two large trees, consisting of Corymbia, Sheok, Eucalyptus, Ficus and Cedar all in good to excellent condition. The large tree in the rear portion of the subject land is a Regulated tree as defined by the *Development Act 1993* and, together with the Cedar tree in the front portion are considered notable feature trees and community assets.

The existing trees contribute to the overall tree canopy coverage of Morphett Vale. If the subject property is revoked, disposed of and ultimately developed in a manner different to its current use, it is possible that the trees will be removed, resulting in a reduction in tree canopy coverage within the overall council area.

Whilst there is no way of knowing if any of the subject trees will be removed in the future, their potential for removal is recognised. For this reason, it is considered a pro-active approach to quarantine funds from the proceeds (if the disposal eventuates), to establish new trees to offset possible future tree removals.

Based on the existing calculated area of canopy coverage on the subject portion of reserve, our Parks and Natural Resources Team has calculated that the necessary plantings required to maintain the status quo, plus 50 per cent, is 13 medium trees.

The cost to plant and establish 13 medium trees has been calculated at \$757 per tree which equates to a total replacement cost of \$9,841.

This is deemed to be an essential cost of the disposal of this parcel of land and it is therefore proposed that \$9,841 be deducted from the gross proceeds and be assigned to the Urban Tree Fund, if the revocation and disposal of the subject land is successfully completed.

Our Parks and Natural Resources Team has advised that the balance of the Wakefield reserve is ideal for the planting of additional trees to offset any possible future tree removals.

Biodiversity

Our Parks and Natural Resources Team has advised that the trees located on the subject property are all planted non-local species and do not comprise native vegetation that is protected under the *Native Vegetation Act 1991*. One tree is protected under the *Development Act* as a Regulated tree.

If considered in isolation, the vegetation on the subject land may not be thought to be contributing significantly to the biodiversity of the area, however there is still a level of biodiversity for this site.

Whilst the subject land is located in an urban setting, it is sited adjacent to the well vegetated balance Wakefield reserve. Along with street trees and private garden vegetation, it does assist in providing a cumulative cooling effect on the area. The planting regime as proposed in Green City above will offset any tree removals that may occur on the subject land.

Zoning

The subject site is held within the Medium Density Policy Area 40 of the Residential Zone under the current version of the Onkaparinga Council Development Plan (consolidated 20 December 2018).

Forms of development within the Medium Density Policy Area and Residential Zone include dwellings (in the form of detached, semi-detached, row and group dwellings, as well as dwellings in residential flat buildings). Select non-residential forms of development are also contemplated, such as retirement villages, primary and secondary schools and small-scale child-care facilities, health and welfare services, shops, offices and consulting rooms that serve the local community.

Built form for dwellings within the Medium Density Policy Area may be built to two storeys in height, with opportunities for development to be three storeys in height on land adjoining public open space, as outlined in Medium Density Policy Area PDC 8(c).

As Highwray Drive is identified as a local road on Transport Overlay Map Onka/30, a minimum setback of 5 metres from the road fronting property boundary would be needed for new buildings.

The site was previously approved for a change of use from kindergarten to community centre incorporating uses which include a small sound recording studio (removed by the last tenant), art gallery, workshop, ancillary offices and two mural walls in 2013 under DA 145/3227/2013. Any future intended uses will likely require a further development application for a change in use.

As the building was categorised as surplus to requirements in the CFDP, utilities including electricity and water to the building were cut off when the previous tenants vacated the facility to reduce supply charges to Council.

Council Land Assessment Group (CLAG) and Director's Group

This proposal has been referred to Council's high-level land assessment group (CLAG) and also the Director's Group. Both groups have endorsed the recommendation to commence the revocation process (and if the revocation is approved by Council) to ultimately dispose of the subject land and building.

Financial Implications

Consistent with all land disposals, it is proposed that the net proceeds (gross proceeds less normal revocation, and disposal costs) from the sale of the subject land (if approved by Council) be assigned to the Community Investment Fund (CIF) to be used **strictly in accord with Council's approved use of that Fund.**

In this case disposal costs are also deemed to include the necessary requirement to plant new trees to offset canopy loss that may result from the subsequent development of the subject parcel/s of land following disposal.

Therefore (if the subject land is sold) an amount of \$9,084 will be paid into the Urban Tree Fund to offset canopy loss resulting from the disposal of the reserve.

This approach is consistent with the intent and philosophies of **Council's Green City Strategic Management Plan** and the **Open Space Strategic Management Plan (OSSMP)**.

Disposal of the subject land and building would remove Council's on-going financial obligations in respect to maintenance, building compliance (particularly given the building was constructed in the 70's) risk and liability.

4. Risk and Opportunity Management

Risk	
Identify	Discussion
Revocation of the subject land has not commenced and the land and building are not progressed for disposal.	<p>Council manages its land ownership portfolio in an efficient and sustainable manner by continually reviewing its assets and considering disposal options where little or no community benefit is derived from retention of the land.</p> <p>Council has previously endorsed the CFDP and the OSSMP, both of which strategically identified the subject land and building as surplus to requirements and are now being considered for revocation and disposal.</p> <p>Retaining the parcel of land and aged building will result in Council funding significant maintenance, security costs, graffiti management costs and building compliance costs where there is no identified strategic or operational requirement to do so.</p>

Opportunity	
Identify	Maximising the opportunity
The land is declared surplus and suitable for disposal.	<p>Consistent with all proposed revocations and disposals, the subject land is assessed against a range of strategic and operational criteria prior to being classified as surplus to requirements.</p> <p>Our strategic land use assessment indicates that the land is not required as a reserve and the building is not required for council or community use.</p> <p>Disposal will avoid continued ongoing operational costs associated with maintaining and holding the land and building (i.e. grounds maintenance, building insurance, security contracts, graffiti management, building compliance obligations etc.)</p> <p>Disposal will enable a range of development opportunities to be explored in a well serviced area close to shops, schools and transport routes.</p> <p>Disposal will provide Council with income for the Community Investment Fund to allocate to strategic community projects and reduce borrowing funds.</p>

5. Additional information

There are a number of disposal options that can be considered for the subject land, together with variations, that will be influenced by market appraisals and assessments at the time (if disposal is ultimately endorsed).

To canvass all options in detail in this report may be premature when the revocation and disposal proposal has not yet undergone public consultation nor has Council arrived at a final decision to revoke and dispose of the subject land.

Instead it is considered beneficial to provide Council with a snapshot of development option examples, together with dot point advantages and disadvantages of each, to enable Council to resolve how public consultation should be undertaken. Alternatively, if Council resolves which particular development option it wishes to pursue, then public consultation can be undertaken based on that decision.

Disposal Concepts

5.1 Disposal of the land bordered in red on Attachment 1 on the open market in its current state.

Advantages

- Due to the previous approved uses of the site for a community centre and kindergarten, purchase of the site in its existing form may be attractive to non-residential developers.
- The site may also be attractive for residential developers due to its location, topography and size.
- The site may present a ready-made opportunity for a child care centre (noting that we are not aware of any child care centres in this locality) due to the existing building design, the outdoor fenced play-space, existing on site car parking and the proximity to Morphett Vale Primary School and adjoining Wakefield Reserve.
- The existence and retention of the existing car park may be attractive to some small-scale business type uses e.g. health facilities, consulting rooms.
- Minimises development expenses and financial risk for council.
- Relatively quick turnaround time for council to divert profits from sale into the CIF to fund other community projects.
- No demolition costs are incurred by Council.
- The existing registered free and unrestricted right of way linking to Brenton Street is maintained in situ.

Disadvantages

- Council may be passing over greater profit opportunities to the purchaser that may be derived from dividing the land into multiple allotments.
- The future retention of the two feature trees may be compromised.
- The existing free and unrestricted Right of Way may negatively impact on possible future development options and may be reflected in a lower purchase price being achieved.

5.2 Council undertakes a community titled land division and develops the land with four group dwellings with associated common driveway, along similar lines to the below design.



Advantages

- Council develops the land whilst retaining the bulk of the existing vegetation and regulated tree, providing a model example of development that balances medium density residential development with the retention of vegetation (the regulated tree and additional feature trees are retained).
- The existing free and unrestricted right of way linking to Brenton Street is maintained over the common property driveway and possibly linked to the reserve via communal open space.
- Improved Crime Prevention Through Environmental Design (CPTED) outcomes for the pedestrian linkage from Brenton Street, minimising narrow walkways and enabling passive surveillance of the walkway from the dwellings overlooking the communal open space and common driveway.
- Dwellings are oriented to overlook Wakefield Reserve, improving passive surveillance to the reserve and the outlook of the dwellings to be constructed.
- The number of vehicle crossovers to Highway Drive is minimised, with one crossover with passing bays within the site for two-way vehicle movements.
- Council can control the design of dwellings, landscaping etc through the design process with a builder.
- A joint venture with a suitable builder may enable Council to realise a higher return from the sale and development of the land.
- Risks to Council could be mitigated if Council does not fund the build and the builder advertises house and land packages.

Disadvantages

- The existing car park and building would require demolition prior to Section 51 clearance of a land division approval.
- The southern façade of the southern dwelling fronting Highway Drive will need to be designed to provide a satisfactory outlook over both the reserve and the public road.
- The total yield of dwelling sites is reduced as a result of retaining the regulated tree and maintaining the existing tree canopy.
- Under a joint venture arrangement, it will take longer for Council to realise proceeds from the sale.
- Possible increased financial risk to Council if the building company experienced difficulties, delays, unexpected costs of construction or if the dwellings are not saleable.
- The possible public perception of Council being a developer and profiting from the development of former community land.
- Council's capacity and expertise to be the developer may have limitations.

5.3 Council divides and develops the land for 2 residential flat buildings comprising 7 dwellings, seeking to remove the regulated tree, additional feature tree and other vegetation.



Advantages

- The yield of this portion of the community land is maximised to result in seven dwelling sites with associated private open space and common driveways.
- Passive surveillance to the reserve is maximised by orienting all dwellings to overlook Wakefield Reserve to the east.
- The existing free and unrestricted right of way linking Brenton street to Highway Drive is maintained over the common property.

- The number of vehicle crossovers to Highway Drive is minimised, with one vehicle crossover with a passing bay internal to the site for two-way vehicle movements required.
- Council can control the design of dwelling, landscaping etc through the design process with a builder.
- A joint venture with a suitable builder may enable council to realise a higher return from the sale and development of the land.
- Risks to Council are mitigated as Council will not fund the build as the builder will advertise house and land packages.

Disadvantages

- The existing car park and building would require demolition prior to Section 51 clearance of a land division approval.
- The success of a development application for this outcome is reliant on the removal of the regulated tree being supported. There may not be sufficient merit for removal given the health of the tree.
- A substantial area of tree canopy would be lost together with the feature tree at the front.
- The design of a pedestrian link from Brenton Street to Highway Drive and Wakefield Reserve would not be ideal for CPTED principles, given that the walkway would be bordered by side fencing and garaging, with limited opportunities for passive surveillance.
- Under a joint venture arrangement, it will take longer for Council to realise proceeds from the sale due to the progress payment arrangement with the build.
- Possible increased financial risk to council if the building company experienced difficulties, delays, unexpected costs of construction or if the dwellings are not saleable.
- The possible public perception of council being a developer and profiting from the development of former community land.

5.4 Council divides and develops the land for 3 row dwellings and 1 residential flat building comprising 4 dwellings, seeking to remove the regulated tree, additional feature tree and other vegetation.



Advantages

- The yield of this portion of the community land is maximised to result in seven dwelling sites with associated private open space and common driveways.
- Passive surveillance to the reserve is maintained to a degree with 4 dwellings overlooking Wakefield Reserve to the east.
- The existing free and unrestricted right of way linking Brenton street to Highway Drive is maintained over the common property.
- Council can control the design of dwelling, landscaping etc through the design process with a builder.
- A joint venture with a suitable builder may enable council to realise a higher return from the sale and development of the land.
- Risks to Council are mitigated as Council will not fund the build as the builder will advertise house and land packages.

Disadvantages

- The existing car park and building would require demolition prior to Section 51 clearance of a land division approval
- The success of a development application for this outcome is reliant on the removal of the regulated tree being supported. There may not be sufficient merit for removal given the health of the tree.
- A substantial area of tree canopy would be lost together with the feature tree at the front.
- The design of a pedestrian link from Brenton Street to Highway Drive and Wakefield Reserve would not be ideal for CPTED principles, given that the walkway would be bordered by side fencing and garaging, with limited opportunities for passive surveillance.
- Under a joint venture arrangement, it will take longer for Council to realise proceeds from the sale due to the progress payment arrangement with the build.

- Possible increased financial risk to council if the building company experienced difficulties, delays, unexpected costs of construction or if the dwellings are not saleable.
- The possible public perception of council being a developer and profiting from the development of former community land.

5.5 Change the boundaries of the area to be revoked and disposed to cover the existing building and southern portion of the car park, retaining the regulated tree and northern portion as council owned community land.



Advantages

- Access from Brenton Street to Wakefield Reserve is enhanced to the rear of the subject land to be disposed.
- Enables the future development of the land but retains and protects the regulated tree to the north, as this tree remains within council's reserve.
- The northern portion of the car park and the storage shed could be demolished and the area revegetated as part of Wakefield Reserve plantings.
- The retention of the bulk of vegetation within council's reserve minimises the loss of tree canopy and associated canopy offset costs.
- The existing free and unrestricted right of way linking Brenton Street to Highway Drive could be extinguished if considered appropriate, as a walking link to Highway Drive would be provided through Wakefield Reserve.
- Council does not bear the costs of further dividing and/or developing of the land.
- Due to the existing building and previously approved uses of the site for a community centre and kindergarten, the purchase of the site in its existing form

may be attractive to childcare centre providers or other forms of non-residential land developers.

- The retention of portion of the existing car park enables required on-site parking opportunities to be maintained, which may be attractive to a future non-residential developer.

Disadvantages

- The separation of the northern portion of the car park and reserve land may make the land less suitable for non-residential purchasers, as the area of land is more limited and the amount of on-site car parking and development space is limited to approximately 8 spaces in its current configuration.
- The northern portion of the land to remain as Council reserve may be less usable given the narrower portion of reserve land.
- The northern portion of the land to remain reserve may suffer from a lack of passive surveillance (not consistent with CPTED principles) if bordered by rear fencing of future dwellings to the north and of the land to be disposed to the south.
- Uncertainty of whether the pedestrian link between Brenton Street and Highway Drive would be retained over the portion of the land to be disposed.

5.6 Change the boundaries of area to be revoked and disposed by enlarging the southern portion marginally to increase its frontage to Highway Drive by approximately ten metres, with the land to be divided into five Torrens Title detached dwelling sites and sold on the open market as vacant land, retaining the regulated tree and northern portion as council reserve land.



Advantages

- A development application for the demolition of the existing building will be required together with only the single division of land application, with no built form designs required to be submitted by Council to obtain Development Approval.

- The minimum frontage width of 9 metres and minimum allotment size of 270 square metres for detached dwelling sites outlined in Medium Density Policy Area PDC 3 can be satisfied by the proposal.
- The regulated tree and other vegetation are retained within Wakefield Reserve.
- Potential financial benefits from the disposal of five residential Torrens Title allotments.
- The existing free and unrestricted right of way linking Brenton Street to Highway Drive could be extinguished if considered appropriate, as a walking link to Highway Drive would be provided through Wakefield Reserve.

Disadvantages

- Additional vehicle crossovers for each allotment would be required to Highway Drive.
- The existing car park and building would require demolition prior to Section 51 clearance of a land division approval, in order to prevent demolition of the car park and building from becoming the responsibility of future owners.
- The northern portion of the land to remain as Council reserve may be less usable given the narrower portion of reserve land.
- The northern portion of the land to remain as reserve may suffer from a lack of passive surveillance (not consistent with CEPTED principles) if bordered by rear fencing of future dwellings to the north and south.

6. Summary

The above options 6.1 to 6.6 are provided to assist Council to understand some of the variety of development options available. This will in turn enable Council to consider and decide on any preferences in this particular case to enable public consultation to be undertaken in an open and **transparent manner to ensure that the public understands Council's intentions with the land** in the event that revocation and sale is ultimately approved.

The options seek to obtain guidance from Council on the preferred way forward and therefore do not at this stage incorporate the market or valuation assessments that will be necessary prior to the final revocation decision.

There is also the additional option of demolishing the existing building and removing the paved car-park area and reverting the land to open space. This option has not been considered further due to the demolition costs involved and the fact that additional open space land will fall to council to manage, when it has been identified in the OSSMP that we have surplus open space in the locality.

7. Additional Information Summary

The necessary additional information to commence the revocation of community land process in accordance with the *Local Government Act 1999* is provided as Attachment 3.

Further Report

If Council approves to commence the revocation of community land process, a further report summarising the outcomes of the public consultation phase of process will be presented to Council to determine if the revocation and disposal process will continue or cease.

7. Attachments

1. Aerial photograph of subject land (1 page)
2. Aerial photograph of balance reserve parcel (1 page)
3. Community Engagement Plan (10 pages)
4. Additional Information Summary (3 pages)

Revoke 23 Highway Drive Morphett Vale



The boundaries plotted hereon are indicative only and their location cannot be relied upon as accurate

Legend



Subject area proposed for revocation



Free and unrestricted right of way

Revoke 23 Highway Drive Morphett Vale



The boundaries plotted hereon are indicative only and their location cannot be relied upon as accurate

Legend



Subject area proposed for revocation



Community Engagement Plan

Background information

This Community Engagement Plan is prepared in relation to the proposal to revoke the community land classification of a portion of reserve land located at 23 Highway Drive, Morphett Vale. The revocation process is to enable the sale of the subject land and building on the open market.

The proposed revocation of community land process is to be undertaken in accordance with the provisions of the *Local Government Act 1999* (SA), which prescribes the required consultation with adjacent land owners and the public by public advertisement. This Community Engagement Plan also outlines the stakeholders to be consulted in accordance with and beyond the legislated requirements of the *Local Government Act 1999*.

Purpose of engagement

The purpose of the engagement is to provide genuine opportunities for relevant stakeholders to have their say about the proposed revocation of community land and intended sale on the open market.

Engagement objectives

- Provide clear information to stakeholders regarding the vacant building located on the land.
- Ensure legislative requirements are met.
- Ensure all adjacent land owners are given an opportunity to provide feedback.
- Provide opportunities for the community to provide feedback.
- Ensure multiple engagement techniques are used.
- To go above legislative requirements as appropriate to ensure transparency.
- To ensure a consistent approach to all revocations of community land classification.
- Ensure that stakeholders are kept informed.

Engagement scope of influence

- Through consultation the stakeholders can influence Council's decision about whether to proceed with the proposed revocation of community land to enable disposal on the open market.

Related and/or Neighbouring Projects

- None applicable.

Risk and Community Expectations Assessment

The following table will assist you to assess the level of complexity, sensitivity and potential impact, and help to determine the best engagement approach.

Area	low	medium	high	explanation
degree of complexity of project	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The subject land contains a former kindergarten building and is located on portion of the Wakefield reserve. The proposal to revoke and dispose is consistent with Council's Community Facilities District Plans and Open Space Strategic Management Plan. The disposal concepts and options to be pursued will be guided by Council's decision. The revocation of community land process is to be undertaken in accordance with the <i>Local Government Act 1999</i> .
degree of potential community impact of project	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Whilst the above reports show that the building and land as surplus to Council and community requirements, there may be members in the community who do not agree with the approach to sell off existing community assets.
degree of political sensitivity of project	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	We are not aware of community, utility or political groups who have had any past use or intended future involvement with the subject parcel of land and building. However, the disposal concepts and options outlined in the report may result in some community feedback. The potential sale of community land is sometimes seen as a negative.
Total				Consult

Stakeholders

Council (Mayor and elected members/ward councillors)

- Mayor
- Elected Members
- Ward Councillors

Staff

- Property Transactions Team.
- Infrastructure Asset Management Team.
- Community Assets.
- Engagement Unit.
- Customer Relations.
- Council Land Assessment Group.
- Directors Group.

Customer service centres where the proposal will be available for viewing:

- Ramsay Place, Noarlunga Centre front counter.
- The Hub, Aberfoyle Park.
- St Peters Terrace, Willunga.
- Woodcroft Community Centre.
- Aldinga Library.

Local Community

- The owners of the adjacent land parcels will be notified in writing. The extent of those adjacent land parcels is defined in the aerial photograph included under the 'Engagement Parameters' on pages 4 and 5.
- In addition, the following community groups and resident's associations will be notified in writing (beyond the requirements under the *Local Government Act 1999*):
 - Onkaparinga Northern Community Forum
 - Lonsdale Business Association
 - Reynell Business and Tourism Association

Cultural groups/Specific interest groups/NGOs/individuals

- None applicable.

General Public

- The general public are to be informed by notice in the Advertiser Newspaper, as required under the *Local Government Act 1999*. The minimum time period for public comment is 21 days from the date of publication.
- In addition to the requirements of the *Local Government Act 1999*, public notice of the proposed road closing will be published on Council's 'Your Say' website for public comment.



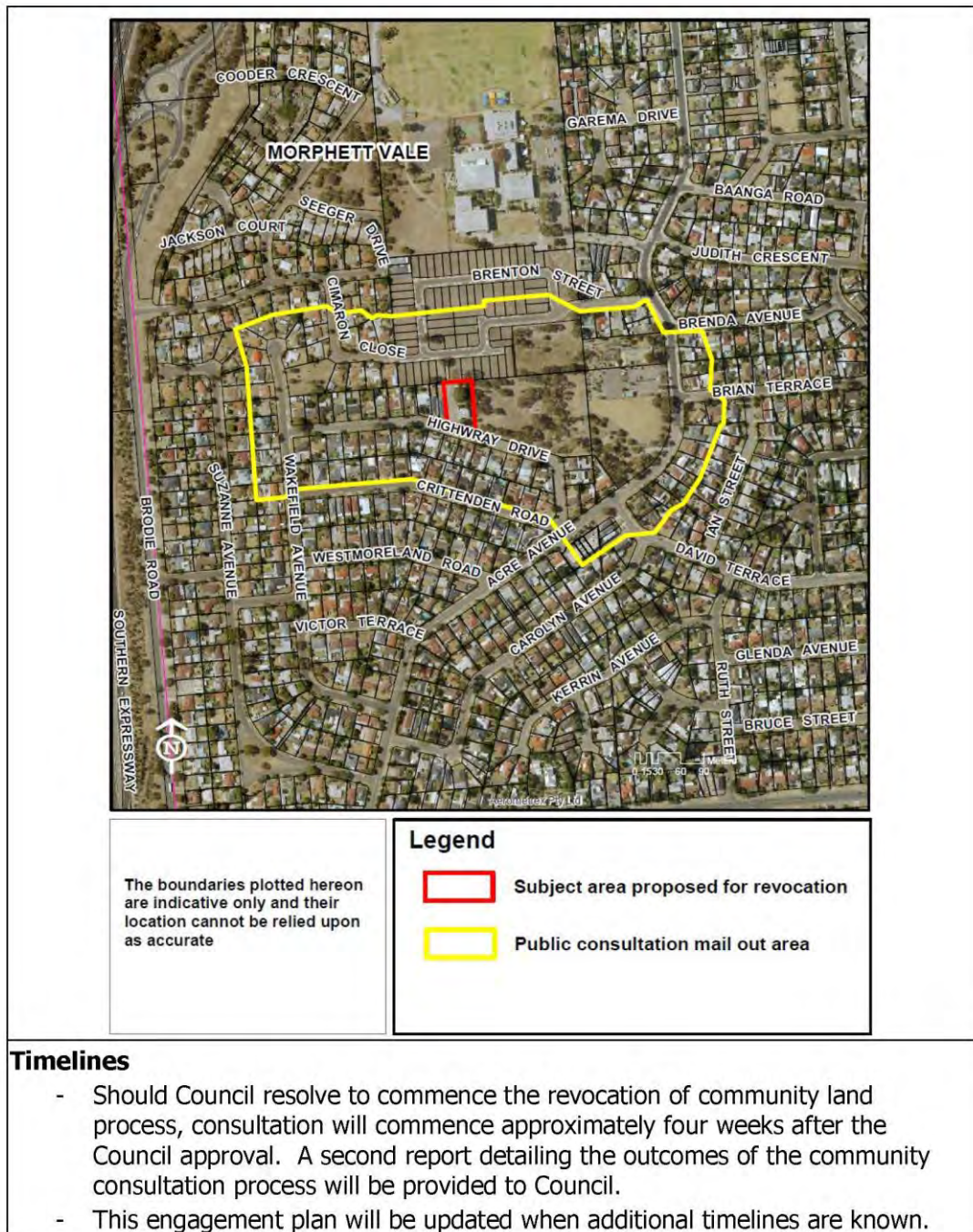
- Notice will be published in the Advertiser Messenger newspaper, inviting the public to submit their comments via 'Your Say'. The time period for public comment is 21 days from the date of publication.
- A sign outlining the proposal will be located on the subject land for the duration of the consultation period.

Government agencies/MPs

- Minister for Transport, Infrastructure and Local Government.

Engagement parameters**Geographic boundaries**

- The aerial photograph below shows the subject parcel of land bordered in red and further borders in yellow the adjacent properties that will be contacted in writing. It is planned to consult with approximately 138 land owners in the vicinity.



Engagement Action Plan

If Council approves the process to continue, the following engagement action plan will be undertaken:

Phase	Method	Stakeholders	Techniques	Who's Responsible	Desired outcome	Timeline
	Inform	Mayor/Elected Members	Council Report Weekly news and/or E-mail as considered necessary		Elected members are aware that engagement is about to commence Elected members decide on whether the land revocation will progress to community engagement Elected members ultimately decide on the preferred disposal method	TBC
	Inform	Property Transactions Team. <ul style="list-style-type: none"> - Property Transactions Team. - Infrastructure Asset Management Team. - Community Assets. - Engagement Unit. - Customer Relations. - Council Land Assessment Group. 			Internal stakeholders are aware that engagement is about to commence. Engagement unit have prepared a Your Say page in preparation. Customer service centres have information for viewing. Call Centre know where to direct enquiries.	TBC

		<ul style="list-style-type: none"> - Directors Group. <p>Customer service centres where the proposal will be available for viewing:</p> <ul style="list-style-type: none"> - Ramsay Place, Noarlunga Centre front counter. - The Hub, Aberfoyle Park. - St Peters Terrace, Willunga. - Woodcroft Community Centre. - Aldinga Library. 				
	Consult	<p>Adjacent and nearby land owners:</p> <p>As per the aerial photograph included under Engagement Parameters</p>	<p>Letter</p> <p>Your Say page live</p>	Property Team	<p>Property Team sends letters to adjacent land owners as per mandatory requirements to gather feedback.</p> <p>Adjacent landowners have an opportunity to provide feedback</p> <p>The letter requests people to have their say online via Your Say. Option to provide via other methods is also offered.</p>	TBC
	Consult	<p>Government agencies:</p> <p>Minister for Transport, Infrastructure and Local Government.</p>		Property Team	<p>Minister is written as part of the approval process and has the opportunity to advise of any issues/concerns with the revocation and potential</p>	TBC

					disposal on the open market.	
	Inform	General public Community/interest groups/associations <ul style="list-style-type: none"> - Onkaparinga Northern Community Forum - Lonsdale Business Association - Reynell Business and Tourism Association 	<p>Messenger</p> <p>Email</p>	<p>Property Team</p> <p>Property Team</p>	<p>Property Team arranges advertisement notice as per mandatory requirements.</p> <p>Advertiser newspaper advertisement points people to Your Say to have their say online. Option to provide via other methods is also offered.</p> <p>Resident/association/interest groups are advised of the proposal and asked to provide feedback via the Your Say page.</p>	TBC
	Data analysis	Property Team	Community Engagement Feedback Report	Property Team Engagement Unit	<p>Once engagement closes:</p> <p>The Property Transactions Team analyse the data using the Your Say reports and any other feedback received via other methods (emails, letters etc.).</p> <p>A community engagement feedback report is written from the data analysis.</p>	TBC

	Reporting	Mayor Elected Members	Council Meeting	Property Team	A report is presented to Council with the community engagement feedback report.	TBC
	Inform	All stakeholders listed in this engagement plan	Letter to adjacent land owners Email to resident/interest groups Your Say Newsletter to all online participants	Property Team Engagement Unit	All stakeholders have been made aware of the outcomes from the council meeting and next steps. Your Say page is updated with outcomes	TBC

Sign-off

Officer who prepared the document

Name: David Haslam
Position Title: Senior Property Officer

Reviewed by Community Engagement Advisor

Name: Paula Bugden
Date: 2 March 2020

Approved by

Name: _____
Position Title: _____
Signature _____ Date _____

Proposal to commence a revocation of community land process to enable disposal on the open market of a portion of council reserve land at 23 Highway Drive, Morphett Vale.

Additional Information Summary

Communities Facilities District Plan

The Communities Facilities District plan (CFDP), endorsed by Council, included an analysis of Council's land holdings to identify buildings that may not be required for community use, with a view to a long-term rationalisation plan to dispose of excess buildings to ultimately deliver a network of high-quality facilities that better meet future community needs.

The former kindergarten building at 23 Highway Drive, Morphett Vale (more recently occupied by Faded Lane Studio until they surrendered their lease in September 2017) was identified as surplus in the approved CFDP. The CFDP used a model to assess community needs and floor area service levels for community facilities in each district and adopted those figures relative to the projected 2035 population.

That process identified the subject building as surplus to Council and community requirements.

Open Space Strategic Management Plan

As the subject land is classified as community land, it automatically forms part of the open space considerations contained in the Open Space Strategic Management Plan (OSSMP). The OSSMP was endorsed by Council at its meeting on 12 December 2017.

The OSSMP is a major review of our former Recreation and Open Space Network (ROSN). It sets the principles, planning and direction for the future provision, development and maintenance of Council's open space network.

The OSSMP provides high level direction to ensure the provision and design of open space and supporting facilities/infrastructure match the service levels and key functions of our open spaces. This will ensure there is an equitable distribution of high-quality recreation and leisure opportunities across the city and its districts.

The area on which the building and fenced in land is located was excluded from the open space district maps as part of the original open space public engagement process. This land was specifically excluded from the open space maps to facilitate the intended future disposal outcome and to ascertain if there was any community objection to that intention. At the time we did not receive any community objection to the exclusion of the subject area (bordered in red on Attachment 1) from the open space maps and received considerable support for the concept of a reduction in open space in return for improving parks to a higher standard.

As a result, it has been determined that a report be forwarded to Council to consider the commencement of the community land revocation and disposal process.

It is considered that the revocation and sale of the subject area of land will not adversely impact upon the leisure opportunities in the locality, as the area in general is well serviced with open space.

Report pursuant to the *Local Government Act 1999*

The *Local Government Act 1999* prescribes that council must prepare a report before it proposes to revoke the classification of land as community land. The report must address the following:

Summary of the reasons:

The proposed revocation and disposal are a strategic approach, consistent with the intent and outcomes of Council's Communities Facilities District Plan (CFDP) and Open Space Strategic Management Plan (OSSMP).

Both the CFDP and OSSMP identified this parcel of land as surplus to building and open space requirements.

In addition, and following an internal strategic land assessment, there has been no operational or strategic requirement identified that warrants retention of the land and building in council's ownership.

A statement of any dedication, reservation or trust to which the land is subject:

The land is not subject to any dedication, additional reservation or trust.

Proposal to sell

This report proposes the division of the subject land from the balance Wakefield Reserve and provides Council with the opportunity to decide on a preferred disposal concept to take to the community as part of its public consultation process.

Subject to revocation of community land process being completed, it is intended that the land be sold on the open market at not less than the market value, irrespective of which disposal option is endorsed by Council.

If revocation and disposal are endorsed by Council (having followed the legislated processes) the net proceeds of sale will be assigned to the Community Investment Fund (CIF) to be used strictly in accord with Council's approved use of that fund.

Summary of effect on the community

It is considered that disposal of the subject land and building presents little or no known impact on current recreational and occupational opportunities for the community. It has been identified through both the CFDP and the OSSMP that the required service levels in the area will continue to be met if the subject land is revoked and ultimately disposed on the open market.

To ensure a no net canopy loss target is achieved, our Parks and Natural Resources Team have recommended an additional 50% offset be added to the status quo tree canopy area. Our Parks and Natural Resources team have identified nearby areas to plant trees in line with our Green City SMP.

It is recommended that sale of the land, with the resultant net proceeds being assigned to the CIF is preferable to retention in council ownership.

Revocation process

The *Local Government Act 1999* states that all council land (except roads) is classified as community land and that Council may only sell or otherwise dispose of an interest in community land after revocation of this classification.

To commence that process, Council must first declare the land surplus to requirements and suitable for disposal, followed by public consultation.

As part of the public consultation process, Council follows the requirements of the *Local Government Act 1999* and seeks public comment for a minimum period of 21 days, by;

- placing a notice in the Advertiser Newspaper,
- placing a notice and supporting documentation on our 'Your Say' website,
- forwarding letters of explanation to adjacent landowners,
- providing information folders at our five Customer Service Centres, and;
- by erecting a sign/s on the subject land.

A second update report is presented to Council summarising and discussing the outcomes of the public consultation phase to enable Council to decide if it should proceed with the revocation process by applying for the consent of the Minister for Transport, Infrastructure and Local Government.

A third report is provided to Council to formally approve the revocation once the consent of the Minister is received.

Council policy on the disposal of council land

Council adopted a 'Disposal of council land and other assets' Policy on 7 September 2010. Broadly, the policy provides a number of disposal options, a range of matters that may influence the disposal process and method, and possible conditions that should be applied to any real property disposal.

The proposal outlined in this report for the disposal of the subject land (should a revocation be successful) is in accordance with council's Disposal Policy. In this particular case it is intended to excise the subject land from the adjoining Wakefield Reserve and to dispose of it in a manner that is determined by Council after reviewing the outcomes from the public consultation process.

Valuation Procedure

The revocation process has the expectation that Council will consider revoking the classification of community land on an objective basis and determine, on balance, what is in the best interests of the community without the financial outcome of the process in mind.

A valuation is sought at the end of the revocation process, once Council has decided on the merits of removing the land from the classification of community land and a final decision on its disposal is known.