

9.10. Proposed Community Engagement - Revocation of Community Land for Alexandrina Wastewater purposes

C359/10/26

Moved Cr Peter Oliver seconded Cr Craig Maidment

That Council:

1. **Receive and note the contents of the report titled *Proposed Community Engagement - Revocation of Community Land for Alexandrina Wastewater purposes.***
2. **Note the properties listed at *Attachment 1* contained in the meeting agenda are the land parcels proposed to proceed to community engagement for the purpose of revoking the community land classification under Council's *Community Land Management Plan 2023-2028.***
3. **Is satisfied pursuant to Section 194 of the *Local Government Act 1999* with the proposal to revoke the classification of community land over the following land parcels:**
    a. **Lot 141 Sand Mine Road Mount Compass, Certificate of Title Volume 5344 Folio 657 in Deposited Plan 37929.**
    b. **300 Michelmore Road Strathalbyn, Certificate of Title Volume 6036 Folio 814 in Deposited Plan 78800.**
    c. **Lot 3 Michelmore Road Strathalbyn, Certificate of Title Volume 5444 Folio 561 in Deposited Plan 22096.**
    d. **Lot 602 Braemer Drive Strathalbyn, Certificate of Title Volume 5975 Folio 708 in Deposited Plan 22096.**
    e. **Lot 601 Hampden Way Strathalbyn, Certificate of Title Volume 5975 Folio 707 in Deposited Plan 72267.**

f. **Lot 177 St Andrews Drive Strathalbyn, Certificate of Title Volume 6047 Folio 943 in Deposited Plan 81992.**

g. **Lot 1 Commercial Road Strathalbyn, Certificate of Title Volume 5471 Folio 518 in Filed Plan 18031.**

h. **249 Boettcher Road Middleton, Certificate of Title Volume 5413 Folio 625 in Section 2354 Hundred of Goolwa.**

i. **249 Boettcher Road Middleton, Certificate of Title Volume 5413 Folio 824 in Filed Plan 166538.**

j. **151 Gun Club Road Milang, Certificate of Title Volume 6312 Folio 955 in Deposited Plan 136727.**

k. **Lot 312 Boston Street Goolwa North, Certificate of Title Volume 6074 Folio 534 in Deposited Plan 76769**

4. **Grant consent to proceed to community engagement on the proposal to revoke the community land classification, in accordance with the *Community Engagement Plan* provided at *Attachment 2* contained in the meeting agenda.**
5. **Authorise the Chief Executive Officer to make any minor amendments to the community engagement arrangements.**
6. **Note that a further report on the community engagement outcomes will be presented at the conclusion of the public consultation process.**

CARRIED UNANIMOUSLY

[redacted]

9.10. Proposed Community Engagement - Revocation of Community Land for Alexandrina Wastewater purposes.

Decision Report

Responsible Officer: Tash Hunt (General Manager Corporate)

Report Author: Lisa Hoyle (Manager Property and Procurement Services)

Previous Decisions: Nil

Report Purpose

To consider formally commencing a process to revoke the community land classification over 11 land parcels utilised for Alexandrina Wastewater (AWW) purposes which are not already exempt from the community land classification. The location of the 11 land parcels the subject of this Report are provided at ***Attachment 1*** of this meeting report.

Recommendation

That Council:

1. **Receive and note the contents of the report titled *Proposed Community Engagement - Revocation of Community Land for Alexandrina Wastewater purposes.***
2. **Note the properties listed at *Attachment 1* of this meeting report are the land parcels proposed to proceed to community engagement for the purpose of revoking the community land classification under Council's *Community Land Management Plan 2023-2028.***
3. **Is satisfied pursuant to Section 194 of the *Local Government Act 1999* with the proposal to revoke the classification of community land over the following land parcels:**
    a. **Lot 141 Sand Mine Road Mount Compass, Certificate of Title Volume 5344 Folio 657 in Deposited Plan 37929.**
    b. **300 Michelmore Road Strathalbyn, Certificate of Title Volume 6036 Folio 814 in Deposited Plan 78800.**
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    j. **151 Gun Club Road Milang, Certificate of Title Volume 6312 Folio 955 in Deposited Plan 136727.**

k. **Lot 312 Boston Street Goolwa North, Certificate of Title Volume 6074 Folio 534 in Deposited Plan 76769**

4. **Grant consent to proceed to community engagement on the proposal to revoke the community land classification, in accordance with the *Community Engagement Plan* (*Attachment 2*).**
5. **Authorise the Chief Executive Officer to make any minor amendments to the community engagement arrangements.**
6. **Note that a further report on the community engagement outcomes will be presented at the conclusion of the public consultation process.**

Background

Council land is defined as either 'community land' in accordance with the *Community Land Management Plan 2023-2028* (CLMP) or as 'operational land'.

- Community Land is land set aside for public access and uses under categories within the CLMP that protect the public's right to the land. The community land classification provides a range of permitted uses for the land, with the intent being to provide a public benefit or access for recreation or community activities.
- Operational land is land that is not classified as community land, because the uses on the land require an operational flexibility to deliver a function or service without the limitations imposed under the Plan. These land parcels are used for activities such as Council depots, landfills, emergency services and some (but not all) wastewater activities, where public access is, or should be, restricted or prevented.

The 11 land parcels the subject of this proposal are currently classified as Community Land under the *Local Government Act 1999* (the Act) and included within the CLMP. In addition to these 11 community land sites, AWW utilise 10 other sites as operational land, excluded from the community land classification.

The primary function of each of the 11 land parcels the subject of this report, is to accommodate active uses for essential wastewater treatment plants, lagoons, storage, pumping, disposal, maintenance and associated infrastructure necessary for the effective operation of Council's critical wastewater network. Following a recent review, these 11 land parcels would benefit from exclusion as Community Land, so that Council can treat all of its wastewater sites consistently as operational land. This would ensure regulatory works required for the provision of essential wastewater services could proceed without the limitations imposed by a community land classification, as in many instances, the works are required regardless of the community land status because they are regulatory or essential service provisions.

The review also recognised that generally, these land parcels are not available for public recreation, open space, community gatherings or other purposes typically associated with community land. As the community cannot reasonably access these land parcels, their current classification as Community Land is inconsistent with their established use as operational land, rather than land available for broader community use. The existence of 10 other Council-owned wastewater land parcels that are already exempt from the community land classification demonstrates an established precedent for the management of wastewater infrastructure sites as operational land.

Discussion

This report seeks consideration to proceed to community engagement to revoke the classification of community land over the 11 land parcels identified in ***Attachment 1***, to ensure the land can be more appropriately managed as Operational Land and public access can be formally excluded to ensure public safety, mitigate risk and manage site security.

Revocation of the Community Land classification would:

- Enable Council the flexibility to manage these parcels in accordance with their primary purposes of wastewater operations.
- Mitigate the risk of public access and security measures to protect the infrastructure on these sites.
- Establish a consistent approach to the management of wastewater land, by aligning all of the Council's wastewater asset portfolio as operational land, exempt from a community land classification.
- Enable introducing a blanket approach to exclude the public from operational wastewater land.
- Facilitate inevitable future renewal, expansion or rationalisation of wastewater land and infrastructure, should operational requirements change.
- Ensure third party contracts, leases or license tenures are efficiently secured without the necessity for community engagement; and
- Resolve the anomaly that the CLMP classification is not aligned with the operational role of wastewater sites.

This proposal is not to cease Alexandrina Wastewater operations on these land parcels or, an intent to dispose of the land. This proposal addresses the anomaly that the community benefit derived from the site cannot be consistently achieved while a CLMP category is in place, because the land use is for operational activities rather than through direct public access or recreational use.

A Council may revoke the classification of land as community land by preparing and making publicly available, a report on the proposal which must contain specific information as provided in the *Community Engagement Plan* proposed at ***Attachment 2*** of this meeting report. To be able to further an approach to the Minister of the *Local Government Act 1999* to consider a revocation of the community land classifications, this report seeks approval to progress to community engagement on the proposal to gauge community appetite for revoking the community land classification over some or all of these sites.

Financial Implications

In accordance with the Alexandrina Council's Adopted Budget / Long Term Financial Plan, the financial implications of adopting this recommendation are considered Low. The proposed revocation of the community land classification is not being undertaken for the purpose of selling, disposing of, or otherwise alienating the affected land parcels. The land will remain in Council ownership and continue to be used for Alexandrina Wastewater operations and infrastructure. As a result, there are no direct financial gains or losses anticipated from the proposal, with the primary benefits being efficiencies in administrative and operational tasks in management of Council's wastewater services.

Costs to progress this matter to consultation are limited to the advertising fees for the community engagement process, which are estimated at $900 and can be accommodated within existing budget.

Risk Implications

In accordance with Alexandrina Council's Risk Assessment Matrix, the risk of adopting this recommendation is considered Low.

The key risk associated with the proposal is that the community may perceive the removal of the community land classification as reducing protections over the land. Given each of these sites currently provide limited or no public access, any direct impact on the public by revoking the community land classification is anticipated to be minimal.

The risk to Council if the sites remain as community land, is the inability for these sites to effectively function as community land, when competing operational obligations and external wastewater management legislation is required to apply to these sites. The review has identified that the on-ground uses of these land parcels are inconsistent with the intended purpose and objectives under the CLMP. As these land parcels are already occupied for Alexandrina Wastewater purposes, the intent of this proposal is simply to formalise this occupation 'on paper' and, potentially, permit the installation of fencing and security to prevent public access (if required).

The 11 land parcels the subject of this report are categorised in the CLMP as either Undeveloped Reserve, Developed Reserve or Commercial. The only other category that the land parcels could be transferred to is 'Emergency Services', which could be considered if the revocation of the community land classification could not be achieved, however this category would still limit land use and restrict the flexibility needed to respond to operational on-site demands and external wastewater legislation.

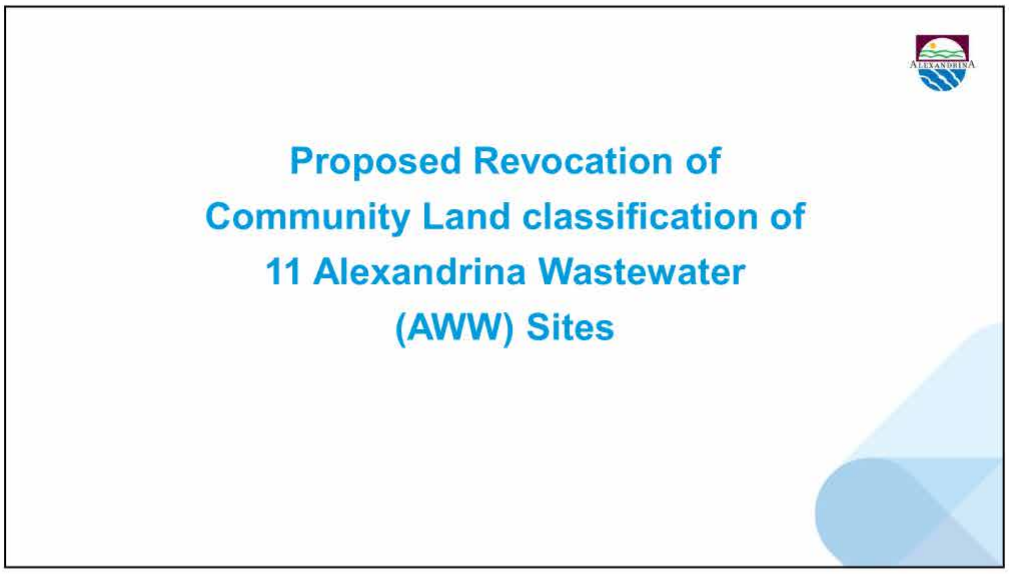
Under Section 194 of the *Local Government Act 1999*, Council may revoke the classification of Community Land subject to public consultation, Ministerial approval and consideration of any community impacts arising from the proposal, usually as an outcome of community engagement on the proposal. The proposed community engagement will inform Council of the community's interest in revoking the classification over, all or some of these land parcels.

Attachments

Attachment 1 - Alexandrina Wastewater land parcels proposed for revocation

Attachment 2 - Community Engagement Plan

Attachment 1 - Alexandrina Wastewater Land Parcels Proposed for Revocation



AWW Exempt Land Parcels

The following AWW land parcels are already excluded from the classification of Community Land, for the purpose of AWW, wastewater infrastructure, storage and operational purposes.

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Lot 12 Boettcher Road, Middleton
Lot 1 Berry Road, Mount Compass
210 Excelsior Parade, Hindmarsh Island
Lot 3500 Randell Road, Hindmarsh Island
Lot 337 Sand Mind Rd, Mount Compass


Lot 21 Kessell Road, Goolwa
126 Kessell Road, Goolwa
Lot 862 Elliot Street, Port Elliot
1-19 Hill Street, Port Elliot
Lot 37 Swamp Road, Strathalbyn

AWW land parcels
classified as Community Land

The following 11 land parcels are used for AWW purposes on land classified as Community Land.

The proposal is to revoke the community land classification over all or some of these land parcels, to support their existing use as operational land.

a. Lot 141 Sand Mine Road, Mount Compass

Title Details: CT 5344/657

Landowner: Alexandrina Council

Land Size (approx.): 5,635m²

Site Value: $132,000

Capital Value: $132,000

Current CLMP Classification: Developed Reserve

Current Use: Decommissioned wastewater treatment plant

Infrastructure: Treatment plant

Dedication or Trust: Nil

Local Impact: Minimal. The land is currently utilised for essential wastewater services, with public use of the land limited.



b. 300 Michelmore Road, Strathalbyn

Title Details: CT 6036/814

Landowner: Alexandrina Council

Land Size (approx.): 50,162.65m²

Site Value: $470,000

Capital Value: $580,000

Current CLMP Classification: Developed Reserve

Current Use: AWW Treatment and Recycled Wastewater Storage

Infrastructure: Wastewater Treatment Plant & Recycled Wastewater Storage Lagoon

Dedication or Trust: Nil

Local Impact: Minimal. The land is currently utilised for essential wastewater services, with public use of the land restricted.



c. Lot 3 Michelmore Road, Strathalbyn

Title Details: CT 5444/561

Landowner: Alexandrina Council

Land Size (approx.): 364,966m²

Site Notional Value: $370,000

Rateable Value: $425,000

Current CLMP Classification: Multi Use (Undeveloped Reserve & Developed Reserve)

Current Use: AWW Recycled Wastewater Storage Lagoon & Cropping Licence

Infrastructure: Recycled Wastewater Storage Lagoon

Dedication or Trust: Nil

Local Impact: Minimal.The land will continue to be used for purposes complementary to the surrounding wastewater infrastructure, with public use of the land restricted.



d. Lot 602 Braemer Drive, Strathalbyn

Title Details: CT 5975/708

Landowner: Alexandrina Council

Land Size (approx.): 203m²

Site Value: $12,500

Capital Value: $12,500

Current CLMP Classification: Undeveloped Reserve

Current Use: AWW 'Braemar Drive' Wastewater Pumpstation

Infrastructure: Wastewater Pumpstation, Emergency Storage Tank

Dedication or Trust: Nil

Local Impact: Minimal. The land is currently utilised for essential wastewater services, with public use of the land limited.



e. Lot 601 Hampden Way, Strathalbyn

Title Details: CT 5975/707

Landowner: Alexandrina Council

Land Size (approx.): 223m²

Site Value: $39,000

Capital Value: $39,000

Current CLMP Classification: Undeveloped Reserve

Current Use: AWW 'Hampden Way' Wastewater Pumpstation / Pump Station Chamber

Infrastructure: Wastewater pumpstation and emergency storage tank

Dedication or Trust: Nil

Local Impact: Minimal. The land is currently utilised for essential wastewater services, with public use of the land limited.



f. Lot 177 St Andrews Drive, Strathalbyn

Title Details: CT 6047/943

Landowner: Alexandrina Council

Land Size (approx.): 35m²

Site Value: $5,000

Capital Value: $5,000

Current CLMP Classification: Developed Reserve

Current Use: AWW 'St Andrews Drive' Wastewater Pumpstation

Infrastructure: Wastewater pump station

Dedication or Trust: Nil

Local Impact: Minimal. The land is currently utilised for essential wastewater services, with public use of the land limited.



g. Lot 1 Commercial Road, Strathalbyn

Title Details: CT 5471/518

Landowner: Alexandrina Council

Land Size (approx.): 81m²

Site Value: $97,000

Capital Value: $97,000

Current CLMP Classification: Developed Reserve

Current Use: AWW 'Old Flour Mill' Wastewater Pumpstation

Infrastructure: Wastewater pumpstation

Dedication or Trust: Nil

Local Impact: Minimal. The land is currently utilised for essential wastewater services, with public use of the land limited.



h. 249 Boettcher Road, Middleton

Title Details: CT 5413/625

Landowner: Alexandrina Council

Land Size (approx.): 319,636m²

Site Value: $2,025,000 (combined with i.)

Capital Value: $2,100,000 (combined with i.)

Current CLMP Classification: Commercial Properties

Current Use: Turf Farm Lease with water use agreement for recycled wastewater irrigation

Infrastructure: Pivot irrigator, Lateral Irrigators and associated pipework

Dedication or Trust: Nil

Local Impact: Minimal. The land is currently utilised for essential wastewater services, with public use of the land restricted.



i. 249 Boettcher Road, Middleton

Title Details: CT 5413/824

Landowner: Alexandrina Council

Land Size (approx.): 330,805m²

Site Value: $2,025,000 (combined with h.)

Capital Value: $2,100,000 (combined with h.)

Current CLMP Classification: Commercial Properties

Current Use: Turf Farm Lease with water use agreement for recycled wastewater irrigation

Infrastructure: Pivot irrigator, Lateral Irrigators and associated pipework

Dedication or Trust: Nil

Local Impact: Minimal. The land is currently utilised for essential wastewater services, with public use of the land restricted.



j. 151 Gun Club Road, Milang

Title Details: CT 6312/955

Landowner: Alexandrina Council

Land Size (approx.): 39,018m²

Site Value: $305,000

Capital Value: $305,000

Current CLMP Classification: Developed Reserve

Current Use: Milang AWW Wastewater Treatment Plant and Treated Wastewater Storage

Infrastructure: Facultative (treatment) Lagoons, Recycled Wastewater Storage Lagoons and Recycled Wastewater Pump Station

Dedication or Trust: Nil

Local Impact: Minimal. The land is currently utilised for essential wastewater services, with public use of the land restricted.



k. Lot 312 Boston Street, Goolwa North

Title Details: CT 6074/534

Landowner: Alexandrina Council

Land Size (approx.): 19,883m²

Site Value: $495,000

Capital Value: $520,000

Current CLMP Classification: Undeveloped Reserve

Current Use: Wastewater vacuum pump station & stormwater

Infrastructure: Vacuum Pump Station & stormwater retention

Dedication or Trust: Nil

Local Impact: Minimal. The land is currently utilised for essential wastewater services, with public use of the land limited.

