

Strategic Land Program

Information Pack



Unmade Portion of Road Adjacent
976 Long Valley Road Strathalbyn

1. Introduction

Alexandrina Council (**Council**) recognises the benefits of considering alternative revenue streams to meet community demand for improved services, assets and infrastructure without additional costs to the community.

Council is committed to identifying operational cost savings and alternative revenue sources that build Council's financial capacity to invest in core activities and projects of community benefit.

The potential disposal of 'underutilised' or 'surplus' land parcels or road reserves, provides an income stream for reinvestment in acquisitions, upgrades, infrastructure, improvements and projects identified as a community priority.

Council's 'Strategic Land Program' (**Program**) was launched in March 2023. The Program provides opportunity for Council Members to assess and determine, on a case-by-case basis, and on its own merits, whether particular land parcels or road reserves should be considered for acquisition or disposal, in order to provide an alternative community benefit.

To support the decision-making process, the Program requires an assessment of each land parcel or road reserve. The assessment process is supported by this 'Strategic Land Program Information Pack' (**Pack**).

This Pack provides Council Members, the applicable Minister/s, Governing bodies and the broader community with the information required to consider the proposal. The information in the Pack is guided by the criteria within Council's Acquisition and Disposal of Land Policy or Acquisition and Disposal of Road Policy.

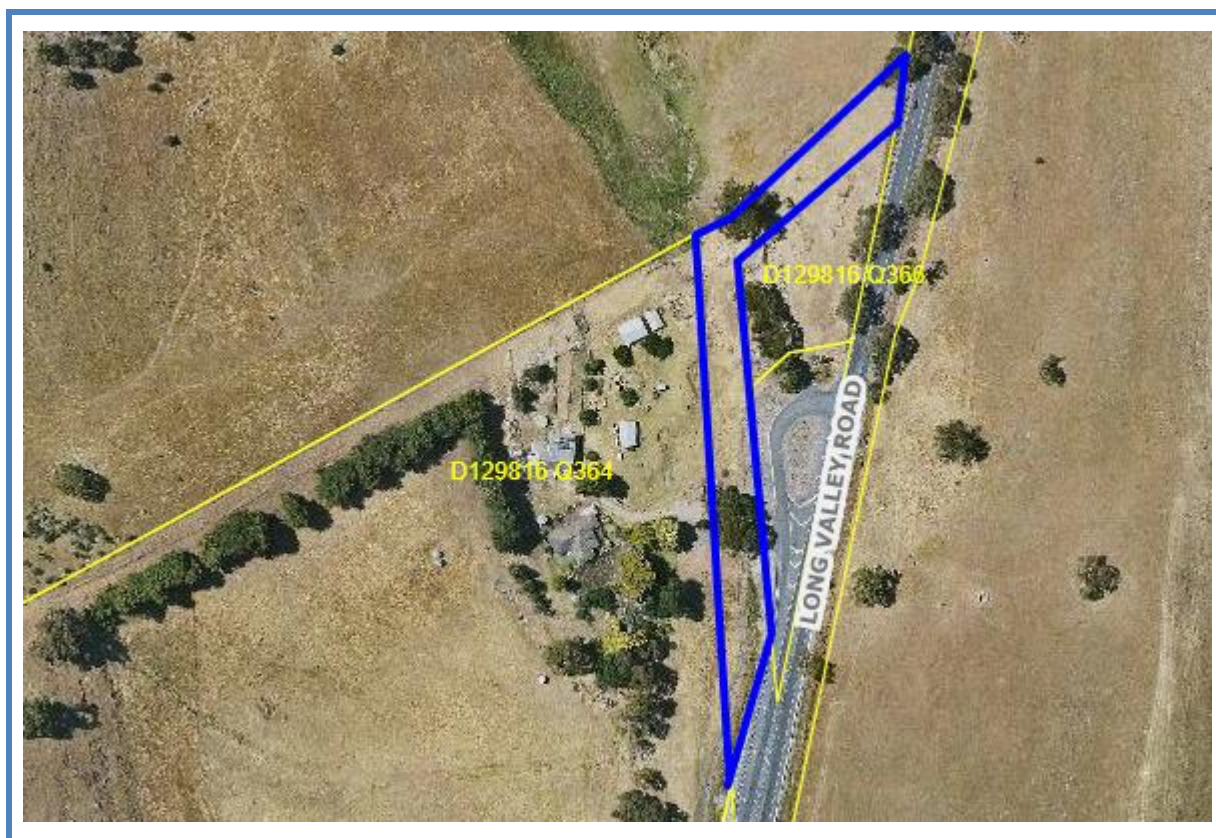
The Policies:

- Provide community benefits that outweigh the disadvantages.
- Resolves land and road anomalies that provide community benefit.
- Ensures adequate, accessible and useable public space is retained or created and managed appropriately within townships and rural areas; and
- Manages the acquisition or disposal of land or road in a consistent and transparent manner.

2. Program Type

Tick	Type	Description
	Strategic	Land or road deliberately identified as providing operational cost savings or providing community benefits that outweigh the disadvantages through the potential disposal or acquisition
✓	Domestic	Land or Road identified as containing outstanding anomalies which affect a small portion of the community but which may result in long-term community benefit for all parties.
	Anomaly	An outstanding Council property matter that needs to be resolved (tidied up) and which requires Council consent.

3. The Property



Common Name	Unmade portion – Long Valley Road
Common Address	Adjacent 976 Long Valley Road, Strathalbyn
Property Number	A26588 - adjacent
FP / Lot	DP 129816 Q364 and 366 - adjacent
Certificate of Title	Volume 6277 Folio 761 (Annexure A) - adjacent
Owner	Alexandrina Council
Total affected area	7,500 square metres – subject to survey
Zoning	Rural
Current Use	Informal occupation by adjoining owner
Utilisation	Continued farming and conservation
Site Improvements	Nil
Value of Improvements	Nil
Easements	Nil
Subdivision potential	No opportunity to subdivide – will be merged with adjoining land

4. The Proposal

The subject area of unmade road is a very early alignment of Long Valley Road. Aerial photography shows that the road had been realigned prior to 1947. The remnant piece of unmade road has remained in its current state since the realignment. Closure and sale of the subject area provides a logical amalgamation of land parcels in a single ownership.

4.1 Summary of the reasons for the proposal

Successive owners of the adjoining land have informally used the unmade road for farming purposes for many decades. It was only during the widening of Long Valley Road and the roadworks associated with it, that the current owners became aware that it was not part of their land. The owners wish to formalise the long-term informal occupation of the road, by the closure of the unmade road and acquisition by merger with their own freehold land.

4.2 Statement of any dedication, reservation or trust

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

4.3 Details of any government assistance given, if it is proposed to sell

There was no government assistance provided to the Council at the time the roads were acquired.

4.4 Statement of how the Council proposes to use the proceeds if it is proposed to sell

In accordance with Council's Annual Budget and Performance Policy, the operational budget will be structured such that there is no reliance on asset sales to fund core services, therefore, if sold, the income would be recognised through the next quarterly budget review.

4.5 Assessment of how implementation of the proposal would affect the area and local community

The closure and sale of the road would have no impact on the area and local community.

4.6 Ownership

All public roads within the area of a Council are owned by the Council through Section 208 of the *Local Government Act 1999*. The roads are therefore owned by Alexandrina Council.

4.7 Capacity to dispose

A road can only be closed through the *Roads (Opening and Closing) Act 1991* and on the recommendation of the Surveyor-General to the Minister for Planning.

4.8 Potential Alternative Uses

No alternative Council uses have been identified, but community engagement will include a referral to the Commissioner of Highways as owner of a portion of the adjoining land.

5. Policy Criteria Assessment

This proposal aligns with the following Policies (Annexure C)

- Acquisition and Disposal of Road Policy
- Public Consultation Policy

Disposal of Road – Assessment Criteria

Any decision to dispose of Road will only be made after considering, where applicable:

Disposal of Road Criteria	Assessment
Any alternative future use of the Road that may have priority social benefits	None identified
The reason why a Road is proposed to be closed	To formalise long term informal occupation by adjoining owners
Cultural / historical significance of the Road	None identified
Any infrastructure located on the Road to be closed	Nil
Ecological values of the Road to be closed, including future re-wilding / revegetation opportunities	Nil
The results of any community consultation processes	Consultation not yet carried out
Any values related to the <i>Aboriginal Heritage Act 1988</i> that have been identified on the land	None identified
Any other identified community benefit of retaining the Road	Nil
Ensuring that no property becomes land locked by the disposal of the Road	Not applicable
The estimated net proceeds if the Road is disposed of	>\$22,000
The opportunity to promote local economic growth and development	Not applicable
The current market value of the land in the Road to be closed	>\$22,000 – to be determined by calculation of square metre area of road to be amalgamated (within 6 months of sale date) x Valuer General square metre assessment of adjacent land.

How the net revenue from disposal may be used for the benefit of the community	Minor return to be reinvested into General Revenue for indirect community benefit
The reduction in annual cost of maintenance for Council	Nil
Any other relevant guidelines and policies of the Council.	Acquisition and Disposal of road policy
The positive or negative impacts the disposal of the Road may have on Council operations	Nil
The long-term plans and strategic direction of the Council	No impact
Compliance with statutory and other obligations	Compliance with the <i>Roads (Opening and Closing) Act 1991</i> .

6. Community Land

No. Roads are excluded from community land by Section 193(1) of the *Local Government Act 1999*. The closure and sale of the roads must be in accordance with the requirements of the *Roads (Opening and Closing) Act 1991*.

7. Public Road

A summary of the process required to formally Close and Dispose of a section of road reserve is detailed in the Roads (Opening & Closing) Act 1991. The power to open or close a road is provided by Part 2 Section 4 of the Act "A road may be opened or closed by a road process order made by the relevant authority, confirmed by the Minister and notified in the Gazette in accordance with this Act". Other than for major developments, the relevant authority is normally the council of the area.

- The process begins by Council engaging a Surveyor to prepare a preliminary plan of the land subject to the proposed road closure and depositing this with the Surveyor-General, along with the names and addresses of those persons who may be affected (section 9).
- Section 10 then requires that a public notification be carried out. Regulation 6 of the Roads (Opening and Closing) Regulations 2021 describes the public notice requirements. The public notice must include a clear and accurate diagram of the subject land and specify how it intends to deal with the road that is to be closed. The preliminary plan must be available for inspection at Council's office and also at the Adelaide office of the Surveyor-General. The public notice must be published in the Government Gazette, on Council's website and/or local papers and must also advise that any person who objects to the proposal may make a written objection which is lodged with both Council and the Surveyor-General.

- Section 13 of the Act states that "*Any person may object to a proposed road process*". Any objections received are to be lodged with both Council and the Surveyor-General.
- Section 14 then requires Council to advise any objectors of when a meeting will be held to discuss the matter and allow them to make a formal submission in support of the objection.
- To proceed any further in the process, section 15 of the Act requires a second report be presented to Council where consideration of any formal submissions received must be reviewed and considered before a resolution to close the road can be made. If a resolution to close the road is made, as soon as practicable after making the decision, Council must notify the Surveyor-General of the decision. The land surveyor originally engaged by Council will complete the final plan at this point.
- Council must then forward to the Surveyor-General a copy of the minutes of all meetings held in relation to the road closure, certified by the CEO (section 19). It must also notify in writing, any person who objected to the proposed road closure.
- Within three (3) months of making the order to close the road, Council must provide the Surveyor General with two copies of the order and the final survey plans for the Registrar-General (section 20). The Surveyor-General must also be provided with a copy of the agreement for transfer when the land in a road reserve to be closed is to be merged with other land. If this section is not complied with, the road closure may not be confirmed and will lapse.
- The Surveyor-General must then review the order to close the road (section 21). If the Surveyor-General is of the opinion that the order to close the road has any error or deficiency, he may correct or amend the order and advise Council.
- Council must then notify any interested parties (section 22).
- Section 23 requires the Surveyor-General to make a recommendation to the Minister on the results of the review of the order to close the road and recommend to the Minister whether the order should be confirmed.
- The Minister must confirm or decline the order to close the road (section 24). If the order is confirmed by the Minister, the Surveyor-General must publish in the Government Gazette the confirmation of the order to close the road. On publication of the notice in the Gazette, the subject land for transfer vests in the person to whom it is to be transferred.

It must be noted that the formal closure of a road is very process driven and as such can take around 12 months or more to complete depending on the complexity of the case and the number of objectors.

8. Proposed Sale Method

Purchase Status	
Current Site Valuation (VG)	N/A
Proposed Sale Method	By merger with adjoining owner's land
Proposed Sale Value	Financial Assessment Formula
Proposed consultancies	Statutory notifications will be carried out by the surveyor engaged for the project. Public notifications will be managed by Council Administration

9. Financial implications

9.1 Cost of process

This information is put forward as preliminary advice only.

Descriptor of process	Cost (ex GST)	Recovery (ex GST)
Administration	\$1,000 (20 hrs)	-
Survey Costs	\$6,000	\$6,000
Public Notifications	\$2,000	\$2,000
Legal Advice	Not expected	
Conveyancing & Statutory Fees	\$2,000	\$2,000
Sub total	- \$11,000	\$10,000
Estimated sale price		>\$22,000
		>\$32,000

9.2 Financial Risk

The financial implications are considered very low, as the proponent will be responsible for all costs associated with the closure and sale of the road.

9.3 Long Term Financial Plan

In accordance with Council's Annual Budget and Performance Policy, the operational budget will be structured such that there is no reliance on asset

sales to fund core services, therefore, if sold, the income would be recognised through the next quarterly budget review.

9.4 Annual Business Plan and Budget Impacts

The disposal of road at a value of \$22,000 or greater has minor financial implications on Council key financial targets.

9.5 Revenue Strategy

Council will consider its property portfolio to optimise both Council objectives and property rental yields.

9.6 2025 ESCOSA Alignments

Council will consider its property portfolio to optimise the recommendations from the Alexandrina Council 2025 ESCOSA Report.

1.2 - Summary Recommendations:

- 4. **Consider** undertaking a detailed review with its community on what the community is willing to pay and the services and asset stock this can accommodate, to achieve a more robust financially sustainable position.
- 8. **Consider** undertaking a period of consolidation, focusing on asset renewal and constraining expenditure on new and upgraded infrastructure.
- 9. **Consult** with ratepayers on the proportions of expenditure on asset renewal and replacement and on new and upgraded assets, including the services that the ratepayers both want and are prepared to pay for.

10. Relevant Legislation

Road		
✓	<i>Roads (Opening and Closing) Act 1991</i>	
✓	<i>Roads (Opening and Closing) Regulations 2021</i>	

11. A2040 Alignment

Council will consider its property portfolio to align with the values of the A2040 Strategic Plan.

12. Village Conversations

Council will consider its property portfolio to align with the outcomes of future Village Conversations.

13. Recreation and Open Space Strategy (ROSS) impact

Council will consider its property portfolio to align with the outcomes of the ROSS from 2026 onwards.

14. Unsolicited Proposal Policy

As the proponent has contacted Council expressing a wish to purchase the subject portion of road, it is technically an unsolicited proposal. This proposal reflects the intent of the Unsolicited Proposal Policy. Applying the '3 stage' assessment process of the Policy.

- Stage 1 Initial Proposal – A proposal has been received, and Council has formed a preliminary view that it is unique and has merit to progress at the 21 July 2025 Council Meeting (C269/07/25).
- Stage 2 Detailed Proposal – Council has given preliminary consideration to this proposal to progress a feasibility study of the merits of sale, as provided in this Information Pack on the 19 January 2026.
- Stage 3 Contract negotiations and Finalisation – If stage 2 is approved by resolution of Council to progress, there are numerous further stages required, including a community engagement process and further Report to Council for decision.

The specific circumstances of the road having only one adjoining owner and the requirement of the Acquisition and Disposal of Road Policy that roads will only be disposed of by merger with an adjoining land parcel, have the effect of making the proponent the only practical purchaser.

15. Indicative timeframe

The following table presents an indicative timeframe for this process.

Indicative Timeline			
21 July 2025 Council Meeting	Council Report	In-principal support to prepare an Information Pack	Confidential
19 January 2026	Council Report	Information Pack & decision to progress or otherwise	Confidential
February – April 2026	Preliminary Plan	Prepared	
14 May 2026	Public notice opens	In accordance with the <i>Roads (Opening and Closing) Regulations 2021</i>	Public
14 May 2026	Notice to affected persons	Provide notices to each person affected	Operational
12 June 2026	Public notice closes	In accordance with the time frames stipulated under the <i>Roads (Opening and Closing) Regulations 2021</i>	Public
20 July 2026	Council Report	A time and place where objections will be considered and applicants permitted to	Public

		attend and make submissions.	
		Proposal tabled for decision to progress to Minister or otherwise	
Remainder of process is subject to the satisfactory completion of the above steps.			

16. Public Consultation

Alexandrina Council is committed to open, accountable and responsive decision making, which is informed by effective communication and consultation between the council and the community.

The *Roads (Opening and Closing) Act 1991* has very specific consultation and notification requirements that are sufficient for this matter.

These include

- The preparation of a preliminary plan by public resolution of Council and the identification of persons affected,
- Giving public notice in accordance with the *Roads (Opening and Closing) Regulations 2021*,
- Provide notices to each person affected,
- Any person may object to the proposal. If there are objections Council must notify objectors of a time and place where objections will be considered and permit them to attend and make submissions.

It is only after complying with these requirements that Council may make a resolution to close and sell the road by merger with the adjoining land