9.11. Department for Environment and Water - Revocation of Dedicated Land for inclusion in Coorong National Park

C136/04/26

Moved Cr Milli Livingston seconded Cr Michael Scott

That Council:

1. **Receive and note the report titled *Department for Environment and Water - Revocation of Dedicated Land for inclusion in Coorong National Park*.**
2. **Receive and note the letter from the Department for Environment and Water as provided at *Attachment 1* of this report, requesting to revoke the dedication to Alexandrina Council of parcels of Crown land located at the eastern end of Hindmarsh Island, for the purpose of inclusion in a proclamation as an addition to the Coorong National Park.**
3. **Resolve to notify the Department for Environment and Water that it agrees to the revocation of the dedications to Council of the land contained in Crown Record Volume 5763 Folio 660, Crown Record Volume 5763 Folio 661 and Crown Record Volume 5763 Folio 662 (five land parcels).**
4. **Note that the Department for Environment and Water intends to use Section 20A of the *Crown Land Management Act 2009* to revoke the classification of community land from the subject land, meaning that community engagement and the revocation of the land parcels as community land is not required to be undertaken by Council.**

CARRIED UNANIMOUSLY

9.11. Department for Environment and Water - Revocation of Dedicated Land for inclusion in Coorong National Park

Decision Report

Responsible Officer: Tash Hunt (General Manager Corporate)

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

Previous Decisions: Nil

Report Purpose

To seek Council agreement to the proposal from the Department for Environment and Water (DEW) for the revocation of dedication of five (5) parcels of Crown land under Council's care, control and management at the eastern end of Hindmarsh Island, for the purpose of incorporation into the Coorong National Park.

As the proposal is for the land parcels the subject of this report to no longer be dedicated to Council, the removal of these land parcels from Council's property portfolio constitutes a 'disposal' of land, for which there are no decision-making delegations in place. Therefore, the matter is brought to Council for decision.

Recommendation

That Council:

1. **Receive and note the report titled *Department for Environment and Water - Revocation of Dedicated Land for inclusion in Coorong National Park*.**
2. **Receive and note the letter from the Department for Environment and Water as provided at *Attachment 1* of this report, requesting to revoke the dedication to Alexandrina Council of parcels of Crown land located at the eastern end of Hindmarsh Island, for the purpose of inclusion in a proclamation as an addition to the Coorong National Park.**
3. **Resolve to notify the Department for Environment and Water that it agrees to the revocation of the dedications to Council of the land contained in Crown Record Volume 5763 Folio 660, Crown Record Volume 5763 Folio 661 and Crown Record Volume 5763 Folio 662 (five land parcels).**
4. **Note that the Department for Environment and Water intends to use Section 20A of the *Crown Land Management Act 2009* to revoke the classification of community land from the subject land, meaning that community engagement and the revocation of the land parcels as community land is not required to be undertaken by Council.**

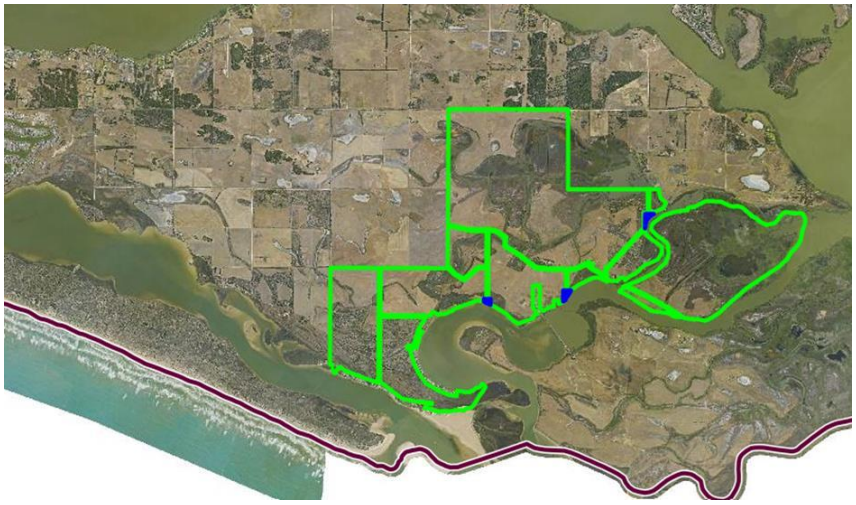
Background

The Minister for Climate, Environment and Water has recently purchased the former Mundoo Island Station for proclamation as an addition to the Coorong National Park. This includes Mundoo Island itself, within the area of Alexandrina Council and, Long and Ewe Islands within the Coorong District Council. Smaller unnamed islands and unalienated Crown land surrounding these islands will also be proclaimed.

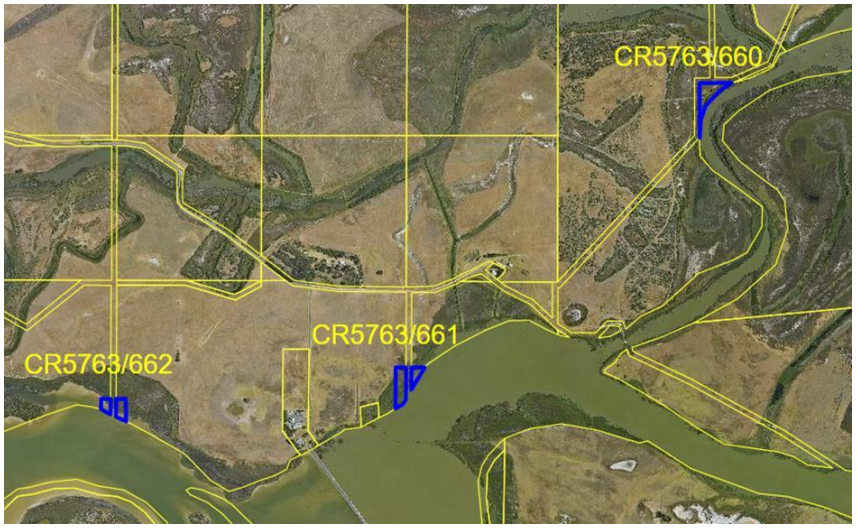
DEW has reviewed the land that will be subject to reconstitution and proclamation. In doing so it has identified five (5) parcels of land contained in three (3) Crown Records that are currently under the care, control and management of Alexandrina Council and which DEW considers would be small but valuable additions to the reconstituted Coorong National Park, as identified for broad context in blue below.



At the same time, DEW intends to reconstitute the land within the existing Lawari Conservation Park at the eastern end of Hindmarsh Island as an addition to the Coorong National Park. For context, the existing Lawari Conservation Park is highlighted in green below, with the five (5) adjoining reserves the subject of this report overlayed in blue to indicate why they have merit for inclusion in this project to also become part of the reconstituted Coorong National Park.



The combined area of these five (5) land parcels is 2.33 hectares as identified in blue below with Crown Record identifiers included.



The full legal description of the five (5) land parcels are:

- Crown Record Volume 5763 Folio 660, being the land in Section 495 Hundred of Nangkita,

- Crown Record Volume 5763 Folio 661, being the land in Sections 496 and 497 Hundred of Nangkita, and
- Crown record Volume 5763 Folio 662, being the land in Sections 498 and 499 Hundred of Nangkita

Discussion

All five (5) of these reserves were dedicated to the then District Council of Port Elliot and Goolwa through a proclamation dated 5 September 1867 and published in the Government Gazette on the 19 December 1867. This proclamation extended to 32 reserves across the area of the Council, 19 of which are on Hindmarsh Island. The dedication purpose for these land parcels was allocated as the broad and general dedication of 'Unspecified Local Government Purposes'.

Essentially, these reserves have remained inactive in the intervening 159 years since they were placed under the care, control and management of the District Council of Port Elliot and Goolwa. Although they have legal access from unmade roads, they have never had practical access and have never been used by Council. There may have been some minor informal occupation by adjoining landowners over the years, but the low lying and swampy nature of the land suggests that this is of a minor nature and would be addressed by DEW as part of the greater project. Native title continues to exist on all of the subject reserves.

If the dedications to Council are revoked, the classification as community land will also be revoked. Normally, a council must follow the processes set out in Section 194 of the *Local Government Act 1999* in order to revoke the classification of land as community land. This includes public consultation and obtaining the consent of the Minister for Local Government, after which a council may resolve to revoke community land classification.

In this case, if the proposed revocations of the dedications are supported by Council, DEW intends to use Section 20A of the *Crown Land Management Act 2009* to revoke the community land classification. The effect of Section 20A is that if, in relation to dedicated Crown land that is classified as community land, the Minister to whom the *Crown Land Management Act 2009* is committed revokes a dedication, then the classification of the relevant land as community land is also taken to be revoked. This has the effect of revoking it for the purposes of the *Local Government Act 1999*, thereby making Section 194 redundant. DEW will normally only use this power when a proposed revocation is considered uncontroversial as is the case for this proposal.

Council's Environmental Projects team have reviewed the five (5) reserves proposed to be returned to DEW and consider this proposal to be the best possible outcome for these land parcels, as these small pockets of land hold significant ecological value. Returning them to Crown ownership so they can form part of the reconstituted Coorong National Park is a positive step for long-term conservation. These reserves have strong environmental importance and ecological value, so protecting them within a larger more connected landscape will only strengthen their resilience and biodiversity benefits.

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. As this proposal is initiated by the Department for Environment and Water on behalf of the Minister for Climate, Environment and Water, the application fees that normally attach to revocations of dedicated Crown land will not apply in this case and there will be no costs to Council.

The reserves form a component of Council's community land and are categorised as Undeveloped Reserve. Because there is no practical access to these reserves, they do not receive any form of maintenance or incur any Council costs to manage, resulting in no impact on Council's operating expenditure should they be revoked or retained. Because the subject land is Crown land over which native title exists, it does not have a realisable value to Council.

Risk Implications

In accordance with Alexandrina Council's Risk Assessment Matrix, the risk of adopting this recommendation is considered low. The subject land is in practice all but inaccessible and has never been used by Council or the community. The land will remain legally public land protected by the *National Parks and Wildlife Act 1972*.

It is noted that the initial correspondence from DEW, as provided at ***Attachment 1*** of this Report, did not include the land in Crown Record Volume 5763 Folio 660, however this has been included following further discussions with DEW after receipt of this initial letter.

Attachments

Attachment 1 - Letter of request from the Department for Environment and Water

Attachment 1 - Letter from DEW with request

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Government of South Australia
Department for Environment and Water

ATTACHMENT 1

DEW-D0033930

27 February 2026

National Parks and P tec og
Level 9
81-95 Waymouth St
Adelaide SA 5000
GPO Box 1047
Adelaide SA 5001
Australia

Ph: [redacted]
a.g

Mr Andrew MacDonald
Chief Executive Officer
Alexandrina Council
11 Cadell Street
Goolwa SA 521

alex@alexandrina.sa.gov.au

Dear Mr MacDonald,

RE: PROPOSED PROCLAMATION OF LAND AS AN ADDITION TO THE COORONG NATIONAL PARK AND REQUEST FOR AGREEMENT FOR REVOCATION OF DEDICATED LAND

I am writing to advise of the intent to proclaim land in the Alexandrina Council area as an addition to the Coorong National Park

The land proposed for proclamation comprises several parcels of ex Certificate of Title land and ex Crown Lease land that until recently formed Mundoo Island Station, including Mundoo Island, Ewe Island and Long Island. The unalienated Crown land surrounding these Islands as well as the unnamed island comprising Section 586 in the Hundred of Baker will also be proclaimed.

At the same time, the intent is to also reconstitute the land contained within the existing Lawari Conservation Park, as an addition to the Coorong National Park.

The former Mundoo Island Station land component covers 1,897 ha, the surrounding Crown land covers 565.47 ha and the Lawari CP is 1,203 ha, making a total of 3,465.47 ha of land to be added to the iconic Coorong NP. The whole area has high ecological significance, Aboriginal cultural significance and is important to the Coorong and Murray Mouth environments. Future restoration projects are planned for the site.

Further to the above, it has been noted that there are a small group of land parcels at the southern extremity of Lawari CP that are currently dedicated under the care, control and management of the Alexandrina Council. DEW has been unable to identify any actual occupation of this land and the surveyed roads leading to the subject parcels are not made roads. It is desirable to include these land parcels in the reserves system by way of addition

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to the Coorong National Park at the same time as the re constitution of the land within the current Lawari CP.

The dedications are quite old and reference the now repealed Waste Lands Act of 1857. The relevant land is as follows:

Sections 496 and 497 Hundred of Nangkita (150800) held under Crown Record Volume 5763 Folio 661 (Register Search attached)
Sections 498 and 499 Hundred of Nangkita (150800) held under Crown Record Volume 5763 Folio 663 (Register Search attached).

Section 500 Hundred of Nangkita has a similar dedication but is not being sought for revocation at this stage as there is evidence of a carpark/turn around area on this land.

There is legislative authority pursuant to the *Crown Land Management Act 2009* (CLMA) to deal with land dedicated under this repealed act.

If Alexandrina Council is supportive of revocation of the dedication, DEW will be able to seek approval under section 20A of the CLMA , which would absolve council from having to undertake Community Land revocation procedures.

I look forward to your response in the near future.

Please do not hesitate to contact me at [redacted]au or on [redacted] if you have any questions or comments regarding the proposal outlined above.

Yours sincerely



Andrew Burnell
TEAM LEADER – PARK STRATEGY AND ESTABLISHMENT

Enc: Attachment 1 – Map of land to be proclaimed
Attachments 2 and 3 - Crown Record Register Search Copies