



District Council of

YANKALILLA

**Revocation Report
pursuant Section 194(2)(a)
Local Government Act 1999**

Old Closed Roads Sellicks Hill

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1. Introduction

Under the Local Government Act 1999 (**Act**), all local government land (except roads) owned by a council or under its care, control, and management is classified as Community Land unless it has been exempted through legislation, excluded by resolution or the classification has been revoked.

The Act provides a framework for managing Community Land, including restrictions on its disposal, requirements for management plans, and provisions for leasing or licensing.

This report has been prepared to address the requirements of Section 194(2) of the Act and includes:

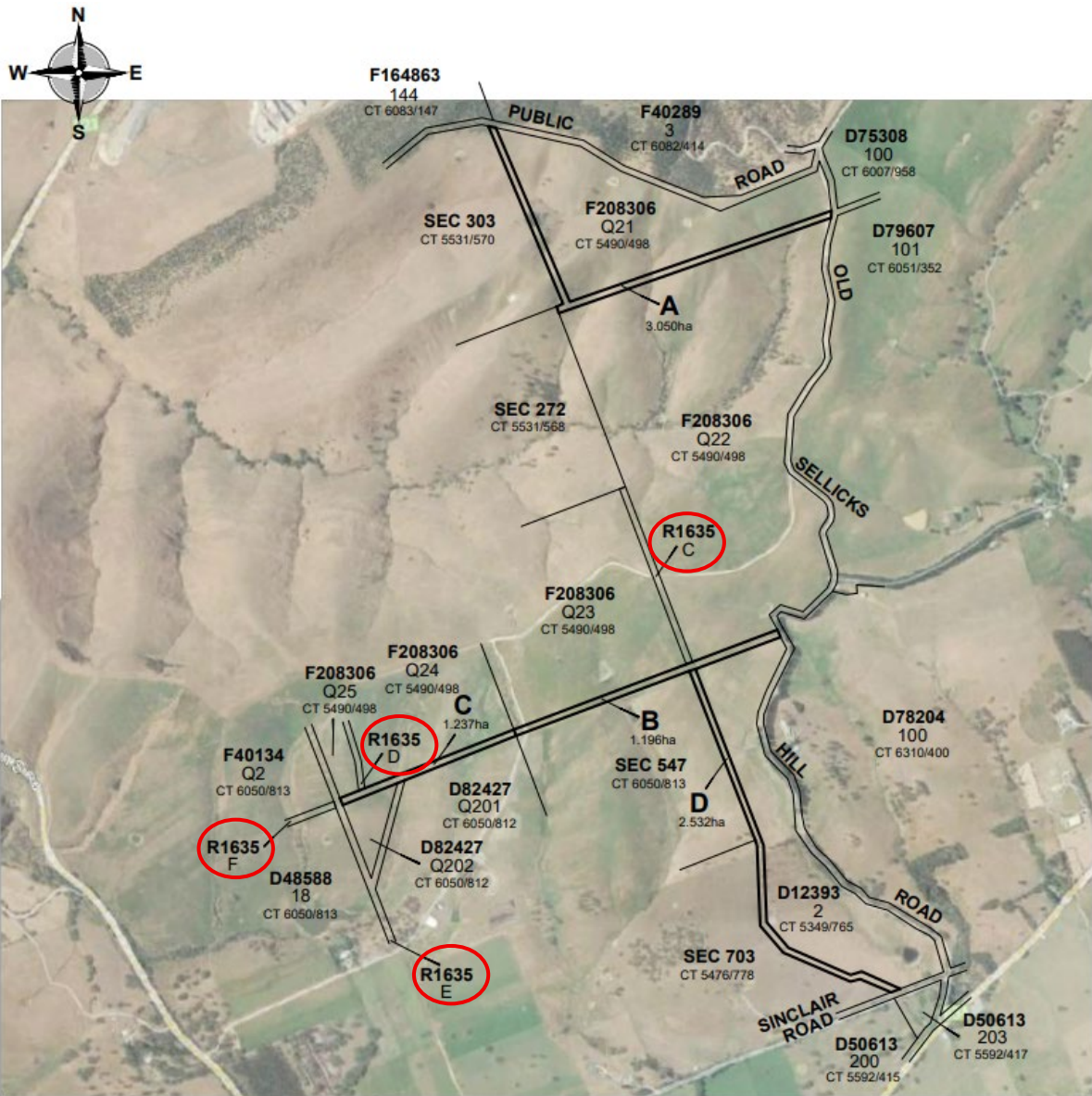
- A summary of the reasons for the proposal.
- A statement of any dedication, reservation, or trust affecting the land.
- Details of whether the revocation is proposed with a view to sale or disposal of the land and, if so, details of any Government assistance given to acquire the land.
- How the Council proposes to use the proceeds.
- An assessment of how the proposal would affect the area and local community.
- If the Council is not the owner of the land – a statement of any requirements made by the owner as a condition of approving the proposed revocation.
- The steps set out in Council’s Public Consultation Policy for community consultation.

Following public consultation, a further report will be presented to Council summarising submissions and seeking endorsement to submit the proposal to the Minister for approval.

2. The Land

Description:

The Land comprises four Closed Roads (marked C, D, E and F on Road Plan 1635) located at Sellicks Hill. They are circled on the following plan with aerial photo overlay. The roads were closed by an Order to Open New and Close and Reserve Old Roads (**Road Order**) dated 20 April 1929 by the District Council of Yankalilla with the Council retaining ownership as Reserved Land. A copy of the Road Order is included in this report.



Size and Features:

Each Closed Road is irregularly shaped with a total land area of approximately 8.6 hectares made up of:

Closed Road Marked C – 1.2 ha

Closed Road Marked D – 0.82 ha

Closed Road Marked E – 4.9 ha

Closed Road Marked F – 1.7 ha

The Closed Roads lie wholly within a privately owned primary production property. It is used in conjunction with the adjoining land for agricultural purposes.

Title:

No Certificate of Title has been issued for the Land.

Registered Proprietor:

Ownership is vested in the District Council of Yankalilla pursuant to the Road Order.

Current Use:

Primary production, integrated with the adjoining property.

Site Value:

The Land has not previously been valued by the Valuer-General.

Zoning:

The property is located within the Productive Rural Landscape Zone.

3. The Proposal

The owner of the adjacent land has applied to Council to purchase the Closed Roads and Unmade Roads (subject to a separate process under the *Roads (Opening & Closing) Act 1991* and not part of this revocation) to facilitate boundary realignments that will allow them to better plan for the future. No change in land use is proposed.

The Land is surplus to Council requirements, provides no community access or amenity, and is effectively incorporated into the adjoining primary production enterprise.

Revocation of the Community Land classification is required before the land can be disposed of.

4. Community Land Management Plan

The land is included in the *Broadacre & Rural Reserves Community Land Management Plan* which aims to preserve natural areas and provide sanctuary for native flora and fauna. These objectives cannot be achieved on this land due to its location entirely within a private primary production property and its long-standing agricultural use.

5. Dedications/Reservations and Trusts

The Road Process Order notes the Land was to be dedicated as a Reserve. There are no other reservations, dedications or trusts affecting the Land.

6. Disposal of the Land

If the revocation is approved, the land will be sold by negotiation with the adjoining owner following the process outlined in Council's *Disposal of Land and Other Assets Policy*. Disposal will not commence until Ministerial approval is received and the

revocation process is completed.

Proceeds:

The proceeds from the sale will be allocated to general revenue.

7. Native Title Considerations

The land is held in fee simple by the Council. There are no Native Title claims affecting the Land.

8. Effect of the Revocation on the Area and Local Community

The revocation is not anticipated to adversely impact the area or local community because:

- the land is entirely within a privately owned primary production property;
- there is no public access and no recreational, environmental or community function;
- the land has no strategic value for open space, biodiversity corridors or trail networks; and
- disposal will reduce Council's long-term risk-exposure and maintenance obligations.

The proposal aligns with the District Council of Yankalilla's Strategic Community Plan: Vision 2030, which emphasizes:

- responsible asset management;
- financial sustainability;
- supporting productive rural landscapes; and
- reducing unnecessary operational burdens on ratepayers.

9. Public Consultation

The revocation process requires public consultation in accordance with the Local Government Act 1999 and Council's Public Consultation Policy. Revocations fall under the Level 3 engagement category requiring comprehensive consultation including:

- publication on Council's website and Your Say Yankalilla
- notices to be published in Fleurieu Sun and In The Loop
- social media updates
- letters will sent to impacted residents and stakeholders.
- a minimum 42 day submission period

10. Next Steps

After the public consultation ends, all feedback will be compiled into a report and presented at a formal Council meeting. Elected Members will review the community's input before deciding whether to move forward with the revocation process. If they choose to proceed, the Council will send the proposal to the Minister for approval. Should the Minister approve the revocation, the Council will formally resolve to revoke the land's classification as community land and begin the sale process.

11. Road Order

Order to Open New and Close and Reserve Old Roads.
(IN DUPLICATE) 1635

J. P. Sullivan
Governor.

Whereas, at a meeting duly held under the provisions of the Roads Act, 1884, this fourth day of April one thousand nine hundred and twenty nine, it appears to the District Council of Yankalilla, that it is expedient and necessary that the lands hereinafter firstly described should be opened as new lines of road, and that the lands hereinafter secondly described are no longer required for the purposes of roads and it having been proved that the notice required by the said Act has been duly given, and that all other requirements thereof have been complied with, and no valid objection to the opening of such new lines of road or to the closing of such old roads having been made: Now, therefore, the said District Council **Both hereby** by virtue of the powers given to it by the said Act, **Order** that **All** those parts of land in the Hundred of Wuyongga, County of Hindmarsh, a strip of land generally east and west commencing at the road adjoining section 529, Hundred of Willunga, and extending generally southerly, intersecting Crown Lands and sections 277, 276, 275, 544, 519, 287 and 517, to join the road on the south boundary of the latter section

Commissioner of Crown Lands.

as the said pieces of land are delineated, colored red, and numbered 1, 2, 3, 4, 5, 6, 7, 8 in the Survey Map and Reference deposited in the Office of the Surveyor-General, at Adelaide, shall be forthwith made and opened as new lines of road. And the said Council **Both further Order** that **All** those parts of land in the above mentioned Hundred, the whole of the road dividing section 271 from section 277, 276, 275, 273, 302, and dividing section 273 from section 275, the whole of the road dividing sections 302, 303 from Water Reserve and sections 273, 272, the whole of the road dividing section 272, 546 from sections 552, 545; the whole of the road intersecting sections 543 and 545, the whole of the road intersecting section 316, the whole of the road dividing sections 543, 545, 517 from sections 545, 316, 702; the greater portion of the road dividing sections 543, 544, 280 from sections 519, 518, 520; the whole of the road dividing sections 532, 528, 286 from sections 281, 520, 519, 287, portion of the road dividing section 528 from section 532; the whole of the road intersecting sections 501, 502

Mrs. G. E. Day
Surveyor-General.

as delineated, colored green, and marked A, B, C, D, E, F, G, H, J, K in the said Map and Reference shall henceforth be discontinued, and cease to be used as roads: And the said Council **Both further Order** that the pieces of land lastly described, marked as above and heretofore used as roads, shall be retained.

and that the same shall be vested in the him and assigns for ever.

DATED this fourth day of April one thousand nine hundred and twenty nine.

*Easements to issue - 100
G' when it is made.
Vide EWS 4731/1175
x EWS 5454/117*

G. E. Day Chairman.
G. E. Day Councillors.



