



Revocation of Community Land Status Public Consultation Report

Roadside Buffer Reserve Lot 52 Greenhills Road, Victor Harbor

Figure 1



June 2018



Introduction

The *Local Government Act 1999* (the Act) establishes a framework for the classification of land as “community land” for the majority of land that is owned by Council or under Council's care, control and management. The community land framework aims to ensure a strategic approach to the management of the land, with the objective of protecting the community's current and future interests in the land.

Whenever Council propose to revoke the community land status over such land, Council is required to prepare a report for public consultation/consideration and provision to the Minister for Planning. This report is a, “*Revocation of Community Land Status Public Consultation Report*”, instigated by Council at its meeting of 23 April 2018, for the land identified below, pursuant to Section 194 of the Act.

Subject Land

The subject land (the Land) is a narrow roadside buffer reserve put in place as part of the development of the Victor Harbor ring road between 2000 and 2003. As a ‘reserve’, private driveway access is precluded from being maintained across the reserve, being a common method of controlling vehicle access along particular road networks or traffic management areas.

The Land was created through a division of land acquired by Council to develop the Victor Harbor ring road and the Greenhills Road overpass. The community land status of the Land occurred by default under the Act when Council acquired the Land.

The roadside buffer reserve has a common width of only 0.10 metre (10 centimetres) and an overall length of approximately 240 metres. The reserve is located at what is now the crossover of Greenhills Road and Armstrong Road (ring road), Victor Harbor. The subject land is shown on **Figure 1** of this report.

The area of the Land is approximately 24 square metres and consists of the following Title:

Certificate of Title Volume 5892, Folio 181
Deposited Plan 58904, Allotment 52

A copy of the Title for the Land is attached as **Appendix A**.

A copy of the Deposited Plan is attached as **Appendix B**.

Purpose for the Proposal

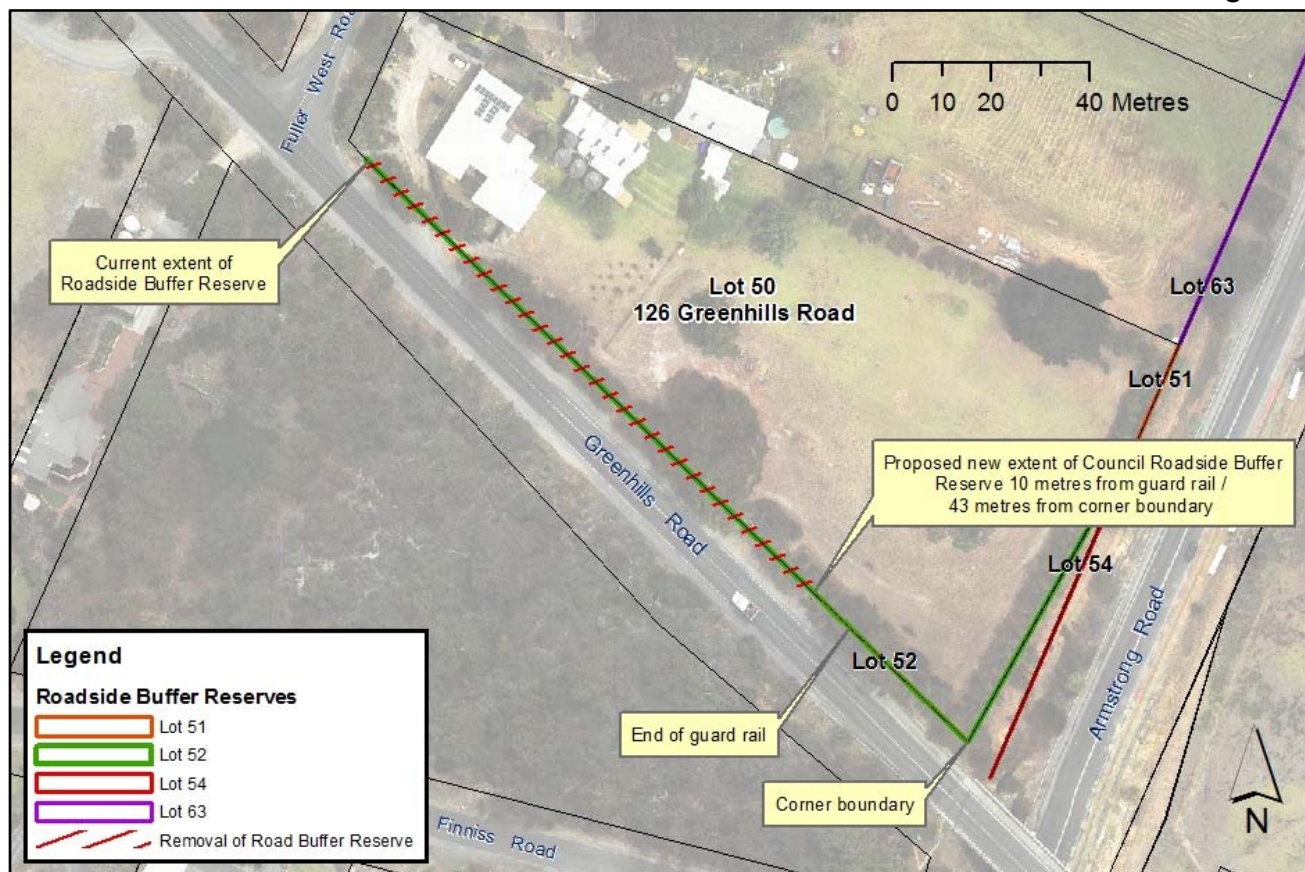
The purpose of the proposal is to allow for a portion of the Land (the reserve) to be converted to a public road, thereby allowing for additional vehicle egress from the adjoining private land of 126 Greenhills Road, Lot 50 of DP 58904. The proposed road provision further catering for a future subdivision of private land (Lot 50), which would otherwise have limited public road access.

The detailed proposal being to reduce the extent of the roadside buffer reserve along Greenhills Road to within 10 metres of the Greenhills Road overpass, which is 43 metres from the boundary intersection of Greenhills Road and Armstrong Road (the ring road).

The conversion of a portion of the Land to public road is proposed through a subdivision of the Land, followed by road declaration under Section 208 of the Act. The remainder of the Land will continue to function as a roadside buffer reserve.

The impact of reducing the extent of roadside buffer reserve along Greenhills Road is shown in the following **figure 2**.

Figure 2



Dedication, Reservation or Trust

The Land is not subject to dedication, reservation or trust.

Revocation and Financials

There is no sale or disposal of the Land, or portion of, included with this revocation proposal. The revocation proposal would allow for a portion the Land to be converted to public road, providing further vehicle access to the adjoining property.

Community Impact from Proposal

As the Land was acquired by Council and established as a reserve for traffic management purposes only, removing of the community land status will have no perceived impact upon community recreation.

While the reserve now exists to preclude traffic from leaving or entering the public road from the adjoining private land, at the time of establishing this reserve, the full extent and requirement of the Victor Harbor ring road overpass was not known during the land acquisition, as the ring road and the overpass were both still under construction.

A recent assessment of the placement of the roadside buffer reserve by Council in 2017 indicates that from the traffic management and safety perspective, the extent of the reserve along Greenhills Road can be safely reduced to within 43 metres of the ring road.



Owner of the Land

The Land (Lot 52 of DP 58904) is owned by the City of Victor Harbor.

Public Consultation

This public consultation report for the revocation of community land status of the subject land forms part of the consultation requirement in accordance with the City of Victor Harbor's Public Consultation Policy and Section 194 of Local Government Act 1999, which includes:

- Minimum 21 days public consultation period. Consultation will commence on Thursday, 28 June 2018 and end at 5pm on Friday, 20 July 2018.
- Notice of community land revocation to be placed in the local newspaper 'The Times' on Thursday, 28 June 2018.
- Community Land Consultation Report and information made available on Council's website (www.yoursay.victor.sa.gov.au) and at the Civic Centre during the consultation period.
- Council to receive written submissions from the public on the proposed revocation and land transfer up until 5pm on Friday, 20 July 2018.

Written submissions should be addressed to the Chief Executive Officer (Community Land Consultation) and sent via:

- Post: City of Victor Harbor
PO Box 11, Victor Harbor SA 5211
- Email: localgov@victor.sa.gov.au
- Web: Complete the online submission form at www.yoursay.victor.sa.gov.au

For further information contact:

Property Team, City of Victor Harbor
1 Bay Road Victor Harbor.
Email: localgov@victor.sa.gov.au
Phone: 8551 0500

Appendix A



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search (CT 5892/181)
Date/Time	30/06/2017 01:00PM
Customer Reference	
Order ID	20170630006931
Cost	\$27.75

REAL PROPERTY ACT, 1986



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5892 Folio 181

Parent Title(s)	CT 5442/749				
Creating Dealing(s)	RTC 9370395				
Title Issued	01/04/2003	Edition	1	Edition Issued	01/04/2003

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF VICTOR HARBOR
OF PO BOX 11 VICTOR HARBOR SA 5211

Description of Land

ALLOTMENT (RESERVE) 52 DEPOSITED PLAN 58904
IN THE AREA NAMED VICTOR HARBOR
HUNDRED OF ENCOUNTER BAY

BEING A RESERVE

Easements

NIL

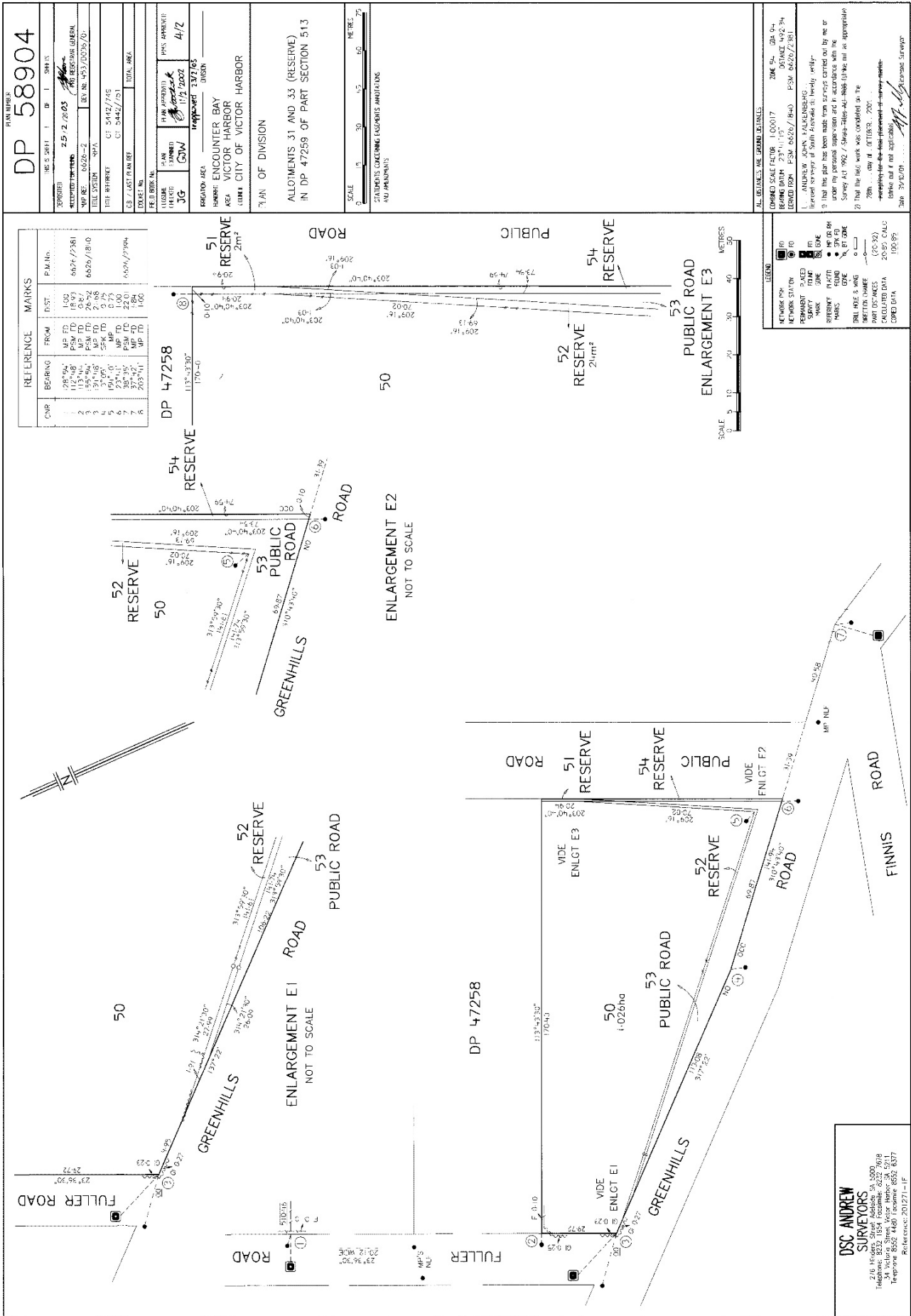
Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

Appendix B



PLAN NUMBER
DP 58904

SUBJECT: **ENCOUNTER BAY AREA VICTOR HARBOR**

DATE: **25/12/2023**

DRAWN BY: **JG**

CHECKED BY: **[Signature]**

SCALE: **1:500**

DATE OF ISSUE: **21/12/2023**

DATE OF PLAN: **21/12/2023**

DATE OF SURVEY: **25/12/2023**

DATE OF PLAN: **21/12/2023**

REGULATED AREA

ENCOUNTER BAY AREA VICTOR HARBOR

CITY OF VICTOR HARBOR

PLAN OF DIVISION

ALLOTMENTS 31 AND 33 (RESERVE)

IN DP 47259 OF PART SECTION 513



DECLARATION

I, the undersigned, being a duly qualified and licensed Surveyor, do hereby certify that the foregoing is a true and correct copy of the original Survey Plan as submitted to me for registration, and that the same has been examined and found to be in accordance with the provisions of the Survey Act 1902, and that the same is a true and correct copy of the original Survey Plan as submitted to me for registration, and that the same has been examined and found to be in accordance with the provisions of the Survey Act 1902.

REGISTERED SURVEYOR

[Signature]

DATE: 21/12/2023