



**Section 194 Report - *Local Government Act 1999*
Report for Public Consultation**

Proposed Revocation of Community Land Classification of Allotments within
Fletcher's Slip Promenade

1. REPORT FOR PUBLIC CONSULTATION - SECTION 194 REPORT LOCAL GOVERNMENT ACT 1999

Fletcher's Slip Promenade

1.1 Report for Public Consultation - Section 194 Report

- Describes the proposal
- Provides the reasons for the proposal
- Identifies the land and where it is located
- Provides a location plan

Revocation of Community Land classification entitles the land to be freed from any dedication, reservation or trust that may affect the use and future sale of the land.

1.2 What is Community Land?

Under the **Local Government Act 1999** (the Act), all local government land - except roads, owned by Council or under its care, control, and management is classified as *Community Land*, unless exempted by legislation, excluded by Council resolution, or formally revoked.

This classification provides a consistent and strategic framework for managing local government land, ensuring it is preserved for the benefit of the whole community, both now and for future generations. Most Community Land is set aside for public use and enjoyment, and Council actively manages these spaces to support its vision of creating a vibrant, well-planned city with safe and healthy places to live, work, and play.

1.3 Why Revocation Sometimes Occurs?

Community expectations and priorities change over time, influenced by population trends, evolving leisure needs, and competing demands for land use. Council regularly reviews Community Land to ensure it meets current and future community needs and represents the best use of resources.

In some cases, following community consultation, Council may determine that maintaining the classification is no longer in the community's long-term interest. Revocation enables land to be repurposed or, in certain cases, sold, with proceeds reinvested into other community purposes such as new facilities or improved open space.

1.4 How is Community Land revoked?

Under Section 194 of the Act, a Council must prepare a detailed report when proposing to revoke the classification of land as Community Land. This report must describe the proposal, the reasons behind it, where the land is located and the possible future use of the land.

The Council is then required to undertake public consultation in line with its Community Engagement Policy (the Policy), consider all submissions received, and submit the proposal, along with a summary of those submissions, to the Minister for Local Government (the Minister) for decision.

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

- A summary of the reasons for the proposal.
- A statement of any dedication, reservation or trust to which the land is subject.
- A statement of whether revocation of the Community Land classification 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.
- A statement of how Council proposes to use the proceeds (if relevant).
- An assessment of how implementation of the proposal would affect the area and local community.

- The relevant steps that Council must follow, in accordance with its Community Engagement Policy (dated 12 March 2024).

After complying with the requirements of the Act, Council –

- Must submit the proposal with a summary report and all public feedback received during the consultation process to the Minister; and
- If the Minister approves the proposal, the Council may make a resolution to revoke the land's classification as Community Land.

1.5 What happens to my feedback?

- Details about the revocation proposal can be seen on Council's website or at Council's offices. Council staff will submit the proposal and report on consultation to Council for consideration.
- Any person providing written feedback is required to include their name, address and contact information and together with their comments, these details will be treated as a public document upon receipt.
- A copy of any written feedback is included in the report that will be presented to the elected members of Council. Council's response to the issues raised is also included in this report.
- Council members must consider what the community has to say about the proposal when they decide whether to make an application to the Minister for approval.
- Council staff may recommend that the classification of the land be revoked. Council may decide not to proceed any further. The decision is up to the elected members of Council.

1.6 What is the role of the Minister?

If Council wishes to revoke the Community Land classification of a piece of land, it must, following a period of consultation, apply to the Minister for approval. As part of this process, Council must share all public feedback received during consultation, along with a summary report.

This feedback plays an important role in helping the Minister review the process followed by a council in submitting a proposal for a revocation of community land classification and assess the merits of the proposal. If the Minister gives approval, the Council then has the ability to pass a resolution to revoke the land's classification.

Only after this resolution does the land formally cease to be classified as Community Land. If approval is granted by the Minister, the Council can still choose not to go ahead with the revocation if it decides it's not in the community's best interest.

If Council resolves to revoke the classification, the land is freed from any dedication, reservation or trust affecting the land (other than under the Crown Lands Act 1929).

1.7 Have your say

Council wants to hear what you have to say, good or bad. You are invited to make a submission on the proposed revocation of Community Land classification.

The preferred method to give feedback is through **our online submission form on Participate PAE**.

However, feedback can also be given through the following channels:

- Posted to PO Box 110, Port Adelaide SA 5015
- Hand delivered to the Civic Centre at 163 St Vincent Street, Port Adelaide
- Emailed to consultation@cityofpae.sa.gov.au

📍 163 St Vincent Street Port Adelaide SA 5015 📞 (08) 8405 6600 ✉ service@cityofpae.sa.gov.au 🌐 www.cityofpae.sa.gov.au

Your feedback must be in writing and clearly identify the proposal you are wishing to comment on, being headed 'Revocation of Community Land Classification at Fletchers Slip, New Port and include your name, address and contact information.

Need support to have your say?

Having trouble with the online submissions, need translation, or something else? Call our help desk during business hours on (08) 8405 6600. *Please note, all submissions will become public documents upon receipt.*

The closing date for submissions is: TBA



Section 194 Report
Local Government Act 1999

Proposed Revocation of Community Land Classification of Allotments within
Fletcher's Slip Promenade

2 SECTION 194 REPORT – LOCAL GOVERNMENT ACT 1999

Report on the proposal to revoke the Community Land classification at Fletcher's Slip, New Port.

2.1 Reasons for the Revocation Proposal

Council Administration seeks to rectify the ownership of five (5) allotments situated at Fletcher's Slip, New Port, which were vested to Council during the Cedar Woods development land division process.

These allotments include wharf infrastructure that was intended to remain under State Government ownership via Renewal SA. The inclusion of the wharf edge within Council's ownership was unintended and has resulted in Council being responsible for maintenance and repairs, creating a significant financial risk.

Renewal SA has agreed to assume ownership of the wharf edge through a stratum subdivision (refer Figure 1), allowing Council to retain The Promenade and reserve areas while transferring the wharf edge back to State Government control.

Legal advice sought by Council confirms that the only mechanism available under the *Local Government Act 1999* to achieve this outcome is through the Community Land Revocation process. No change to the allotment boundaries or the use of the land as a public walkway and reserve is proposed.

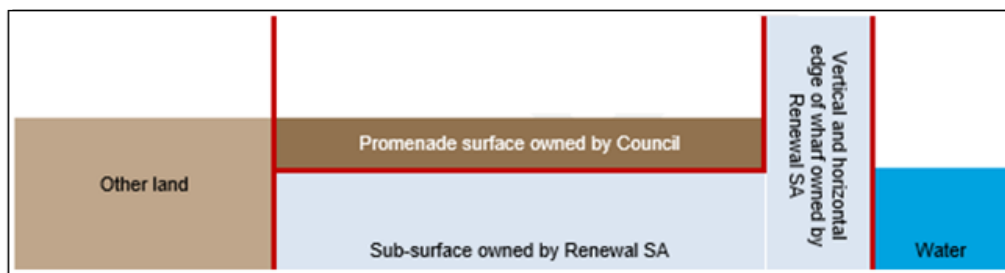


Figure 1: Example of Stratum Ownership Structure Proposed for Promenade
Image courtesy of Wallmans Lawyers, 2025

2.2 Owner Details

The registered proprietor is the City of Port Adelaide Enfield in Fee Simple (Reserve).

2.3 Land Details

The subject land comprises five (5) allotments forming The Promenade and reserve areas at Fletcher's Slip, New Port.



Figure 2: Location of Allotments

The legal details of the allotments are as follows:

Allotment	Deposited Plan	Certificate of Title	Address
8003	128600	6325/653	Panama Drive, New Port
8006	128600	6264/578	Panama Drive, New Port
8021	128611	6264/585	Cape York Avenue, New Port
8022	128611	6264/586	Cape York Avenue, New Port
9000	130916	6278/29	Cape York Avenue, New Port

Refer to **Attachment 1** for the location plan.

2.4 Current Use

The land is currently used as a public promenade and reserve. No change to its use as a public walkway and open space is proposed.

2.5 Zoning of Surrounds

The surrounding area is zoned for Urban Activity Centre, consistent with the New Port precinct planning framework.

2.6 How is the Land Classified

The five (5) allotments were vested to Council as 'reserve' and automatically classified as community land under the *Local Government Act 1999*. This classification must be revoked before the wharf edge can be transferred back to Renewal SA.

2.7 Registered Interests over the Land

Each allotment is subject to multiple easements, predominantly related to essential service infrastructure such as utilities and drainage. These easements are integral to the ongoing provision of services and will remain in place within their respective allotments following the proposed revocation, ensuring continuity of access and compliance with statutory requirements.

2.8 Dedication, Reservation or Trust

The land was vested to Council as 'reserve' during the land division process and is automatically classified as community land under the Local Government Act 1999. There are no additional dedications, reservations, or trusts affecting the land.

2.9 Intention of Council once revocation has occurred?

The revocation of the community land classification is proposed solely to enable the transfer of the wharf edge to Renewal SA.

- **Purpose:** Rectify ownership and ensure appropriate management of wharf infrastructure.
- **Government Assistance:** No Government assistance was provided to Council for the acquisition of this land.
- **Proceeds:** No financial proceeds will result from this transfer. The Promenade and Reserve will be retained by Council and remain in public ownership, with the wharf edge owned and managed by Renewal SA.

2.10 Impact on the area and Local Community

The proposal will have no adverse impact on the local community or the use of the land. The Promenade and reserve will remain accessible as public open space. The transfer of the wharf edge to Renewal SA will ensure that this critical infrastructure is managed holistically with other wharf assets along the Port River Inner Harbor, supporting long-term sustainability and climate resilience.

3 ATTACHMENTS

CERTIFICATES OF TITLE



Product Register Search (CT 6264/586)
 Date/Time 11/01/2026 07:47PM
 Customer Reference New Port
 Order ID 20260111000866



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 6264 Folio 586**

Parent Title(s) CT 6264/571
 Creating Dealing(s) RTC 13680403
 Title Issued 12/01/2022 Edition 2 Edition Issued 12/01/2022

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF PORT ADELAIDE ENFIELD
 OF PO BOX 110 PORT ADELAIDE SA 5015

Description of Land

ALLOTMENT (RESERVE) 8022 DEPOSITED PLAN 128611
 IN THE AREA NAMED NEW PORT
 HUNDRED OF PORT ADELAIDE

Easements

NIL

Schedule of Dealings

NIL

Notations

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



Product Register Search (CT 6264/585)
 Date/Time 11/01/2026 07:47PM
 Customer Reference New Port
 Order ID 20260111000864



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 6264 Folio 585

Parent Title(s) CT 6264/571
 Creating Dealing(s) RTC 13680403
 Title Issued 12/01/2022 Edition 2 Edition Issued 12/01/2022

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF PORT ADELAIDE ENFIELD
 OF PO BOX 110 PORT ADELAIDE SA 5015

Description of Land

ALLOTMENT (RESERVE) 8021 DEPOSITED PLAN 128611
 IN THE AREA NAMED NEW PORT
 HUNDRED OF PORT ADELAIDE

THE WITHIN LAND MARKED HD ON D128611 EXISTS ABOVE A LEVEL OF 2.20 METRES A.H.D.

Easements

TOGETHER WITH EASEMENT(S) WITH LIMITATIONS OVER THE LAND MARKED R ON D128611 APPURTENANT ONLY TO THE LAND MARKED X ON D128611 (RTC 13388296)

TOGETHER WITH EASEMENT(S) WITH LIMITATIONS OVER THE LAND MARKED S ON D128611 APPURTENANT ONLY TO THE LAND MARKED Y ON D128611 (RTC 13388296)

Schedule of Dealings

NIL

Notations

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



Product Register Search (CT 6264/578)
 Date/Time 12/01/2026 11:16AM
 Customer Reference New Port
 Order ID 20260112003059



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 6264 Folio 578

Parent Title(s) CT 6260/29
 Creating Dealing(s) RTC 13680401
 Title Issued 12/01/2022 Edition 2 Edition Issued 12/01/2022

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF PORT ADELAIDE ENFIELD
 OF PO BOX 110 PORT ADELAIDE SA 5015

Description of Land

ALLOTMENT (RESERVE) 8006 DEPOSITED PLAN 128600
 IN THE AREA NAMED NEW PORT
 HUNDRED OF PORT ADELAIDE

THE WITHIN LAND MARKED HA ON D128600 EXISTS ABOVE A LEVEL OF 2.30 METRES A.H.D.

Easements

TOGETHER WITH EASEMENT(S) WITH LIMITATIONS OVER THE LAND MARKED Q ON D128600 (RTC 13388296)

Schedule of Dealings

NIL

Notations

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



Product Register Search (CT 6278/29)
 Date/Time 12/01/2026 11:19AM
 Customer Reference New Port
 Order ID 20260112003145



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 6278 Folio 29

Parent Title(s) CT 6264/583
 Creating Dealing(s) RTC 13914164
 Title Issued 15/11/2022 Edition 1 Edition Issued 15/11/2022

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF PORT ADELAIDE ENFIELD
 OF PO BOX 110 PORT ADELAIDE SA 5015

Description of Land

ALLOTMENT (RESERVE) 9000 DEPOSITED PLAN 130916
 IN THE AREA NAMED NEW PORT
 HUNDRED OF PORT ADELAIDE

THE WITHIN LAND EXISTS ABOVE A LEVEL OF 2.20 METRES A.H.D.

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED BB ON D130916 TO THE COUNCIL FOR THE AREA (RTC 11074766)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED DD ON D130916 (RTC 11074766)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED G ON D130916 (RTC 11074766)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED H ON D130916 (RTC 11074766)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED J ON D130916 (RTC 11074766)

TOGETHER WITH EASEMENT(S) WITH LIMITATIONS OVER THE LAND MARKED S ON D130916 (RTC 13388296)

Schedule of Dealings

NIL

Notations

Dealings Affecting Title NIL

Priority Notices NIL

Registrar-General's Notes NIL

Administrative Interests NIL



Product Register Search (CT 6325/653)
 Date/Time 12/01/2026 11:21AM
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 Order ID 20260112003192



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 6325 Folio 653

Parent Title(s) CT 6264/575
 Creating Dealing(s) TG 14662102
 Title Issued 12/12/2025 Edition 1 Edition Issued 12/12/2025

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF PORT ADELAIDE ENFIELD
 OF PO BOX 110 PORT ADELAIDE SA 5015

Description of Land

ALLOTMENT (RESERVE) 8003 DEPOSITED PLAN 128600
 IN THE AREA NAMED NEW PORT
 HUNDRED OF PORT ADELAIDE

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED F ON F261684 (TG 14662102)

Schedule of Dealings

NIL

Notations

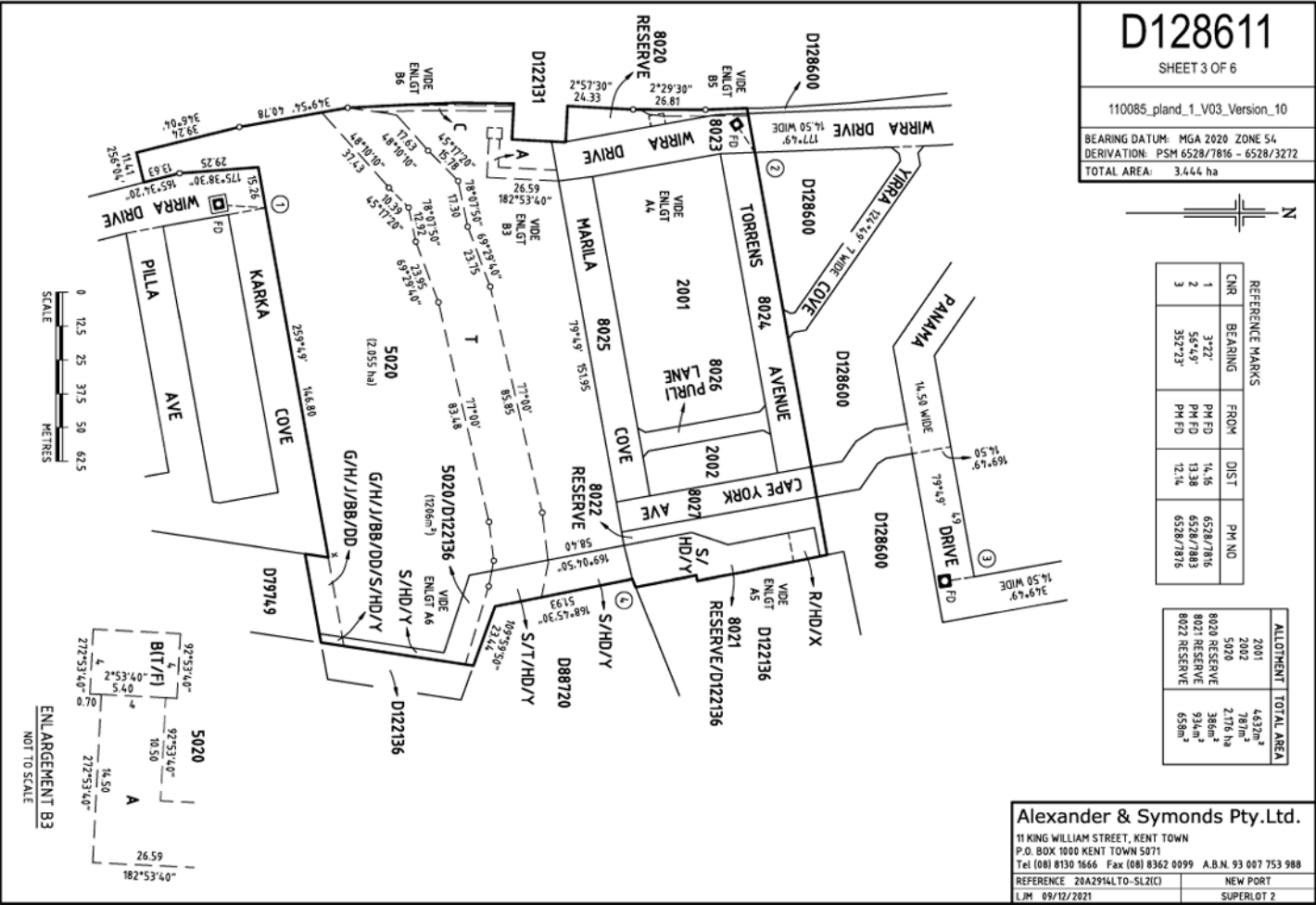
Dealings Affecting Title NIL
 Priority Notices NIL
 Registrar-General's Notes NIL
 Administrative Interests NIL

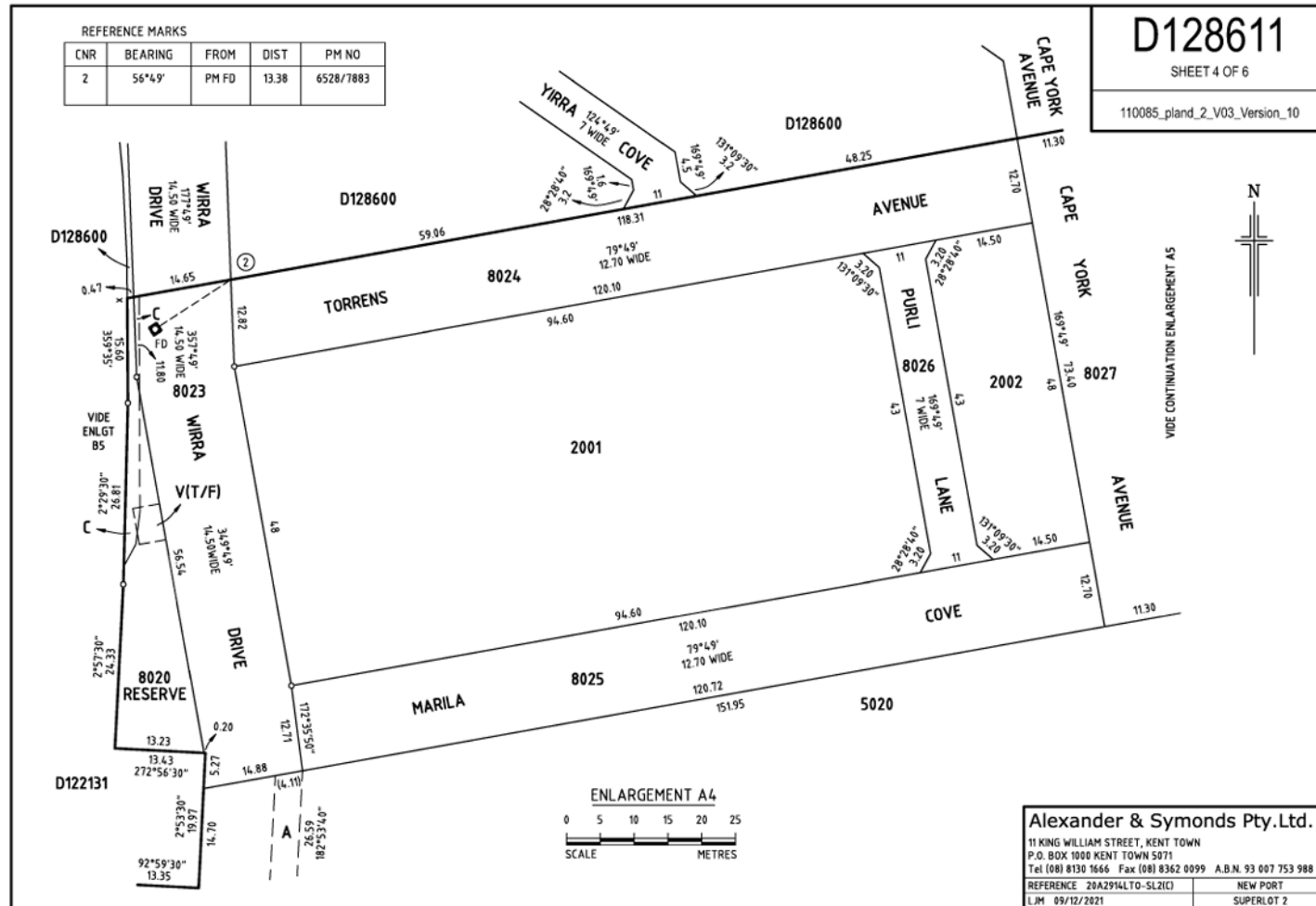
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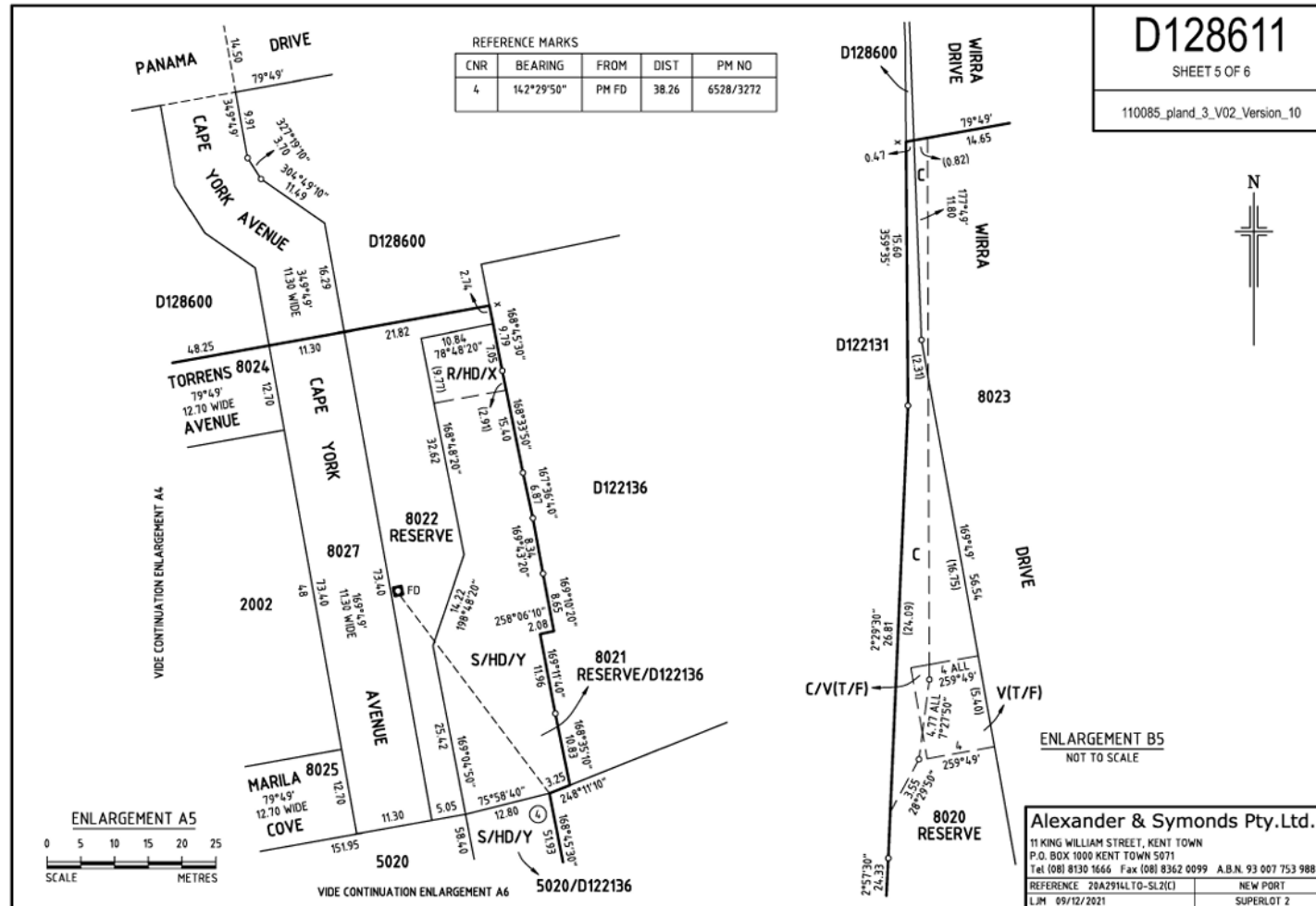
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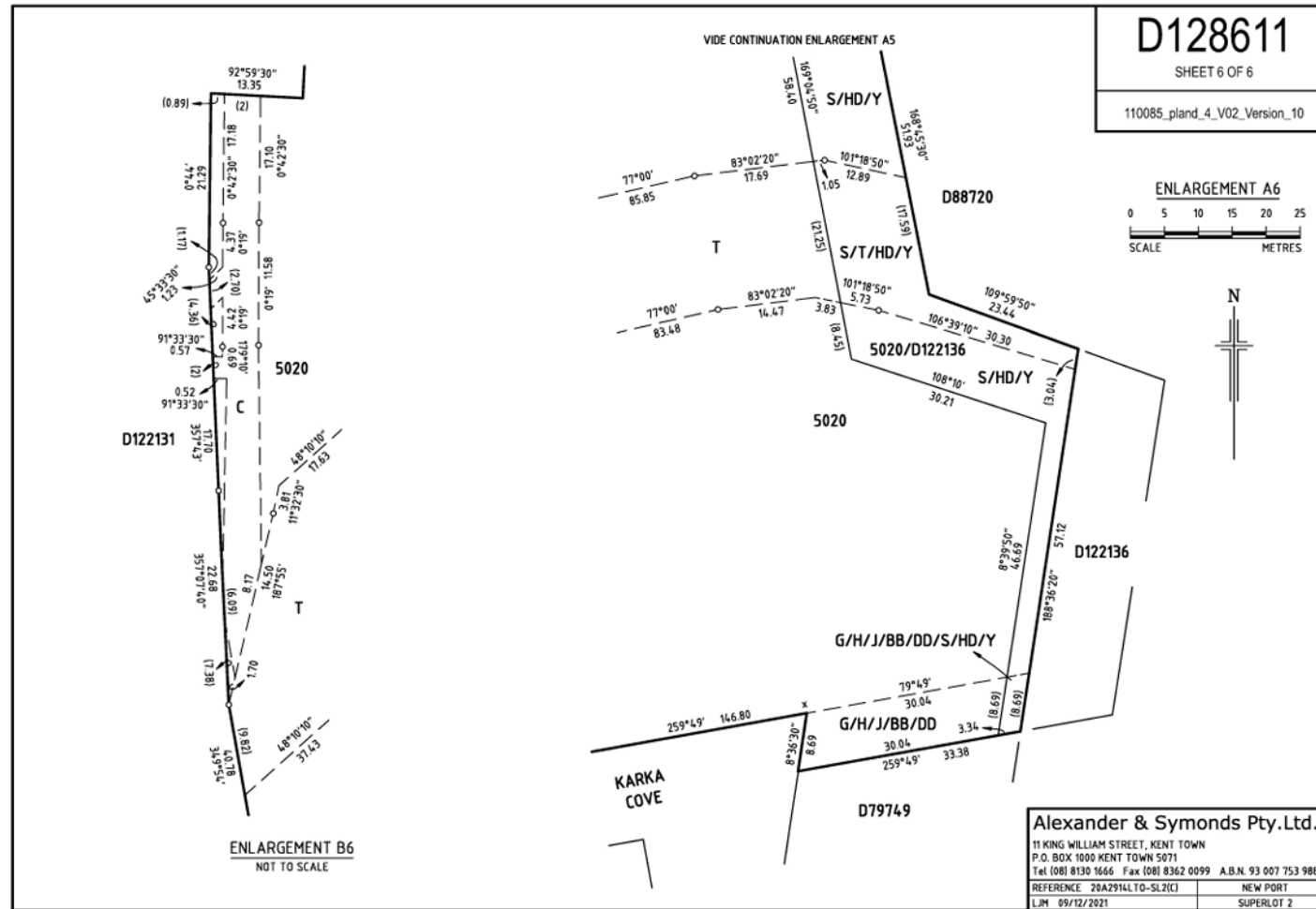
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AGENT DETAILS:	ALEXANDER & SYMONDS PTY LTD 1ST FLOOR 11 KING WILLIAM ST KENT TOWN SA 5067 PH: 81301666 FAX: 83620099			SURVEYORS CERTIFICATION: I Mark Antony Peter Williams, a licensed surveyor do hereby certify - 1) That this plan has been made from surveys carried out by a person other than a licensed surveyor under my personal supervision and correctly prepared in accordance with the Survey Act 1992. 2) That the field work was completed on the 22nd day of November 2021 excepting for the final placement of survey marks 10th day of January 2022 Mark Antony Peter Williams Licensed Surveyor					
AGENT CODE:	ALSY								
REFERENCE:	20A2914LTOSL2(C)								
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PT CT	6260	29		ALLOTMENT(S)	5000	D	128600 PORT ADELAIDE		
CT	6260	30		ALLOTMENT(S)	5000	D	128600 PORT ADELAIDE		
OTHER TITLES AFFECTED:									
EASEMENT DETAILS:									
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EXTINGUISH	8027(CAPE YORK AVENUE), 8021(RESERVE), 8022(RESERVE)	SERVICE	EASEMENT(S)	N IN D128600	FOR DRAINAGE PURPOSES	THE COUNCIL FOR THE AREA		223LG RPA	
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EXISTING	5020	LONG	EASEMENT(S)	G				RTC 11074766	
EXISTING	5020	LONG	EASEMENT(S)	H				RTC 11074766	
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EXISTING	8020(RESERVE)	SERVICE	EASEMENT(S)	V(T/F)	FOR ELECTRICITY SUPPLY PURPOSES	DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	223LG RPA
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NEW	5020	SERVICE	EASEMENT(S)	B(T/F)	FOR ELECTRICITY SUPPLY PURPOSES	DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	223LG RPA
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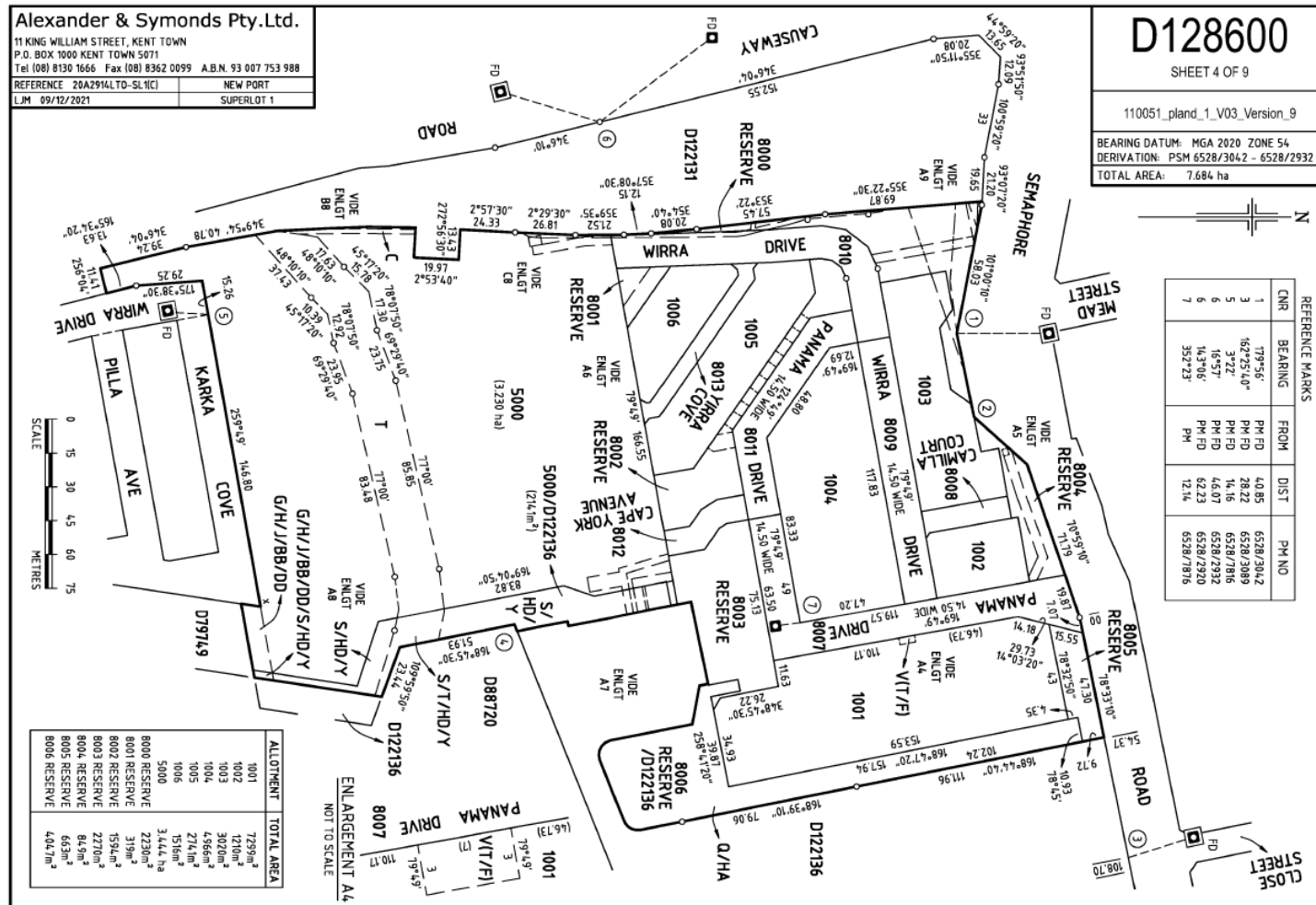


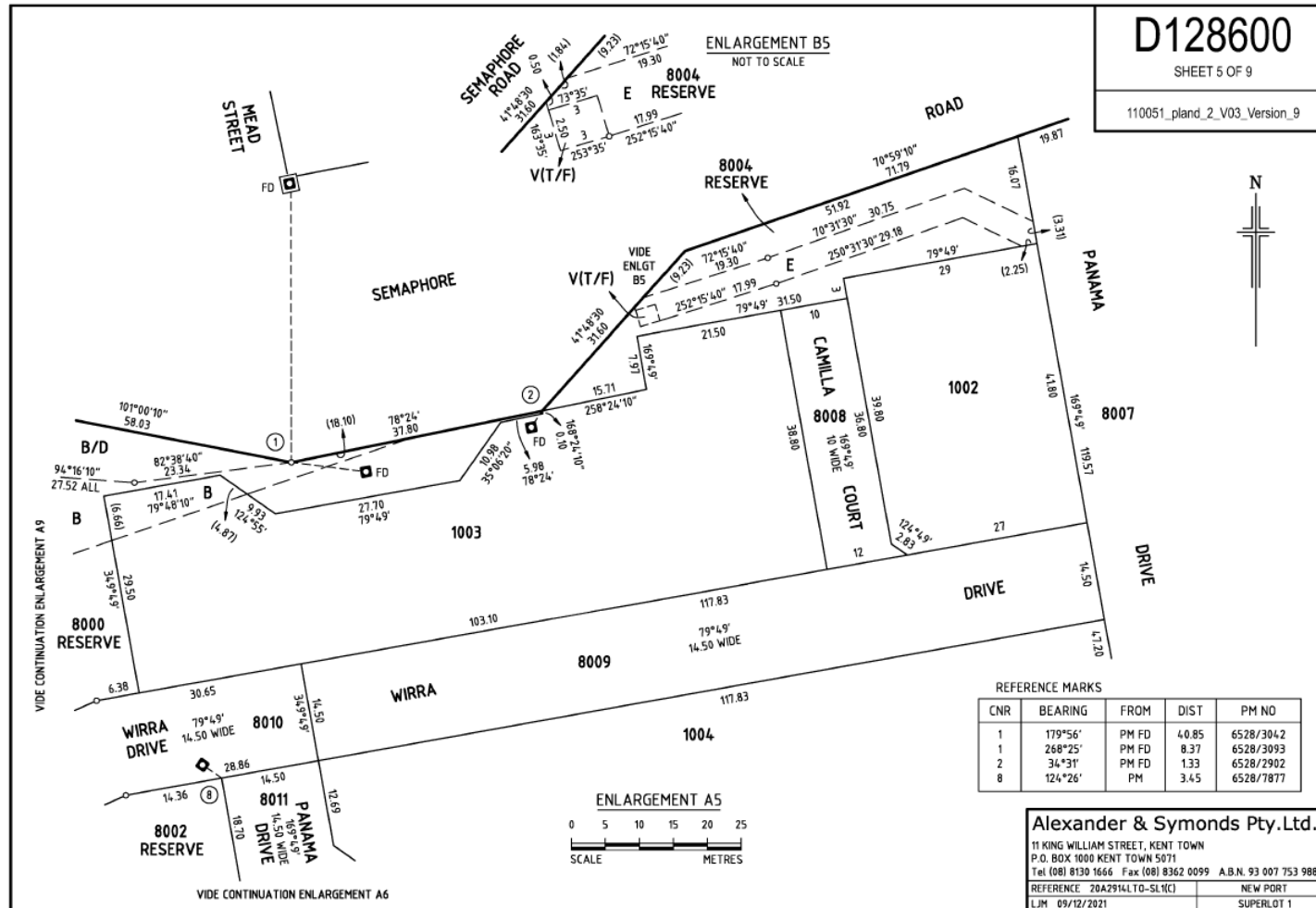
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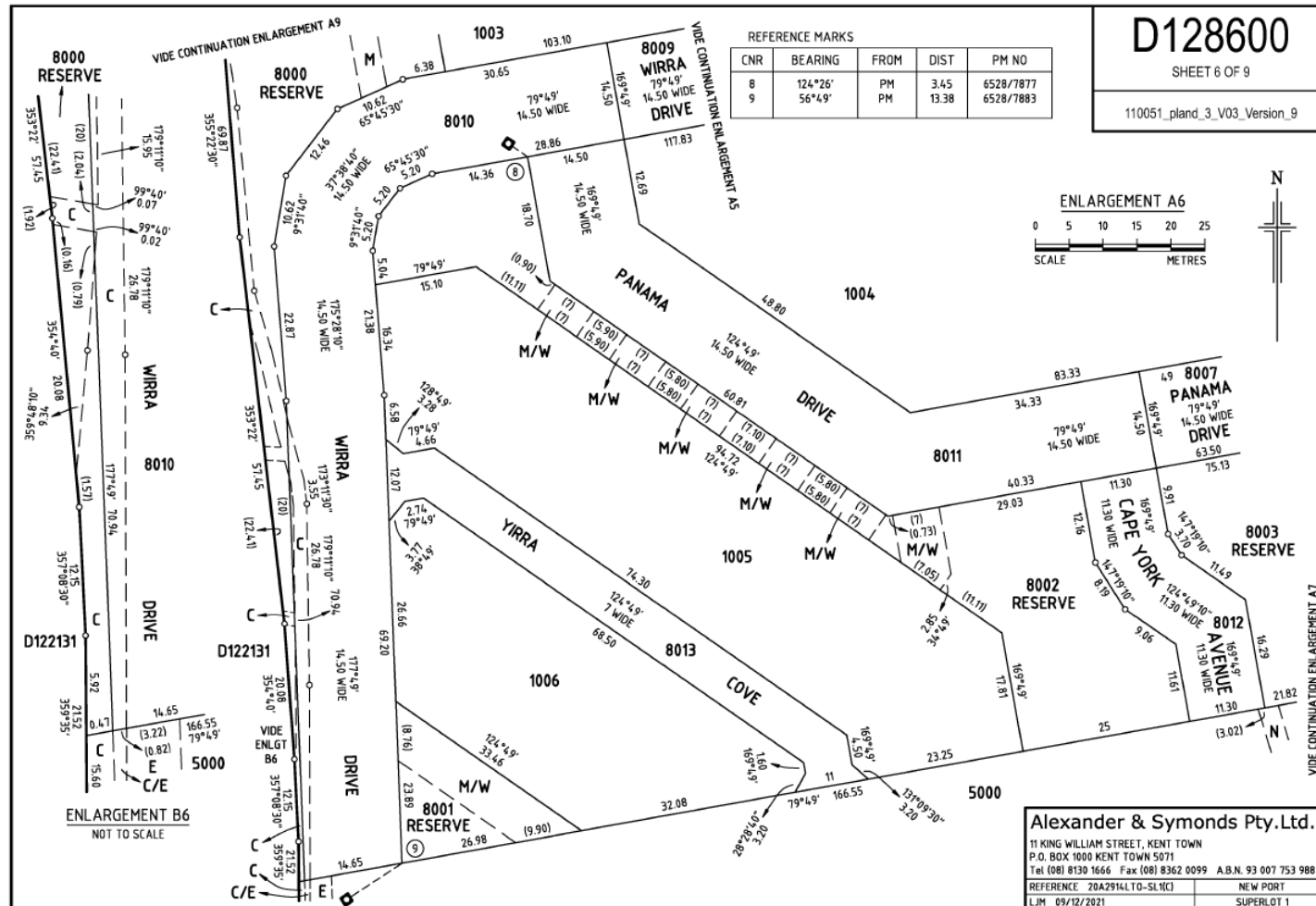
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AGENT DETAILS:	ALEXANDER & SYMONDS PTY LTD 1ST FLOOR 11 KING WILLIAM ST KENT TOWN SA 5067 PH: 81301666 FAX: 83620099			SURVEYORS CERTIFICATION:	I Mark Antony Peter Williams, a licensed surveyor do hereby certify - 1) That this plan has been made from surveys carried out by me and correctly prepared in accordance with the Survey Act 1992. 2) That the field work was completed on the 15th day of November 2021 10th day of January 2022 Mark Antony Peter Williams Licensed Surveyor				
AGENT CODE:	ALSY								
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CT	6260	29		ALLOTMENT(S)	11	D	122136	PORT ADELAIDE	
CT	6260	30		ALLOTMENT(S)	12	D	122136	PORT ADELAIDE	
OTHER TITLES AFFECTED:									
EASEMENT DETAILS:									
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EXTINGUISH	201 IN D122136	LONG	EASEMENT(S) WITH LIMITATIONS	S		12 IN D122136 EXCLUDING 5000 (MARKED Y)	RTC 13388296		
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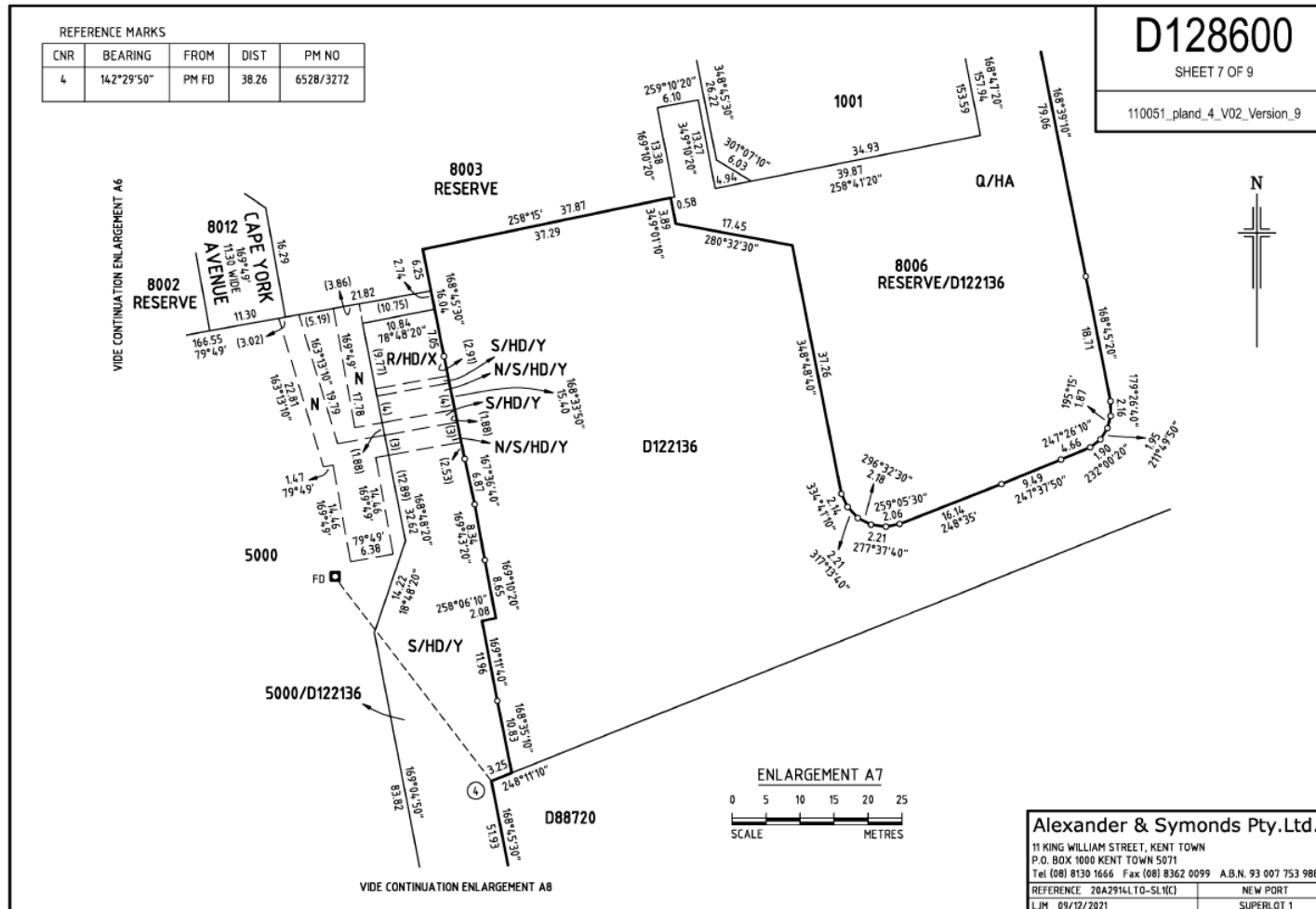
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EXISTING	5000	LONG	EASEMENT(S)	H			RTC 11074766
EXISTING	5000	LONG	EASEMENT(S)	J			RTC 11074766
EXISTING	5000	LONG	EASEMENT(S)	BB		THE COUNCIL FOR THE AREA	RTC 11074766
EXISTING	5000	LONG	EASEMENT(S)	DD			RTC 11074766
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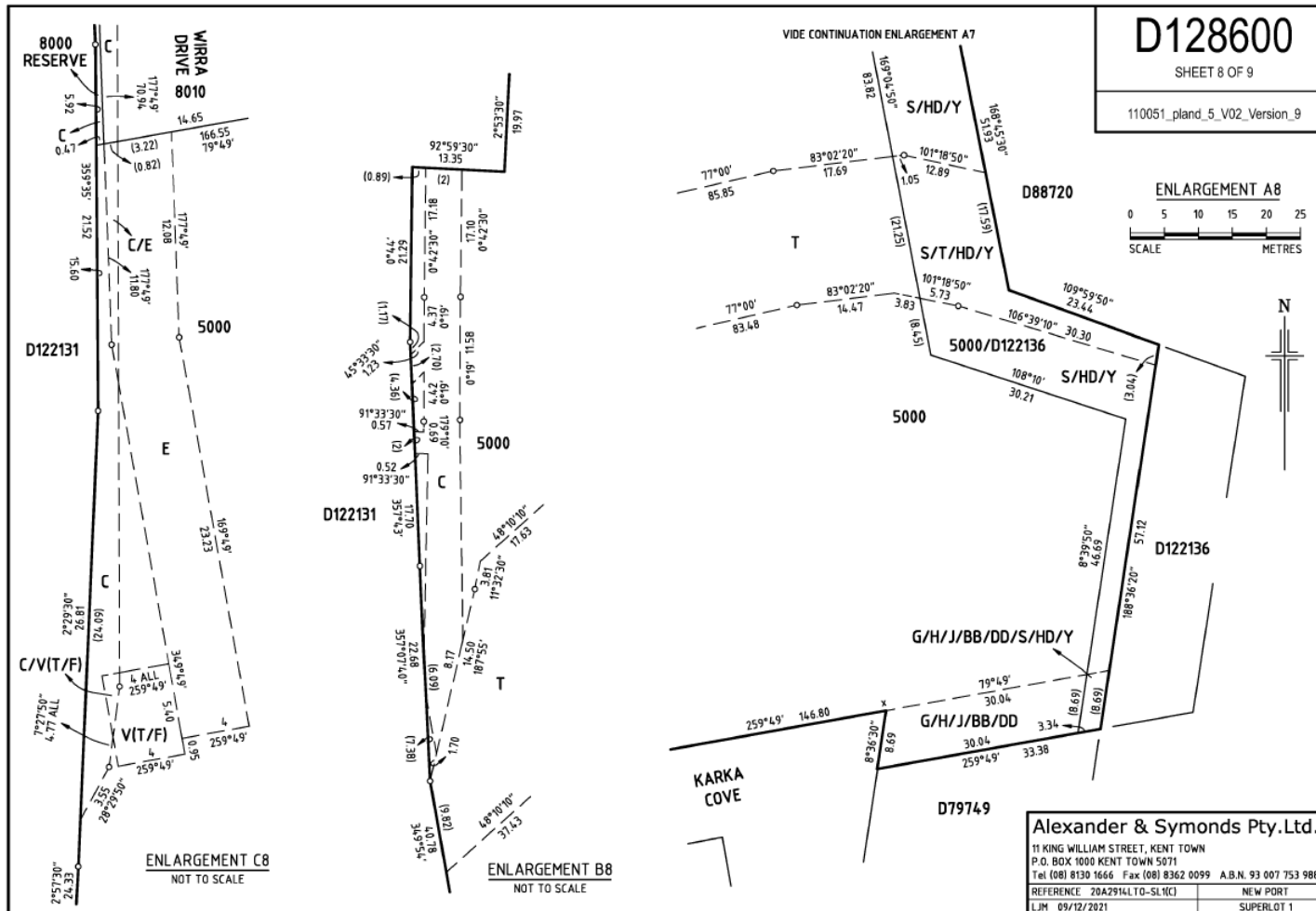
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EASEMENT DETAILS:							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
NEW	1001. 5000. 8004(RESERVE)	SERVICE	EASEMENT(S)	V(T/F)	FOR ELECTRICITY SUPPLY PURPOSES	DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	223LG RPA
ANNOTATIONS: PORTION OF ALLOTMENT(S) 8006(RESERVE) MARKED HA EXISTS ABOVE A LEVEL OF 2.30 METRES AHD PORTION OF ALLOTMENT(S) 5000 MARKED HD EXISTS ABOVE A LEVEL OF 2.20 METRES AHD							

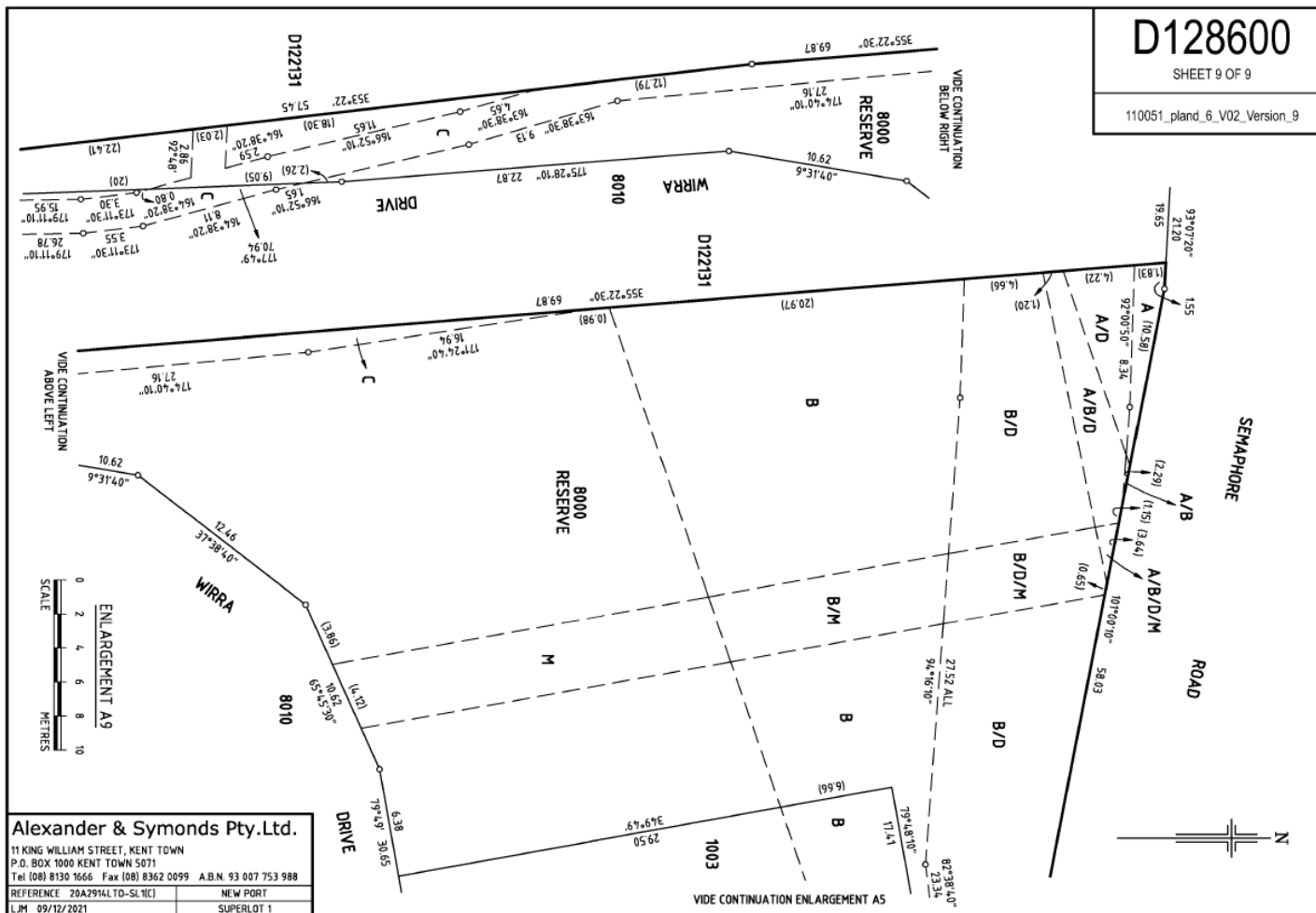












Deposited Plan 130916

PURPOSE:	DIVISION	AREA NAME:	NEW PORT	APPROVED:	 D130916 SHEET 1 OF 4 114666_text_01_v04_Version_4		
MAP REF:	6528/35/N	COUNCIL:	CITY OF PORT ADELAIDE ENFIELD	26/10/2022			
LAST PLAN:	D128611	DEVELOPMENT NO:	040/D189/18/003/64755	DEPOSITED: 14/11/2022			
AGENT DETAILS:	ALEXANDER & SYMONDS PTY LTD 1ST FLOOR 11 KING WILLIAM ST KENT TOWN SA 5067 PH: 81301666 FAX: 83620099		SURVEYORS CERTIFICATION:	I Mark Antony Peter Williams, a licensed surveyor do hereby certify - 1) That this plan has been made from surveys carried out by a person other than a licensed surveyor under my personal supervision and correctly prepared in accordance with the Survey Act 1992. 2) That the field work was completed on the 21st day of November 2021 excepting for the final placement of survey marks 19th day of October 2022 Mark Antony Peter Williams Licensed Surveyor			
AGENT CODE:	ALSY						
REFERENCE:	20A2914LTOSL3(B)						
SUBJECT TITLE DETAILS:							
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER		
CT	6264	583		ALLOTMENT(S)	5020		
PLAN D NUMBER 128611 HUNDRED / IA / DIVISION PORT ADELAIDE TOWN REFERENCE NUMBER							
OTHER TITLES AFFECTED:							
EASEMENT DETAILS:							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXTINGUISH	9008 (WIRRA DRIVE)	SERVICE	EASEMENT(S)	A IN D128611	FOR ELECTRICITY SUPPLY PURPOSES	DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	223LG RPA
EXTINGUISH	CT 6264/583	SERVICE	EASEMENT(S)	T IN D128611	FOR DRAINAGE PURPOSES	THE COUNCIL FOR THE AREA	223LG RPA
EXISTING	9003(RESERVE)	SERVICE	EASEMENT(S)	B(T/F)	FOR ELECTRICITY SUPPLY PURPOSES	DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	223LG RPA
EXISTING	9003(RESERVE)	SHORT	EASEMENT(S)	C	FOR THE TRANSMISSION OF ELECTRICITY BY UNDERGROUND CABLE		RTC 13220440
EXISTING	9000(RESERVE).9002 (RESERVE)	LONG	EASEMENT(S)	G			RTC 11074766
EXISTING	9000(RESERVE).9002 (RESERVE)	LONG	EASEMENT(S)	H			RTC 11074766
EXISTING	9000(RESERVE).9002 (RESERVE)	LONG	EASEMENT(S)	J			RTC 11074766

							 D130916 SHEET 2 OF 4 114666_text_01_v04_Version_4
EASEMENT DETAILS:							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXISTING		LONG	EASEMENT(S) WITH LIMITATIONS	S		9000(RESERVE)	RTC 13388296
EXISTING	9000(RESERVE).9002 (RESERVE)	LONG	EASEMENT(S)	BB		THE COUNCIL FOR THE AREA	RTC 11074766
EXISTING	9000(RESERVE).9002 (RESERVE)	LONG	EASEMENT(S)	DD			RTC 11074766
NEW	9003(RESERVE)	SERVICE	EASEMENT(S)	U(T/F)	FOR ELECTRICITY SUPPLY PURPOSES	DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	223LG RPA
ANNOTATIONS: ALLOTMENT 9000(RESERVE) EXISTS ABOVE A LEVEL OF 2.20 METRES AHD. NOTIFICATION OF FINAL MARKINGS VIDE PR 14105303 PRO RG 23/08/2023							

