

**Council Member**  
Deputy Lord Mayor, Councillor  
Martin

Public

**Contact Officer:**  
Tom McCready - Director City  
Services

## MOTION ON NOTICE

**Deputy Lord Mayor, Councillor Martin will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:**

'Asks the Administration to develop a policy and associated criteria for the acquisition of privately owned lanes (sometimes designated places and streets) in the City of Adelaide where the owner is deceased and no living relative can be located with a view to the City acquiring such real estate for the purpose of public use that ensures existing access to other properties, for the creation of community gardens for local residents and requests;

1. A number of lanes be identified for the purpose of piloting the creation of a community garden
2. That the policy, criteria, proposed lanes and budget allocation are presented to Council for consideration in preparation for the 2024/25 Business Plan and Budget.'

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## ADMINISTRATION COMMENT

1. Council's [Acquisition and Disposal of Land and Assets Policy](#) guides the acquisition of private roads with deceased owners.
2. The policy notes that Council may acquire Land to achieve strategic, commercial or community outcomes that align with Council's Strategic Plan. Criteria used in assessing the acquisition of Land and Assets includes "Provision of community benefits and public value."
3. The use of land, including private roads, that may be acquired by Council are many and varied, and includes the creation of community gardens, converting private roads to public roads, and on-selling to adjacent landowners for the purposes of private development.
4. Should the motion be passed, and noting that a relevant policy already exists, a report will be prepared for Council that addresses the intent of the motion, within the timeframe stated.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not applicable
External consultant advice	Currently unknown
Legal advice / litigation (eg contract breach)	Not applicable
Impacts on existing projects	Currently unknown

Budget reallocation	Currently unknown
Capital investment	Currently unknown
Staff time in preparing the workshop / report requested in the motion	Considerable resources and budget required to create a policy
Other	Not applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 4.5 hours.

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- END OF REPORT -