

5.4 PROPOSED SALE OF COUNCIL LAND – FERNTREE GULLY ROAD & JELLS ROAD WHEELERS HILL

(PROP1: ROADS 538: JM)

Responsible Director : Don Cameron

RECOMMENDATION

That Council resolves to:

1. *Advertise its intention to sell part of Council land along the southern side of Ferntree Gully Road and eastern side of Jells Road (for the purpose of road widening) pursuant to Section 189 of the Local Government Act 1989 to VicRoads;*
2. *Appoint a Committee of Council comprising all Councillors to consider any submissions received on the proposed sale at 7.30 pm, Tuesday 9 September 2008 at the Civic Centre;*
3. *Authorise the Chief Executive Officer or his delegate if no submissions are received to:*
 - a) *sell the land at the agreed valuation of \$50,000;*
 - b) *sign and seal all relevant documents related to this matter; and*
 - c) *indicate to VicRoads that no objection is raised to rezoning the land to Road Zone 1.*

INTRODUCTION

VicRoads is currently widening Ferntree Gully Road from west of Jells Road to Dandenong Creek and is seeking to purchase a thin parcel of land off the Wheelers Hill Art Gallery/Library site from Council. This report is to commence the statutory process to sell part of Council land along the southern side of Ferntree Gully Road and eastern side of Jells Road to VicRoads for the purpose of road widening.

ANALYSIS

The subject land comprises 4 parcels all in the shape of a thin slice. The largest parcel widens to a maximum of 3.2 metres (refer Attachment 1) and the total area of land is 906 square metres.

A Notice of Acquisition has been published in the Government Gazette on 7 February 2008. VicRoads has obtained independent valuation advice concerning the compensation payable and has offered Council a total of \$50,000 for the 4 parcels. Council has had this valuation independently reviewed and concluded that the proposed valuation is fair and reasonable.

The land is currently zoned Public Use Zone: Local Government (part) and Public Park and Recreation Zone (part). If the sale goes ahead then it is considered in order for Vic Roads to be advised that no objection is raised to rezoning the land to Road Zone 1.

POLICY IMPLICATION

Council's property comprises the Monash Gallery of Art, the Wheelers Hill library and the associated areas of Council's Gallery Park residential subdivision. The proposed transfer would not affect any existing buildings or have any material effect on the current use of Council's property.

IMPLEMENTATION

Council is required to give public notice of its intention to sell the land to VicRoads under Section 189 of the Local Government Act 1989, and must consider submissions received.

EXTERNAL CONSULTATION

Public Consultation will be undertaken in accordance with Section 189 of the Local Government Act 1989.

All relevant Council departments, Service and Statutory Authorities will also be consulted concerning the existence of any assets and requirements with regards to easements.

CONCLUSION

The subject land is not expected to be required for future Council use. Accordingly it is recommended that Council indicate that it proposes to sell the property to VicRoads by commencing the necessary statutory processes.