

5.18 PROPOSED SUBDIVISION AND SALE OF COUNCIL OWNED LAND AT 3 KENNETT STREET, ASHWOOD

(PROP275: SY: JWP)

Ward: **Mount Waverley**

Responsible Director : Don Cameron

RECOMMENDATION

That Council acting under Sections 189 and 223 of the Local Government Act, 1989 ("the Act")

- 1. Commences the statutory procedures to advertise Council's intention to subdivide and sell part of the Council owned vacant land at No. 3 Kennett Street, Ashwood ("the land") being the land indicated in Attachment 1 and 2 of this report;*
- 2. Appoints a Committee of Council to consider s.189 submissions received on the proposed sale, on Tuesday 6 May, 2008 at 7.30 pm at the Civic Centre;*
- 3. Authorises the Chief Executive Officer or his delegate, on behalf of Council to:-*
 - a) Commence the procedure to subdivide the portion of land from the balance of the title [being the portion of land as indicated on the Plans attached];*
 - b) Sell the land either by way of public auction or by private treaty in the event of there being no submissions received, and*
 - c) Sign and seal all documentation required to effect sale of the land.*

INTRODUCTION

The purpose of this report is to seek Council approval to commence the statutory procedures to subdivide and sell part of the land within the Council owned vacant land at 3 Kennett Street, Ashwood (shown on Attachment 1 & 2) by public auction or private treaty.

BACKGROUND & DISCUSSION

The Council-owned property at 3 Kennett Street, Ashwood is vacant land, except for a small section at the western boundary of the property, which is currently used for car parking.

This property is not currently utilised for any Council purposes and not expected to be required for any future Council use. It's location means that it has low use as a recreation reserve.

Recent correspondence from the local area Neighbourhood Watch recommends that the land be converted into a carpark to support the local strip shopping centre and remove the need for cars to park in the surrounding streets. Notwithstanding and, consistent with Council's current policy for asset realisation (refer below), it is proposed to sell the subject property with the exception of its small western section which is to be declared as road – Section 35A Plan, Subdivision Act 1987.

POLICY IMPLICATION

Although the remaining part of this vacant land is maintained by Council, there is no foreseeable Council use for the land. Hence the suggested sale of the land accords with policy for Council's Asset Realisation Program and the net funds raised from the sale are to partially fund the proposed new Pavilion building on Electra Reserve.

The current practice of parking in the nearby residential streets is consistent with Council's policy to utilize on-street parking adjacent to Activity Centres to support the commercial activity in those centres.

FINANCIAL IMPLICATION

If Council proceeds with the sale of the remaining part of the land comprising an approximate area of 560m², it is anticipated that the land could yield a net amount in the region of \$450,000. This estimate is subject to a formal valuation by Council's Valuer.

IMPLEMENTATION

Council is required to give public notice of its proposal to sell any Council owned real property in accordance with s. 189 and s.223 of the Local Government Act, 1989 and invite submissions from affected parties before marketing the property. Submitters may request to be heard by Council prior to a decision being made to proceed or otherwise withdraw the proposal.

EXTERNAL CONSULTATION

Apart from the above statutory public advertising, all relevant Council departments, Service and Statutory Authorities will be consulted concerning the existence of any assets and requirements with regards to easements.

CONCLUSION

As the remaining part of the property is not expected to be required for future Council use, it is suggested that Council indicate that it proposes to sell the property by public auction or private treaty by commencing the necessary statutory processes.