

5.19 PROPOSED SALE OF COUNCIL OWNED LAND AT 25 SUNHILL ROAD, MOUNT WAVERLEY

(PROP276: 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 sell the Council owned vacant land at No. 25 Sunhill Road, Mount Waverley ("the land") being the land indicated in Attachments 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) Sell the land either by way of public auction or by private treaty in the event of there being no submissions received, with such sale being subject to a planning permit being issued for the removal of the reserve reservation from the land in accordance with s. 24A of the Subdivision Act, 1987 and subsequent registration of the Plan by the Land Registry and the rezoning of the land from PUZ6 to R1Z; and*
 - b) 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 sell the Council owned vacant land at 25 Sunhill Road, Mount Waverley (shown on Attachment 1) by public auction or private treaty.

BACKGROUND & DISCUSSION

The Council-owned property at 25 Sunhill Road is vacant land located among established residential and commercial properties. The land is currently not utilised for any Council purposes and not expected to be required for any future Council use. There are other Council-owned open space areas in the vicinity, including the established Damper Creek Reserve as shown on Attachment 1

The southern boundary of the land abuts a right of way serving the adjacent strip shops. As the abutting right of way is unconstructed it is proposed to construct the right of way to provide proper access for the users.

The property is currently zoned as Public Use [Local Government] and has a 'Recreation Reserve' notation on title. Any sale of the land as a residential allotment will require rezoning to Residential zone and the issue of a s.24A Planning permit for removal of the reserve status.

POLICY IMPLICATION

Although this vacant land is maintained by Council, there is no foreseeable Council use for the land. In addition, substantial open space exists within the vicinity of the subject vacant 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.

FINANCIAL IMPLICATION

If Council proceeds with the sale of this land comprising an approximate area of 618m², it is anticipated that the land could yield in the region of \$500,000. 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 the land by public auction or private treaty 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.

In addition, rezoning the land to Residential 1 and the issue of a S.24A planning permit to remove the reservation designation on the subject property will need to be undertaken by the relevant Council Officers.

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 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 commencing the necessary statutory processes.