

## 10.1 PROPOSED SALE OF 14 BOGONG AVENUE, GLEN WAVERLEY

|                               |                      |
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| <b>Responsible Committee:</b> | Committee of Council |
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### RECOMMENDATION

That Council:

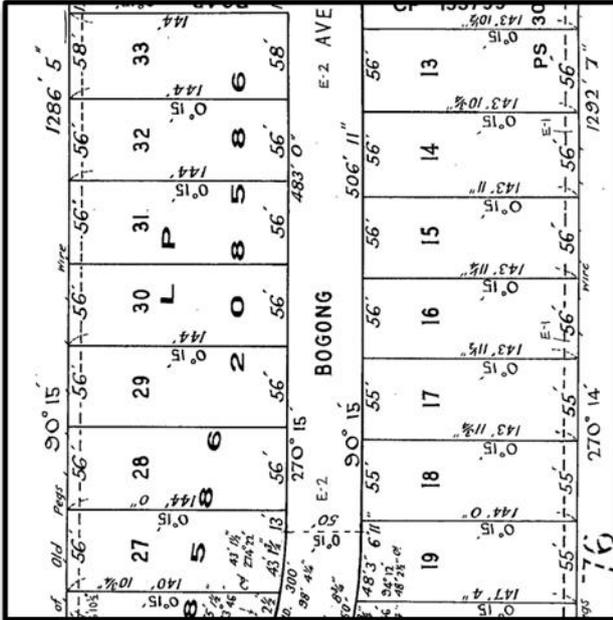
- 1. Receives this report from the Committee established by Council pursuant to Section 114 of the *Local Government Act 2020* and Council’s Community Engagement Policy (“Committee”) to hear and consider any submissions received to Council’s public notice in respect of the proposal to sell Council’s Land at 14 Bogong Avenue, Glen Waverley, being the Land described as Lot 14 on Plan of Subdivision PS26006 in Certificate of Title Volume 7933 Folio 192 (“Land”) through a Public Auction or Private Treaty. (“Proposal”)**
- 2. Notes the Committee met on Tuesday 14 November 2023 at 6.30pm to hear and consider submissions received in respect of the Proposal.**
- 3. Notes that there were no submissions received.**
- 4. Accepts the Committee’s recommendation to proceed with the sale of 14 Bogong Avenue, Glen Waverley, being the Land described as Lot 14 on Plan of Subdivision PS26006 in Certificate of Title Volume 7933 Folio 192 through a Public Auction or Private Treaty.**
- 5. Having complied with its obligations under Section 114 of the *Local Government Act 2020* and Council’s Community Engagement Policy, authorises the Chief Executive Officer or her delegate to sign all documentation required for the sale of the Land.**

### INTRODUCTION

This report considers the outcome of the community engagement process pursuant to s.114 of the *Local Government Act 2020* and Council’s Community Engagement Policy for the proposal to sell Council’s land at 14 Bogong Avenue, Glen Waverley, being the Land described as Lot 14 on Plan of Subdivision PS26006 in Certificate of Title Volume 7933 Folio 192 (“Land”). (“Proposal”)

## BACKGROUND

The Land is known as 14 Bogong Avenue, Glen Waverley, being the Land described as Lot 14 on Plan of Subdivision PS26006 in Certificate of Title Volume 7933 Folio 192 and as shown in **Image 1** below:



**Image 1**

Prior to their relocation to the Euneva Car Park, Monash Youth Services (“MYS”) were based at the Land, with additional service outposts based in Clayton. The building on the Land is a converted house and whilst functional, did not support current best practice for service delivery for MYS.

Council resolved at its meeting on 24 April 2018 to commence the statutory procedures for the sale of the Land, as MYS were to be relocated to Council’s soon-to-be-built Euneva Car Park facility. Council subsequently resolved to proceed with the sale of the Land in November 2019.

The 31 March 2020 report to Council noted that while the relocation of MYS to Euneva Car Park had been completed and the Land was now vacant, Council had received notice that the Land may potentially be acquired by the Suburban Rail Loop Authority (“SRLA”) as part of their new railway station in Glen Waverley. This 31 March 2020 report recommended that Council not to progress with the sale of the Land until the full impacts of the SRLA project were better understood, which was agreed to by Council.

It has since been confirmed that the SRLA does not require the Land for their project and that it remains surplus to Council’s needs. On 29 August 2023, Council considered a report on the proposal to re-commence the statutory procedures for the sale of the Land through a public auction or private treaty, and resolved as follows:

“That Council:

1. Notes that on 31 March 2020, Council resolved not to proceed with the sale of 14 Bogong Avenue Glen Waverley (the Land) due to the investigation works being undertaken by the

*Suburban Rail Loop Authority (SRLA) to identify the preferred location of its station within the Glen Waverley Activity Centre.*

- 2. Notes that the land is not required for the SRLA project.*
- 3. Notes that it has been over 3 years since Council previously completed the statutory process on the proposal to sell the Land, and that a sale of the Land will require Council to undertake a new community engagement process to satisfy its statutory requirements in accordance with Section 114 of the Local Government Act 2020 (the Act).*
- 4. Resolves to commence the statutory process pursuant to Section 114 of the Act regarding the proposal to sell the Land, described in Certificate of Title Volume 7933 Folio 192 through a public auction or private treaty (the Proposal).*
- 5. Gives public notice of the Proposal in accordance with Section 114 of the Act and Council's Community Engagement Policy on Council's website from 11 September 2023 and invites submissions on the Proposal for a period of at least 28 days from that date.*
- 6. Authorises Council's Chief Executive Officer or her delegate to undertake the administrative procedures necessary to enable Council to fulfil the requirements of Section 114 of the Act and Council's Community Engagement Policy in respect of the Proposal.*
- 7. Appoints a Committee of Council comprising the Mayor and Glen Waverley Ward Councillors to hear any submitters requesting to be heard and consider any submissions received at a meeting to be held on 14 November 2023 at 6:30pm at the Monash City Council Civic Centre, 293 Springvale Road, Glen Waverley, or at such a later time and date as the Chief Executive Officer may determine.*
- 8. Following the meeting of the Committee, directs the Committee to provide a report to Council on its considerations, including whether any submissions were received and, if so, a summary of those submissions, and make a recommendation to Council on whether or not to proceed with the Proposal.*

### **Public Notification**

In accordance with Item 5 of Council's 29 August 2023 meeting resolution, a public notice advising of Council's intention to sell the Land was published on Council's website on 12 September 2023, calling for submissions on the proposal to be received by 5:00pm on 11 October 2023. The Public Notice is shown in **Attachment 1**.

### **Public Response**

No submissions were received during the consultation period.



## **Committee of Council Meeting**

The Committee of Council met at 6.30pm on 14 November 2023 to consider the outcome of the above public notification process.

Councillor Tina Samardzija and the Glen Waverley Ward Councillors, Cr Nicky Luo and Cr Geoff Lake made up the Committee.

The Agenda of the Committee was to consider any submissions received and make a recommendation to Council.

Noting that no submissions were received and after considering the information regarding the Land, the outcome of the Committee was as follows:

“Proceed with the sale of 14 Bogong Avenue, Glen Waverley, being the Land described as Lot 14 on Plan of Subdivision PS26006 in Certificate of Title Volume 7933 Folio 192 through a Public Auction or Private Treaty.”

## **POLICY IMPLICATIONS**

The proposal to sell the Land supports Council’s commitment to financial sustainability in accordance with both the 2021-2025 Council Plan and the 2021-2031 Financial Plan.

## **CONSULTATION**

As referred to above, the community consultation process of Council’s proposal to sell the Land has been completed in accordance with Section 114 of the *Local Government Act 2020* and Council’s Community Engagement Policy.

## **FINANCIAL IMPLICATIONS**

Funds from the sale of the land were initially to be directed to the replacement of car parking spaces due to the partial redevelopment of the Euneva Car park, but with the passage of time and with those works having been completed some time ago, the funds are proposed to be put toward the construction of the additions to the Bogong Avenue Multi Deck carpark, where construction works are underway.

Should Council resolve to proceed with the sale of the Land, it is proposed that marketing costs and agent’s sales commission will be funded from the sale proceeds.

## **CONCLUSION**

It is recommended that Council accepts the Committee of Council’s recommendation to proceed with the sale of 14 Bogong Avenue, Glen Waverley.



## ATTACHMENT LIST

1. Public Notice - Sale of 14 Bogong Avenue [**10.1.1** - 1 page]

## Intention to Sell Land: 14 Bogong Avenue, Glen Waverley

No longer on display. Expired on 11 October 2023, 05:00 PM

### Notice of intention to sell land

**MONASH CITY COUNCIL** ("Council") gives notice under section 114 (2) of the Local Government Act 2020 ("the Act") of its intention to sell its land situated at **14 Bogong Avenue, Glen Waverley**, being Lot 14 on Plan of Subdivision LP26006 and comprised in certificate of title volume 7933 folio 192 ("Land"), by public auction or private treaty ("Proposal").

The Land is shown outlined red in the below aerial image.



In accordance with the Monash Community Engagement Policy ("the Policy"), a person may make a submission in respect of the Proposal.

Pursuant to the Policy, any person wishing to make a submission must do so in writing so that the **submission is received** no later than 5pm on 11 October 2023.

A person making a submission is entitled to request in their submission that they wish to appear in person, or to be represented by a person specified in the submission, to be heard in support of the submission before Council (or a committee established by Council for this purpose). If a person wishes to be heard in support of their submission, they must include this request to be heard in their written submission.

**All submissions must quote Reference "F19-10119.05"** and be addressed to:

Director City Development, Monash City Council, and:

- sent by post to: PO Box 1, Glen Waverley, Vic, 3150
- or emailed to: [mail@monash.vic.gov.au](mailto:mail@monash.vic.gov.au)

In accordance with the Policy, hearings will take place at a meeting of the Council or its committee at 6.30pm on 14 November 2023 at the Monash City Council Civic Centre, 293 Springvale Road, Glen Waverley.

Any person making a written submission in accordance with the Policy is advised that all submissions and personal information in the submission will be handled by Council in accordance with the provisions of the *Privacy and Data Protection Act 2014*.

Following consideration of submissions, Council will decide whether to proceed with the Proposal.

Enquiries to: Mark Gibson, Manager Property and City Design, 9518 3025, or email [mark.gibson@monash.vic.gov.au](mailto:mark.gibson@monash.vic.gov.au)

DR ANDI DIAMOND  
Chief Executive Officer

#### Contact details

Mark Gibson, Manager Property and City Design  
9518 3025  
[mark.gibson@monash.vic.gov.au](mailto:mark.gibson@monash.vic.gov.au)