

7.1.5 LAND SALES

Responsible Manager:	Daniel Dowling, Manager Property and City Design
Responsible Director:	Peter Panagakos, Director City Development

RECOMMENDATION

That Council

1. Resolves to commence the statutory process pursuant to Section 114 of the *Local Government Act 2020* (the Act) to sell the following parcels of land (collectively, the Land) through a public process or private treaty for the reasons set out in this report for the following properties:
 - a) 2a Watsons Road, Glen Waverley, the land being described as Lot 2 on PS401632 contained in certificate of title volume 10354 folio 152;
 - b) 70 Warrigal Road, Oakleigh being the land contained in certificate of title volume 8485 folio 090;
 - c) 10 Cuthbert Court, Wheelers Hill, the land being described as Lot 12 on LP9338 contained in certificate of title volume 8908 folio 965;
2. Gives public notice of the intention to sell each property (identified in recommendation 1 above), in accordance with Section 114 of the Act and Council's Community Engagement Policy, on Council's website from 2 November 2026 and invites submissions on the Proposal for a period of at least 28 days from that date as detailed in the consultation section of this report.
3. 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 for each property listed in recommendation 1 (above).
4. Appoints a Committee(s) of Council (Committee(s)) comprising:
 - a) 2a Watsons Road, Glen Waverley - the Mayor, Deputy Mayor and the Jells Ward Councillor
 - b) 70 Warrigal Road, Oakleigh - the Mayor, Deputy Mayor and the Warrigal Ward Councillor
 - c) 10 Cuthbert Court, Wheelers Hill - the Mayor, Deputy Mayor and the Jells Ward Councillor

Who will hear any submitters requesting to be heard and consider any submissions received (for each property) at a meeting to be held on 19 January 2027 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.
5. Directs each Committee (identified in recommendation 4) 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 to proceed with the sale of each property.

INTRODUCTION

The purpose of this report is to seek Council's approval to commence the statutory process pursuant to Section 114 of the *Local Government Act 2020* to give public notice of, and invite submissions on, a proposal to sell three parcels of Council-owned land, being the following:

- a) 2a Watsons Road, Glen Waverley, the land being described as Lot 2 on PS401632 contained in certificate of title volume 10354 folio 152;
- b) 70 Warrigal Road, Oakleigh, the land being contained in certificate of title volume 8485 folio 090;
- c) 10 Cuthbert Court, Wheelers Hill, the land being described as Lot 12 on LP9338 contained in certificate of title volume 8908 folio 965;

This report recommends that Council commence the statutory process to sell each property having identified that each property is surplus to Council's needs.

COUNCIL PLAN STRATEGIC OBJECTIVES

Sustainable City

Ensure an economically, socially, and environmentally sustainable municipality.

Good Governance

Ensure a financially, socially and environmentally sustainable organisation.

BACKGROUND

Council has not previously attempted to sell any of the properties. Each property is considered surplus to Council's needs.

History of the Land

2a Watsons Rd, Glen Waverley

The land is the result of a land swap arrangement between Council and the Glen Waverley Anglican Church in the late 90s, which was done to allow the Church access off Waverley Rd (where Council's land was originally located).

The Church had previously expressed interest in the potential acquisition of this land but have to date not put forward any formal purchase proposal.

70 Warrigal Rd, Oakleigh

This land was acquired by Council in 1973. While the reasons for the acquisition are unknown, there are no records that it was acquired for open space purposes.

10 Cuthbert Court, Wheelers Hill

This land was a former road which was discontinued and transferred to Council's ownership in 1971.

DISCUSSION

The Relevant Sites

The details of each property are detailed below.

2A Watsons Rd, Glen Waverley

Area	~932m2
Title	Lot 2 on PS 401632
Restrictions on title	N/A
Zoning and overlays	GRZ3
Current Use	Vacant
Assets (as shown on Weave)	nil
Adjoining land	Residential
Open Space Strategy	Not identified
Other Information	
Not a reserve on title, not zoned PPRZ. Surrounded by Melbourne Water and Glen Waverley Anglican Church land.	
Benefits from a carriageway easement over Melbourne Water's land to Watsons Rd.	



RED - 2A Watsons Rd, Glen Waverley

BLUE – Melbourne Water Land

YELLOW – Carriageway Easement over MW 's land in favour of 2a Watsons Rd.

70 Warrigal Rd, Oakleigh

Area	~601m2
Title	Lot 1 on TP 333497T
Restrictions on title	N/A
Zoning and overlays	HCTZ1
Current Use	Vacant
Assets (as shown on Weave)	4 trees on site - No underground assets - Traffic signs on NW corner.
Adjoining land	Residential and commercial
Open Space Strategy	Local catchment – public access
Other Information	
This land is vacant and while classified as open space under the MOSS, is clearly not actively used other than as a shortcut and is more accurately described as vacant land. This land is not zoned PPRZ and is not a Reserve on title. Council and DTP traffic signs are able to be relocated off the land. DTP have commenced the relocation process for their sign which is estimated to be completed in 6 months. This land was recently rezoned by the state government from GRZ3 to HCTZ1.	



10 Cuthbert Ct, Wheelers Hill

Area	~1125m ²
Title	Lot 12 on LP93385
Restrictions on title	Easement – E1 (drainage and sewerage)
Zoning and overlays	NRZ4, VPO
Current Use	Park
Assets (as shown on Weave)	8 trees on site, Monash drainage pit northeast corner
Adjoining land	Residential
Open Space Strategy	Local catchment – public access
Other Information	
This land is classified as open space under the MOSS but currently only serves the adjoining residents of this cul de sac. It is more accurately described as vacant land.	
This land is not zoned PPRZ and is not a Reserve on title.	
The shape of this land mimics the adjoining residential blocks and is more suited for the construction of a residential dwelling.	



FINANCIAL IMPLICATIONS

In accordance with the Local Government Act 2020, an up-to-date market valuation must be obtained, and the sale price will be determined based on this valuation.

Council can expect income from land sales less associated costs, which include the following:

- Consultant and legal advice fees (if applicable)
- Valuers' fees
- Statutory consultation costs (letters, signs, etc)
- Real Estate Agents Fees
- Commission
- Advertising costs
- Auction fees/EOI costs (if applicable)
- Conveyancing costs and land registry fees

POLICY IMPLICATIONS

There are no policy implications to this report.

CONSULTATION

Prior to commencing a sale process, Council is required to comply with S.114 (2) of the *Local Government Act 2020 (the Act)*.

S.114 (2) of the Act requires a Council:

- (2) *Before selling or exchanging the land the Council must—*
 - (a) *at least 4 weeks prior to selling or exchanging the land, publish a notice of intention to do so—*
 - (i) *on the Council's website; and*
 - (ii) *in any other manner prescribed by the regulations for the purposes of this subsection; and*
 - (b) *undertake a community engagement process in accordance with its community engagement policy; and*
 - (c) *obtain from a person who holds the qualifications or experience specified under section 13DA (2) of the Valuation of Land Act 1960 a valuation of the land which is made not more than 6 months prior to the sale or exchange.*

Council will place a sign on site, write directly to abutting and adjacent land owners and publish a public notice of the proposal to sell the Land on Council's website from 2 November 2026 for a minimum period of 28 days.

The public notice will invite submissions on the proposal to sell each parcel of land and advise submitters that they may request to be heard by a Committee of Council prior to a decision being made on whether to proceed with a sale of the parcel of land.

Submissions will need to be received within 4 weeks of the date of the public notice.

At the end of the public notice period, a Committee will meet to hear and consider any submissions. The Committee for each parcel of land will include:

2a Watsons Road, Glen Waverley - the Mayor, Deputy Mayor and the Jells Ward Councillor

70 Warrigal Road, Oakleigh - the Mayor, Deputy Mayor and the Warrigal Ward Councillor

10 Cuthbert Court, Wheelers Hill - the Mayor, Deputy Mayor and the Jells Ward Councillor

Each Committee will then prepare a report to Council on the outcome of their proceedings and seek a decision of Council as to whether the sale of each property should proceed or not.

SOCIAL IMPLICATIONS

There are no social implications to this report.



HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications to this report.

GENDER IMPACT ASSESSMENT

A GIA was not completed because this agenda item is not a 'policy', 'program' or 'service'.

CONCLUSION

As the Land is surplus to Council's needs, it is recommended that Council commence the statutory process pursuant to Section 114 of the Local Government Act 2020 to sell the Land.

ATTACHMENT LIST

Nil