

4 SALE OF PART OF 2 STATION STREET, OFFICER

FILE REFERENCE INT1959812

RESPONSIBLE GENERAL MANAGER Tom McQualter

AUTHOR Jeanette Blackwood

RECOMMENDATION

That Council authorises the Chief Executive Officer to effect the sale of part of 2 Station Street Officer and sign and seal all documentation associated with the sale of the Council land.

Attachments

- | | | |
|---|----------------------------------|--------|
| 1 | Locality Plan | 1 Page |
| 2 | Council Land Plan of Subdivision | 1 Page |

EXECUTIVE SUMMARY

Council resolved in August 2017 to give public notice of the intention to sell part of the Council land at 2 Station St Officer. Public notice was given on 12 June 2019 and no submissions were received in relation to the proposal to sell. Therefore it is proposed to proceed with the sale of the land to the abutting owner.

BACKGROUND

In 2017 the owner of 432 Princes Hwy approached Council with a proposal to purchase part of the Council carpark (Council Land), shown as lot 1 on the attached plan of subdivision and also identified on the locality plan as land proposed for sale. The Council Land is currently used as a carpark and part of the Council Land is also required for the intersection upgrade at the corner of Station Street and Princes Hwy. It is proposed that 211 square metres of the Council Land is excess to Council's requirements and could be considered for sale.

Council resolved in August 2017 to proceed with the statutory procedures and give public notice of the intention to sell the Council Land. Prior to giving public notice a decision was taken to delay any sale until Council had considered the intersection works and was clear the Council Land would not be required following the intersection upgrade, therefore a decision was made not to proceed with giving public notice at that time.

Recently Council officers approached the owner of 432 Princes Hwy requesting that he transfers 23 square metres from his property, as shown on the attached locality plan, (DCP Land) to Council to allow for intersection upgrade works as proposed by the DCP on the corner of Princes Hwy and Station St Officer. The owner was agreeable to the transfer of the DCP Land to Council and requested that Council reinvalidate the sale of the Council Land to him.

Officers have reviewed the land requirements for the intersection upgrade and have confirmed the 211 square metres of Council Land can be considered as excess to Council's needs. Therefore a market valuation of the Council Land was carried out and the owner agreed to purchase the Council Land at market value.

Public notice of the proposal to sell the Council Land was given on 12 June 2019, allowing for submissions to be received for 28 days. No submissions were received.

POLICY IMPLICATIONS

The sale of the Land to the owners of the 432 Princes Hwy Officer is not considered to raise any significant policy implications, as the Land is not required for open space, drainage or other public purposes.

The State Government has developed guidelines for the sale of Council land, known as “Local Government Best Practice Guidelines for the Sale and Exchange of Land” (the Guidelines). This document provides guidance for the sale of Council land but Council is not bound by the Guidelines. The Guidelines provide that all sales or transfers should be in the best interest of the community. Generally it is expected that land will be offered to the market by a public marketing campaign, however where the purchasers are limited, as is the case in this situation it is considered reasonable to negotiate directly with an abutting owner and sell the land based upon a market valuation.

RELEVANCE TO COUNCIL PLAN

The relevant Council Plan objective is that ‘We continue to plan and manage the natural and built environment for future generations’. The objective is to be achieved through balancing the needs of development, the community and the environment

CONSULTATION/COMMUNICATION

The report to Council in August 2017 proposed that Council give public notice of the proposal to sell part of 2 Station St Officer to the abutting owner. Public notice was given in accordance with section 189 of Local Government Act 1989 on 12 June 2019, allowing for submissions to be received until 11 July 2019. No submissions were received.

FINANCIAL AND RESOURCE IMPLICATIONS

The abutting owner has agreed to purchase the Council land for market value assessed at \$75,000. They have also agreed to accept the DCP assessed value of \$24,150 for Council to purchase the DCP Land from them, to allow for Council to carry out the intersection upgrade works.

CONCLUSION

Council officers have reached an in principle agreement with the abutting owner to sell the Council Land at 2 Station Street Officer to them at market value, subject to the statutory procedures being completed. The public notice process has been completed and no submissions have been received. Furthermore the abutting owner has agreed to sell part of their land to Council (DCP Land) at the assessed DCP value. It is proposed that Council proceed with the sale of the Council Land and purchase of the DCP Land.



