

7 CHANGE OF STATUS FROM PLANTATION RESERVE TO ROAD RESERVE ALONG THE FRONTAGE OF PROPERTIES 22, 30 AND 34 SIMS LANE KOO WEE RUP

FILE REFERENCE INT1754524

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Doug Evans

RECOMMENDATION

1. That Council commence the statutory procedures under Sections 192 and 223 of the Local Government Act 1989 (the Act) in the local paper circulating in the area of Koo Wee Rup advising of the proposal to change of the status of the land area abutting the frontages of 22, 30 and 34 Sims Lane, Koo Wee Rup.
2. In the event of submissions being received, a committee comprising Port Ward Councillors be appointed and the Chief Executive Officer be authorised to set the day, time and place for the hearing of such submissions.
3. In the event of no submissions being received, the Chief Executive Officer be authorised on behalf of the Council to execute all documentation associated with the change of status of the land.
4. That a subdivision application be lodged to remove the Plantation Status and create the Road Reserve status.

Attachments

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|---|------------------------------|---------|
| 1 | Aerial image | 1 Page |
| 2 | Locality plan | 1 Page |
| 3 | Plan of subdivision | 1 Page |
| 4 | Proposed plan of subdivision | 2 Pages |

EXECUTIVE SUMMARY

Council owns the property at Sims Lane Koo Wee Rup (Land) which was transferred into Council ownership in 1993, which was then the Shire of Cranbourne. The Land is considered to be not required for this use and therefore it is recommended that Council support the proposal to change the use to road reserve.

BACKGROUND

The ownership of Plantation Reserve 1, 2, 3 and 4, Sims Lane, Koo Wee Rup was transferred to Council in 1993 as part of a subdivision of the residential area. The Reserves are vacant land abutting residential properties.

We have been approached by the owner of 34 Sims Lane, Koo Wee Rup (Lot S4 PS318511), as the plantation reserve restricts potential future use and development of the land owner's property, as there is only a small section of their frontage that has direct access to the road. When the original Plan of Subdivision was created, the future development proposal for the site was that further access would be provided through Lot A at Supreme Close (as shown on the attached subdivision plan) to provide rear access to Lots in Sims Lane. This access was not created and therefore the anticipated access and potential for future development has been restricted. The proposal to create a road reserve along Sims Lane will allow for greater development potential of these properties.

It is intended to change the land status from reserve to road for all of reserve 1,2 and 3 and that part of Reserve 4 that abutts Sims Lane by a plan of subdivision. The remaining section of Reserve 4 will remain as plantation reserve.

Further details of the Land are as follows:

Property details: The Land is known as Reserves 1 to 4 PS318511C and is more particularly described in Certificates of Title Volume 10132 Folios 555, 556, 557 and 558.

Land area	307 square metres (subject area being Reserve 1, 2, 3 and part 4)
Zone:	Neighbourhood Residential (NRZ1)
Overlays:	Land Subject to Inundation (LSIO)

As the Land is a reserve on title it is necessary to change the reserve status from the Land under Section 24A of the Subdivision Act 1988 to a road.

POLICY IMPLICATIONS

The change of the status of the land is not considered to raise any significant policy implications, as the land is not required for open space, drainage or other public purposes.

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

Consultation has been carried out with appropriate internal departments who are in support of the proposal to change the status of the land.

Subject to this report, it is proposed that Council give public notice of the intention to change the status of the land, in accordance with Section 192 and 223 of the Act, in the local paper circulating in the area and Council website.

Any submissions received following such public notice will be considered by a committee of Council.

FINANCIAL AND RESOURCE IMPLICATIONS

Following consultation, if a decision is made to change the status of the land, the attached proposed Plan of Subdivision will be lodged. The anticipated Development potential of the land after the status has been changed is in accordance with Council Plan for the area.

CONCLUSION

That Council support the proposal to commence the procedures to change the status of the Land, known as Plantation Reserve 1, 2, 3 and part of 4 on PS318511C in order to:

- Commence Statutory procedures associated with the proposal to change the status of the land;
- Commence the process to subdivide the Reserve and remove the Plantation Reserve status on the land and create a Road Reserve status.

Change of status from Plantation Reserve to Road Reserve along the frontage of properties 22, 30 and 34 Sims Lane Koo Wee Rup

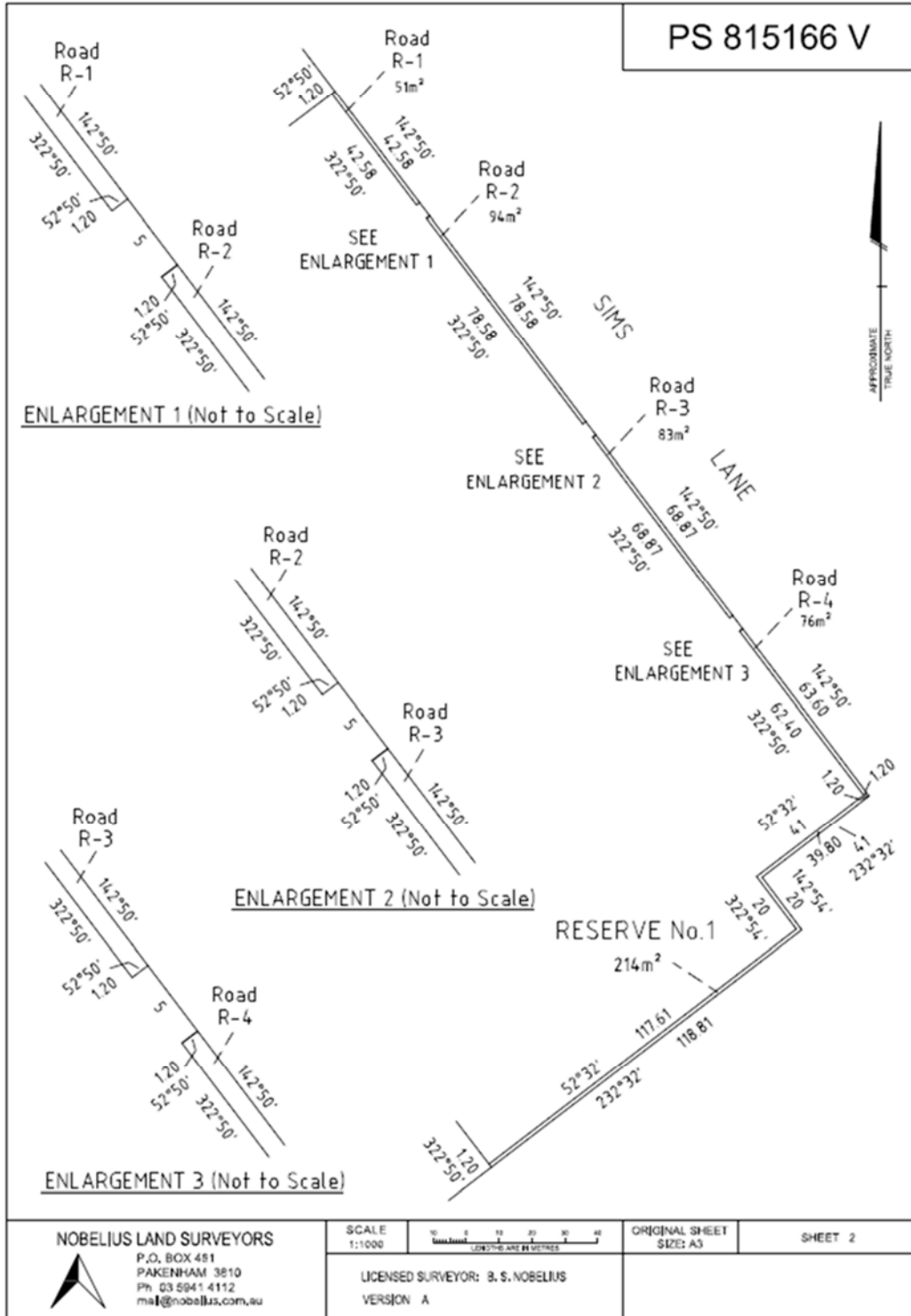
Aerial image



Change of status from Plantation Reserve to Road Reserve along the frontage of properties 22, 30 and 34 Sims Lane Koo Wee Rup

Proposed Plan of Subdivision 815166

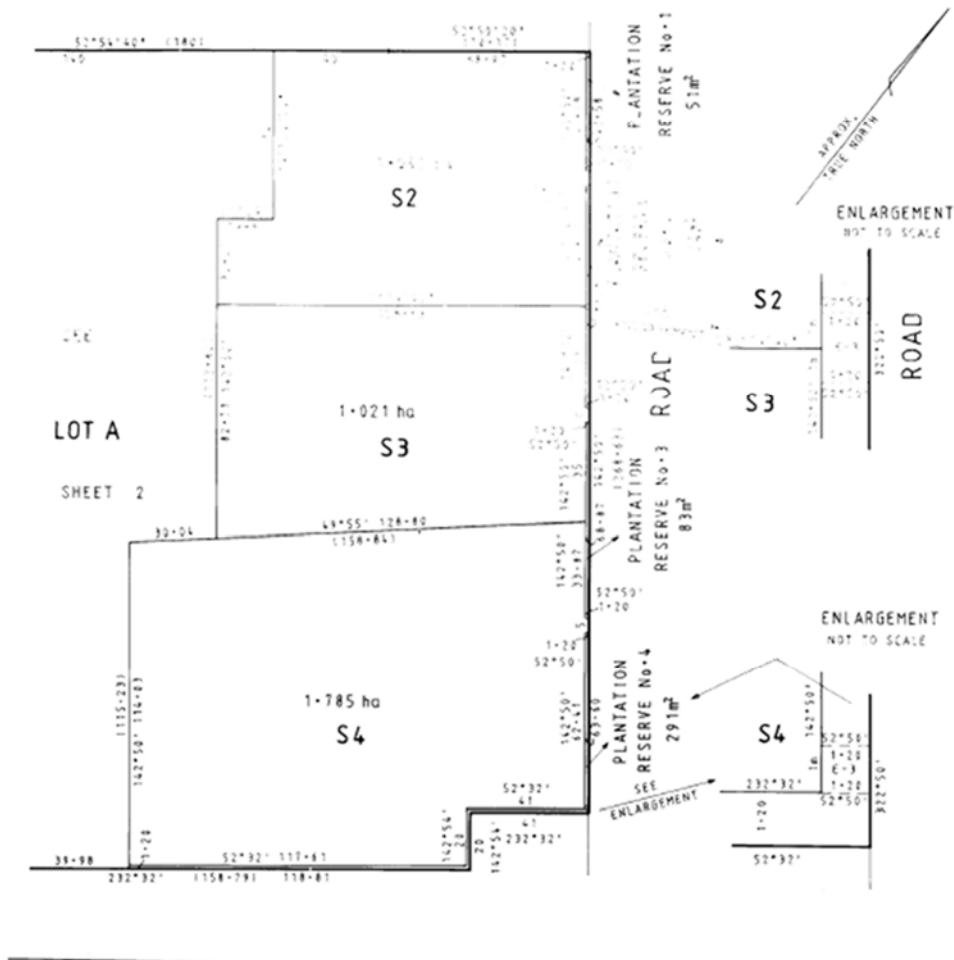
PLAN UNDER SECTION 24A OF THE SUBDIVISION ACT 1988		EDITION 1	PS 815166 V	
LOCATION OF LAND PARISH: Yallock TOWNSHIP: — SECTION: 4 (Pt) CROWN ALLOTMENT: — CROWN PORTION: — TITLE REFERENCE: Vol. Fol. LAST PLAN REFERENCE: Plantation Reserves 1, 2, 3 & 4 on PS 318511C POSTAL ADDRESS: Sims Lane, Koo Wee Rup 3081 (at time of subdivision) MGA CO-ORDINATES: E: 358 780 ZONE: 55 (of approx centre of land N: 5 771 170 GOA 94 in plan)		Council Name: Cardinia Shire Council		
VESTING OF ROADS AND/OR RESERVES		NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON	This is a Spear Plan <u>Purpose of Plan</u> Removal by the Cardinia Shire Council of the Reserve status of Reserve No. 1 on PS 334884C, creating Road R-1 shown hereon, <u>Grounds for Removal</u> Cardinia Shire Council Planning Permit No. T150245 <u>Other Purpose of Plan</u> Removal of the Easements shown as E-3 on PS 318511C, being a Electricity Supply Easement in favour of SECV created in PS 318511 C, <u>Grounds for Removal</u> Schedule 5 Clause 14 of the Road Management Act 2004.		
Road R-1	Cardinia Shire Council			
Road R-2	Cardinia Shire Council			
Road R-3	Cardinia Shire Council			
Road R-4	Cardinia Shire Council			
Reserve No.1	Cardinia Shire Council			
NOTATIONS				
DEPTH LIMITATION: DOES NOT APPLY				
SURVEY: This plan is based on survey. STAGING: This is not a staged subdivision, Planning Permit No. This survey has been connected to permanent marks No(s), in Proclaimed Survey Area No. 71				
EASEMENT INFORMATION				
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of



Change of status from Plantation Reserve to Road Reserve along the frontage of properties 22, 30 and 34 Sims Lane Koo Wee Rup

Plan of Subdivision 318511C:

PLAN OF SUBDIVISION	Stage No. 1	Plan Number PS 318511C
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