

5 SALE OF LAND CUMBERLAND DRIVE

FILE REFERENCE INT1884897

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RECOMMENDATION

That Council;

1. receive and note the submission regarding the sale of the Cumberland Drive Reserve
2. Proceed with the sale of the land and an expression of interest process for the development of the Land.
3. Respond to the concerns raised by the submitters and advise that Council considers that the property is a suitable location to provide safe, secure and affordable Housing for Cardinia families experiencing social disadvantage.
4. Continue negotiations with Housing Associations to select a partner to develop the project
5. Partner with the selected Housing Association to consult with local residents to finalise the proposed development concept, which will be subject to Planning Approval, and
6. Authorise the Chief Executive Office to:
 - Affect the sale of land by a private treaty or lease of the land to the preferred Housing Association and
 - Execute all documentation associated with the sale and/or lease

Attachments

- | | | |
|---|------------------------|---------|
| 1 | Locality plan | 1 Page |
| 2 | Summary of submissions | 6 Pages |

EXECUTIVE SUMMARY

To further consider the proposed sale of Council's land in Cumberland Drive, Pakenham. Council resolved at its meeting held on 20 August 2018 as follows:

1. *That Council commence the statutory procedures under Sections 189 and 223 of the Local Government Act 1989 and that Council publish a Notice in the local paper circulating in the area for Pakenham advising of a proposal to sell the land known as Reserve 3 PS 638885 Cumberland Drive Pakenham.*
2. *In the event of submissions being received, a Committee comprising of the Central 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, a report will be presented to Council to determine whether to proceed with the sale of the land.*
4. *That Council lodge a subdivision application to remove the reserve status.*
5. *That Council commence an expression of interest to offer the land for sale subject to statutory procedures being carried out.*

The Notice of Intention to sell the property has appeared in the Pakenham Gazette and 15 submissions have been received. Council must consider the submissions and resolve to proceed with the sale or not.

BACKGROUND

Reserve 3 Cumberland Drive, as shown on the attached locality plan has been identified by Councils Community Strengthen team as land that would be suitable for the development of a disability housing facility. Research has indicated that the Land could accommodate a mix of one and two bedroom units to accommodate people with a disability, either in a single bedroom unit or a two bedroom unit to allow for the accommodation of support staff as well. A community hub could also be developed within the site to provide further support for the residents.

The Land was transferred to Council in 2015 as part of the subdivision of the residential area. It abuts IYU Recreational Reserve which is a large reserve currently being developed for Community use and provides adequate open space for this area. The Land is vacant undeveloped land.

Further details of the Land are as follows:

Property particulars:

Reserve 3 on PS 638885 and is more particularly described in Certificate of Title Volume 11609 Folio 913:

Land area: 2953 square metres

Zone: General Residential Zone 1

Overlays: Development Contributions Plan Overlay - Schedule 1 (DCP01)

In order to consider the suitability of the sale of the Land, Council must carry out the statutory procedures under section 189 and 223 of the Local Government Act 1989, by giving public notice and considering all submissions received, before a decision is made in relation to the suitability of selling the Land.

An application for a planning permit has been lodged to remove the reserve status of the land.

POLICY IMPLICATIONS

The Liveability Plan identifies Social and Affordable Housing as a high priority for Council. The State Government 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. Furthermore, the Guidelines propose that all sales should be by a market tested sales campaign. It is proposed that Council will carry out an expression of interest campaign to determine a suitable proponent that could purchase the Land and develop it to achieve the best outcome to deliver the proposed community housing project.

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

On 5 September 2018 a Public Notice was placed in the Pakenham Gazette stating Council's proposal to sell the land to a Housing Association for the purposes of developing Community Housing.

Council received 15 submissions (see summary table attached).

The major concerns raised in these submissions were:

- Traffic congestion

The development of this facility will require a Planning Permit, as part of this process a traffic management report will be required to be prepared to assess impact on local access and roads.

- Decrease in land value

There is no evidence to suggest land values will be reduced if community housing is built.

- Loss of Open Public Space

The IYU Reserve adjoins this site that provides adequate open space in this area and as such this land is considered to be in excess.

- Increase in crime

There is no evidence to suggest that crime rates will increase as a result of this development

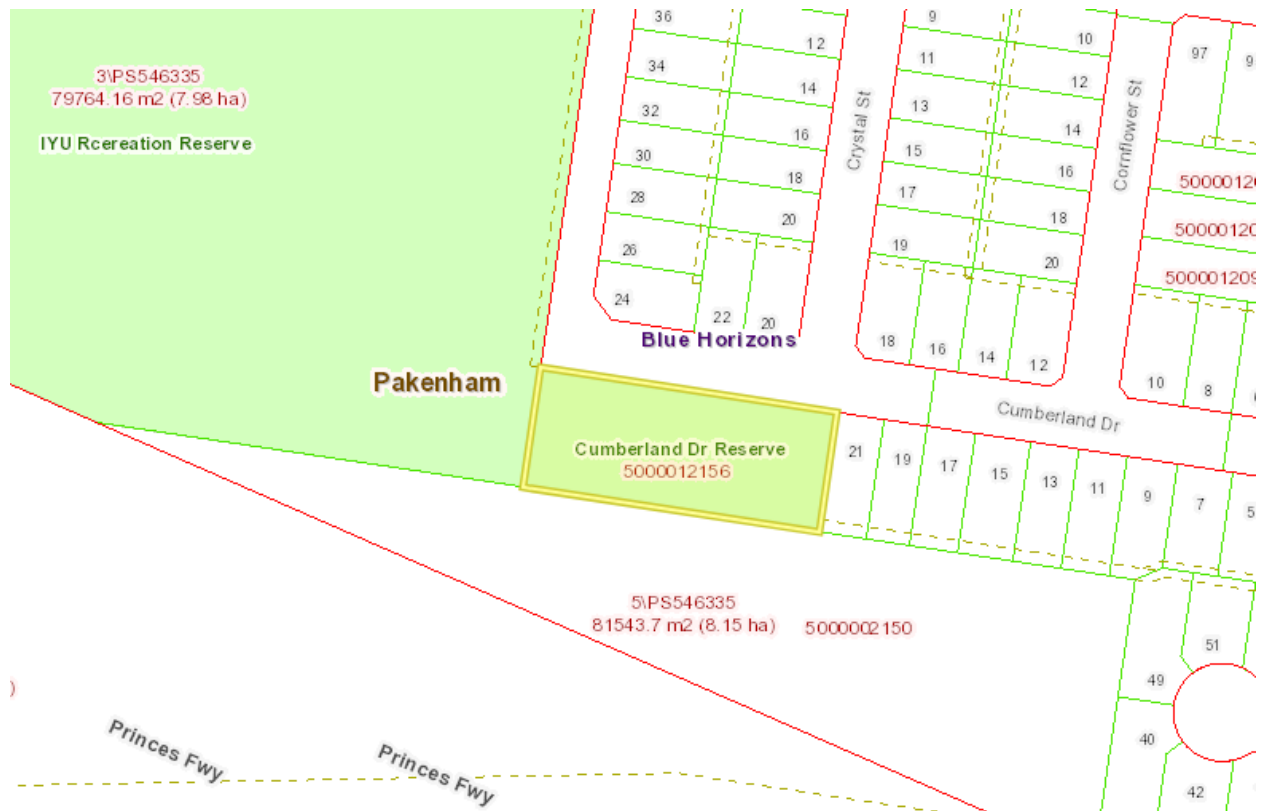
FINANCIAL AND RESOURCE IMPLICATIONS

If a decision is made to proceed with the sale of the Land it is proposed that a market valuation of the Land be carried out and this will be factored into the decision making process, following an expression of interest. Council will also consider any community benefit derived by the sale of the Land and the development of the project. All legal, marketing, valuation and survey costs will be covered as part of the sale of the Land.

CONCLUSION

Taking account of the current use of the Land and the proximity to IYU Reserve and the ongoing need for community housing within Pakenham it is recommended that Council resolves to proceed with an expression of interest for the sale and development of the Land accordingly, advise the submitters accordingly and respond to their concerns.

Cumberland Drive Reserve:



Cumberland Drive – Summary of Submissions

Name	Contact	Objection	Response	TRIM link
1.		<ul style="list-style-type: none"> • No signage of this proposal placed on the land. • Questions council's transparency on the matter. • This area was left as open green space by the developer as their required contribution. • This estate has very little recreational land compared to other estates, and thinks Council has not asked residents of the estate about their opinion. • Traffic and parking would impede street access. 	<ul style="list-style-type: none"> • A Notice was placed in the Gazette 5 Sept 2018. • Due to the development of the IYU precinct this land is now considered to be in excess. • The IYU recreational Development comprises of: <ul style="list-style-type: none"> - Soccer pavilion, fields, pitch - Playground - Basketball court - Open space - Parking • The Planning Permit process requires a traffic management report to assess impact on local access and roads. 	INC18110814
2.		<ul style="list-style-type: none"> • This area was left as open space by the developers as they required contribution to the estate. • Believes community housing may affect the value of the properties in the area. • Could have parking issues on the small street, this will also cause traffic here. • Around 90%-95% houses are owner occupied. • Concerned about the safety of the area and how this security would change based on who moves into the housing 	<ul style="list-style-type: none"> • Due to the development of the IYU precinct this land is now considered to be in excess. • There is no evidence to suggest land value will be reduced if community housing is built. • As per statutory requirements, the Planning Permit process requires a traffic management report to assess impact on local access and roads. 	INC18109980
3.		<ul style="list-style-type: none"> • Loss of open space, in an already congested area. • Building community housing means our property pricing has a very good chance of being devalued. • Parking Issues 	<ul style="list-style-type: none"> • Due to the development of the IYU precinct this land is now considered to be in excess. • There is no evidence to suggest land value will be reduced if community housing is built. • As per statutory requirements, the Planning Permit process requires a traffic management report to assess impact on local access and roads. 	INC18109822

Cumberland Drive – Summary of Submissions

4.		<ul style="list-style-type: none"> • This area was left as open space by the developers as they required contribution to the estate. • Believes community housing may affect the value of the properties in the area. • Could have parking issues on the small street, this will also cause traffic here. • Around 90%-95% houses are owner occupied. • Concerned about the safety of the area and how this security would change based on who moves into the housing 	<ul style="list-style-type: none"> • Due to the development of the IYU precinct this land is now considered to be in excess. • There is no evidence to suggest land value will be reduced if community housing is built. • As per statutory requirements, the Planning Permit process requires a traffic management report to assess impact on local access and roads. • A registered Housing will own the premises • There is no evidence to suggest that people who require housing assistance are dangerous 	INC18109806
5.		<ul style="list-style-type: none"> • If public housing is built there will have a significantly severe Impact on Property Market Value, Lifestyle, Loss of open space and Big Parking • “I would request you to be heard all blue horizon estate resident before making any firm decision.” 	<ul style="list-style-type: none"> • As per above comments • Initially Mr indicated he would like to verbally present however he later changed his mind and withdrew this request. 	INC18109194
6.		<ul style="list-style-type: none"> • This area was left as open space by the developers as their required contribution to the estate. • Beneficial to leave vacant for the kids who can use as a playground. • Community housing will only decrease the house prices and introduce drug addicts, burglary etc 	<ul style="list-style-type: none"> • Due to the development of the IYU precinct this land is now considered to be in excess. • There is a new playground built as part of the IYU development. • There is no evidence to suggest that people who require housing assistance are dangerous. 	INC18108022
7.		<ul style="list-style-type: none"> • This area was left as open space by the developers as their required contribution to the estate. • Loss of this open space will impact significantly on lifestyle, and will cause increased congestion for traffic and parking. • Potential to adversely impact physical and mental health of the residents by removing 	<ul style="list-style-type: none"> • Due to the development of the IYU precinct this land is now considered to be in excess. • As per statutory requirements, the Planning Permit process requires a traffic management report to assess impact on local access and roads. 	INC18107923

Cumberland Drive – Summary of Submissions

		<p>the open space which can be used for exercise and outdoor activities.</p>		
8.		<ul style="list-style-type: none"> • This area was left as open space by the developers as their required contribution to the estate. • Loss of this open space will impact significantly on lifestyle, and will cause increased congestion for traffic and parking. • Potential to adversely impact physical and mental health of the residents by removing the open space which can be used for exercise and outdoor activities. 	<ul style="list-style-type: none"> • As per comments above 	INC18107923
9.		<ul style="list-style-type: none"> • This area was left as open green space by the developer as their contribution to the estate. • No attempt to make this reserve a green space or play area as the driveways are already in place. • “Plan” not been communicated to the rate payers of Cardinia. • As this area was left as open green space by the developer and he already has scaled down from the original plans to provide this estate with green/play areas from the original plans. • Land would be better suited for a skate park or something of the like for the youth growing up in this estate. • Too much uncertainty to what type of government housing will be built, once land has been acquired. There should be an idea of the intention with this land. • Community housing development would greatly impact the value of the property value and that of surrounding properties. 	<ul style="list-style-type: none"> • Due to the development of the IYU precinct this land is now considered to be in excess. • There is a new playground built as part of the IYU development. • A Notice of intent was placed in the Gazette 5 Sept 2018. • There are large open grass areas for youth to use as well as sporting fields and a basketball court at the IYU • There is no evidence to suggest land value will be reduced if community housing is built. • The Planning Permit process requires consultation with local community. 	INC18107374

Cumberland Drive – Summary of Submissions

		<ul style="list-style-type: none"> • I'm concerned that such a project will have a very negative effect on the Blue Horizons Estate. • Should propose an area that is yet to be developed, a new estate not an estate that is complete and rezone green land.” 		
10.		<ul style="list-style-type: none"> • Doesn't want estate to become "community housing estate". • Fears the behaviour of tenants may be disrespectful, of property or other residents • These houses are often mismanaged by DHHS • This will drop the house prices in the area, has the high potential to affect our right to quiet safe living, and potentially increase crime in the area. • Believes government housing should be further scattered rather than being lumped in one place • Government housing could decrease levels of safety in the overall neighbourhood 	<ul style="list-style-type: none"> • There is no evidence to suggest that people who require housing assistance behave badly. • The property will be managed by an independent Housing Provider. • There is no evidence to suggest land value will be reduced if community housing is built. • There is no evidence to suggest that people who require housing assistance are dangerous. 	INC18106593
11.		<ul style="list-style-type: none"> • This area was left as open green space by the developer as their required contribution to the estate. • I feel a community housing development would greatly impact the value of my property value and that of surrounding properties. • Concerned that such a project will have a negative effect in the Blue Horizons Estate.” 	<ul style="list-style-type: none"> • Due to the development of the IYU precinct this land is now considered to be in excess. • There is no evidence to suggest land value will be reduced if community housing is built. 	INC18106546
12.		<ul style="list-style-type: none"> • This area was left as open green space by the developer as their required contribution to the estate. 	<ul style="list-style-type: none"> • Due to the development of the IYU precinct this land is now considered to be in excess. • During the planning permit process consultation with the local community will be undertaken. 	INC18106489

Cumberland Drive – Summary of Submissions

		<ul style="list-style-type: none"> • Too much uncertainty to what type of government housing will be built, once land has been acquired. • Would like more information of how many residents they are looking to house in this space. • I feel a community housing development would greatly impact surrounding property value and that of surrounding properties • Concerned that such a project will have a negative effect on the Blue Horizons Estate overall. 	<ul style="list-style-type: none"> • There is no evidence to suggest land value will be reduced if community housing is built. 	
13.		<ul style="list-style-type: none"> • This area was left as open space by the developers as their required contribution to the estate. • Community housing has dropped market values of properties all over. Crime rates go up. • Placing lower socioeconomic people in one single area severely impacts the community as a whole • While housing is needed and doing so in this way may work put cheaper for the government and as a result the taxpayer, it comes at a cost to the people within the community. • Leave the land for public use, as it was intended. 	<ul style="list-style-type: none"> • Due to the development of the IYU precinct this land is now considered to be in excess. • There is no evidence to suggest land value will be reduced if community housing is built. • There is no evidence to suggest that development of community housing will increase crime. 	INC18106068
14.		<ul style="list-style-type: none"> • This area was left as open space by the developers as their required contribution to the estate. • Community housing has dropped market values of properties all over. Crime rates go up. • Placing lower socioeconomic people in one single area severely impacts the community as a whole • While housing is needed and doing so in this way may work put cheaper for the 	<ul style="list-style-type: none"> • As per above 	INC18106065

Cumberland Drive – Summary of Submissions

		<p>government and as a result the taxpayer, it comes at a cost to the people within the community.</p> <ul style="list-style-type: none"> • Leave the land for public use, as it was intended. 		
15.		<ul style="list-style-type: none"> • It would be prudent to look to acquire this land to add the Reserve 3 that is intended to be sold. • The Vic Roads land is limited with access both from the Street/Road and the remainder of the parcel Vic Road owns to the East. • The benefit to the community in having this additional land would be enormous, while also making the greatest use of the Vic Roads land that has some difficulty as a standalone site. • An extremely worthwhile project for the greater community with the added scale as this type of housing is urgently needed in the Cardinia Shire. 	<ul style="list-style-type: none"> • These comments have been noted and will be considered as the project further develops.. 	INC18101595