

SALE OF LAND

Division: Infrastructure and Environment
Director: Darren Sadler
Author/Position: Darren Whitford – Acting Executive Manager Property Services and Facilities Management

OFFICER RECOMMENDATION

Council resolves to:

1. having:

- a. complied with ss 189 and 223 of the *Local Government Act 1989*; and**
- b. received no submissions in response to the public notice of Council's intention to sell the land described as 1 Kurrajong Road, Wendouree published on 9 July 2020,**

sell the land described as 1 Kurrajong Road, Wendouree:

- c. to the 1st listed potential purchaser in the attached list; and**
- d. for the purchase price of \$800,000 plus GST; and**

2. authorise the Chief Executive Officer to execute such documents as are necessary to give effect to this Resolution and the sale authorised by it.

EXECUTIVE SUMMARY

On 13 December 2017 (R464/17) Council resolved to commence and satisfy the statutory process in accordance with sections 189 and 223 of the *Local Government Act 1989*, to dispose of land and building assets deemed as potentially surplus.

The land located at 1 Kurrajong Road Wendouree was deemed as surplus to Council's requirements and the statutory processes for sale were undertaken. Public submissions were invited after a notice of intention to sell was published for a 28 day period from 2 July 2020. No public submissions were received.

The land was offered for sale with "Expressions of Interest" invited through the managing agent Colliers International until Friday 11 September 2020. A total of 16 offers were received from 14 parties with varying conditions attached. These offers and conditions are contained within Attachment 1.

It is recommended that Council accept the highest offer which is unconditional on a 90 day settlement basis, and authorise the Chief Executive Officer to execute the necessary documents to facilitate the sale.

RATIONALE

Council has a responsibility to ensure its property portfolio is performing and this performance is measured by the financial return derived or the community benefit the property is providing. The realisation of assets deemed as surplus to the communities needs provides Council with additional funds which can be used to provide additional services and facilities.

The property located a 1 Kurrajong Road, Wendouree (LP55613, Lots 569-578) is determined to be surplus to Council's requirements and the statutory processes for sale have been completed.

The property comprises 10 separately titled lots fronting the south side of Kurrajong Road which is partially constructed and is adjacent to the Wendouree West Recreation Reserve. The property is approximately 6,758m² in total. Significant interest was shown by developers with the development of the land subject to the statutory planning requirements.



LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- *City of Ballarat Council Plan 2017-2021*
- *Local Government Act 1989*
- *Local Government Act 2020*

REPORTING AND COMPLIANCE STATEMENTS

Implications	Considered in Report?	Implications Identified?
Human Rights	Yes	No
Social/Cultural	No	No
Environmental/Sustainability	No	No
Economic	No	No
Financial/Resources	Yes	Yes
Risk Management	Yes	Yes
Implementation and Marketing	No	No
Evaluation and Review	No	No

Human Rights – It is considered that this report does not impact on any human rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

Financial/Resources – Council obtained an independent market valuation which is contained in Attachment 2.

Risk Management – There are no risks to Council in selling the land as the offer does not contain any conditions and the land has been deemed as surplus to Council's requirements.

CONSULTATION

A Public consultation process was conducted from 2 July 2020 to 30 July 2020. No Public submissions were received.

OFFICERS DECLARATIONS OF INTEREST

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this report.

REFERENCE DOCUMENTS

ATTACHMENTS

1. Expressions of Interest Summary (*confidential*)
2. Valuation (*confidential*)