

9 SALE OF LAND 1 MCGREGOR ROAD, PAKENHAM

FILE REFERENCE INT1716271

RESPONSIBLE GENERAL MANAGER Derek Madden

AUTHOR Doug Evans

RECOMMENDATION

That

1. Council commence the statutory procedures under sections 189 and 223 of the Local Government Act 1989 to sell the Council property at 1 McGregor Road, Pakenham being Lot 1 on PS613734K.
2. In the event of submissions being received, a committee comprising of the Central Ward Councillors be appointed to hear such submissions and the Chief Executive Officer be authorised to set the day, time and place to hear such submissions.
3. In the event of no submissions being received, the Chief Executive Officer be authorised on behalf of Council to:
 - a. affect the sale of land, at market value, and
 - b. executes all documentation associated with the sale.

Attachments

- 1 Plan of land 1 Page

EXECUTIVE SUMMARY

Council acquired the property at 1 McGregor Rd Pakenham as the result of a compensation settlement for the compulsory acquisition of part of the property for road widening purposes. The balance of the property is not required for municipal purposes and can now be sold.

BACKGROUND

In order to complete the widening of McGregor Road Council commenced compulsorily acquisition processes for a section of land from the property known as 1 McGregor Rd. This matter was subject to a long period of negotiation and in order to finalise the matter Council agreed to purchase the entire property.

It is now planned to sell the property to recoup some of the purchasing costs.

POLICY IMPLICATIONS

The State Government developed a guideline for the sale of Council land, known as "Local Government Best Practice Guideline for the Sale and Exchange of Land" (the Guideline). This document provides guidance for the sale of Council land. The Guideline proposes that Council should undertake a market tested sales campaign, unless circumstances exist that justify an alternative method of sale, such as private treaty.

RELEVANCE TO COUNCIL PLAN

Nil

CONSULTATION/COMMUNICATION

If the land is to be sold, Council would be required to give public notice of the proposed sale and consider any submissions received from the community.

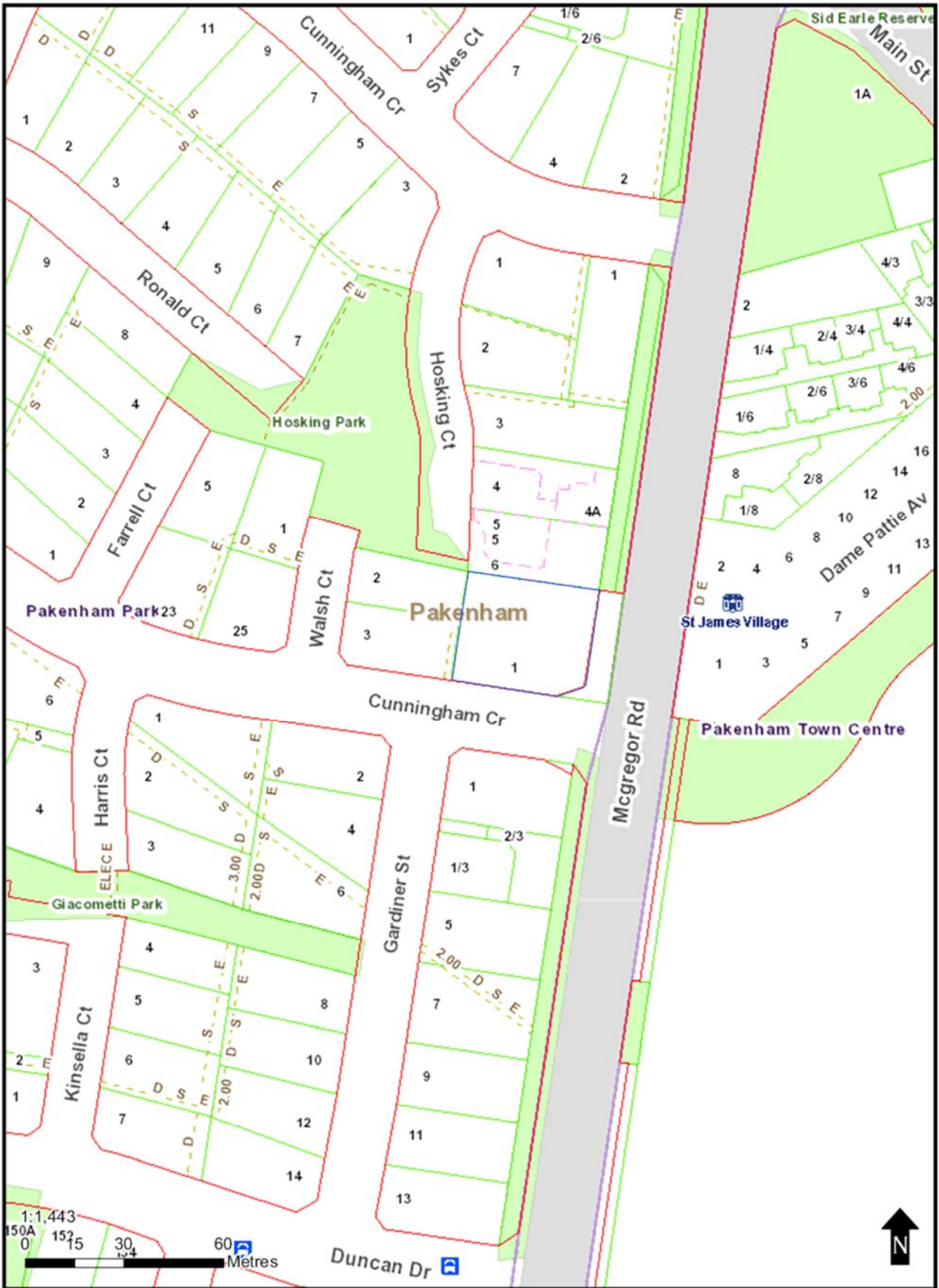
FINANCIAL AND RESOURCE IMPLICATIONS

If Council decides to sell the land a market valuation will be arranged to enable the establishment of a sale/reserve price. The valuation in accordance with section 189 of the Local Government Act must be carried out within six months of the date of sale.

The land is not required for municipal purposes and can now be sold to recoup some of the purchase costs.

CONCLUSION

As the land is not required for municipal purposes, disposal of the land should proceed by public sale in accordance with sections 189 and 223 of the Local Government Act.



Data Source: State & Local Government. © CARDINIA SHIRE COUNCIL

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