

ITEM 5 SALE OF LOT 5 DP 217372, 18 STANBROOK AVENUE MOUNT OUSLEY

This report is submitted to obtain Council's authority to the sale of Lot 5 DP 217372, being 18 Stanbrook Avenue, Mount Ousley ("Subject Site"), as it is deemed surplus to Council's Operational Land requirements.

RECOMMENDATION

- 1 Council authorise the sale of Lot 5 DP 217372 being 18 Stanbrook Avenue, Mount Ousley on the open market.
- 2 The General Manager be authorised to approve the sale strategy and finalise the sale price and the terms of the sale.
- 3 The Lord Mayor and General Manager be granted authority to affix the Common Seal of Council to any documentation required to give effect to this resolution and the General Manager be granted authority to sign any documentation necessary to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Roisin OSullivan, Manager Commercial Operations + Property (Acting)
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 18 Stanbrook Avenue Site Plan
- 2 18 Stanbrook Avenue Aerial and Street Plan

BACKGROUND

In 2008 Council commissioned a Financial Sustainability Program which sought to maximise income and reduce costs where possible. Part of that strategy was to examine the property portfolio and identify properties that:

- were not delivering or contributing to the delivery of service; or
- were not being held for strategic purposes or future service delivery.

Part of the review was to identify lands that could be sold and the revenue reinvested into Council's assets or service delivery.

On 27 June 2016, 30 October 2017, 3 April 2018, and 29 January 2019, Council resolved to prepare three draft Planning Proposals (PP-2017/7, PP-2017/8 and PP-2018/1) to reclassify eleven (11) sites from Community land to Operational land. Council also resolved to rezone and amend the planning controls for five (5) of the sites. The sites were considered surplus to the communities needs and had been identified for sale.

The Property was one of the Community Land sites that was determined to be reclassified for the purpose of a future sale, which occurred on 10 March 2021.

A number of parcels that were reclassified as Operational Land have since been sold and this report considers the sale of the Property.

The Property

On 3 May 1963, Deposited Plan 217372 was lodged creating the Property by way of a subdivision. That subdivision dedicated the Property to Council as Public Garden and Recreation Space.

On 30 October 2017, Council resolved that a draft Planning Proposal be prepared to amend the *Wollongong Local Environmental Plan (LEP) 2009* (NSW) to reclassify the Property from Community Land to Operational Land and rezone the Property from RE1 Public Recreation to R2 Low Density Residential.

On 6 May 2019, Council resolved to progress Planning Proposal PP–2017/8 to reclassify to Operational Land, and rezone to R2 Low Density Residential with a Floor Space Ratio of 0.5:1 and Minimum Lot Size of 449m².

On 12 March 2021 LEP 2009 (Amendment 42) was made, and the Property was reclassified as Operational Land.

As the Property is suitable to be developed independently, Council's Land and Easement Acquisition and Disposal Policy requires it to be sold on the open market.

Property Particulars

The Property is approximately 778 metres squared and sits in the centre north end of Stanbrook Avenue, Mount Ousley and is zoned R2 Low Density Residential. It is on a residential street with thirty-four (34) other residential properties. Aerial and street views of the Property are included at Attachment 1.

The Property is rectangular shaped and moderately sloping and has mature trees located towards the rear northern boundary. Telecommunications infrastructure including equipment hut and concrete slabs are positioned inside the eastern side boundary.

PROPOSAL

It is proposed that Council dispose of the Property on the open market and by way of auction. It is proposed that Council engage a real estate agent and auctioneer in accordance with Council's Formal Quotation and Tendering Procedures, and that a reserve price be set by the General Manager in accordance with the independent valuation advice obtained, details of which have been circulated to Council under separate cover.

CONSULTATION AND COMMUNICATION

In preparing this report, Council have consulted and communicated with;

- Land Use Planning - City Strategy
- Community Land Management – City Strategy
- Heritage – City Strategy
- Environmental Planning – City Strategy
- Community Development Strategy and Projects
- Open Space + Environmental Services Division
- Environment + Conservation Services - Open Space + Environmental Services
- Infrastructure Strategy + Planning Division
- Civil Assets - Infrastructure Strategy + Planning
- Floodplain and Stormwater - Infrastructure Strategy + Planning
- Transport and Infrastructure Planning - Infrastructure Strategy + Planning
- Commercial Operations + Property Division
- Sport + Recreation Division

No objections were received from the above to the sale of the Property.

Comments were received from the Environmental Planning Team with respect to mature and native trees on the northern boundary of the Property, which are classed as high conservation value trees. Those trees form a natural part of the corridor to the rear and north of the Property. It was proposed by Environmental Planning Team that a restrictive covenant be registered on title to protect the trees. Council's Statutory Property Team consider that registering a restrictive covenant on the Property may unnecessarily burden Council's land and may unnecessarily stifle the prospects of the sale and future use of the Property.

There were also comments received from Council’s Property Management Team with respect to the telecommunications infrastructure located on the Property by Vodafone. Vodafone installed and maintain the infrastructure under a Master License Agreement and are entitled to require Council to facilitate the transfer of that license to any subsequent owner of the Property.

Council have undertaken and complied with all notification requirements under the license to allow the Property to be marketed and sold. Council engaged an independent registered valuer, Herron Todd White, to establish market valuation.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Goal 1 ‘We value and protect our environment’, and Goal 4 – ‘We are a connected and engaged community’. It specifically delivers on the following:

Community Strategic Plan 2032	Delivery Program 2022-2026
Strategy	Service
1.5 Maintain the unique character of the Wollongong Local Government Area, whilst balancing development, population growth and housing needs.	Property Services
4.8 Council’s resources are managed effectively to ensure long term financial sustainability.	

This disposal is in accordance with Council’s *Land and Easement Acquisition and Disposal Policy*.

FINANCIAL IMPLICATIONS

Council will generate revenue and receive funds from the sale of the Property. Council will be required to engage a real estate agent and auctioneer to effect the sale of the Property and will pay fees out of the funds generated from the sale.

Council would lose the income generated from the Property under the Master License Agreement, however that income was a factor considered in the valuation obtained, and the reserve price set.

Council would generate Rate Revenue for the Property in perpetuity.

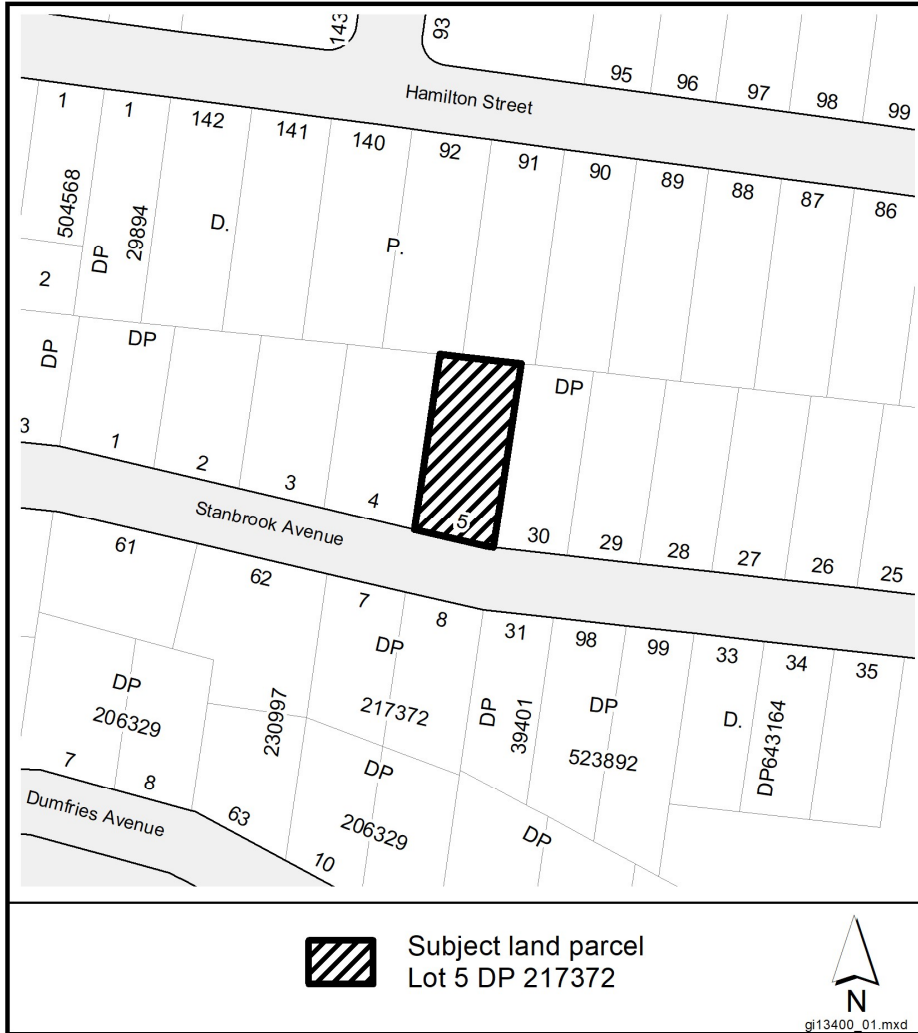
If retained, Council will hold the maintenance costs and liabilities of the Property.

CONCLUSION

The Property is recommended to be sold as it provides no benefit to Council and is a maintenance liability. It has been reclassified to Operational Land for the purpose of being sold on the open market and in accordance with an independent market valuation in accordance with Council’s policies.



While every effort has been made to assure the highest possible quality of data, no liability will be accepted for any inaccuracy of the information shown.
Copyright © Wollongong City Council, Mapping Services Section. This map may not be reproduced in any form whatsoever without the express written permission of Wollongong City Council.



While every effort has been made to assure the highest possible quality of data, no liability will be accepted for any inaccuracy of the information shown.
Copyright © Wollongong City Council, Mapping Services Section. This map may not be reproduced in any form whatsoever without the express written permission of Wollongong City Council.



