

ITEM 4 SALE OF LAND FOR UNPAID RATES

Under s713 of the Local Government Act 1993, Council has the ability to sell properties for unpaid rates provided certain criteria are met and procedures followed.

This report is to advise on the progress to date, the proposed timeline to proceed to auction and to obtain the required Council resolution so that the deeds of transfer can be executed on behalf of Council.

RECOMMENDATION

Authority be granted to affix the Common Seal of Council to the Contracts for Sale and any other documents required to give effect to this resolution.

REPORT AUTHORISATIONS

Report of: Brian Jenkins, Manager Finance
 Authorised by: Kerry Hunt, Director Corporate and Community Services - Creative, Engaged and Innovative City (Acting)

ATTACHMENTS

- 1 Maps of Properties Proceeding to Auction

BACKGROUND

A variation to the Debt Recovery and Hardship Assistance Policy was adopted on 3 April 2017 to provide Council with an opportunity to fine tune its direction in some technical aspects of sale of land actions and provide staff with further guidelines to support the process.

The parcels listed below have been through the sale of land process and have been determined to have potential risk and/or impact to the adjoining owners and/or the community.

Notice of proposal to sell land for unpaid rates was issued in 2014; all reasonable steps have been taken to ascertain the identity of any person with interest in the land. The properties listed in Table 1 have been independently valued, title searches conducted, advertised in the Government Gazette and a managing agent has been appointed. Auction date has been set for 1 June 2017, Legal Services has reviewed caveat restrictions and contracts of sale have been drawn up and supplied to Martin Morris and Jones [MMJ] (managing agent). MMJ has commenced a four week marketing campaign in preparation for auction.

The General Manager's certificates for the properties in Table 1 have been certified as per section 713(3) of the Local Government Act.

Table 1

Property Address (Auction June 2017)	
1	Lot 101 Crown Street, WOLLONGONG NSW 2500
2	Lot 1 James Road, MOUNT KEMBLA NSW 2526
3	26 Waitangi Street, GWYNNEVILLE NSW 2500
4	Lot 1 Gray Street, WOONONA NSW 2517
5	Lot 1 Stanwell Avenue, STANWELL PARK NSW 2508
6	Lot 3 Lawrence Hargrave Drive, THIRROUL NSW 2515*
7	92 Gipps Street, WOLLONGONG NSW 2500*

At the time of writing this report the above properties marked with an asterix(*) are undergoing further investigation and may not proceed to auction.

The properties listed in Table 2 have had title searches conducted and have been handed onto Legal Services for review of caveat restrictions and contracts of sale to be drawn up. Independent valuations will be requested and a managing agent will be appointed by the end of June 2017. Auction date is planned for end of August 2017.

Table 2

Property Address (Auction by September 2017)	
1	Pt Lot 16 Gipps Road, GWYNNEVILLE NSW 2500
2	46 Jutland Avenue, WOLLONGONG NSW 2500
3	Lot 1 Holmden Avenue, MANGERTON NSW 2500
4	Lot X Lake Heights Road, LAKE HEIGHTS NSW 2502
5	Lot Y Lake Heights Road, LAKE HEIGHTS NSW 2502
6	Lot 2 Smith Street, WOLLONGONG NSW 2500
7	Lot 1 Fowlers Road, DAPTO NSW 2530
8	Lot 2 Cochrane Road, THIRROUL NSW 2515

Further to the properties above, there are 39 properties that are considered high risk or are potentially owner occupied.

Council will conduct further investigations of these properties which have thus far included:

- Phone contact
- Property Inspections
- Further discussion of potential arrangements to satisfy the debt outstanding

Out of the 39 properties, Council has 18 that have now been fully paid or under current arrangement to repay the arrears. This equates to \$484,531.16 in rate arrears paid to date since beginning the process late in 2014. There are a further 10 with outstanding rate arrears totalling \$187,801.11 that are owner occupied confirmed but have not been able to make an arrangement to repay the outstanding rates. The remaining 11 have outstanding rate arrears totalling \$160,785.65 and Council staff have not been able to make contact with a resident or an adjoining neighbour to confirm the owner occupied status. These properties will continue to receive instalment and reminder notices with Council staff endeavouring to make contact to resolve the arrears.

PROPOSAL

Council grant authority to affix the Common Seal to the deeds of transfer for the sale of:

- 1 Lot 101 Crown Street, WOLLONGONG NSW 2500
- 2 Lot 1 James Road, MOUNT KEMBLA NSW 2526
- 4 26 Waitangi Street, GWYNNEVILLE NSW 2500
- 5 Lot 1 Gray Street, WOONONA NSW 2517
- 6 Lot 1 Stanwell Avenue, STANWELL PARK NSW 2508
- 7 Lot 3 Lawrence Hargrave Drive, THIRROUL NSW 2515*
- 8 92 Gipps Street, WOLLONGONG NSW 2500*

- 9 Pt Lot 16 Gipps Road, GWYNNEVILLE NSW 2500
- 10 46 Jutland Avenue, WOLLONGONG NSW 2500
- 11 Lot 1 Holmden Avenue, MANGERTON NSW 2500
- 12 Lot X Lake Heights Road, LAKE HEIGHTS NSW 2502
- 13 Lot Y Lake Heights Road, LAKE HEIGHTS NSW 2502
- 14 Lot 2 Smith Street, WOLLONGONG NSW 2500
- 15 Lot 1 Fowlers Road, DAPTO NSW 2530
- 16 Lot 2 Cochrane Road, THIRROUL NSW 2515

CONSULTATION AND COMMUNICATION

Legal Services

Property and Recreation Division

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal “We are a connected and engaged community”.

It specifically delivers on core business activities as detailed in the Financial Services Plan 2016-2017.

CONCLUSION

The General Manager’s certificates have been completed, checked and certified for the seven properties listed in Table 1. The properties have been advertised by MMJ from 6 May 2017 and appeared in the Government Gazette on 5 May 2017. There are two properties on this list that may not proceed pending further investigation.

The remaining eight properties listed in Table 2 will continue to be actioned with request for valuations to proceed to auction by the end of August 2017.

Potential owner occupied properties will continue to be monitored for those on payment arrangements and Council staff will endeavour to make contact with the remaining 21 property owners.



14374
Lot 101 DP 611878
Lot 101 Crown Street WOLLONGONG NSW 2500
Approx. area: 61m²

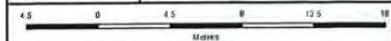


GIS ref : gi09779_01

Printed: 22/10/2014

Aerial Photography: 2012

Scale 1:400



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28417
Lot 1 DP 966980
 Lot 1 James Road MOUNT KEMBLA NSW 2526
 Approx. area: 1196m²

 N	GIS ref.: g109779_01
	Printed: 22/10/2014
	Aerial Photography: 2012
	Scale 1:1,000
Metres	

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215866
Lot 1 DP 131401
26 Waitangi Street GWYNNEVILLE NSW 2500
Approx. area: 5m²



GIS ref.: gi08779_01

Printed: 22/10/2014

Aerial Photography: 2012

Scale 1:200



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212177
Lot 1 DP 1064620
 Lot 1 Gray Street WOONONA NSW 2517
 Approx. area: 226m²



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Stanwell Avenue

31.6m
19.7m
19.7m
3.2m



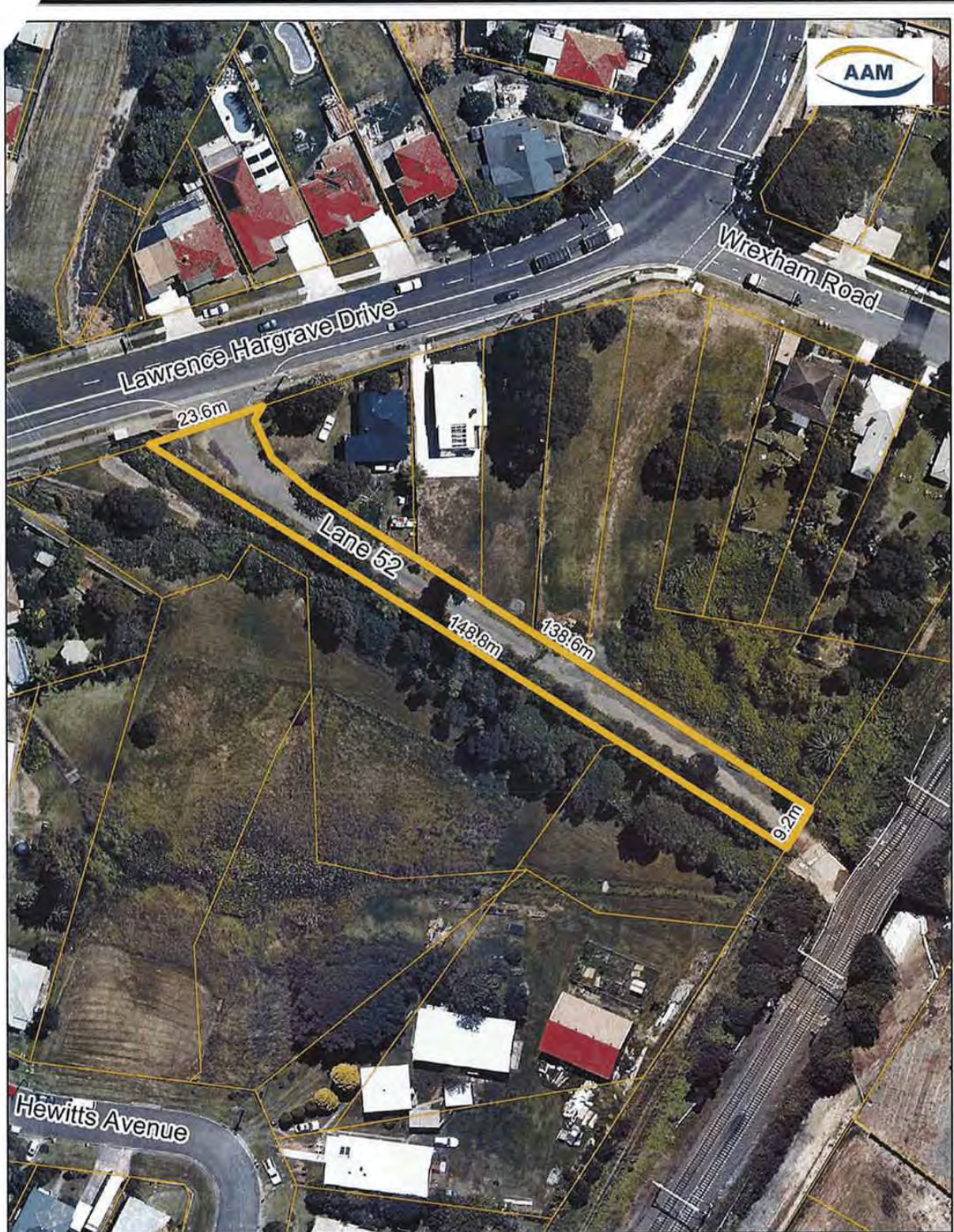
214428
Lot 1 DP 112297
Lot 1 Stanwell Avenue STANWELL PARK NSW 2508
Approx. area: 64m²



GIS ref.: g109779_01
Printed: 22/10/2014
Aerial Photography: 2012
Scale 1:500



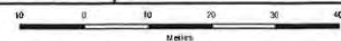
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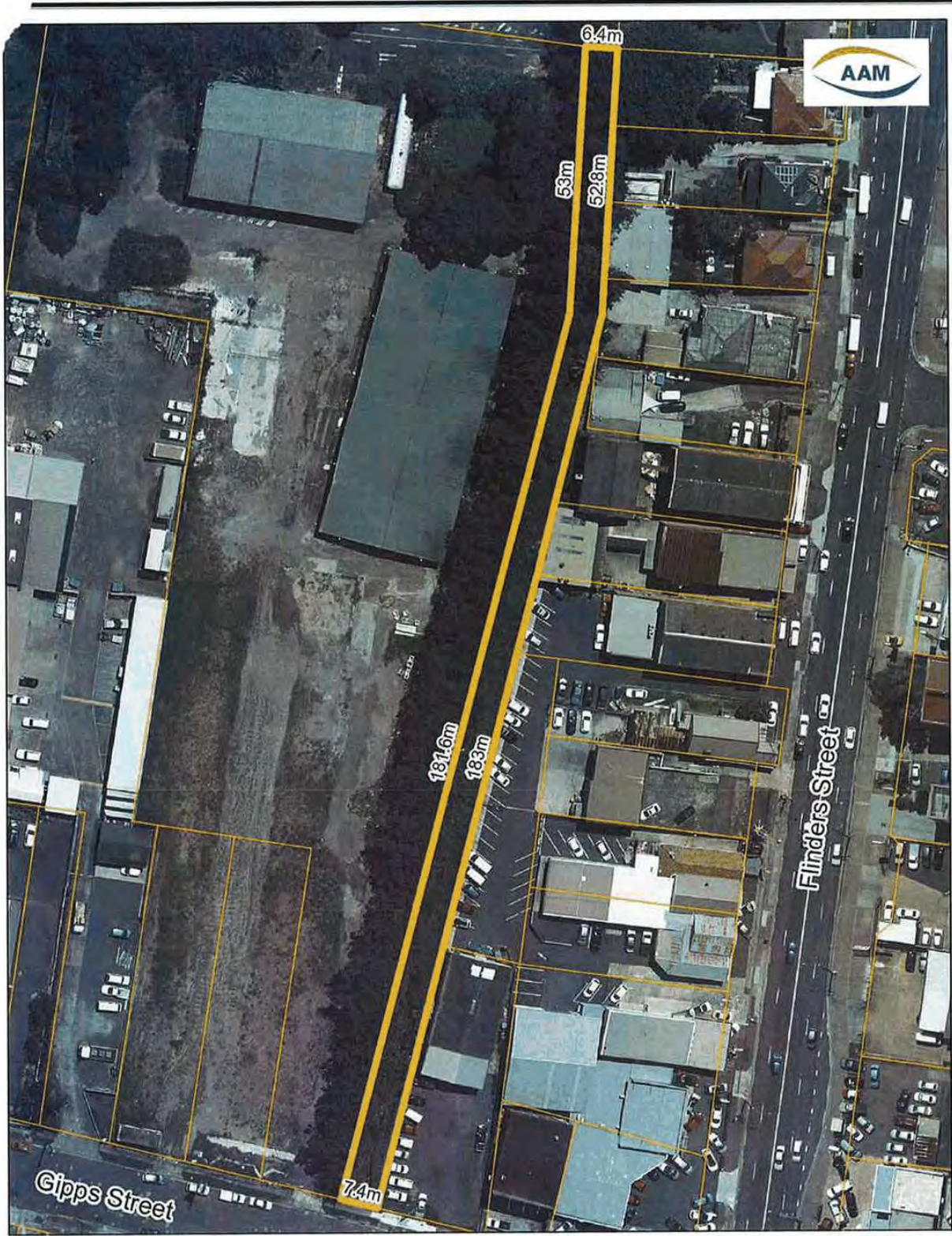
80911
Lot 3 DP 166257
Lot 3 Lawrence Hargrave Drive THIRROUL NSW 2515
Approx. area: 1399m²



GIS ref : gi09779_01
Printed: 22/10/2014
Aerial Photography: 2012
Scale 1:1,000



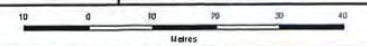
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66200
Lot 1 DP 1183412
92 Gipps Street WOLLONGONG NSW 2500
Approx. area: 1595m²



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