

18 CONFIDENTIAL ITEMS**18.2 COUNCIL LAND SALE**

181

RECOMMENDATION

That:

1. Pursuant to Section 90(2) & (3) of the Local Government Act 1999 the Council orders that the public, with the exception of the Acting Chief Executive Officer, Manager Corporate Services, Manager Infrastructure Services, Manager Property and Development Services, Coordinator Executive Services and the Minute Secretary be excluded from attendance at the meeting held on Wednesday 18 August 2021 for Agenda Item 18.2 Council Land Sale;
2. The Council is satisfied that pursuant to section 90 (3) (d)(i) of the Local Government Act 1999, the information to be received, discussed or considered in relation to the Agenda Item 18.2 Council Land Sale is:

commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.
3. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed by the need to discuss this Agenda Item 18.2 in confidence.

MOVED COUNCILLOR ANDREW GRIEGER**SECONDED COUNCILLOR PAUL IRELAND**

That:

1. Pursuant to Section 90(2) & (3) of the Local Government Act 1999 the Council orders that the public, with the exception of the Acting Chief Executive Officer, Manager Corporate Services, Manager Infrastructure Services, Manager Property and Development Services, Coordinator Executive Services and the Minute Secretary be excluded from attendance at the meeting held on Wednesday 18 August 2021 for Agenda Item 18.2 Council Land Sale;
2. The Council is satisfied that pursuant to section 90 (3) (d)(i) of the Local Government Act 1999, the information to be received, discussed or considered in relation to the Agenda Item 18.2 Council Land Sale is:

commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.
3. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed by the need to discuss this Agenda Item 18.2 in confidence.

CARRIED.

18.2 COUNCIL LAND SALE

Responsible officer: Samuel Wellington, Manager Major Projects Delivery

Attachments: 1. Expression of Interest Received - From Atzes - Confidential

Section under the Act	The grounds on which part of the Council or Committee may be closed to the public are listed in Section 90(2) & (3) of the <i>Local Government Act 1999</i> .
Sub-clause and Reason:	(d)(i) - commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.

Executive Summary

This report presents to Council the Expression of Interest applications received in relation to the sale of Council’s vacant land at 7 Adelaide Road Pinnaroo, 27 Symonds Street Pinnaroo and 31 Symonds Street Pinnaroo.

It is recommended that Council proceeds with the sale of 1 block of land (27 Symonds Street), and retains the other two blocks (31 Symonds Street and 7 Adelaide Road).

RECOMMENDATION

That Council

1. notes the contents of this report and the expressions of interest received in relation to the potential sale of Council’s vacant land allotments in Pinnaroo; and
2. Accepts the offer from David & Judith Atze of \$25,000 Ex GST received for 27 Symonds Street [Block of land], Pinnaroo as per attachment to this report
3. Retains the other two parcels of land at 31 Symonds Street, Pinnaroo and 7 Adelaide Road, Pinnaroo

MOVED COUNCILLOR TREVOR HANCOCK

SECONDED COUNCILLOR NEVILLE PFEIFFER

That Council

1. notes the contents of this report and the expressions of interest received in relation to the potential sale of Council’s vacant land allotments in Pinnaroo; and
2. Accepts the offer from David & Judith Atze of \$25,000 Ex GST received for 27 Symonds Street [Block of land], Pinnaroo as per attachment to this report
3. Retains the other two parcels of land at 31 Symonds Street, Pinnaroo and 7 Adelaide Road, Pinnaroo

CARRIED.

Background

The availability of land has been an ongoing issue within the Southern Mallee for a period of time, especially in both Lameroo and Pinnaroo. Council has been an active participant in this space, and in early 2021 hosted an Investment Logic workshop on housing with key stakeholders from the district. Council has engaged Access Planning to undertake a full housing and land audit across the district to identify vacant lots of land.

At the May Council Meeting, Council resolved to put to market three vacant land parcels in Pinnaroo which it owned. These vacant land parcels were 7 Adelaide Road Pinnaroo, 27 Symonds Street Pinnaroo and 31 Symonds Street Pinnaroo via an Expression of Interest process, in accordance with councils “Disposal of Land Asset policy” with a reserve sale price set at \$16,500.

The timing for the expressions of Interest process was scheduled as follows:

Step	Details	Date
Call for EOI	Advertised on the Council website and in selected newspapers.	Wednesday 16 June 2021 and Wednesday 14 July 2021
Site Inspection for Registrants	Roadside/site inspection available at any time/day or with Council representative on business days by appointment.	
EOI Registrations Close	Lodgement of EOI	5pm Friday 23 July 2021
EOI Acknowledgement & Evaluation	Email / letter sent to registrants acknowledging receipt of EOI. EOI responses evaluated against criteria.	Week commencing Monday 26 July 2021
EOI Assessment	Council report regarding EOI’s to be tabled at the August Council meeting for decision.	Wednesday 18 August 2021 (indicative)
EOI Registrants Informed	Registrants informed of outcomes of assessments	Friday 20 August 2021 (indicative)

Context

From the REOI process One (1) application (attachment 1) was received and is summarised in the table below;

Evaluation Table – Vacant Land, Pinnaroo

Applicant	Proposed Purchase Price (ex gst)	Any Conditions	Future Plan/s for Land	Develop within 12 Months Y/N	Settlement Terms
David & Judith Atze	\$25,000	Offer for 27 Symonds Street Pinnaroo	Residential House	Yes	Unconditional purchase

Policy and statutory implications

The Local Government Act 1999 is relevant to this matter.

The Disposal of land assets policy, Internal control policy and Public consultation policy are relevant to this matter.

Issues

The submission received is above the reserve price.

Alternate options

Council can decide to postpone the decision to accept, reject or negotiate a better offer if it wants to retain this land for any reason.

Financial implications

Selling the land will result in Council receiving a sum for sale, reduce the annual maintenance costs and increased annual rates income.

Work Health and Safety and Risk implications

There are no work, health and safety implications associated with this matter.

Consultation

Nil.

CONFIDENTIAL

20 JUL 2021

SECTION D – EOI RETURN SCHEDULES

Registrants must complete all parts of EOI.

Part 1 - Registrant - Expression of Interest Form

Purchase of Council Land – Allotments, Pinnaroo



Registrant details

Registrant name	David Atze	ABN	15300688713
Postal address	Box 47		
	Pinnaroo 5304		
Registrants representative (Authorised contact details)			
Registrants representative name	Judith Atze		
Email	djatze@activ8.net.au	Mobile	0437232874
Other relevant information	Best contact would be via email		

Acknowledgement and declaration

I/We acknowledge that, by submitting this proposal, I/we accept and acknowledge that we are bound by the terms and conditions stated in the invitation.

I/We also declare that the information detailed in this form is true and accurate to the best of my/our knowledge.

Signature of authorised person(s)		Signature of authorised person(s)	
Name of signatory	David Atze	Name of signatory	Judith Atze
Date	20.7.2021	Date	20.7.2021

Part 2 - Detail of purchase price for the property or properties including conditions of purchase and any inclusions or exclusions. (Amounts to be quoted Ex GST)

<p>Proposed purchase price (Ex GST)</p>	<p>\$25,000.00 for either block</p>
<p>Conditions of purchase (if no conditions marks as N/A (Not Applicable))</p>	<p>27 Symonds Street Pinnaroo 31 Symonds Street Pinnaroo If have highest bid to be given choice of block we want</p>
<p>Details of any inclusions or exclusions as part of the purchase (if no conditions marks as N/A (Not Applicable))</p>	<p>N/A</p>

Part 3 - What is your proposed future plans for the Land(s)?

<p>Please detail your future plans for the Land(s)</p>	<p>To build a house on</p>
<p>Will you develop the land(s) within 12 months of purchase?</p>	<p>Yes we plan to de develop the land in 12 months</p>

Part 4 - If your EOI is acceptable to Council are there any specific contract / settlement terms required to be included or excluded in the contract of sale documentation.

i.e. settlement period, sale subject to finance, inclusion or exclusion of environmental risk, sale subject to development application acceptance, unconditional purchase etc.

<p>Please specify any contract / settlement term requirements to be include or excluded in the contract of sale documentation.</p>	<p>Unconditional purchase</p>
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18 CONFIDENTIAL ITEMS**18.2 COUNCIL LAND SALE****RECOMMENDATION**

That having considered agenda Item 18.2 in confidence under section 90 (2) and (3) (d)(i) of the Local Government Act 1999, the Council pursuant to section 91 (7) of the Act orders that the documents considered by the Council, including the officer's report and all minutes be retained in confidence. This order is to be reviewed at or before the ordinary Council meeting to be held in January 2022, as to if this order is to continue in operation.

MOVED COUNCILLOR NEVILLE PFEIFFER

SECONDED COUNCILLOR ANDREW GRIEGER

That having considered agenda Item 18.2 in confidence under section 90 (2) and (3) (d)(i) of the Local Government Act 1999, the Council pursuant to section 91 (7) of the Act orders that the documents considered by the Council, including the officer's report and all minutes be retained in confidence. This order is to be reviewed at or before the ordinary Council meeting to be held in January 2022, as to if this order is to continue in operation.

CARRIED.