



STRATHBOGIE SHIRE COUNCIL

Notice is hereby given that a Special Meeting of the Strathbogie Shire Council will be held on Tuesday 13th November 2012 at the Euroa Community Conference Centre commencing at 5.00 p.m.

Councillors: Debra Swan (Chair)
Colleen Furlanetto
Malcolm Little
Alister Purbrick
Patrick Storer
Robin Weatherald
Graeme (Mick) Williams

Officers: Steve Crawcour - Chief Executive Officer
Roy Hetherington - Director, Asset Services
David Woodhams – Director, Corporate and Community
Phil Howard – Director, Sustainable Development

BUSINESS

1. Welcome
2. Acknowledgement of Traditional Land Owners
'In keeping with the spirit of Reconciliation, we acknowledge the traditional custodians of the land on which we are meeting today. We recognise indigenous people, their elders past and present'.
3. Apologies
4. Disclosure of Interests

EXCERPT FROM MEETING PROCEDURE LOCAL LAW NO. 1

CONDUCT OF PUBLIC

52. VISITORS

- (1) Visitors must not interject or take part in debate.
- (2) Silence shall be preserved in the gallery at all times.
- (3) If any visitor is called to order by the Chairperson and again acts in breach of this Local Law, the Chairperson may order that person to be removed from the gallery.

53. CALL TO ORDER

Any person who has been called to order, including any Councillor who fails to comply with the Chairperson's direction, will be guilty of an offence.
Penalty: \$500

54. REMOVAL FOR DISRUPTION

The Chairperson has discretion to cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction under the provisions of this Local Law.

5. Reports

5.7 Organisation

Steve Crawcour
CHIEF EXECUTIVE OFFICER

8th November 2012

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5. REPORTS

5.7 ORGANISATION

5.7.1 Proposed Sale of 9 Lily Street, Violet Town

Author and Department

Director, Asset Services / Asset Services Directorate

File Reference

P90180095.62

Disclosure of Conflicts of Interest in relation to advice provided in this report

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

Summary

The purpose of this report is to receive and consider submissions made under Section 223 of the Local Government Act in relation to the sale of 9 Lily Street, Violet Town.

Background

Following Council's decision of 21st August 2012 to sell the old depot and offices at 9 Lily Street, Violet Town, agreement has been reached with the tenants for sale by private treaty subject to the outcomes of the necessary Section 223 Local Government Act Exhibition process.

Submissions were invited with a closing date of Friday 2nd November 2012 at 5.00pm. Five submissions were received together with a letter from the current lessees. Copies of these have been provided to Councillors for their information.

The submitter's suggestions include:

- Retaining the property as a "valuable asset to Violet Town"
- Offering the property to the Public at a higher rent
- Holding a Public Auction
- Selling at above Municipal Valuation

Two of the submitters have asked to be heard.

RECOMMENDATION

- 1. That, on the basis of written submissions received, Council resolve to proceed with the proposed sale by private treaty.**
- 2. That the associated Confidential Attachments provided to Councillors for their consideration be noted.**

5.7.1 Proposed Sale of 9 Lily Street, Violet Town (cont.)

Alternative Options

The private treaty agreement reached with the tenants is most advantageous. It would achieve a sale price 33% or \$20,000 above Municipal Valuation and avoid maintenance and renewal costs into the future and the cost of reinstating the rear yard once used for depot purposes.

The submitter's suggestions 1, 2 & 3 are not attractive options because they do not avoid these costs. Suggestion 4 has been achieved.

Risk Management

The author considers that there are no significant Risk Management factors relating to the report and recommendation.

Strategic Links – policy implications and relevance to Council Plan

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 implications

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act 2010 requirements.

Financial / Budgetary Implications

The proposed sale has not been specifically included in the 2012/13 budget program. The project plan has been devised to extract the full property valuation cash return.

Economic Implications

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

Environmental / Amenity

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

Community Implications

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

Victorian Charter of Human Rights and Responsibilities Act 2006

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

Legal / Statutory Implications

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council.

5.7.1 Proposed Sale of 9 Lily Street, Violet Town (cont.)

Consultation

The author of this report considers that the matter under consideration did warrant a Section 223 community consultation process, which is the subject matter of this report.

Attachments

Nil