

**ADELAIDE HILLS COUNCIL MEETING
Tuesday 25 March 2013
AGENDA BUSINESS ITEM**

Item: 17.2

Originating Officer: Lachlan Miller, Manager Governance & Risk

Responsible Director: Tim Piper, Director Finance

Subject: Disposal of Land – Renewal SA

SP Goal: 2 – Sustainable Natural and Built Environs

SP Key Issue: 2.6 - Transport and Movement

1. Disposal of Land – Renewal SA – Exclusion of the Public

**Moved Cr
S/- Cr**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- CEO, Andrew Aitken
- Director Engineering & Assets, Tim Hancock
- Director Strategy & Development, Marc Salver
- Director Corporate Services, Tim Piper
- Director Community & Customer Service, David Waters
- Manager Governance & Risk, Lachlan Miller
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 17.1: Disposal of Land – Renewal SA.

The Council is satisfied that, pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item 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 in that Renewal SA's intention to release land on the open market will be disclosed.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may be detrimental to Renewal SA's disposal land strategy.

2. Disposal of Land – Renewal SA – Confidential Item

2.1 SUMMARY

Renewal SA has written to ascertain whether Council has an interest in purchasing Proposed Allotment 73, Birch Road Stirling which is a parcel of land surplus to its owner's needs (ARTC).

Proposed Lot 73 will be created once the Birch Road closure is completed and Deposited Plan 83694 is lodged thereby creating the proposed allotment out of the current Allotment 3.

Should Council have an interest in acquiring the land it will need to lodge an Expression of Interest with Renewal SA.

2.2 GOVERNANCE

➤ Strategic Management Plan / Council Policy

Goal 2: Sustainable Natural and Built Environs

Key Issue 2.5: Transport and Movement

Action 2.6.4: Identify and undertake a review of park-n-ride facilities within the district in liaison with State Government considering neighbouring councils, public transport routes, centrally located park-n-ride hubs, car parking facilities and ease of use.

➤ Legislation

Roads (opening and Closing) Act 1991

➤ Sustainability

- Economic
- Social
- Environmental
- Governance

➤ Budget

Council does not have a budget for the acquisition of the subject land.

➤ Consultation

Disposal SA consults with both State and Local Government to determine the level of interest in the subject land as part of its Disposal Strategy development.

2.3 BACKGROUND

Renewal SA

Renewal SA has a role of managing the disposal of State Government (Crown) land on behalf of its client agencies.

In doing so, Renewal SA prepares disposal strategies which involve the following activities:

- A whole of government strategic land use assessment of the subject land by Planning SA
- Expressions of interest in the subject land by other State Government agencies and the relevant local council
- Investigations into the condition of the subject land and its suitability for proposed land uses.

Councils are given the opportunity to purchase land for public or community purposes however they may not be offered the land on favourable terms for uses which would compete with private sector activity.

Additionally, Council can identify any services that are not covered by a registered easement.

Subject to the above criteria, the land would be valued at its current market value.

Subject Land

Allotment 3, Birch Road, Stirling is part of a parcel of land that was transferred to the South Australian Railways Commissioner (SARC) under the *Non-Metropolitan Railways (Transfer) Act 1997*. The land has since been vested in the Australian Rail Track Corporation (SARC successor).

Council did not directly receive compensation for the transfer of land.

Part of the parcel of land transferred was the unmade portion of Birch Road. Council is currently undertaking a road closure process on this portion of Birch Road and this is the subject of a separate report in the 25 March 2014 meeting agenda.

A plan of division has been lodged to subdivide the current allotments in this locality (see Attachment 1) and create proposed Allotments 70-76, again this information is discussed in the Birch Road closure report.

Proposed Allotment 73 (which is a portion of Allotment 3) is a 2,307m² site on the northern side of the railway line between Birch Road and Avenue Road. It is vacant land which undulates towards the railway line and is used as a shortcut for residents and as a parking area for trainspotters.

The site value for proposed Allotment 3 is \$450,000.

2.4 DISCUSSION

Proposed Allotment 73 has been suggested to be a location for a future park-n-ride facility.

Discussions with the Department of Planning, Transport and Infrastructure (DPTI) regarding park-n-ride facilities in the Council area, and Bridgewater most recently, have indicated that DPTI does not believe that the demographics warrant the preservation of land or creation of such facilities.

Further, DPTI have advised Renewal SA that proposed Allotment 73 does not have strategic value, hence why it has been identified for disposal.

The Engineering Department have identified that due to the topography of the subject land, development costs to establish a park-n-ride facility would be in the \$200,000 range. Again, discussions with DPTI have confirmed that joint funding opportunities for park-n-ride facilities in the Council area are not available.

While proposed Allotment 73 is on the Avenue Road bus route the nearest stops are approximately 130m north and 350m south respectively. There does not appear to be significant evidence of parking build-up in this area due to commuters.

There are no services passing through proposed Allotment 73.

2.4A OPTIONS

1. Council may determine that it does not have an interest in acquiring proposed Allotment 73 and advise Renewal SA accordingly.
2. Council may determine that it does have an interest in acquiring proposed Allotment 73 and can advise Renewal SA accordingly. In providing this advice, Council would be seeking a sale price below market value reflecting the future intended use of the site. This action would prompt consideration of a budget allocation to fund the potential purchase.

2.5 RECOMMENDATION

That Council determines that it does not have an interest in acquiring proposed Allotment 73, Birch Road, Stirling and advises Renewal SA accordingly.

2.6 APPENDIX

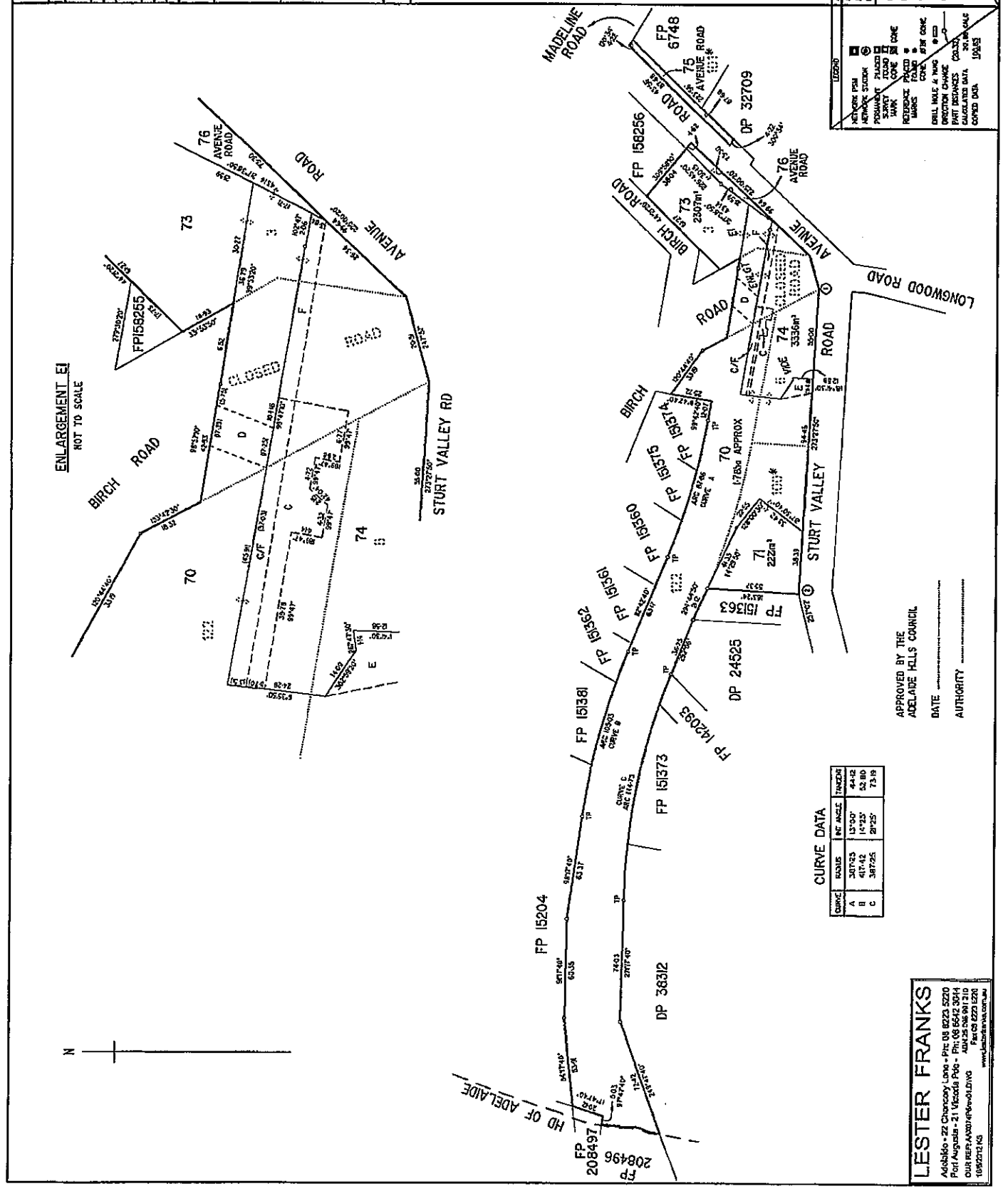
1. Plan of Division

Appendix 1

Plan of Division

PLAN NUMBER

THIS IS SHEET 1 OF 1 SHEETS	
DEPOSITED	PRO REGISTAR GENERAL
ACCEPTED FOR FILING	MAP REF. 6677-3-A
MAP REF. 6677-3-A	DEV. No. -
TITLE SYSTEM REAL PROPERTY ACT	
TITLE REFERENCE C AT 5485/74, 5837/691,	
6055/986, 5436/887	
O.B./LAST PLAN REF. FP 4336/169A AREA.	
DOCKET No. FP07/0030	
COUNCIL APPROVED (PALS APPROVED)	
SUBMITTED (FORWARDED)	
IRIDATION AREA -	SHOWING -
HUNDRED	NOARLUNGA
AREA	STIRLING
COUNCIL	
ADELAIDE HILLS COUNCIL	
PLAN UNDER THE ROAD (OPENING AND CLOSING)	
ACT 1991 AND PLAN OF DIVISION AND EASEMENT	
ALLOTMENT 6 IN FP 27940,	
ALLOTMENT 3 IN DP 23396,	
ALLOTMENT 122 IN FP 20849B,	
ALLOTMENT COMPRISING PIECES	
NOO 8 M IN FP 218403 OF	
PART SECTIONS 48, 49, 52 & 403	
SCALE	0 25 50 75 100 METRES 125 150
REVISED CONSIDERING CUSTOMER AMENDMENTS AND MEASUREMENTS	
ALLOTMENTS 3, 73 AND 74 ARE TO BE TRANSFERRED TO THE REGISTER FOR TRANSFER.	
THE NEW BOUNDARY HAS BEEN PEGGED IN ACCORDANCE WITH FP 4335A.	
DRAWN	
TREASURER DONALD ORRANT - LICENSED SURVEYOR	
DATE	
19/6/2022	



ALL DIMENSIONS ARE GROUND DISTANCES
 CORNER BEARS NOY... DATE...
 DRAWN FROM...
 I confirm that the plan has been prepared in accordance with the Survey Act 1982 and that the plan is a true and correct copy of the original plan.

LEGEND

- NETWORK POIN
- NETWORK STROK
- PRODUCE
- PART
- CHANGE
- CALC
- CALC
- CALC
- CALC
- CALC
- CALC

CURVE DATA

CURVE	ROAD	RT. ANGLE	LENGTH
A	207°23'	137°50'	44.12
B	41°142'	142°25'	52.80
C	387°52'	87°25'	73.19

APPROVED BY THE
 ADELAIDE HILLS COUNCIL
 DATE
 AUTHORITY

LESTER FRANKS
 Adelaide - 22 Chancery Lane - Ph: 08 8223 5220
 For Augusta - 21 Victoria Park - Ph: 08 8542 3244
 OUR REF: AHW/16640/DWG
 18/06/2022 NS

3. Disposal of Land – Renewal SA – Period of Confidentiality

**Moved Cr
S/- Cr**

That having considered Agenda Item 17.1 in confidence under section 90(2) and 90 (3)(d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act, orders that the documents, reports and minutes pertaining to this matter, including discussions and considerations, be retained in confidence until the subject land is made available on the open market, but not longer than 30 September 2014, pursuant to section 91(9).