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| <b>ITEM NO:</b>        | 11.14  |
| <b>MEETING DATE:</b>   | 19 May 2016  |
| <b>SUBJECT:</b>        | Betts Street Extension – <b>CONFIDENTIAL</b>   |
| <b>RECORD NUMBER:</b>  | R16/4453   |
| <b>AUTHOR:</b>         | Manager Regulatory Services, Jennifer Brewis   |
| <b>ATTACHMENT (S):</b> | February Council Report 02 11.42 Possible Purchase of end of Betts Road – not to be held in confidence |

**THIS REPORT IMPACTS ON:**

|                             |   |                                      |  |
|-----------------------------|---|--------------------------------------|--|
| Asset Management            |   | Long term financial plan             |  |
| Budget/Annual Business Plan | X | Financial Key Performance Indicators |  |
| Legal/Statutory/Policies    | X | Community engagement                 |  |
| Risk analysis/management    |   | Service standards                    |  |
| Environment                 |   | Legal advice                         |  |
| Economic growth             |   | Social                               |  |

**BACKGROUND:**

Council has received further correspondence from the land owner who is seeking to sell the land located between the end of Betts street joining Wallschutzky Road.

The land owner has indicated that they are now looking at selling the land to Council as they have completed the works on the dwelling and are looking to finalise this mater prior to selling the land.

This mater was previously tabled with Council and the following resolution was made

11.42 11 Wallschutzky Road - Possible Betts Street extension

32/16

Moved: Cr Stephens

Seconded: Cr Karp

That Council, having considered Report No 11.32, Title 11 Wallschutzky Road- Possible Betts Street extension, 18 February 2016 to consider in the 2016/17 budget:

- a. Include the cost of surveying the land and associated government charges in the 2016/17 financial year budget.
- b. Delegate the Manager, Regulatory Services to negotiate the purchase of the land with the land owner for the lands purchase to be included within the 2016/17 financial year.

CARRIED

The owner has made an offer to sell the land to Council for a sum of \$5,000. A quote has been received to undertake the surveying and conveyancing was \$2250.

This means the total cost would be \$7,250.00. The owner is seeking to resolve this matter asap and has advised if no decision is made will be placing the allotment as it currently stands on the market prior to the 1 July 2016.

## **Recommendation**

That the Council, having considered Report No 11.14, Betts Street extension, 19 May 2016

(a) Pursuant to Section 90(2) of the Local Government Act, 1999, orders that all persons with the exception of the Chief Executive Officer, Maxine J Hentschke, Manager Regulatory Services Jennifer Brewis, Manager, District Services, Penny Williams, Acting, Manager, Operations Robyn Nottle and Minute Secretary, Judy Childs be excluded from attendance at the meeting for agenda item 11.14, relating to "Betts Street extension".

(b) The Council is satisfied pursuant to Sections 90 (3) (D) of the Act, the information to be received, discussed or considered in relation to this agenda item is related to a proposal to potentially enter into a future contractual arrangement.

That Council, having considered Report No 11.14, Betts Street Extension, 19 May 2016;

1. Approve the purchase of Allotment 2, 11 Wallschutzky Road, as contained within Certificate of Title Volume 6077 Folio 779 within the 2016/17 budget as an additional budgetary expenditure.
2. Delegate to the Chief Executive Officer and Mayor to sign and seal any relevant documentation for the purchase and transfer of Allotment 2, 11 Wallschutzky Road, as contained within Certificate of Title Volume 6077 Folio 779 to the District Council of Streaky Bay.
3. Pursuant to Section 193 (4)(a) of the Local Government Act 1999 resolves to exclude Allotment 2, 11 Wallschutzky Road, Certificate of Title Volume 6077 Folio 779 from the classification of community land.

That Council, having considered agenda item 11.14 relating to "Betts Street Extension" in confidence under Sections 90 (3) (D) of the Act of the Local Government Act 1999, pursuant to Section 91(7) of the Act orders that the discussion and the Report 11.14 be retained in confidence and not be available for public inspection until the matter is resolved with 12 monthly periodic reviews until that time.