Finance Policy
4.1
Disposal of Shire of Northampton Property

Policy Measures

This policy clarifies the circumstances and methods by which Shire of Northampton property is to be disposed.

1. Disposal of land

The disposal of "land" includes the sale, lease or assignment of all or any part of the land.

Shire of Northampton owned land is to be disposed of in accordance with the provisions of Section 3.58 of the *Local Government Act 1995* either by;

(a) Public auction;
(b) Public tender; or
(c) Local public notice of intention to dispose (including details and consideration of submissions thereon).

Under Regulation 30 of the *Local Government (Functions and General) Regulations 1996*, an exemption applies where land is disposed of:

(a) To an owner of adjoining land (subject to value less than $5,000);
(b) To a charitable or not for profit body;
(c) To the Crown;
(d) Is leased to an employee of the local government for use as the employees residence; or
(e) Is residential property leased to a person.

Notwithstanding the provisions of the Act or the Regulations, any disposal of Shire of Northampton land is to:

- have regard to the commercial value of the land being disposed as determined by a qualified valuer and or the Valuer Generals Office; and
- be brought before Council for consideration.

Council's Regional Price Preference policy does not apply to any disposal of Land.

2. Disposal of confiscated or uncollected goods (including animals)

Confiscated or uncollected goods are to be disposed of in accordance with Section 3.47 of the *Local Government Act 1995*.

The property is to be disposed of as if it were the property of the Shire of Northampton and therefore subject to the provisions of Section 3.58 of the *Local Government Act 1995.*

3. Disposition of other goods and property

The disposal of any other Shire of Northampton owned goods or property is to be disposed of in accordance with the provisions of Section 3.58 of the *Local Government Act 1995* either by;

(a) Public auction;
(b) Public tender; or
(c) Local public notice of intention to dispose (including details and consideration of submissions thereon).

Under Regulation 30 of the *Local Government (Functions and General) Regulations 1996*, an exemption applies where the property to be disposed of;

(a) Has a market value less than $20,000; or
(b) The entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than $75,000.

From time to time, minor property that is surplus to the needs of the Shire of Northampton is identified for disposal. Where the property to be disposed of is exempt under the market value provisions (ie value is less than $20,000) the CEO is to determine the most efficient method of disposal taking into consideration the costs associated with disposal.

As a general guideline the following approach is to apply based on the estimated value of the property,

(a)	$10,000 - $20,000	Local public notice calling for expressions of interest
(b)	$ 5,000 - $10,000	Seek three quotations (if possible) from likely purchasers
(c)	$ 5,000 or less	Seek only one quotation from likely purchasers
(d)	$ 1,000 or less or of no commercial value	Internal expressions of interest or alternatively, by way of a donation to a not for profit community group

Where the property is to be disposed of by local public notice calling for expressions of interest, the Shire of Northampton's general expression of interest document is to be used.

Council's Regional Price Preference does not apply to the disposal of property and does not apply to the value of items traded in.

Administration

This policy will be administered by Office of the CEO.

<u>Adoption and Date Due for Revision</u>

ADOPTED 19 JULY 2024
REVIEWED N/A

NEXT DUE FOR REVIEW 19 JULY 2029

The Administration of this Policy is by Office of CEO.