



2. **CORPORATE POLICIES**
2.3 **OTHER CORPORATE**
2.3.9 **Disposal of Shire of Manjimup Property**

Policy Measures

This policy clarifies the circumstances and methods by which Shire of Manjimup 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 Manjimup owned land is to be disposed of in accordance with the provisions of Section 3.58 of the Local Government Act 1995; ie 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, 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 Manjimup 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 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 Manjimup and therefore subject to the provisions of Section 3.58 of the Local Government Act 1995.

2.3.9 Disposal of Shire of Manjimup Property

3. Disposition of other goods, property

The disposal of any other Shire of Manjimup owned goods or property is to be disposed of in accordance with the provisions of Section 3.58 of the Local Government Act 1995; i.e. 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, an exemption applies where the property to be disposed of;

- (a) Has a market value less than \$20,000; or
- (b) Is disposed of as part of the consideration to acquire assets whose total value (or worth) is less than \$75,000 (ie traded in).

From time to time, minor property that is surplus to the needs of the Shire 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 Manjimup'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 is administered by the Office of the CEO.

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