

3.18 DISPOSITION OF ASSETS

OBJECTIVE

To clearly identify the process by which the Shire of Gingin will dispose of assets with a value of less than \$50,000 to ensure that such disposal takes place in a fair, equitable and consistent manner, and in compliance with relevant legislation.

POLICY

This policy supports Delegation 1.1.12 Disposition of Assets.

Any proposal to dispose of an asset other than land, as outlined in 1. below, must be undertaken in accordance with Procedure 3.1 – Disposition Of Assets (Other Than Land) With A Value Not Exceeding \$20,000.

1. Disposal of Council-owned assets (other than land) shall be carried out in accordance with the following schedule:

Current Market Value of Property	Method of Disposal
\$0-\$5,000 <i>(exempt from the provisions of s3.58)</i>	<ul style="list-style-type: none">• Call for offers of purchase;• Holding of a surplus goods sale at the Shire Depot;• Donation to a local community group where asset has no commercial value;• Sale to the highest bidder through an internal bidding process for staff and Councillors, whereby bids are sealed;• Sale to the highest bidder at public auction; or• Destruction of the property (recycle where possible).
\$5,001-\$20,000 <i>(exempt from the provisions of s3.58)</i>	<ul style="list-style-type: none">• To the highest bidder at public auction;• To the most acceptable tender, whether or not it is the highest tender, through a public tender process; or• To an external party at market value.
\$20,001-\$50,000	In accordance with Section 3.58 of the <i>Local Government Act 1995</i> .
>\$50,000	The proposal to dispose of property with a value of more than \$50,000 must be submitted to Council for approval.

2. The following dispositions of land may be undertaken by the CEO, under Delegation 1.1.12 Disposition of Assets, without reference to Council.
 - a. The leasing of land to bodies, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature, and the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions.

- b. The leasing of land to an employee of the local government for use as the employee's residence.
- c. The leasing of residential property to a person.

Regulation 30 of the Local Government (Functions and General) Regulations 1996 exempts the above instances from the disposition of property requirements of the Local Government Act 1995. Lease proposals therefore do not need to be subjected to public tender or auction, or to be advertised for public submissions.

- 3. All other proposed dispositions of land must be referred to Council for formal consideration.

GOVERNANCE REFERENCES

Statutory Compliance	<i>Local Government Act 1995, s3.58</i> <i>Local Government (Functions and General) Regulations 1996, reg 30</i>
Industry Compliance	N/A
Organisational Compliance	Delegation 1.1.12 Disposing of Assets Procedure 3.1: Disposition of Assets With a Value Not Exceeding \$20,000

POLICY ADMINISTRATION

Review Cycle	Biennial	Next Review	2024
Department	Office of the CEO		

Version	Decision Reference	Synopsis
1.	20/08/2013 - Item 11.1.2	New Policy adopted.
2.	21/09/2021 Item 11.1	Policy reviewed and retained without amendment.
3.	19/07/2022 Item 11.1	Policy amended to include Parts 2 and 3.