

Scope:

The Policy applies to all Council owned land and Council controlled Crown land situated within the boundaries of the municipality which Council may declare as surplus to the requirements of Council and the community.

The Policy does not apply to land that has the legal status "road" including a road reserve.

This Policy does not apply to land where section 181 or section 191 of the Local Government Act 1989 applies. Section 181 makes provision for Council to sell land or cause land to be transferred to itself to recover unpaid rates or charges. Section 191 applies where the transaction is between Council and a limited number of parties such as the Crown, a Minister, a public body, trustees appointed to hold property on trust for public or municipal purposes or a public hospital.

This policy does not apply to the demolition of a building on Council owned land or Council controlled Crown land.

Policy Content:

All Council owned land and Council controlled Crown land assets will be reviewed on an ongoing basis and assessed against the criteria identified in this Policy. The land will be assessed in a two stage process in order to determine if it is surplus to requirements.

- Stage One: Land will be assessed against the Decision Criteria to short-list for preliminary consideration as surplus to requirements. At least one of the decision criteria must be met in order to proceed to Stage Two.
- Stage Two: Each parcel of Preliminary Surplus Land will be administered in accordance with the Specific Requirements for a final determination as surplus to requirements.

Decision Criteria:

All Council land is to be retained except where at least one of the following criteria applies;

- a. The land is no longer used or is not used for a purpose associated with service provision by Council.
- b. The land is not being used for its originally intended purpose.
- c. The land (being used for a Council service) has a net realisable value for another purpose which is significantly greater than the cost of re-establishing the service on another site.
- d. The land does not contribute to the achievement of a current Council objective.
- e. The land has no strategic significance to Council on a long term basis.
- f. The land is identified in a Study commissioned and adopted by Council as being surplus to requirements (e.g. Open Space Study, Community Infrastructure Plan, etc).
- g. The land requires greater investment than the value of the property to meet current standards and legislative requirements for public buildings.
- h. Other land assets in close proximity provide a similar service.

Specific Requirements:

1. All land which may be identified as being surplus to requirements and available for sale or return to the Crown in accordance with the above criteria will be the subject of a report to Council for specific approval in each instance to commence the statutory process to effect a sale or return the land to the Crown.
2. The following criteria will be used to conduct an assessment to determine whether a property should be made available for sale or should be returned to the Crown:
 - a. Identification of current and potential future usage;
 - b. Ability to contribute to positive social outcomes;
 - c. Facilitating investment and positive economic development outcomes;
 - d. Positive environmental outcomes; and
 - e. Favourable financial outcomes.

