



Council Policy: Sale and Disposal of Assets

Classification:	Council Policy				
First Issued:	21 July 2015				
Dates of Review:	21 July 2020				
Version Number:	1				
DW Doc set ID:	3050139				
Applicable Legislation:	Local Government Act 1999 (SA) Criminal Law Consolidation Act 1935 (SA) Independent Commissioner Against Corruption Act 2012 (SA) Code of Conduct for Council Members Code of Conduct for Council Employees				
Related Policies or Corporate Documents:	<ul style="list-style-type: none"> • Asset Management Council Policy • Delegations Process Council Policy • Fleet Management Administration Policy • Fraud and Corruption Prevention and Control Council Policy • Gifts Benefits and Hospitality Administration Policy • Impairment of Assets Council Policy • Information Technology and Its Use Administration Policy • Public Consultation Council Policy • Risk Management Administration Framework • Enterprise Risk Management Council Policy • Sub-delegation Process Administration Policy • National Competition Policy (Federal) • Work Health and Safety Administration Policy 				
Associated Forms:					
Note:					
Responsible Manager:	General Manager Organisational Support				
Confirmed by General Manager:	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">General Manager</td> <td style="text-align: right;">Date 30 June 2015</td> </tr> <tr> <td>Organisational Support</td> <td></td> </tr> </table>	General Manager	Date 30 June 2015	Organisational Support	
General Manager	Date 30 June 2015				
Organisational Support					
Approved by Executive:	Date 30 June 2015				
Approved by Council:	Date 21 July 2015				

Table of Contents

- 1. Preamble..... 3
- 2. Purpose..... 3
- 3. Scope 3
- 4. Definitions 3
- 5. Policy Statement..... 3

COUNCIL POLICY - Sale and Disposal of Assets

1. Preamble

- 1.1 Section 49 of the [Local Government Act 1999](#) (the Act) requires each council to develop, maintain and adopt policies relating to the sale and disposal of land to ensure that:
- a. value for money is obtained
 - b. all parties are treated fairly and ethically
 - c. probity, accountability and transparency is intrinsic to the process

2. Purpose

- 2.1 This policy seeks to define the methods by which assets are disposed of.

3. Scope

- 3.1 This policy applies to all assets with the exception of computers.

4. Definitions

- 4.1 **Asset** refers to a resource owned by or under the care and control of CWT.
- 4.2 **Employee** means any full-time, part-time, contract, casual, work experience, trainees, and volunteers, as well as those persons working at a Council workplace through a contract or other similar external arrangement.

5. Policy Statement

5.1 Guiding Principles

5.1.1 Value for Money

- 5.1.1.1. CWT will drive value for money in its sale and disposal of assets by deploying the most appropriate strategy to achieve its objectives.
- 5.1.1.2. Value for money includes consideration of both cost and non-cost factors (if applicable):
- the contribution to Council's long term financial plan and strategic management plans;
 - any relevant direct and indirect benefits to Council, both tangible and intangible;
 - efficiency and effectiveness;
 - the costs of various disposal methods;
 - internal administration costs;

- risk exposure; and
- the value of any associated environmental benefits.

5.1.2. Risk Management

- 5.1.2.1. The risks associated with any sale or disposal of an asset will be managed in accordance with this policy and CWT's [Risk Management Administration Framework](#).
- 5.1.2.2. All sale and disposal activities require the identification and assessment of potential risks. Risks must be assessed in accordance with CWT's [Risk Management Administration Framework](#).

5.1.3. Probity and Accountability

- 5.1.3.1. All employees involved in sale and disposal activities are required to observe the highest standards of integrity, probity and professional conduct and comply with the [Mandatory Code of Conduct for Council Employees](#) and other legislative requirements.
- 5.1.3.2. All stages of the sale and disposal decision making process will be documented, defensible and preserve confidence in CWT's process.
- 5.1.3.3. Parties will be treated fairly and equitably in any procurement process.
- 5.1.3.4. Non-conformance with this policy by employees may lead to disciplinary action.

5.2. **Sale or Disposal Strategy**

- 5.2.1. The following criteria should be considered in relation to the sale or disposal of assets:
 - 5.2.1.1. number and type of known potential purchaser(s) of the asset(s);
 - 5.2.1.2. original intention for the use of the asset(s) when purchased;
 - 5.2.1.3. original method and intent of Council's obtaining ownership/custodianship of the asset(s), e.g. a bequest;
 - 5.2.1.4. potential for local economic growth and development;
 - 5.2.1.5. total estimated value of the asset(s);
 - 5.2.1.6. delegation limits taking into consideration accountability, operational efficiency, and urgency of the sale;
 - 5.2.1.7. compliance with statutory and other obligations;
 - 5.2.1.8. urgency of the sale or disposal;
 - 5.2.1.9. condition of the asset(s) and its remaining useful life;
 - 5.2.1.10. cost of the sale against the value or return of the asset(s).

5.2.2. The sale or disposal of assets may be through:

- 5.2.2.1. direct sale through public advertisement;
- 5.2.2.2. public auction;
- 5.2.2.3. invitation to tender (select or open);
- 5.2.2.4. donation to community groups and/or charitable institutions;
- 5.2.2.5. vehicle trade-in arrangements;

In the event the asset has come to the end of its useful life, it may be disposed of by way of recycling or as waste.

- 5.2.3. If the cost of sale outweighs the value or return of the asset(s) it may be disposed of by way of recycling or as waste.
- 5.2.4. The sale or disposal of land and/or buildings must be referred to Council for its consideration and determination with independent valuations being obtained to assist and inform Council to ensure the objectives of this policy are achieved.
- 5.2.5. The sale or disposal of computers must be undertaken in line with the [Disposal of Computer and Related Equipment Administration Policy](#).

6. Confidentiality

- 6.1. CWT will not disclose the confidential details of any offer received from a party to unauthorised persons without the prior written consent of the party unless required to do so by law.

7. Delegations

- 7.1. Council has delegated authority to the Chief Executive Officer (CEO) to make decisions in respect of matters covered by this policy including decisions unless referral to Council is otherwise required.
- 7.2. The CEO is authorised to further delegate the authority to staff (delegated officers/procurers) to make decisions in respect of the matters covered in this policy.
- 7.3. Financial sub-delegations are recorded in the publically available *City of West Torrens* [Subdelegations Framework](#).
- 7.4. Delegated officers are required to ensure that all sale and disposal of assets activities comply with the provisions of this policy and legislation and are in accordance with their approved delegations.

8. Consultation

- 8.1. If required, CWT will undertake public consultation in accordance with Section 50 of the Act and its [Public Consultation Council Policy](#).

9. Availability

- 9.1. This policy is available for inspection in the Civic Centre and the Hamra Centre during normal opening hours as well as on [Council's website](#).
- 9.2. Copies may be purchased at a fee set annually by Council and as detailed in Council's [Fees and Charges Register](#).