
Property Acquisition and Disposal - (Negotiation on Purchase Price)

1. The purpose of this policy is

To provide for the purchase and sale of property by Council.

2. Policy statement

From time to time Council undertakes the purchase or sale of property. The Local Government Act reserves authorisation of such sales and purchases to Council.

Sale and purchase of property requires negotiation between the purchaser and vendor. This policy provides the guidelines within which these negotiations may take place.

3. Principles

Council seeks to provide flexibility in negotiation of prices for purchase or sale of property. Negotiation can proceed in the following circumstances:

- Where Council has adopted a S94 Plan and a specific property is identified as being suitable for purchase.
- Where Council has adopted an Open Space Acquisition Plan and a specific property is identified as being suitable for purchase.

In these circumstances, the General Manager is empowered to:

- Seek valuation of the property and communicate details to key stakeholders involved in the purchase.
- Engage in negotiations with key stakeholders involved in the purchase or sale of a property

and to report to the Council to allow a formal decision to be taken.

Where the Council has formally resolved to purchase a property, the General Manager has discretion to offer the vendor (if necessary) up to ten per cent (10%) above the independent valuation of the property obtained prior to negotiations commencing, and to finalise the purchase.

Where the Council has formally resolved to dispose of property, the General Manager has discretion to accept offers within 5% of the independent valuation advice/reserve price, and to finalise the sale.

4. Amendments

This policy was previously known as 6.4.07. This policy has been renumbered to GOV-PL 810. GOV-PL 810 supersedes FIN-PL 316.

5. Authorisation

The Property Acquisition and Disposal – Negotiation on Purchase Price policy GOV-PL 810 was authorised by Council on 14/8/1984.

The policy was amended on 19 July 2005

The policy is due for review on 19 July 2007.

6. Who is responsible for implementing this policy?

General Manager

7. Document owner

Director Corporate Services.

8. File number

175.010.000.

9. Legislation and references

S377 Local Government Act 1993

9.1 Definitions

None.