

Policy number	Policy 304
Policy title	Disposal of disused equipment, machinery and other materials
Strategic outcomes supported	CL6 – Finances are managed appropriately, sustainably and transparently for the benefit of the community. CL8 – Visionary civic leadership with sound and accountable governance that reflects objective decision-making.

POLICY OBJECTIVE:

To provide guidance to the disposal of property by the Town.

Commented [BH1]: New policy objective. Too broad and needed refinement

POLICY SCOPE:

This policy applies to the disposal of property by the Town.

Commented [BH2]: New policy scope. Needed refining and was too broad

DEFINITIONS:

Disused equipment, machinery and other materials means any item/s which are exempt from disposition pursuant to the *Local Government (Functions & General) Regulations 1996*, Regulation 30(3), and which cannot be readily sold or be traded-in and have little or no residual value as determined by the Chief Executive Officer other than any item/s that is provided to elected members.

Commented [BH3]: This has been replaced by Surplus Assets

Non-profit community organisation means any non-profit group, agency or service whose primary aims are to improve the quality of life to sections of the community or provide targeted welfare or other support. This includes the provision of recreation and sporting opportunities, community arts and cultural development programmes.

POLICY STATEMENT:

1. Subject to the provisions of s.3.58. of the Local Government Act 1995 and the Local Government (Functions & General) Regulations 30 and 31 the Town may donate to non-profit community organisations, sell to elected members, staff or other persons, or deposit at a refuse site surplus, unused, disused or superseded items of light machinery, office equipment, furniture or construction materials that are of no further use to the Town and that are of little or nominal residual value or which cannot be traded-in.

2. This does not include office equipment installed in the premises or home of an elected member.

Commented [BH4]: The Town does not install office equipment (owned by the Town) into premises of Elected Members. Allowance is provided as part of their term and tablets are provided which are returned at the end of term. This has no relevance to the policy and any equipment utilised by Elected Members, but owned by the Town would be included in this policy if it meets the objective and scope

3. All disposals shall be made in accordance with this policy.

4. Order of disposal shall be by:

- a. Donations to non-profit community organisations and schools

Commented [BH5]: This has been removed. It is noted that this policy does not apply to land or building assets within Policy Scope

- i. The Town shall give local public notice when an appropriate amount of item/s become available for donation to welfare organisations, sporting clubs, community groups and schools, which are to complete an application form supplied by the Town.
- ii. First priority for allocating the donation of item/s will be given to those welfare organisations, sporting clubs, community groups and schools, which are located within the Town.
- iii. Records will be kept of all item/s donated to organisations for the purpose of ensuring an equitable distribution over time.

b. Sale to elected members and staff by tender

- i. The Town may invite elected members and staff to submit a tender for the purchase of any remaining item/s not donated.
- ii. Items will be advertised internally within the Town by giving 14 days notice by e-mail of which a copy is to be placed on staff notice boards and circulated via the Intranet and Councillor Portal. Interested parties are required to submit a tender for the item/s. Each item will be offered for sale separately unless otherwise determined by the Chief Executive Officer.
- iii. Sealed tenders with the envelope marked "Purchase of Minor Disused Equipment" must be lodged in the tender box prior to the nominated closing time.
- iv. The responsible officers are to open the tenders and prepare a schedule, which is to be maintained in a register.
- v. The Chief Executive Officer may limit the number of same items able to be sold to any elected member or staff.
- vi. In each case the highest tenderer will be offered the item/s at the tendered price. In the case of several identical items being offered for sale the highest tenderer will have first choice of same items, the second highest tenderer will have the next choice and so on.

Commented [BH6]: Removed. It was felt that staff and Elected Members if they wish, can apply through clause c (Sale to other individuals) to ensure equity.

Commented [BH7]: These bullet points relate to operational procedure. These items are to be included within a Management Practice. Policy definitions have been made available for Public Notice and application

c. Sale to other individuals

- i. If any item/s cannot be disposed of by selling it by tender to an elected or staff member or donation to a non-profit community organisation, it may be advertised to be sold by private treaty to any individual or organisation at a price approved by the Chief Executive Officer.

Commented [BH8]: This has been made clear in the reviewed policy under Order of Disposal – Paragraph 5 and within policy definitions – Tender and Private Treaty

d. Dumping at refuse site

- i. If any item/s cannot be disposed of by the processes outlined in (a), (b) and (c) above it may be recycled or dumped at a refuse site with approval of the Chief Executive Officer.

Commented [BH9]: This has been made clear in the reviewed policy under Order of Disposal – Paragraph 5

5. Conditions of disposal/sale

- a. All items are sold or donated on an as is where is basis with all faults if any.
- b. The tendered sum or negotiated sale price is to be paid prior to collection of the item/s.
- c. The Town will not provide any consumables or technical support for any item/s that have been donated or purchased from the Town.
- d. The Chief Executive Officer expressly reserves the right to:
 - i. withdraw any lot or lots from a tender at any time; and
 - ii. not accept any tender.

6. Details of item/s disposed by donation or will be reported to Council via the monthly financial statements.

RELATED DOCUMENTS:

[Local Government Act 1995 s.3.58.](#)

[Local Government \(Functions & General\) Regulations 1996 Reg. 30. and 31](#)

Policy manager	Chief Financial Officer
Responsible officers	Manager – Corporate Services Financial Controller Senior Accounting Officer Senior Procurement Officer Principal Fleet Specialist Coordinator - Assets
Approval authority	Council
Next Evaluation Date	

REVISION HISTORY

Version	Approved, Amended, Rescinded or Reviewed	Date	Authority	Resolution Number	Key Changes/Notes
1	Adopted	28/09/1999	Council	-	Item 4.1
2	Amended	15/08/2006	Council	-	Item 4.1
2	Reviewed	09/07/2013	Council	-	Item 10.1
2	Reviewed	11/08/2015	Council	-	Item 10.1
3	Reviewed and Amended	20/08/2019	Council	148/2019	Item 10.1