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POLICY OWNER POSITION: Manager Financial Services

INTERNAL COMMITTEE ENDORSEMENT: Not applicable

APPROVED BY: Council

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DATE RESCINDED:

RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES: Rates Policy
Asset Management Policy

RELATED LEGISLATION: Local Government Act 1989

EVIDENCE OF APPROVAL:



Signed by Chief Executive Officer

FILE LOCATION: K:\EXECUTIVE\Strategies policies and procedures\Policies - adopted PDF and Word\POL Surrender of Land v2.docx

Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please consult the policies on the Loddon Shire website (Council Policies) or Intranet (Organisational Policies) to ensure that the version you are using is up to date.

This document is available in alternative formats (e.g. larger font) if requested.

1 PURPOSE

The purpose of this policy is to support Council in its decision making in circumstances where ratepayers apply to surrender parcels of land within the Shire.

2 SCOPE

This policy applies to Councillors, the CEO and ratepayers of Council.

3 POLICY

Any offer to donate land to Council must be submitted in writing by the landowner or their legal representative and should be accompanied by the following:

- reasons for surrender of land
- copy of title
- property survey or sketch map that shows the location and approximate land size
- any other information about the land that may be of significance.

When making its decision, Council is required to take into account the following issues:

- legal costs involved in transferring ownership of the land
- payment of future rates and related charges
- possible escalation into a Section 181 property sale
- payment of future Fire Service Property Levy fixed and variable charges
- suitability for resale
- previous land use (possible contamination, risk of mine shafts)
- liability for maintenance of the vacant land which includes grass slashing and control of weeds if the property is not suitable for resale.

Only land with an identified potential future benefit to Council will be considered for surrender.

4 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

5 REVIEW

The Manager Financial Services will review this policy for any necessary amendments no later than 2 years after adoption of this current version.