

Sale of Council Land – Fact Sheet

Hepburn Shire Council has an extensive property portfolio consisting of land and buildings, including a mix of land owned by Council along with Crown land managed on behalf of the State Government.

Council's properties support the delivery of a range of community services, such as libraries, recreation facilities, parks and open spaces.

The properties may be:

- occupied and used for Council services;
- used for income generation; or
- used to bring benefits to the wider community.

Council-owned land is a valuable public asset, and it is essential that it is used to maximise the social, environmental, and economic benefits to the Hepburn Shire community.

Disposal and Acquisition of Land Policy

Council responds to the needs of the community by selling surplus land and strategically acquiring additional properties. The [Disposal and Acquisition of Land Policy](#) (Policy) provides a framework to guide decision-making in relation to the sale and acquisition of land.

The purpose of the Policy is to ensure Council:

- has a consistent, equitable and transparent process in relation to the disposal and acquisition of land.
- complies with best practice and legislative requirements when undertaking the sale or acquisition of land.
- strategically manages its property portfolio for the long-term best interests of the community, including the rationalisation of commitments for financial sustainability.
- achieves best value (both financial and non-financial) in all of its land dealings.

Criteria considered to determine if land could be sold

Council considers a number of criteria to determine whether land could be sold. This includes the Council-owned land:

- does not or will not support, facilitate or contribute to current or future service delivery outcomes as identified in the [Council Plan](#).
- does not contribute economic, environmental, strategic or community benefit to Hepburn Shire to justify its retention and, if sold, would contribute strategically or financially to other Council objectives.
- has limited or no strategic value/significance to Council on a long-term basis.
- is identified in a Council strategy, plan, budget, study, policy or planning scheme as being surplus to its requirements or not required to be owned by Council.

Legislative obligations

Council must comply with [section 114 of the Local Government Act 2020](#) to deal with (sell) land.

Principles that apply when considering sale of land

The following principles apply to the sale of Council-owned land:

- ensure the sale of Council land provides the best result (both financial and non-financial) for Council and its community.
- ensure Council land is appropriately zoned before being offered for sale.
- sell Council land for the highest and best use of the land unless there is some community benefit not to.
- not sell Council land for a price that is less than the current market value as assessed by a qualified independent valuer, unless there is some community benefit that justifies the circumstances to sell the land at less than market value.