



EMP-FIN-005 | Property Performance, Investment & Disposal Policy

Strategic Context

Strategic Link	Policy Objective
☑ United ☑ Safe & Healthy ☑ Beautiful & Respected ☑ Prosperous & Equitable	The objective of this policy is to establish a clear governance framework for the strategic management, performance review, investment, and disposal of the Shire's property assets, ensuring transparency, financial sustainability, and alignment with community and organisational objectives.

Introduction

1. The Shire of Halls Creek (the Shire) holds and manages a portfolio of land and property assets that support service delivery, community infrastructure, economic development, and long-term financial sustainability. These assets represent significant public value and must be managed strategically and responsibly.
2. Effective property performance, investment, and disposal decisions are critical to ensuring that the Shire's property holdings remain aligned with community needs, strategic objectives, and financial sustainability principles. Council has a governance responsibility to ensure that property assets are utilised efficiently, deliver appropriate returns where applicable, and are retained or disposed of in a transparent and accountable manner.
3. This policy establishes the strategic framework for the performance review, acquisition, development, investment, and disposal of property assets. It clarifies Council's governance role in setting policy direction and oversight parameters, while operational implementation remains the responsibility of the Chief Executive Officer in accordance with legislative requirements and delegated authority.
4. Through this policy, Council affirms its commitment to prudent asset management, responsible investment practices, and transparent decision-making in relation to property holdings.

Purpose

5. The purpose of this policy is to establish a clear governance framework for the strategic management of the Shire's property portfolio, including the performance review, acquisition, development, investment, and disposal of land and property assets.
6. This policy ensures that property decisions are undertaken in a transparent, accountable, and financially responsible manner, aligned with the Shire's Strategic Community Plan, Long-Term Financial Plan, and asset management objectives.
7. The Policy provides strategic direction to guide how property assets are assessed for ongoing performance, suitability, and value, and outlines the principles by which Council will consider property investments or disposals. It ensures that property holdings support service delivery, community outcomes, economic development opportunities, and financial sustainability.



8. Through this policy, Council maintains appropriate oversight of property assets as custodians of public resources, while enabling the Chief Executive Officer to administer property matters in accordance with legislative requirements and delegated authority.

Policy Scope

9. This policy applies to all land and property assets owned, managed, leased, controlled, or held in trust by the Shire.
10. The Policy governs the strategic oversight of:
 - a) The performance review of property assets;
 - b) The acquisition of land or property;
 - c) Property investment decisions;
 - d) Development or redevelopment of property assets;
 - e) Leasing and commercial use of Shire property (at a strategic level); and
 - f) The disposal of land or property.
11. This policy applies to Elected Members in their governance role and to the Chief Executive Officer in the operational administration of property matters under delegated authority.
12. The Policy does not replace legislative requirements relating to land transactions and must be read in conjunction with the *Local Government Act 1995*, relevant regulations, and any statutory processes governing the acquisition or disposal of property.
13. Operational procedures, transactional processes, and day-to-day property management activities are administered by the Chief Executive Officer in accordance with approved delegations, internal procedures, and legislative obligations.
14. Where inconsistencies arise between this policy and applicable legislation, the legislation prevails.

Policy Statement

15. The Shire is committed to the responsible stewardship, strategic management, and transparent governance of its property portfolio. Council recognises that land and property assets represent significant public value and must be managed in a manner that supports community outcomes, financial sustainability, and long-term strategic objectives.
16. Property assets must be regularly assessed to ensure they remain fit for purpose, aligned with service delivery requirements, and consistent with the Shire's Strategic Community Plan, Corporate Business Plan, and Long-Term Financial Plan. Where property assets are underperforming, surplus to requirements, or no longer aligned with strategic priorities, Council may consider redevelopment, repurposing, or disposal in accordance with legislative requirements and this policy.
17. Acquisition or investment in property must be supported by a robust business case, clear strategic justification, and assessment of financial and risk implications. Disposal of property must be conducted transparently and in compliance with statutory obligations to ensure public accountability and protection of community interests.
18. Council establishes the governance framework and oversight parameters for property performance, investment, and disposal decisions. The Chief Executive Officer is responsible for the operational administration of property matters under delegated authority and in accordance with legislative requirements.
19. Through this policy, Council affirms its commitment to prudent asset management, informed decision-making, and responsible use of public resources.

Principles Underpinning the Policy

Principle Name	Principle Definition
Public Stewardship	Council holds property assets in trust for the community and must manage them responsibly to maximise public value and long-term benefit.
Strategic Alignment	Property decisions must align with the Strategic Community Plan, Corporate Business Plan, Long-Term Financial Plan, and asset management objectives
Financial Stability	Property performance, investment, and disposal decisions must support the Shire's financial sustainability and consider whole-of-life costs and long-term financial impacts.
Performance and Fit-For-Purpose	Property assets must be periodically reviewed to ensure they remain fit for purpose, effectively utilised, and aligned with service delivery needs.
Transparency and Accountability	Acquisition, investment, leasing, and disposal of property must be undertaken transparently and in accordance with legislative requirements to maintain public confidence.
Risk Management	Property decisions must consider financial, operational, legal, environmental, and reputational risks within the Shire's broader risk management framework.
Legislative Compliance	All property transactions must comply with the <i>Local Government Act 1995</i> , associated regulations, and any other relevant statutory requirements.
Governance and Role Clarity	Council establishes the Policy framework and oversight parameters, while the Chief Executive Officer administers property matters under delegated authority.
Community and Economic Consideration	Property decisions should consider broader community benefit, economic development opportunities, and long-term regional outcomes where appropriate.

Definitions

Term	Meaning
Acquisition	The purchase, transfer, exchange, or other lawful means by which the Shire obtains ownership or control of land or property.
Asset	Land, buildings, infrastructure, or improvements owned, controlled, or managed by the Shire.
Chief Executive Officer (CEO)	The person appointed by Council under section 5.36 of the <i>Local Government Act 1995</i> , responsible for the day-to-day administration of the Shire.



Council	The Council of the Shire of Halls Creek.
Disposal	The sale, transfer, exchange, lease (where legislatively treated as disposal), or other divestment of land or property in accordance with statutory requirements.
Elected Member	A Councillor or the Shire President elected or appointed to the Council of the Shire of Halls Creek.
Investment Property	Land or property held primarily for income generation, capital growth, or strategic economic development purposes rather than direct service delivery.
Lease	A legally binding agreement granting a tenant the right to occupy or use property for a specified term and consideration.
Market Value	The estimated amount for which a property should exchange between a willing buyer and willing seller in an arm's length transaction, as determined by an appropriately qualified valuer where required.
Property Portfolio	The collective land and property assets owned, managed, leased, or controlled by the Shire.
Strategic Asset	A property asset that is essential to the delivery of core services, community infrastructure, or long-term strategic objectives.
Surplus Property	Land or property that has been assessed as no longer required for current or foreseeable service delivery or strategic purposes.

Policy Details

20. Strategic Oversight of the Property Portfolio

20.1 Council will maintain strategic oversight of the Shire's property portfolio to ensure assets are aligned with service delivery requirements, community needs, and long-term financial sustainability objectives.

20.2 Property assets must be periodically reviewed to assess:

- a) Strategic relevance;
- b) Utilisation and performance;
- c) Financial return (where applicable);
- d) Maintenance and lifecycle costs;
- e) Alignment with the Strategic Community Plan and Long-Term Financial Plan.

20.3 Where property assets are identified as underutilised, surplus, or misaligned with strategic priorities, recommendations may be brought to Council for redevelopment, repurposing, or disposal.

21. Property Acquisition

21.1 The acquisition of land or property must be supported by:

- a) A demonstrated strategic need or service delivery requirement;
- b) A business case outlining financial implications and lifecycle costs;



- c) Risk assessment, including financial, legal, environmental, and reputational considerations;
- d) Alignment with adopted strategic and financial planning documents.

21.2 All acquisitions must comply with legislative requirements and be approved by Council where required.

22. Investment Property

22.1 Where property is acquired or held for investment purposes, decisions must prioritise:

- a) Capital preservation;
- b) Financial return within acceptable risk parameters;
- c) Alignment with the Shire's Long-Term Financial Plan;
- d) Risk diversification and sustainability considerations.

22.2 Investment property must be subject to regular performance review to ensure it continues to meet strategic and financial objectives.

23. Leasing and Commercial Use

23.1 Leasing arrangements must:

- a) Be consistent with legislative requirements;
- b) Reflect market value unless Council resolves otherwise in accordance with statutory provisions;
- c) Clearly document rights, responsibilities, and risk allocation;
- d) Align with the intended strategic use of the asset.

23.2 Long-term leases or arrangements with significant financial or strategic implications must be referred to Council for approval where required by legislation or policy.

24. Disposal of Property

24.1 The sale, lease or other disposal of Shire property must comply with sections 3.58 and 3.59 of the *Local Government Act 1995*, the *Local Government (Functions and General) Regulations 1996* and the Shire's Delegations Register.

24.2 Before disposal is recommended, the following must be considered:

- a) Strategic necessity of the asset;
- b) Financial impact and market value;
- c) Community benefit or implications;
- d) Alternative uses or redevelopment potential;
- e) Risk assessment.

24.3 Disposals must be undertaken in a transparent manner to maintain public confidence and ensure best value outcomes.

24.4 Any exemption relied upon under regulation 30 of the *Local Government (Functions and General) Regulations 1996* must be confirmed and documented before the disposal proceeds by Council resolution.



24.5 Disposal decisions must be made by Council or under an applicable delegation. All disposals must be transparent, properly authorised and recorded in the Shire's financial, asset and recordkeeping systems.

25. Risk and Financial Considerations

25.1 All property decisions must consider:

- a) Financial sustainability impacts;
- b) Ongoing maintenance obligations;
- c) Insurance and liability exposure;
- d) Environmental compliance;
- e) Community and reputational implications.

25.2 Property transactions must not compromise the Shire's long-term financial stability or service delivery capacity.

26. Delegated Authority

26.1 Council establishes the governance framework and retains authority over strategic property decisions as required by legislation.

26.2 The Chief Executive Officer is responsible for the operational administration of property matters under delegated authority, including negotiations, compliance processes, and contract execution within approved parameters.

27. Monitoring and Review

27.1 The property portfolio will be monitored periodically to ensure continued alignment with strategic objectives and financial sustainability principles. Council may request reporting on property performance as part of broader asset and financial governance oversight.

Accountability

28. Council is accountable for establishing the strategic framework governing the performance, investment, and disposal of property assets held by the Shire. In fulfilling its stewardship responsibilities, Council must ensure that property decisions are aligned with community priorities, legislative requirements, financial sustainability principles, and the Shire's long-term strategic objectives.

29. Elected Members are responsible for exercising informed oversight when considering property-related reports, business cases, and recommendations. In doing so, Elected Members must act in the best interests of the community, ensure transparency and accountability in decision-making, and confine their role to governance and policy oversight rather than operational involvement.

30. The Chief Executive Officer is responsible for the operational administration of property matters under delegated authority. This includes implementing Council decisions, undertaking due diligence processes, ensuring legislative compliance, managing negotiations and contractual arrangements, and maintaining appropriate internal controls. The Chief Executive Officer must ensure that property transactions are properly documented, supported by appropriate valuations and assessments where required, and reported to Council in accordance with statutory obligations.

31. Relevant officers are responsible for providing accurate information, financial analysis, risk assessments, and strategic advice to support informed Council decision-making. Officers must ensure compliance with applicable legislation, internal procedures, and approved delegations.

32. This shared accountability framework ensures that property assets are managed prudently, transparently, and in a manner that protects public value and supports the long-term interests of the Shire and its community.

Related Documentation / Legislation

Legislation	Shire of Halls Creek Documentation
a. <i>Local Government Act 1995 (WA)</i> (including but not limited to sections relating to disposal of property, leasing, and financial management — e.g., s.3.58 Disposal of Property) b. <i>Local Government (Functions and General) Regulations 1996 (WA)</i> c. <i>Local Government (Financial Management) Regulations 1996 (WA)</i> d. <i>Planning and Development Act 2005 (WA)</i>	a. Strategic Community Plan b. Corporate Business Plan c. Long-Term Financial Plan d. Asset Management Policy

Policy Review

33. This policy will be reviewed every four (4) years from the date of endorsement, or earlier in the event of legislative change, audit findings or a resolution of Council.

Document Control

Relevant Delegations	Nil		
Risk Evaluation	High		
Council Adoption	27/08/2026	Resolution	2026/090
Next Review Due	August 2030		