

DELEGATION OF AUTHORITY

DISPOSING OF PROPERTY

Function to be performed:	To dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice.
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	Director Sustainable Communities Executive Manager Development and Compliance Manager Planning and Land Services Coordinator Land Management
Express Power to Delegate/Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers and duties to CEO s.5.44 CEO may delegate powers and duties to employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58(3) Disposing of Property
Conditions and Exceptions:	<p>The exercise of this delegation is permitted under the following criteria only:</p> <p><u>Lease & License New and Renewed</u></p> <ul style="list-style-type: none"> • The lease or licence is held by a Not for Profit organisation; • The term and renewal term does not exceed 5 years; • No breach of the current agreement has occurred; • The conditions of the lease or licence is consistent with standard leasing practices of the City. <p><u>Assignment of Leases</u></p> <ul style="list-style-type: none"> • The assignee continues to meet all terms and conditions of the current lease; • No extension nor variation of the lease is available; • Relevant checks are conducted confirming the new business has no bankruptcy listed against the directors, or any court action pending; • The lease is currently not in breach. <p><u>Sublease</u></p>

	<ul style="list-style-type: none"> • The head lessee remains fully responsible for terms and conditions of head lease, which has previously been approved through Council; • The purpose of the sublease is consistent with purpose of the head lease; • Term of sublease does not exceed head lease.
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.18/6/19, 25 June 2019
Delegation last reviewed:	