

5.3. APPROVAL TO EXECUTIVE FORM PART C - PROPOSED APPLICATION TO PURCHASE ROAD RESERVE ADJACENT TO LOT 138 SR 454 TOLL GATE ROAD

REPORT AUTHOR(S) GENERAL MANAGER

Robert Donovan, Team Leader Property Services
Joanne Jacobson, Acting General Manager Corporate Services
Governance

DEPARTMENT

RECOMMENDATION

That Council:

- 1. Resolves to allow an application to be lodged with the Department of Natural Resources, Mines and Energy to apply to purchase road reserve abutting Lot 138 SR454 Toll Gate Road.**
- 2. Delegate authority to the Chief Executive Officer in accordance with section 257 of the *Local Government Act 2009* to finalise any and all matters associated with this application being lodged with the Department of Natural Resources, Mines and Energy, including the execution of the Form C as being the owners of the Road Reserve.**

EXECUTIVE SUMMARY

It is a requirement for all applications made to DNRME under the *Land Act 1994* over State Land for an applicant to first obtain Council's consent as owners of the Road Reserve indicating that Council has no objection to the application being made.

A request has been received by the owners of Lot 138 SR454 Toll Gate Road for Council to consent to an application being lodged with DNRME to close part of the road reserve and incorporate the closed road reserve into the existing allotment. The proposed closure is well vegetated and not used.

Council will be provided an opportunity in due course to respond to DNRME regarding the application.

BACKGROUND

By Council providing the applicant with an executed Form Part C, Council is not consenting to the application itself, it is just consenting to the applicant proceeding to lodge an application with DNRME.

COMMENT

A similar application in the same locality was approved by Council and DNRME some eighteen months ago.

PROPOSAL

Council to provide consent by way of an executed Form C, to enable the application to be lodged with DNRME

FINANCIAL/RESOURCE IMPLICATIONS

All costs associated with this application being lodged with DNRME are borne by the applicant

RISK MANAGEMENT IMPLICATIONS

This aspect does not need to be resolved now as Council is only consenting to the application being lodged and DNRME will seek Council's comments on the application in due course

SUSTAINABILITY IMPLICATIONS

Economic: Nil
Environmental: Nil
Social: Nil

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2014-2019 Initiatives:

Theme 5 – Governance

5.2.1 - Provide Councillors and community with accurate, unbiased and factual reporting to enable accountable and transparent decision-making.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Asset-Owner Meeting the responsibilities associated with owning or being the custodian of assets such as infrastructure.

CONSULTATION

Internal: Nil
External: Nil

ATTACHMENTS

1. Toll Gate Road Aerial View **[5.3.1]**
2. Toll Gate Road Proposed Part Road Closure **[5.3.2]**

Lot 138 SR 454 Toll Gate Road

Legend

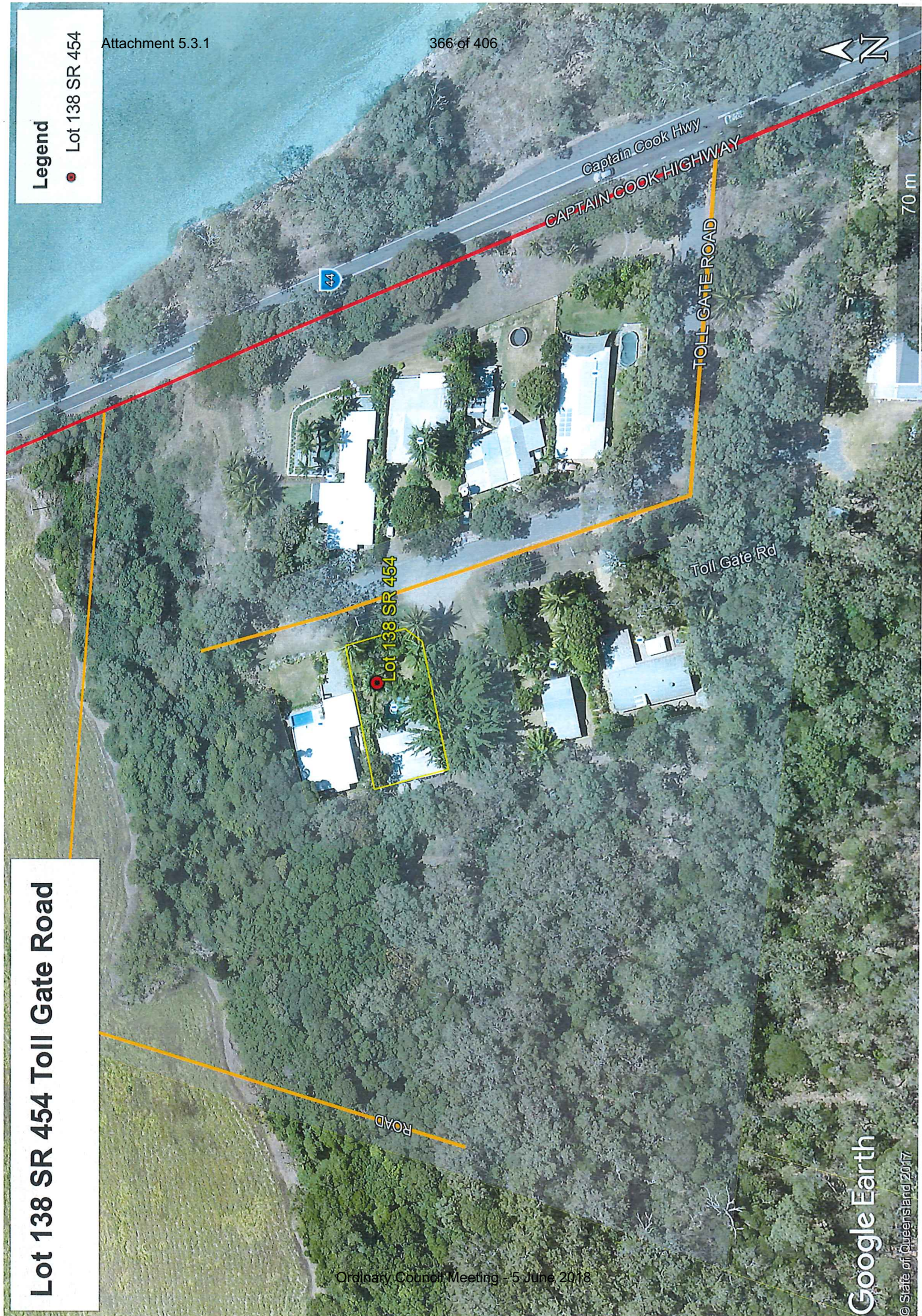
- Lot 138 SR 454

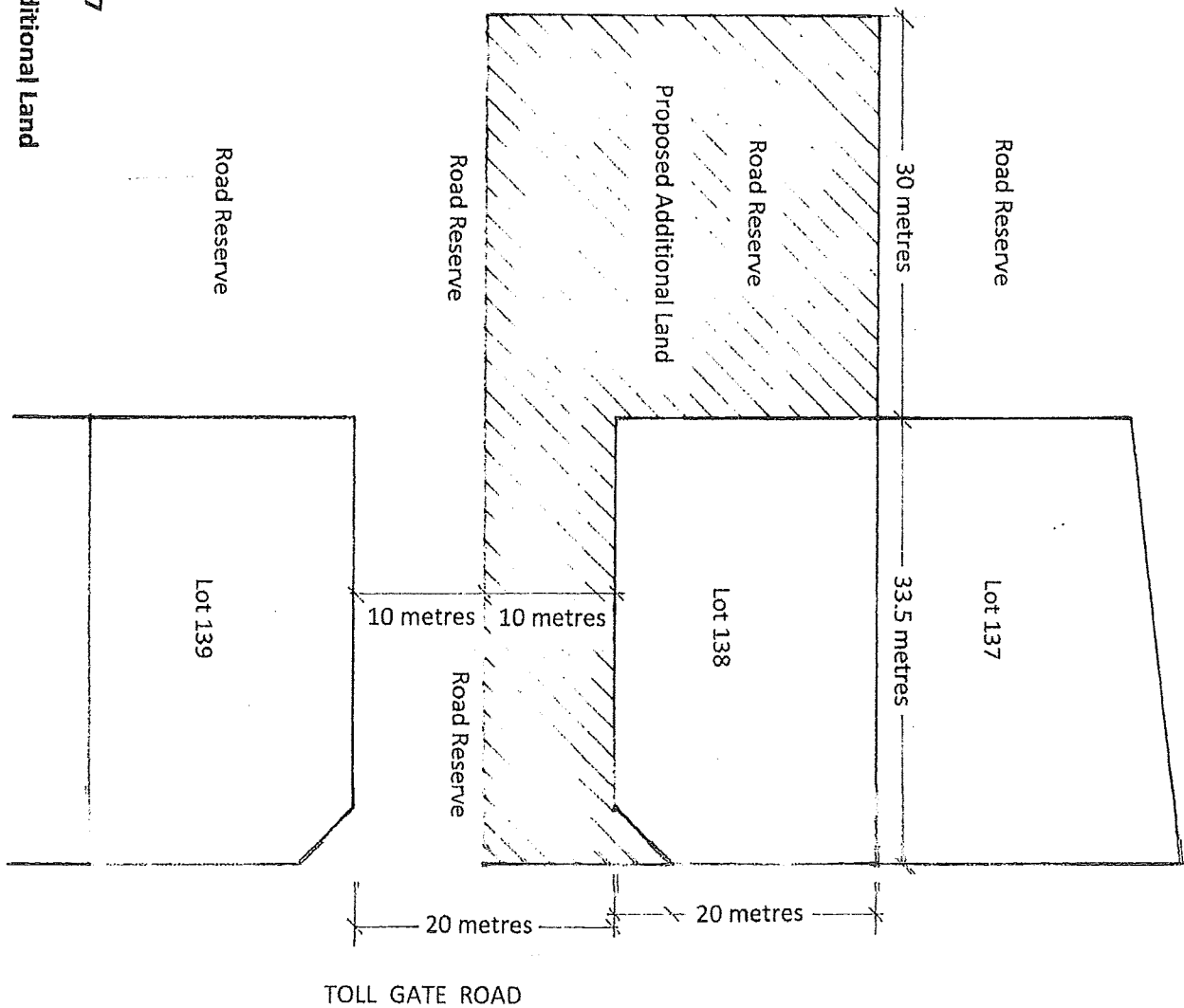
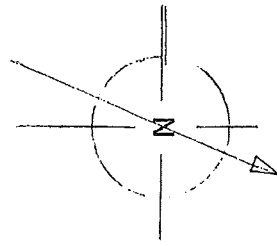
Attachment 5.3.1

366 of 406



70 m





13 Toll Gate Road, Oak Beach, 4877

Proposal for the Acquisition of Additional Land

Scale 1:50