



UNCONFIRMED MINUTES

ORDINARY COUNCIL MEETING

21 OCTOBER 2020

Shire of Carnamah

Council Chambers
33-37 Macpherson Street
CARNAMAH



MINUTES ORDINARY COUNCIL MEETING 21 OCTOBER 2020

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CONTENTS

1.0	DECLARATION OF OPENING	5
2.0	RECORD OF ATTENDANCE	5
2.1	PRESENT	5
2.2	APOLOGIES	5
3.0	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	5
4.0	PUBLIC QUESTION TIME	5
5.0	APPLICATION FOR LEAVE OF ABSENCE	6
	<i>OCM20201001 COUNCIL DECISION</i>	6
6.0	DISCLOSURE OF INTEREST	6
6.1	DECLARATION OF FINANCIAL INTEREST AND PROXIMITY INTERESTS	6
6.2	DECLARATION OF INTEREST AFFECTING IMPARTIALITY NIL	6
7.0	PETITIONS AND DEPUTATIONS	6
8.0	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION	6
9.0	CONFIRMATION OF MINUTES	6
	<i>OCM20201002 COUNCIL DECISION</i>	6
	<i>OCM20201003 COUNCIL DECISION</i>	7
10.0	MANAGEMENT REPORT	8
10.1	FINANCE REPORTS	8
10.1.1	ACCOUNTS FOR PAYMENT	8
	<i>OCM20201004 COUNCIL DECISION</i>	9
10.1.2	FINANCIAL REPORTS TO 30 SEPTEMBER 2020	10
	<i>OCM20201005 COUNCIL DECISION</i>	11
10.1.3	REQUEST FOR AN ADDITION TO SHIRE OF CARNAMAH SCHEDULE OF FEES AND CHARGES 2020/2021	12
	<i>OCM20201006 OCM COUNCIL DECISION</i>	13
10.1.4	REQUEST FOR AN ADDITION TO SHIRE OF CARNAMAH SCHEDULE OF FEES AND CHARGES 2020/2021	14
	<i>OCM20201007 COUNCIL DECISION</i>	16
10.2	ADMINISTRATION REPORTS	17
10.2.1	SHIRE OF CARNAMAH WORKFORCE PLAN 2020	17
	<i>OCM20201008 COUNCIL DECISION</i>	19
10.2.2	ECONOMIC DEVELOPMENT WORKING GROUPS TERMS OF REFERENCE	20
	<i>OCM20201009 COUNCIL DECISION</i>	21
10.2.3	DONGARA, GERALDTON AND NORTHAMPTON PLANNING STUDY	22
	<i>OCM20201010 COUNCIL DECISION</i>	24
10.2.4	DRAFT GUIDELINES AND CRITERIA FOR THE IDENTIFICATION OF SIGNIFICANT LOCAL GOVERNMENT ROADS	25
	<i>OCM20201011 COUNCIL DECISION</i>	26

10.2.5	TOURISM DEVELOPMENT PROJECT	27
	<i>OCM20201012 COUNCIL DECISION</i>	28
10.2.6	CITY OF PERTH INQUIRY REPORT – SUBMISSION TO DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES	29
	<i>OCM20201013 COUNCIL DECISION</i>	30
10.2.7	APPLICATION FOR DEVELOPMENT APPROVAL – PROPOSED OUTBUILDING (DOMESTIC STORAGE SHED)	31
	<i>OCM20201014 COUNCIL DECISION</i>	34
10.3	CONFIDENTIAL REPORTS	36
11.0	ORDERING THE COMMON SEAL	36
12.0	REPORTS OF COMMITTEES AND MEMBERS	36
13.0	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	36
14.0	NOTICE OF MOTIONS (FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING)	36
15.0	NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL	37
	<i>OCM20201015 COUNCIL DECISION</i>	37
15.1	SALE OF LAND FOR NON PAYMENT OF RATES	38
	<i>OCM20201016 COUNCIL DECISION</i>	39
16.0	CLOSURE OF MEETING	40

ORDINARY COUNCIL MEETING

1.0 DECLARATION OF OPENING

The Presiding Person declared the meeting open at 4:20pm.

Acknowledgment of Country

The Shire of Carnamah would like to acknowledge the traditional custodians of this land, and pay its respect to local Aboriginal Elders, both past and present.

We also reflect on the spirit of the pioneers who settled this country and developed the land, and the service personnel whose sacrifices have enabled us to enjoy the lifestyle we have become accustomed to.

2.0 RECORD OF ATTENDANCE

2.1 Present

Cr Merle Isbister	Shire President (Presiding Person)
Cr Dwayne Wooltorton	Deputy President
Cr Bruce Chisholm	
Cr Con Kikeros	
Cr Luke Risinger	
Cr Wayne Counsel	
Cr Ian Bowman	
Vin Fordham Lamont	Chief Executive Officer
Ian Walsh	Deputy Chief Executive Officer
John Skinner	Manager Works and Services
Chloe Burman	A/Executive Co-ordinator (Minute Taker)

2.2 Apologies

Nil

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.0 PUBLIC QUESTION TIME

15 minutes (with a possible extension of two extra 15 minute periods) are set aside at the beginning of each Council meeting to allow members of the public to ask questions of Council. Questions must be submitted electronically in writing prior to the meeting.

5.0 APPLICATION FOR LEAVE OF ABSENCE

Cr Counsel requested leave of absence from the Ordinary Council Meetings scheduled for 18 November 2020 and 16 December 2020.

OCM20201001 COUNCIL DECISION**RECOMMENDATION**

That Cr Counsel be granted leave of absence for two consecutive Ordinary Council Meetings, scheduled for 18 November and 16 December 2020.

Moved: Cr Woollorton
Seconded: Cr Risinger

CARRIED 7/0

6.0 DISCLOSURE OF INTEREST

6.1 Declaration of Financial Interest and Proximity Interests
Nil

6.2 Declaration of Interest Affecting Impartiality
Nil

7.0 PETITIONS AND DEPUTATIONS

Nil

8.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

9.0 CONFIRMATION OF MINUTES

9.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING HELD ON 16 SEPTEMBER 2020

OCM20201002 COUNCIL DECISION**RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Council held on Wednesday 16 September 2020 be accepted as a true and correct record.

Moved: Cr Chisholm
Seconded: Cr Woollorton

CARRIED 7/0

**9.2 CONFIRMATION OF MINUTES – SPECIAL COUNCIL MEETING HELD ON
5 OCTOBER 2020**

OCM20201003 COUNCIL DECISION

RECOMMENDATION


That the Minutes of Special Council Meeting held on 5 October 2020 be accepted as a true and correct record.

Moved: Cr Counsel
Seconded: Cr Chisholm

CARRIED 7/0

10.0 MANAGEMENT REPORT

10.1 FINANCE REPORTS**10.1.1 ACCOUNTS FOR PAYMENT**

File Code	ADM0076
Author	Ian Walsh, Deputy Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Cheque & EFT Listing 

SUMMARY

Council to confirm the payment of creditors for the period 2 September 2020 to 14 October 2020, in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

BACKGROUND

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

COMMENT

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the provision of services and as to prices, computations and costings, and that the amounts shown were due for payment.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.4 Financial Report
Local Government (Financial Management) Regulations 1996 -
Section 12 Payments from municipal fund or trust fund;
Section 13 Lists of accounts; and
Section 15 Rounding off figures

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OCM20201004 COUNCIL DECISION

RECOMMENDATION

That payment listed as Attachment 10.1.1. List of Accounts Due and Paid for the period 2 September 2020 to 14 October 2020; and paid by the Chief Executive Officer under delegated authority of Council, or by the Deputy Chief Executive Officer (in the Chief Executive Officer's absence) as delegated by the Chief Executive Officer including:


Municipal cheques	28186 – 28188
Manual Municipal cheque	22650
Trust cheque	300464 – 300467
Municipal EFT's:	13761 – 13867
Payroll direct debits:	#6 - #8
Municipal Direct Debits:	300920

Totalling \$ 687,187.99 be approved and passed for payment.

Moved: Cr Risinger
Seconded: Cr Wooltorton

CARRIED 7/0

10.1.2 FINANCIAL REPORTS TO 30 SEPTEMBER 2020

File Code	ADM0076
Author	Ian Walsh, Deputy Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Monthly Statement of Financial Activity September 2020 

SUMMARY

A Statement of Financial Activity and other supplementary financial information is produced monthly as part of the Council meeting agenda.

BACKGROUND

The attached financial reports for the period 1 July 2020 to 30 September 2020 (Attachment 10.1.2(a)) have been prepared in accordance with the Local Government Financial Management Regulations.

COMMENT

Included with this report is the following:

- Statement of Financial Activity for the period 1 July 2020 to 30 September 2020;
- Summary Rates Trial Balance Report as at 30 September 2020;
- Cash and Investment Listing;
- Debtors Listing; and
- Other Supplementary Information.

The Australian Accounting Standard Board (AASB) have recently released the following standards:

- a) AASB 16 – Leases
- b) AASB 1058 Income of Not-for-Profit Entities
- c) AASB 15 Revenue from Contractors and Customers

The first two have no real impact on the Shire of Carnamah.

The main objective of AASB 15 is to provide clarity about the nature, amount and timing of contracts and the accounting treatment of funds received.

All funds received prior to the funding obligations being met are to be classified as a Current Liability. Once the obligations associated with the funding is to be recorded as revenue.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulation 34 - Financial activity statement report — s. 6.4

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OCM20201005 COUNCIL DECISION

RECOMMENDATION

That Council receives the Statement of Financial Activities for the period 1 July 2020 to 30 September 2020 and other supplementary financial information as presented.

Moved: Cr Wooltorton
Seconded: Cr Kikeros

CARRIED 7/0

10.1.3 REQUEST FOR AN ADDITION TO SHIRE OF CARNAMAH SCHEDULE OF FEES AND CHARGES 2020/2021

File Code	ADM0167
Author	Ian Walsh, Deputy Chief Executive Officer
Disclosure of Interest	Nil
Attachments	Nil

SUMMARY

This report recommends a budget amendment needed as a result of the cancelation of budgeted expenditure and the corresponding reduction in budgeted grant income.

BACKGROUND

Council resolved at its September meeting not to proceed with the planned work on the intersection of Midlands Rd and Bowman St Carnamah along with a number of other budget amendments.

COMMENT

The recommendation put to Council, and subsequent resolution, cancelled budgeted Council expenditure of \$63,766 out of the total cost of \$191,300 for work on the Midlands Road / Bowman Street intersection.

A further budget amendment will be required to reduce the remaining expenditure balance of \$127,534 relating to that project, and also reduce the corresponding grant funding revenue.

CONSULTATION

CEO

MW&S

STATUTORY ENVIRONMENT

Local Government Act 1995 — s. 6.8

STRATEGIC IMPLICATIONS

Strategic Community Plan 2017-2027

Theme: Civic Leadership

Objecctive: Responsibly manage the organisations assets and financial resources.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Absolute Majority

OCM20201006 OCM COUNCIL DECISION

RECOMMENDATION


That Council amend the 2020/21 budget as follows:

1. Reduce budget expenditure for account 4120160 by \$127,534
2. Reduce budget income for account 3120112 by \$127,534

Moved: Cr Risinger
Seconded: Cr Woollorton

CARRIED 7/0

10.1.4 REQUEST FOR AN ADDITION TO SHIRE OF CARNAMAH SCHEDULE OF FEES AND CHARGES 2020/2021

File Code	ADM0692
Author	Vin Fordham Lamont, Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. 2020/2021 Shire of Carnamah Schedule of Fees and Charges, Page 7 

SUMMARY

Council is requested to consider an addition to Shire of Carnamah Schedule of Fees and Charges 2020/2021, being a fee of \$15 per day, for the purpose of conducting swimming lessons and other aquatic activities at either of the Eneabba or Carnamah Swimming Pools.

BACKGROUND

In October 2019, a request was sent to Shire of Carnamah Deputy Chief Executive Officer by the Principal of Eneabba Primary School, seeking approval for free use of the Eneabba Swimming Pool for a period of 6 weeks in November – December 2019, for the purpose of swimming lessons for infant and pre-school aged children.

Approval was given, subject to:

1. A copy of Public liability insurance being sighted and confirmed by the Shire;
2. A copy of Swimming Instructor qualifications being sighted and confirmed by the Shire;
3. The stipulation that, the fee waiver was a one-off occurrence, and should the program be run in the future, a fee would be imposed.

In February 2020 the Deputy Chief Executive Officer was made aware that another series of swimming lessons had been held at the Eneabba Swimming Pool, without seeking prior permission from Shire of Carnamah.

Given that the Shire makes a significant loss each year on the operation of its pools, it is recommended that Council approve the addition to the Shire of Carnamah Schedule of Fees and Charges 2020/2021.

COMMENT

It should be noted that *6.19 of the Local Government Act 1995* requires the Local Government body to advertise (district-wide) the intention to impose an amendment to the Schedule of Fees and Charges, and within that notice, advise of the date that the amendment will come into effect.

It is proposed that the addition to the Schedule of Fees and Charges will come into effect as of Friday, 13 November 2020, in time for the summer swimming season.

CONSULTATION

Deputy Chief Executive Officer

Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995

s1.7. Local public notice

s6.19. Local government to give notice of fees and charges

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan 2017-2027

Theme: Civic Leadership

Objective: To be a professional, customer focussed organisation, which

- effectively engages (with) the community to determine strategic direction,
- responsibly manages the organisation's assets and financial resources,
- is a strong advocate for the community.

Strategy: Meet the required level of service in the most cost effective manner for present and future residents.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Immaterial - increased revenue for the Shire of Carnamah.

VOTING REQUIREMENT

Absolute Majority.

OCM20201007 COUNCIL DECISION

RECOMMENDATION

That Council:

1. Approves the addition to 2020/2021 Shire of Carnamah Schedule of Fees and Charges, a fee of \$15 per day, for the purpose of conducting swimming lessons and other aquatic activities at either of the Eneabba or Carnamah Swimming Pools;
2. Endorses the requirement that approval to conduct these activities will be subject to a copy of the instructor's public liability insurance and relevant qualifications being provided to the Shire;
3. Authorises the CEO to advertise the Shire's intention to add this fee to its 2020/2021 Schedule of Fees and Charges, and notes that; in accordance with the required public notice period, the addition will come into effect as of Friday, 13 November 2020; and
4. Authorises the CEO to develop an appropriate policy to support this resolution.


Moved: Cr Risinger

Seconded: Cr Counsel

CARRIED 7/0

10.2 ADMINISTRATION REPORTS

10.2.1 SHIRE OF CARNAMAH WORKFORCE PLAN 2020

File Code	ADM0578
Author	Vin Fordham Lamont - Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Shire of Carnamah Workforce Plan 2020 

SUMMARY

Council is requested to note the attached Shire of Carnamah Workforce Plan 2020.

BACKGROUND

Local Governments in Western Australia are required to implement Integrated Planning and Reporting (IPR) as the guiding process for planning and monitoring services and activities. The Workforce Plan (WFP) is a core informing strategy under IPR.

Workforce planning is a key tool to achieve a high performing organisation. Staff costs make up a significant portion of the total costs of most local governments and so having the right staff with the right skills, experience and knowledge at the right level of remuneration becomes a critical factor in the ability of the local government to provide cost effective services and deliver high quality projects.

COMMENT

Earlier this year, the Shire appointed Localise to assist with developing the new WFP. The process to prepare it involved the following steps:

- Staff survey
- Labour market analysis
- Review of current practices, challenges and opportunities
- Develop plan

The WFP aligns with the strategic direction of the Shire (via the Strategic Community Plan / Corporate Business Plan), and will be reviewed on an annual basis.

In summary, the WFP identified the following key issues:

- Staff development and progression: ensuring adequate and equitable opportunities for skill development and career advancement
- Workload balancing: ensuring that workload distribution is fair and represents a good match of expectations to resources, and that staff are supported to manage their worklife balance effectively
- Recruitment difficulties: the Shire is competing locally and across Western Australia when it needs to fill vacancies and therefore needs to be presenting employment with the Shire and life in Carnamah in the most positive light

- Relative inexperience: a large proportion of the the Shire workforce is relatively new to the Shire, which brings challenges in terms of on the job 'know how' and 'know why'
- Ageing workforce: over 20% of the workforce is at or approaching retirement age – this presents challenges in terms of both supporting transition to retirement and succession planning
- Diversity: representing the diversity of the community is more difficult in a small organisation, however, the Shire could work towards increased diversity, particularly with respect to people with disability and Aboriginal and Torres Strait Islander people
- Policy gaps: while the Shire has a solid foundation of human resources policies, there are some key gaps to be progressively filled
- Current resourcing matters: there is a small number of resourcing matters under active purview, including the provision of Community Development, Emergency Management and Ranger Services, OSH, and Building Administration; and the distribution of duties in the Finance and Administration area.

An action plan to address these issues is included in the WFP.

CONSULTATION

Shire staff

Shire Leadership Team

Localise

STATUTORY ENVIRONMENT

Department of Local Government, Sport and Cultural Industries

Integrated Planning & Reporting Framework and Guidelines

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan 2017-2027

Theme: Civic Leadership

Objective: To be a professional, customer focussed organisation, which

- effectively engages (with) the community to determine strategic direction,
- responsibly manages the organisation's assets and financial resources, and
- is a strong advocate for the community.

POLICY IMPLICATIONS

9.2 Equal Opportunity

9.14 Gratuitous Payments to Employees

9.17 Staff Employment Conditions

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OCM20201008 COUNCIL DECISION

RECOMMENDATON


That Council notes the attached Shire of Carnamah Workforce Plan 2020.

Moved: *Cr Chisholm*

Seconded: *Cr Risinger*

CARRIED 7/0

10.2.2 ECONOMIC DEVELOPMENT WORKING GROUPS TERMS OF REFERENCE

File Code	ADM0511
Author	Vin Fordham Lamont – Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Economic Development Working Groups Terms of Reference 

SUMMARY

Council is requested to consider cancelling its Economic Development Working Groups Terms of Reference document.

BACKGROUND

At its Ordinary Meeting held on 22 April 2020, Council resolved to endorse the attached draft generic Economic Development Working Groups Terms of Reference document; and authorise the Chief Executive Officer to present the endorsed document to the Economic Development Steering Committee for distribution to the relevant Economic Development Working Groups.

COMMENT

The Terms of Reference (TOR) document has never been presented to the Economic Development Steering Committee due to economic development activities being placed on hold when COVID-19 appeared.

Officers now consider that the Economic Development Steering Committee creates an additional level of bureaucracy and administrative workload. Economic development projects are currently being looked at one at a time rather than all at once. This allows Shire staff to liaise with a single working group, without the need for an intermediary such as a steering committee.

The working groups themselves are quite informal gatherings of people with similar goals, and the TOR previously adopted is not considered fit for purpose.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan 2017-2027
Theme: Economic

Objective: To retain existing industries and encourage the establishment of new industries to broaden the district's economic base and develop and maintain an efficient road transport system.
Strategy: Retain existing industries and encourage the establishment of new industries to broaden the district's economic base.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OCM20201009 COUNCIL DECISION


RECOMMENDATION

That Council cancels its Economic Development Working Groups Terms of Reference document, which was adopted on 22 April 2020.

*Moved: Cr Wooltorton
Seconded : Cr Kikeros*

CARRIED 7/0

10.2.3 DONGARA, GERALDTON AND NORTHAMPTON PLANNING STUDY

File Code	ADM0433
Author	Vin Fordham Lamont - CEO
Disclosure of Interest	Nil
Attachments	1. Planning Study Update from Main Roads Western Australia 

SUMMARY

Council is requested to consider supporting Main Roads Western Australia's (MRWA) August 2020 Alignment Selection Report relating to the proposed new road corridor for the Dongara – Geraldton – Northampton route.

BACKGROUND

Brand Highway and North West Coastal Highway currently form the primary coastal freight route between Perth and the North West of Western Australia, linking the major population centres of Perth, Geraldton, Carnarvon and Karratha.

Both highways are subject to flooding, which causes road closures and restricts the flow of critical supplies to the towns of Geraldton and Northampton and the busy North West region. As the Mid-West region and Geraldton grows, traffic volumes will increase and safety will continue to be a focus for future roads.

MRWA recognises that there needs to be a high standard, free-flowing route for regional and freight traffic that avoids conflict with local traffic from Geraldton city and other built up areas. This study coordinates previous planning activities around Geraldton.

Feedback received in 2015 has been carefully reviewed and considered by MRWA to help identify this single preferred corridor. In defining the preferred corridor, changes have been made to mitigate impacts as much as possible. MRWA will continue to work closely with affected property owners and stakeholders in the next phase of the planning to define the route and further mitigate individual impacts.

The following summarises the key issues raised during previous consultation and explains how these have been considered as part of the current planning work:

Impact on homes and properties

Impacts on land holdings were minimised by following lot boundaries. Further consultation with affected landowners will be undertaken to mitigate individual impacts and address any access issues.

Impact on farming properties

MRWA has considered the best way to avoid severance of farming properties and further consultation will be undertaken, where impacts cannot be avoided.

Heritage considerations, including Aboriginal and European

Known Aboriginal sites have been avoided, and MRWA will engage with relevant Aboriginal groups to notify them of the proposed corridor. Local impacts to local and state heritage listed properties in the Walkway and Dongara areas will also be avoided.

Safety at Walkway Nangetty Road intersection

The proposed alignment was shifted west to increase the distance between the hill and the intersection. Further stakeholder engagement will be undertaken to finalise the most appropriate solution.

Use Geraldton-Walkway Road instead of Arthur Road as part of the southern section

Alternatives were considered but none were viable. Geraldton-Walkway Road is highly constrained by services, utilities, rail and access points. MRWA will continue to mitigate impacts from the Arthur Road alignment.

Flooding on Arthur Road

This is noted for further investigation, and will be considered as part of future planning and design work to develop a comprehensive drainage strategy.

Prioritise the Geraldton North-South Highway instead of planning for a new road corridor

Geraldton North-South Highway does not address the main strategic objective of the proposed Dongara-Geraldton-Northampton Route. In particular, MRWA's aim is to provide a route that removes heavy vehicles from town centres. No further action will be undertaken as part of the study, however they will continue to investigate suitable upgrades to the network in the built up area.

A route that bypasses town centres may have economic impacts on the region

These concerns are understood and acknowledged. Intersection treatments and signage can be considered during any future design phase that will continue to direct tourist and local traffic via the town centres, while keeping heavy vehicles on the designated route. MRWA will work closely with stakeholders to address concerns, while balancing these with the objective of delivering a safe and efficient route suitable for heavy vehicles.

Inclusion of cycling infrastructure and truck rest bays

This has been noted for further investigation. Stakeholder engagement will be undertaken to determine the needs and requirements for consideration in further planning.

COMMENT

At the Midwest and Gascoyne Regional Road Group – North Midlands Sub Group meeting of 1 October 2020, MRWA asked that all member local governments consider providing a letter of support in relation to the August 2020 Alignment Selection Report.

While the Shire of Carnamah lies to the south of the study area, many of our local farmers have an interest in this matter as their produce and inputs are transported between here and Geraldton. An improved route that is more direct, truck friendly, and avoids town/city centres will be of great benefit to all stakeholders.

Please refer to the attached Planning Study Update for further information on this matter.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan 2017- 2027

Theme: Economic

Objective: To retain existing industries and encourage the establishment of new industries to broaden the district's economic base and develop and maintain an efficient road transport system.

Strategy: To develop, maintain and improve an efficient road system to support the transport requirements associated with agricultural production.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OCM20201010 COUNCIL DECISION


RECOMMENDATION

That Council endorses Main Roads Western Australia's August 2020 Dongara – Geraldton – Northampton route Alignment Selection Report and authorises the Chief Executive Officer to draft an appropriate letter of support to the Minister of Transport.

Moved: Cr Chisholm
Seconded: Cr Bowman

CARRIED 7/0

10.2.4 DRAFT GUIDELINES AND CRITERIA FOR THE IDENTIFICATION OF SIGNIFICANT LOCAL GOVERNMENT ROADS

File Code	ADM0071
Author	Vin Fordham
Disclosure of Interest	Nil
Attachments	1. Draft Guidelines and Criteria for the Identification of Significant Local Government Roads 

SUMMARY

Council is requested to endorse the attached Draft Guidelines and Criteria for the Identification of Significant Local Government Roads which was compiled by Main Roads WA and WALGA.

BACKGROUND

The Regional Strategies for Significant Local Government Roads (short title Significant Local Government Roads) are a documented list of regionally significant Local Government roads for each Regional Road Group (RRG), and the development strategies for them.

The first editions, *Roads 2020 Regional Road Development Strategies*, were released during 1997 and 1998 and were an initiative of the 1992 Memorandum of Understanding between the State Government and the Western Australian Local Government Association (WALGA), then known as the Western Australian Municipal Association (WAMA). This document will inform the compilation of the latest version, which will supersede *Roads 2030*, published in 2013.

Local Governments (via RRGs) work collaboratively to review and update the current list of Significant Local Roads to produce the latest strategy. This provides an agreed, strategic approach to the allocation of limited funding across the extensive road network within the state of Western Australia. Only projects on local roads included in the Regional Strategies for Significant Local Government Roads will be eligible for Road Project Grant funding under the latest State Roads Funds to Local Government Agreement. These Guidelines will be included in the annexure of each document.

The Regional Strategies for Significant Local Government Roads for each RRG are available on the WALGA website.

COMMENT

The Road Classification Working Group (consisting of representatives from Main Roads and WALGA) has been reviewing the current criteria and policy for determining if a road qualifies for listing in the Regional Strategies for Significant Local Government Roads. Considerable time has been spent formulating the draft to date as well as a large number of roads tested against the criteria by way of sensitivity studies. The identification of significant roads within built up urban areas has also been addressed by adding selective criteria. The Working Group has strived to make the criteria more objective, thereby driving a more consistent approach to the selection of significant roads.

It is proposed that following acceptance and adoption of the Criteria, each Regional Road Group be tasked to form a working group to review all of the roads currently showing on the their *Roads 2030* list of roads.

To inform the RRG review workshop, Main Roads will issue instructions including a data sheet of all the roads currently depicted in the Roads 2030 documents, along with any additions made through SAC in later years. The final document will be live to enable amendments to be made quickly to each RRG document and be available on line.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Main Roads Act 1930

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan 2017 - 2027

Theme: Economic

Objective: To retain existing industries and encourage the establishment of new industries to broaden the district's economic base and develop and maintain an efficient road transport system.

Strategy: To maintain and improve the standard of community infrastructure including roads, public buildings, water, drainage, parks, gardens and public open space, footpaths and walk trails.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OCM20201011 COUNCIL DECISION

RECOMMENDATION


That Council:

- endorses the attached Draft Guidelines and Criteria for the Identification of Significant Local Government Roads, which was compiled by Main Roads WA and WALGA; and
- authorises the CEO to advise Main Roads WA of its decision by 13 November 2020.

Moved: Cr Chisholm
Seconded: Cr Counsel

CARRIED 7/0

10.2.5 TOURISM DEVELOPMENT PROJECT

File Code	ADM0786
Author	Vin Fordham Lamont – Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Quote from Distinctly Tourism Management 

SUMMARY

Council is requested to consider approving out of budget expenditure of \$2,000 for stage 1 of the Shire's Tourism Development Project - Destination Assessment Report and Action Plan.

BACKGROUND

Tourism is not considered to be a major economic driver for the Shire of Carnamah, but it is still part of the overall mix of industries that benefit our community. It is very apparent that, during the annual wildflower season particularly, other local businesses benefit from the influx of tourists.

Currently, there appears to be a number of different entities in both Eneabba and Carnamah that are involved in some way or another with tourism. Having listened to the concerns raised by several of these groups and individuals, the CEO is of the opinion that an overarching framework is required to ensure that tourism activities within the Shire are carried out in a consistent manner to a consistent standard.

When it comes to tourism, quality is definitely more important than quantity. As Carnamah and Eneabba are predominantly agricultural towns, they do not have a large number of tourism offerings. It is therefore vital that existing (and future) offerings are of a high standard and are well known and understood by our community.

COMMENT

The CEO approached Tourism WA to discuss potential consultants to assist with the development of a tourism strategy for the Shire, and identify any sources of funding to enable the project to be undertaken. The representative from Tourism WA was unable to assist with suggestions for grant funding but did recommend that the CEO contact David O'Malley from Australia's Coral Coast, the peak tourism body for our Shire.

Mr O'Malley was able to identify several potential tourism specialists and a quote was obtained from Distinctly Tourism Management. The CEO considered the quote to be appropriate in its scope. A copy of the quote is included as Attachment 1.

As it is important to complete this project before next year's Wildflower season, and there is no corresponding allocation in the original 2020-2021 Shire of Carnamah Annual Budget, it was decided to stagger the project to enable the required funds to be sourced. Council is requested to authorise out of budget expenditure of \$2,000 toward the completion of stage 1 of the project.

CONSULTATION

David O'Malley – CEO, Australia's Coral Coast

Kym Francesconi – Partnership Manager, Tourism WA

STATUTORY ENVIRONMENT

Local Government Act 1995

S6.8 Expenditure from municipal fund not included in annual budget

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan 2017-2027

Theme: Economic

Objective: To retain existing industries and encourage the establishment of new industries to broaden the district's economic base and develop and maintain an efficient road transport system.

Strategy: To promote and develop a sustainable tourism industry in the Shire of Carnamah.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Cultivating Carnamah, a local community group, recently closed its bank accounts and, after holding discussions with the CEO, agreed to gift the funds to the Shire, to be used for tourism related projects. The sum of \$2,325.25 was deposited in the Shire's bank account on 24 September 2020.

A portion of these funds will be used to fund stage 1 of the Shire's Tourism Development Project.

VOTING REQUIREMENT

Absolute Majority

OCM20201012 COUNCIL DECISION


RECOMMENDATION

That Council approves out of budget expenditure of \$2,000 for stage 1 of the Shire's Tourism Development Project - Destination Assessment Report and Action Plan.

Moved: Cr Risinger
Seconded: Cr Wooltorton

CARRIED 7/0

10.2.6 CITY OF PERTH INQUIRY REPORT – SUBMISSION TO DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES

File Code	ADM0692
Author	Vin Fordham Lamont – Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Draft submission to Department of Local Government, Sport and Cultural Industries re City of Perth Inquiry Report 

SUMMARY

Council is requested to consider the attached draft submission to Department of Local Government, Sport and Cultural Industries (DLGSC) re City of Perth Inquiry (COPI) Report, make appropriate changes, and endorse the final version.

BACKGROUND

The Inquiry Into the City of Perth was announced on 24 April 2018 by the Minister for Local Government David Templeman under section 8.16 of the Local Government Act 1995. The primary finding of this inquiry was that in the period between 1 October 2015 and 1 March 2018, there was a gross failure to provide good government at the City.

COMMENT

The Report of the Inquiry Into the City of Perth comprises 4 volumes totalling some 1,900 pages. It makes 341 recommendations to ensure the return of good government to the City. Many of these recommendations are relevant to the industry as a whole and should be considered as part of the overall review of Local Government.

The Shires of Northampton and Chapman Valley put some significant time into assessing the recommendations that relate to all local government authorities, and the Shire of Mingenew also contributed to the process of compiling responses. The attached draft Shire of Carnamah submission draws heavily on the work already done by these three shires.

Given that the State Government will be carefully assessing both the Report of the Inquiry Into the City of Perth and the Report of the Review of the *Local Government Act 1995*, it is important that Council reviews the COPI report and provides its feedback to DLGSC.

CONSULTATION

Shires of Mingenew, Northampton and Chapman Valley.

STATUTORY ENVIRONMENT

Local Government Act 1995

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan 2017-2027

Theme: Civic Leadership

Objective: To be a professional, customer focussed organisation, which • effectively engages (with) the community to determine strategic direction, • responsibly manages the organisation's assets and financial resources, • is a strong advocate for the community.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

OCM20201013 COUNCIL DECISION


RECOMMENDATION

That Council endorses the draft submission to Department of Local Government, Sport and Cultural Industries (DLGSC) re the City of Perth Inquiry Report, and authorises the Chief Executive Officer to submit the document accordingly.

Moved: Cr Chisholm
Seconded: Cr Woollorton

CARRIED 7/0

10.2.7 APPLICATION FOR DEVELOPMENT APPROVAL – PROPOSED OUTBUILDING (DOMESTIC STORAGE SHED)

File Code	ADM
Author	Mr Joe Douglas – Exurban Rural & Regional Planning
Disclosure of Interest	Nil
Attachments	1. Justification Statement 

SUMMARY

This report recommends that a development application submitted by Norwest Building Group on behalf of G & J Armstrong (Landowners) to construct a new 144m² steel framed and clad domestic outbuilding on Lot 89 (No.52) Macpherson Street, Carnamah be approved subject to conditions.

BACKGROUND

The applicant is seeking Council’s development approval to construct a new 144m² steel framed, Colorbond clad outbuilding (i.e. shed) at the rear of Lot 89 (No.52) Macpherson Street, Carnamah for domestic storage purposes.

Lot 89 is located in the eastern part of the Carnamah townsite in a well-established residential area. The subject land comprises a total area of approximately 1,032m² and has direct frontage and access to Macpherson Street along its front boundary to the south and an existing public right-of-way along its rear boundary to the north.



Location & Lot Configuration Plan (Source: Landgate)

Lot 89 has historically been developed and used for low density residential purposes and contains an older style single storey dwelling in good habitable condition in its front half. The rear portion of the land is predominantly vacant aside from a small 10m² garden shed along its eastern side boundary.

Immediately adjoining and nearby land uses include:

- Low density residential development (i.e. single houses) to the east and west and beyond;
- The Carnamah Caravan Park to the north; and
- The Carnamah District High School to the south and broadacre agriculture (i.e. cropping & grazing) A church, including caretakers dwelling, to the north-west with broadacre agriculture (i.e. cropping and grazing) beyond.

Full details of the proposal, including suitably scaled professionally drawn plans, are provided in Attachment 1.

COMMENT

Lot 89 is classified 'Residential' zone in the Shire of Carnamah Local Planning Scheme No.2 (LPS2) with a density coding of R10/30.

Under the terms of LPS2 and the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 the development and use of an outbuilding in association with a single house is listed as being a permitted (i.e. 'P') use on any land classified 'Residential' zone provided it satisfies the deemed-to-comply requirements of the Residential Design Codes of Western Australia (i.e. the 'R-Codes').

An assessment of the proposal for Lot 89 has confirmed it satisfies the majority of the deemed-to-comply requirements of the R-Codes except for the following:

- i) Maximum permitted wall height for outbuildings (i.e. 2.4 metres required by the R-Codes / 4 metres proposed);
- ii) Maximum permitted ridge height for outbuildings (i.e. 4.2 metres required by the R-Codes / 5.166 metres proposed); and
- iii) Maximum permitted collective floor area for all outbuildings (60m² required by the R-Codes / 154m² proposed including the existing garden shed and proposed new outbuilding the subject of this application).

In considering whether or not to approve these proposed variations to the deemed-to-comply requirements of the R-Codes Council must decide whether such variations are likely to have a detrimental impact upon the amenity, character, functionality and safety of the immediate locality or any immediately adjoining or other nearby properties.

It is concluded, following a detailed assessment of the application, that the proposed variations to the deemed-to-comply requirements of the R-Codes as they apply to wall heights, ridge heights and total collective floor areas for residential outbuildings are unlikely to have any adverse impacts and may therefore be supported and approved by Council for the following reasons:

- i) The outbuilding is not considered to be excessively large in its local context either individually or in aggregate with the existing outbuilding proposed to be retained and will be finished using visual appealing materials and colours;
- ii) Sufficient private open space will remain available on the land to maintain opportunities for residents to use space external to the dwelling for outdoor pursuits and access within/around the site;

- iii) The outbuilding will be located at the rear of the land with adequate setbacks from all existing development on all immediately adjoining and other nearby properties. As such it is expected to have minimal impact on the visual amenity of the local streetscape or any neighbouring properties and is unlikely to give rise to any overshadowing or access to natural sunlight for any dwellings on immediately adjoining or other nearby properties; and
- iv) The two (2) immediately adjoining landowners (i.e. Ms Nicole Pumphry & Mr Keith Holland) have viewed the plans for the proposed new outbuilding and provided written confirmation of their unconditional support.

In light of the above findings and conclusions it is recommended Council exercise its discretion and approve the application subject to a range of conditions to ensure the development proceeds in a proper and orderly manner.

CONSULTATION

Undertaken by the applicant with written submissions received from the two (2) immediately adjoining landowners most likely to be affected.

STATUTORY ENVIRONMENT

- Planning and Development Act 2005 (as amended)
- Planning and Development (Local Planning Schemes) Regulations 2015
- Shire of Carnamah Local Planning Scheme No.2

POLICY IMPLICATIONS

- State Planning Policy 7.3 – Residential Design Codes (Volume 1)

FINANCIAL IMPLICATIONS

Nil immediate financial implications for the Shire aside from the administrative costs associated with processing the application which are provided for in Council's annual budget.

All costs associated with the proposed development will be met by the landowner.

It is significant to note that should the applicant/landowner be aggrieved by Council's final decision in this matter, they have the right seek a formal review of that decision by the State Administrative Tribunal. Should this occur for whatever reason the Shire would need to respond, the cost of which cannot be determined at this preliminary stage but could be expected, based on the recent experience of other local government authorities in Western Australia, to range anywhere from \$5,000 to \$60,000 excluding GST depending upon how far the matter proceeds through the review process.

VOTING REQUIREMENT

Simple Majority.

OCM20201014 COUNCIL DECISION

RECOMMENDATION

That the application for development approval submitted by Norwest Building Group on behalf of G & J Armstrong (Landowners) to construct a new 144m² steel framed and Colorbond clad domestic outbuilding on Lot 89 (No.52) Macpherson Street, Carnamah be APPROVED subject to the following conditions and advice notes:

Conditions

1. The proposed outbuilding (i.e. shed) shall be constructed strictly in accordance with the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by Council.
2. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of Council.
3. The proposed development shall be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period this approval shall lapse and have no further effect. Where an approval has so lapsed, the proposed development shall not be carried out without the further approval of Council having first being sought and obtained.
4. All external surfaces of the proposed outbuilding shall be clad with new materials only.
5. All stormwater drainage from the proposed outbuilding shall be retained and managed on-site as indicated on the approved site development plan. If stormwater drainage becomes an issue and cannot be retained within the land's designated lot boundaries for any reason, a suitable capacity rainwater tank shall be installed on the land by the applicant/landowner within ninety (90) days of issuance of a written directive by the Shire's Chief Executive Officer.
6. The rear boundary fence shall be truncated within 1.5 metres of the driveway access for the proposed outbuilding to ensure the safe and convenient movement of vehicles to/from the subject land via the existing right-of-way at the rear.
7. The proposed outbuilding shall only be used for domestic storage, maintenance and hobby purposes unless otherwise approved by Council.

Advice Notes

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such

constraint to development, regardless of whether or not it has been drawn to the Shire's attention.

2. This is a development approval of the Shire of Carnamah under its Local Planning Scheme No.2. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant and landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.

3. In accordance with the Building Act 2011 and Building Regulations 2012, a suitable building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any demolition, construction or earthworks on the land.

4. The proposed new outbuilding is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.

5. The removal of any asbestos from the land, including boundary fencing, may only be undertaken by an authorised asbestos removal licence holder in accordance with the specific requirements of the Occupational Safety and Health Act 1984, the Occupational Safety and Health Regulations 1996 and the National code of practice for the safe removal of asbestos 2nd edition [NOHSC:2002(2005)].

6. No construction works shall commence on the land prior to 7am without the Shire's written approval. No construction works are permitted on Sundays or Public Holidays.

7. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Carnamah Local Planning Scheme No.2 and may result in legal action being initiated by the local government.

8. If the applicant or landowner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted within 28 days of the determination.

Moved: Cr Counsel
Seconded: Cr Chisholm

CARRIED 7/0

10.3 CONFIDENTIAL REPORTS

Nil

11.0 ORDERING THE COMMON SEAL

Nil

12.0 REPORTS OF COMMITTEES AND MEMBERS

Nil

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14.0 NOTICE OF MOTIONS (FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING)

Nil

OCM20201015 COUNCIL DECISION

RECOMMENDATION

That Council accept the new business of an urgent nature.

Moved: Cr Bowman

Seconded: Cr Wooltorton

CARRIED 7/0

15.1 SALE OF LAND FOR NON PAYMENT OF RATES

File Code	A1518
Author	Ian Walsh, Deputy Chief Executive Officer
Disclosure of Interest	Nil
Attachments	Legal Advice

SUMMARY

This report recommends that Council resolve to commence the sale process of the above preoperty in accordance with the *Local Government Act 1995*.

BACKGROUND

Council engaged the services of debt collectors in 2018 and again in 2019 without any success.

A caveat was lodged over the property in April this year.

On the 24 June 2020 Council enagaged McLeods Barristers and Solicitors to collect the outstanding rates. A general procedure claim was commenced on the 8 September 2020 in the Geraldton Magistrates Court for the recovery of the outstanding rates. That claim was subsequently served on the defendant (owner of the subject land) and following service, the defendant had 14 days to lodge a formal respond to the claim with the Court. The defendant failed to file a response to the claim within that time and neither the records of the Shire nor the Shire's solicitors showed that any alternative contact in relation to the claim had been made by the defendant. Accordingly, the Shire instructed its solicitors to make an application for default judgment to be entered by the Court in respect of the Shire's claim and that application was filed with the Court on 24 September 2020.

Ultimately, the Shire's application for default judgement was granted by the Court on the 29 September 2020. Upon a certificate of judgment being issued by the Court, the Shire's solicitors wrote to the defendant on 1 October 2020 requesting payment arrangements for the judgment debt be made with the Shire within 7 days. Furthermore, that letter placed the defendant on notice that, in the event arrangements for payment were not made by that time, the Shire may take this matter to Council for a decision on commencing the sale process for the subject land in accordance with the *Local Government Act 1995*. Neither the records of the Shire nor its solicitors show that any payment or response was received from the defendant.

COMMENT

Prior to the commencement of the sale process for the subject land in accordance with the *Local Government Act 1995*, the Shire is required under section 6.68 to attempt (at least once) in the 3 years prior to exercising the power of sale to recover the unpaid rates in a court of competent jurisdiction (pursuant to section 6.56). The Shire has made several attempts to recover the unpaid rates through such proceedings and the most recent attempt has placed the owner (defendant in the proceedings) on notice that it may take this matter to Council for a decision on exercising the power of sale if payment arrangements were not made. The owner has failed to respond or act in relation to this matter despite being served with the Shire's claim and subsequently being placed on notice of the possibility of a commencement of the sale process. Accordingly, the most viable and cost-effective method for the Shire to recover the unpaid rates owed in respect of the subject land is to exercise its power of sale under section 6.64(1)(b) of the *Local Government Act 1995*.

CONSULTATION

CEO

Adam Watts – Senior Associate, McLeods Barristers and Solicitors

STATUTORY ENVIRONMENT

Local Government Act 1995 — sections 6.56, 6.64 and 6.68

STRATEGIC IMPLICATIONS

Strategic Community Plan 2017-2027

Theme: Civic Leadership

Objective: Responsibly manage the organisation's assets and financial resources.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Recovery of rates owing.

VOTING REQUIREMENT

Absolute Majority

OCM20201016 COUNCIL DECISION

RECOMMENDATION

That Council commence the process to sell the property related to assessment number 1518 in accordance with the *Local Government Act 1995*.

Moved: Cr Chisholm

Seconded: Cr Risinger

CARRIED 7/0

16.0 CLOSURE OF MEETING

There being no further business, the Presiding Person declared the meeting closed at 4:55pm.