



Business Paper

Shire Services Committee

Monday, 4 February 2019

**Meeting will commence at the conclusion of the
Extraordinary Council Meeting.**

**Committee Rooms 203 and 204,
Level 2, Administration Building,
4-20 Eton Street, Sutherland**

SUTHERLANDSHIRE

ORDER OF BUSINESS

- 1. ACKNOWLEDGEMENT OF COUNTRY**
- 2. APOLOGIES**
- 3. DISCLOSURES OF INTEREST**
- 4. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS**
- 5. PRESENTATIONS**
- 6. REPORTS FROM OFFICERS**
SER001-19 Proposed Release of Easements - 203 Holt Road, Taren Point
- 7. QUESTIONS**
- 8. CONSIDERATION OF BUSINESS IN CLOSED SESSION**
- 9. CONFIDENTIAL REPORTS FROM OFFICERS**

**SER001-19 PROPOSED RELEASE OF EASEMENTS - 203 HOLT ROAD, TAREN
POINT**

SER001-19

Attachments: Appendix A [↓](#) and Appendix B (under separate cover)

EXECUTIVE SUMMARY

- Council received a request to consider the release of unused drainage easements benefiting Council that cross 203 Holt Road, Taren Point known as the Taren Point Bowling Club.
- The drainage easements to be released across the property and the removal of the encumbrance on the land will allow for better design outcomes for any future development.
- An independent valuer was engaged to determine the compensation payable to Council in line with Council's Policy, *Release and Relocation of Drainage Easements*.

REPORT RECOMMENDATION

THAT:

1. The release of east west drainage easements within 203 Holt Road, Taren Point (Lot 1 DP 236198 and Lot 21 DP 546016) be approved at terms and conditions to the satisfaction of the General Manager.
2. In accordance with the Power of Attorney dated 24 October 2018 (Registered 29 October 2018, Book 4751 No. 700), the Acting General Manager execute any necessary documentation to give effect to this resolution.

PURPOSE

The purpose of this report is to seek Council approval to release existing drainage easements that benefit Council within 203 Holt Road, Taren Point (Lot 1 DP 236198 and Lot 21 DP 546016), known as Taren Point Bowling Club.

BACKGROUND

In 2018 Taren Point Bowling Club approached Council with a request to remove redundant drainage easements benefiting Council that run east-west across its property. (Refer to Appendix A – aerial diagram).

Council officers confirmed the east-west easements are not in use and reflect an historic open drainage channel that was built over in 1968. There are no identified drainage issues on or around the property that would require the use of these easements in future. The north-south easement that encompasses storm water infrastructure will remain. Part of the easement has been built over and reflect a paper encumbrance only.

The Taren Point Bowling Club is considering submitting a DA to expand the building footprint to accommodate an enlarged eating area, should Council approve the removal of the east-west easement. Indications to Council Property Officers is that no significant developments works are planned for the site in the immediate future. Removal of the redundant encumbrances allows for administrative amendment and better design outcome on the property in the future in line with actual land use encumbrances.

The land is zoned RE2 – Private Recreation which restricts development and use of the land. The valuation to determine compensation payable is based on this zoning.

RESOURCING STRATEGY IMPLICATIONS

The consideration paid to Council will be directed to the Property Fund to be allocated to future investment options to be considered by Council at a later stage.

Valuation advice is provided under separate confidential cover (Appendix B). The final monetary amount will be to the satisfaction of the General Manager.

STRATEGIC ALIGNMENT

The release of the redundant east-west drainage easement and retaining the north-south stormwater easement meets the strategies in our adopted Delivery Program of:

Community Strategic Plan Strategy	Delivery Program (2017-2021) Deliverables
2.3 Protect our beaches, rivers and oceans 2.3.1 Manage catchments effectively to improve the cleanliness, health and biodiversity of our waterways	2G Develop and implement a Catchment and Waterway Management Strategy.
6.2 Facilitate a diverse housing mix that provides choice and meets the needs of all community members	6B Manage new and existing development within a robust and effective framework

POLICY AND LEGISLATIVE REQUIREMENTS

Releasing the redundant east-west drainage easement and retaining the north-south storm water easement will ensure storm water runoff will be contained within the existing Council drainage system, consistent with good practice.

Council's Policy, *Release and Relocation of Drainage Easements*, requires Council to seek 50% of the resultant increase in overall value derived by releasing and relocating the easement, subject to an offset of the cost of physically relocating the upgraded drainage network. In this instance the applicant will not be relocating the redundant easement. 50% of the increase in land value by removing the redundant easements off title has been applied. Details are provided in confidential Appendix B.

CONCLUSION

The proposed release of the redundant easement will facilitate the highest and best use of the land while ensuring Council's existing infrastructure is not compromised.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager Property Services, Lani Richardson, who can be contacted on 9710 0614.

File Number: 2018/306202

