

# ATTACHMENT

**DIRECTOR ENGINEERING & OPERATIONS**

**ITEM**

**[EO-OC] Consolidation of Land Pottsville  
Reservoir, Pottsville Road, Pottsville  
(DW 1194048 & 1197871)**

**OPERATIONS COMMITTEE MEETING HELD**

**TUESDAY 22 JANUARY 2008**

OK

LB

10.01.08

**TITLE:** [EO] Acquisition of Road for Public Purposes

**ORIGIN:**

Design

**FILE NO:**

**SUMMARY OF REPORT:**

Council has been investigating future requirements for the servicing of the southern coastal zones of the Tweed local government area. It has been considered necessary to identify potential sites for an engineering works depot located in the southern coastal region.

One of the sites identified contains a disused quarry and the recently constructed Pottsville west reservoirs, being Lots 1 in DP 215997 and Lot 4 in DP 573328 off Pottsville Road. Both of these parcels are bounded by a road reserve that when closed will add an area of 9551m<sup>2</sup> to the total areas of Lots 1 and 4.

Council intends to acquire the land for public purposes as the area is unnecessary road reserve following the realignment of Pottsville Road. The land is vested in Council, so there will be no compensation payable in this acquisition. The act of acquisition will close the road.

**RECOMMENDATION:**

That:-

1. Council approves the compulsory acquisition of Lot 1 in DP 1080884 and Lot 1 in DP 1080885 for public purposes for the purposes of the Local Government Act, 1993 under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991;
2. Lot 1 in DP 1080884 and Lot 1 in DP 1080885 be classified as operational following gazettal of the acquisitions; and
3. All necessary documentation be executed under the common seal of Council.

**REPORT:**

Council has been investigating future requirements for the servicing of the southern coastal zones of the Tweed local government area. It has been considered necessary to identify potential sites for an engineering works depot located in the southern coastal region. The proposed depot has the potential to be two thirds of the size of the current Buchanan Street depot at Murwillumbah.

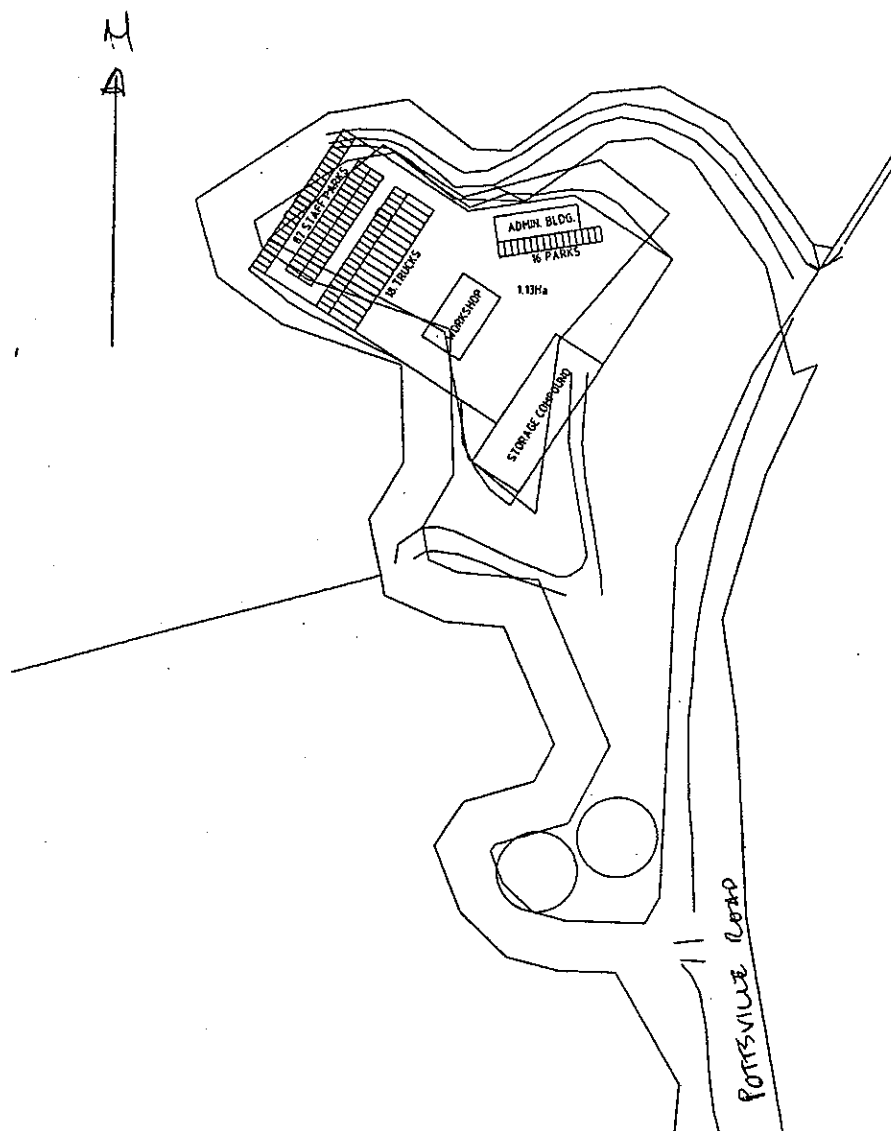
Some of the options available to Council require the acquisition of land from private landowners which are expected to attract high costs for the land due to the scarcity of suitable sites in the southern coastal area.

One of the sites identified contains a disused quarry and the two recently constructed Pottsville West reservoirs, being Lots 1 in DP 215997 and Lot 4 in DP 573328 off Pottsville Road. Both of these parcels are bounded by a road reserve that when closed will add an area 9551m<sup>2</sup> to the total areas of Lots 1 and 4.

There is the potential to amalgamate Lots 1 and 4 with the areas of closed road to create a single parcel comprising an area of 4.49 hectares. Alternatively, there is the potential to create two lots, one for the proposed depot and the other for the reservoirs.

Should the depot be constructed at the location, any fill required for construction could be provided from the quarry. Remediation of the disused quarry would then follow.

An indicative design plan showing the proposed depot within the site is shown below:



One of the advantages of this site is that it is owned by Council and it has close proximity to both Pottsville Road and Cudgera Creek Road. The latter road providing direct access on to the Pacific Motorway.

Council intends to acquire the land for public purposes as the area is unnecessary road reserve following the realignment of Pottsville Road. The land is vested in Council, so there will be no compensation payable in this acquisition. The act of acquisition will close the road. A copy of the acquisition plan showing the area to be acquired as Lot 1 in DP 1080884 follows at the end of this report.

The existing reservoirs on Lot 4 in DP 573328 encroach on the road reserve bounding Lot 4 to the west. Council intends to remedy this encroachment by the acquisition of part of the road reserve adjacent to the southern boundary of Lot 4. This closure of road reserve was created in a plan of road closure and acquisition registered as DP 1080885. A copy of this plan also follows at the end of this report.

It is necessary to resolve to acquire Lot 1 in DP 1080884 and Lot 1 in DP 1080885 for public purposes for the purposes of the Local Government Act, 1993 and to make an application to the Minister for Local Government under the provisions of the Local Government Act 1993.

These parcels are to be classified as operational following acquisition to comply with section 31 of the Local Government Act, 1993.



**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER:**

Nil.

---

Agenda Report

**TWEED SHIRE COUNCIL  
MEETING TASK SHEET**

**For Council Meeting held on Wednesday 4 May 2005**

**User Instructions**

If necessary to view the Agenda Item, double-click on 'Agenda Report' (blue hyperlink above).

**Resolved Items Action Statement**

Action is required for the following item as per the Council Resolution.

---

**TITLE: [EO] Acquisition of Road for Public Purposes**

**RESOLUTION:**

**Cr M R Boyd  
Cr D M Holdom**

**RESOLVED that:-**

1. Council approves the compulsory acquisition of Lot 1 in DP 1080884 and Lot 1 in DP 1080885 for public purposes for the purposes of the Local Government Act, 1993 under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991;
2. Lot 1 in DP 1080884 and Lot 1 in DP 1080885 be classified as operational following gazettal of the acquisitions; and
3. All necessary documentation be executed under the common seal of Council.

***FOR VOTE - Unanimous  
ABSENT, DID NOT VOTE - Cr Bell***