

[Agenda Report](#)**TWEED SHIRE COUNCIL  
MEETING TASK SHEET****User Instructions**

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**Action Item - COUNCIL MEETING Tuesday, 19 December 2006**

Action is required for Item 1 as per the Council Resolution outlined below.

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**TITLE: [EO-CM] Compulsory Acquisition of an Easement for Drainage Variable Width within Lot 102 in DP 802170 - 3 Young Street, Hastings Point**

**REASON FOR CONFIDENTIALITY:**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (a) personnel matters concerning particular individuals (other than councillors)

**COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Turnbull**

**RECOMMENDED that:-**

1. Council resolves that it is of the opinion that the owner of Lot 102 in DP 802170 will not suffer hardship within the meaning of section 24 of the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW) if Council does not acquire Lot 102 in DP 802170 pursuant to Clause 49(3) of the Tweed LEP 2000;
2. Council approves entering into negotiations with the owner of Lot 102 in DP 802170 for the creation of an Easement to Drain Water Variable Width for the benefit of Council, or should negotiations fail to reach an agreement then Council approves the compulsory acquisition of the Easement within Lot 102 in DP 802170 under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW) for the purposes of the *Local Government Act 1993* (NSW), and the making of the necessary application to the Department of Local Government to seek the Governor's approval;

3. Council pays for the valuation obtained by the landowner at the outset of negotiations, in the sum of \$2,200;
4. All necessary documentation be executed under the Common Seal of Council.

***FOR VOTE - Unanimous***