

CITY OF PALMERSTON

**Notice of Special Council Meeting
to be held in Council Chambers, Civic Plaza, Palmerston
on Thursday, 20 August 2015 at 4:30pm**

AGENDA

Audio Disclaimer

An audio recording of this meeting will be made for minute taking purposes as authorised by City of Palmerston Policy MEE3 Recording of Meetings, available on Council's Website.

1. PRESENT

2. APOLOGIES

ACCEPTANCE OF APOLOGIES AND LEAVE OF ABSENCE

3. DEPUTATIONS / PRESENTATIONS

4. OFFICER REPORTS

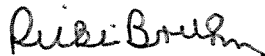
4.1. Subdivision of Lot 11498 (15) Maluka Drive, Gunn

8/0722

5. CONFIDENTIAL REPORTS

Nil

6. CLOSURE



**Ricki Bruhn
Chief Executive Officer**

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same

ITEM NO. 4.1 Subdivision of Lot 11498 (15) Maluka Drive, Gunn

FROM: Director of Technical Services

REPORT NUMBER: 8/0722

MEETING DATE: 20 August 2015

Municipal Plan:

3. Environment & Infrastructure

3.2 Assets and Infrastructure

3.2 We are committed to maintaining and developing community assets and infrastructure which meet the needs of our community

Summary:

Land Development Corporation (LDC), Northern Territory, has requested Council consent to the subdivision of Lot 11498 which contains a drainage easement vested to Council. This report recommends that Council sign and seal all documents related to the acceptance of the subdivision and the establishment of the drainage easement.

General:

The LDC has developed part of Lot 11498 and sold a parcel to the owner of the new Rydges Hotel. Council has accepted infrastructure such as roads, stormwater drainage, street lights, footpaths and trees servicing the development. LDC is now in the process of transferring the title registration of the site to the hotel owner.

The parent lot (Lot 11498) contains a drainage easement vested to Council as shown on the survey plan LTO2015/098 attached to this report (**Attachment A**). To proceed with the subdivision, the property owner (LDC) requires Council's consent to the registration of the drainage easement on the subdivided lot.

There will be no effect on the location and performance of the drainage easement as a result of the subdivision until the balance of the lot is developed.

Financial Implications:

Nil

Policy / Legislation:

For a corporation, an instrument must be executed in a way permitted by law or sealed with the corporation's seal in accordance with the *Law of Property Act*, Section 48.

RECOMMENDATION

1. THAT Council receives Report Number 8/0722.

RECOMMENDATION (continued)

2. THAT Council delegates to the Mayor and Chief Executive Officer the power to sign and seal the Form 93 General Consent to register the drainage easement over Lot 11511 as shown on survey Plan LTO2015/098 attached to Council Report Number 8/0722.

Recommending Officer: Mark Spangler, Director of Technical Services

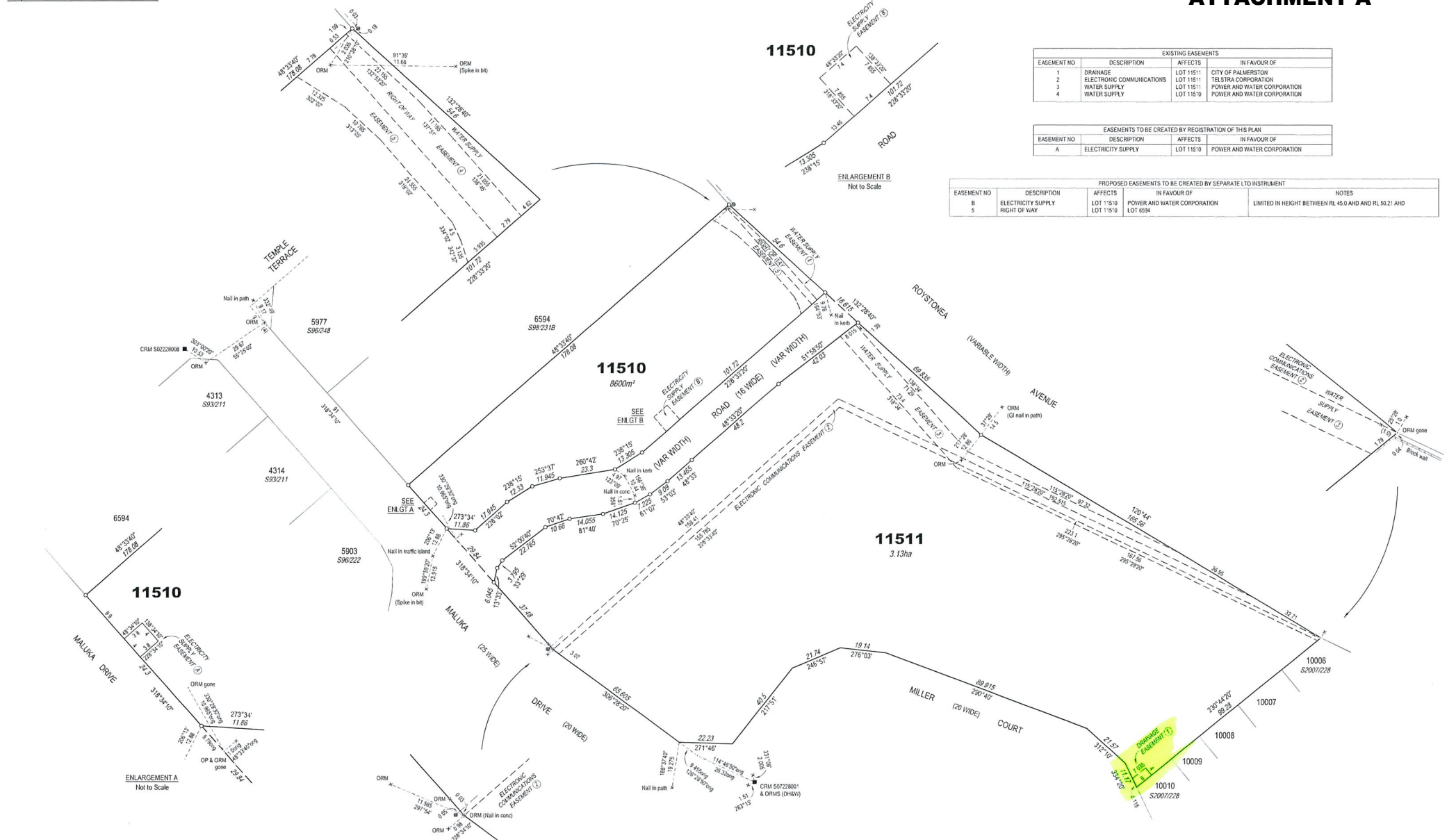
Any queries on this report may be directed to Mark Spangler, Director of Technical Services on telephone (08) 8935 9958 or email mark.spangler@palmerston.nt.gov.au.

Report Author: Jeetendra Dahal, Technical Services Manager.

Schedule of Attachments:

Attachment A: Survey Plan LTO2015/098.

Attachment B: Form 93 General Consent to register the drainage easement.



SURVEYOR'S CERTIFICATE

Keith Leslie Schulz
 I, the Surveyor-General, do hereby certify that the survey represented on this plan was carried out by me or under my immediate supervision and was conducted in accordance with the Land and Survey Act and the Survey Regulations.

L.T.O. REGISTRATION

Lodged on: 10.08.15
 Instrument Number: 10007
 Registered on: 10.08.15
 By me: [Signature]
 Registrar-General

PRELIMINARY

SURVEY APPROVAL

Craig Leslie Sandy
 I, the Surveyor-General, do hereby approve the survey represented on this plan, being satisfied that Part 5 of the Planning Act has been complied with.
 (1) approve the survey under section 43 of the Land and Survey Act
 (2) acknowledge, on behalf of the Service Authorities, designated the setting of the Service Authorities between the lot and
 (3) accept on behalf of the Service Authorities specified the land identified on the map or sketch or both as part of the lot of the Planning Act and section 7 of the Land and Survey Act

Surveyor-General

Date

Version 1 - survey plan as lodged

A/MP/014 - Damaged or incorrect plans will be rejected.

LOTS 11510 AND 11511

SUBDIVISION OF LOT 11498

TOWN OF PALMERSTON

Drawn by
 Earl James & Associates
 (9334) 10.08.15
 Examined by
 Earl James & Associates

Map Reference
 AZIMUTH
 S2012/162A
 Assessed from
 Date of issue

SCALE 1:750 (A1)

LTO2015/098

Land Title Act
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

G	C	No:
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IMPORTANT NOTICE

Please Note Privacy Statement Overleaf

GENERAL CONSENT

Register	Volume	Folio	Location	Lot Description	Plan	Unit
CUFT			Town of Palmerston	Lot 11498	S2012/162B	

(NOTE 1 – 2)

INSTRUMENT BEING
CONSENTED TO
(Item 1)

Instrument Type: Subdivision – LTO2015/098
Dated:
Names of Parties: Land Development Corporation (ABN 11 768 147 358)

(NOTE 3)

INSTRUMENT
UNDER WHICH
CONSENT REQUIRED
(Item 2)

Dealing Type: Drainage Easement
Dealing No:
Name of consenting party: City of Palmerston

(NOTE 4)

EXECUTION BY
CONSENTING PARTY

The party identified in item 2 consents to the registration of the instrument identified in item 1 in respect of the above land.

(NOTE 5)

Signed by the Consenting Party
The Common Seal of the City of Palmerston was affixed in the presence of:

.....
Ian Abbott Mayor Ricki Bruhn CEO

on (date):

(NOTE 6)

SCHEDULE OF NOTES

1. This General Consent form is lodged as an original only and must be typed or completed in ink or biro. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties.
2. Volume and Folio references must be given together with parcel description.
3. Insert Instrument type and number, date and name of parties of the instrument being consented to.
4. Insert dealing type, number and name of consenting party.
5. This is the consenting clause.
6. Persons who may witness this document are a Commissioner for Oaths, a member of the Legislative Assembly, a legal practitioner within the meaning of the *Legal Profession Act*, a person holding office under the *Supreme Court Act*, the *Justices Act*, the *Local Court Act* or the *Registration Act*, a member of the Police Force, a person licensed as a conveyancing agent or real estate agent under the *Agents Licensing Act*, a Notary Public and any other person approved by the Registrar-General.

A witness to an instrument executed by an individual must first:

- take reasonable steps to ensure that the individual is the person entitled to sign the instrument;
- have the individual execute the document in the presence of the witness;
- not be a party to the instrument; and
- if witnessing more than one signature, clearly state that he/she has witnessed more than one signature. (ie I have witnessed the two signatures appearing above).

After signing, witnesses must legibly write, type or stamp their names and contact address or telephone number below their signature.

For a corporation, an instrument must be executed in a way permitted by law or sealed with the corporation's seal in accordance with the *Law of Property Act*, Section 48.

For witnessing of instruments executed outside the Northern Territory refer to Schedule 1 of the *Land Title Act* and the Registrar-General's Direction.

PRIVACY STATEMENT – LAND REGISTER FORMS

The Registrar-General's Office is authorised by the Land Title Act to collect the information on this form for the establishment and maintenance of the Land Register, which is made available for search by any person, anywhere, including through the Internet, upon payment of a fee. The information is regularly provided to other NT Government agencies, the Australian Valuation Office, local governments, the Australian Bureau of Statistics, the Australian Taxation Office or other Commonwealth Agencies as required or authorised by law, and some private sector organisations for conveyancing, local government, valuation, statistical, administrative and other purposes. The Department of Lands, Planning and the Environment also uses the information to prepare and sell or licence property sales reports to commercial organisations concerned with the development, sale or marketing of property.

Failure to provide the information in full or in part may prevent your application or transaction being completed.

Your personal information provided on this form can be subsequently accessed by you on request. If you have any queries please contact the Deputy Registrar-General on 8999 5318.