



KEMPSEY  
Shire Council

## DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

12<sup>th</sup> December 2006

DCCS15	KEMPSEY WATER SUPPLY – TRANSFER OF LANDS FROM MINISTER FOR WATER UTILITIES FILE: LA20861 PJH
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### SUMMARY:

To classify land that is to be transferred to Council from the Minister for Water Utilities.



### DESCRIPTION:

The Minister for Water Utilities has acquired land and easements in relation to the Kempsey Water Supply Emergency Works.

The details of the land and easements are as follows:-

- Land being Lot 1 DP 872794 off Hat Head road, Kinchela, containing water treatment plant and booster pump station.
- Easements for water supply pipeline within Lot 31 DP595497 and Lots 61-62 DP570964 at Jerseyville.

The Department of Commerce, acting for the Minister, have advised that the land and easements are to be vested in Council.

Council needs to classify any land acquired by it within three (3) months of acquisition. Therefore Council should classify Lot 1 DP872794 as this land is being transferred into Council's name. Being water supply land it should be classified as operational land.

In regard to the easements, Council's interest will be recorded on the owner's titles.

### REPORT IMPLICATIONS:

#### ▪ *Environmental*

*The lands and easements acquired in this matter are for emergency water supply when this is required.*

#### ▪ *Social*

*The acquisition will help ensure the water service delivery to Kempsey Shire residents.*

- *Economic (Financial)*

*There are no costs to Council as a result of the classification of the land. The legal costs associated with the transfer and registration are paid by the Department of Commerce.*

- *Policy or Statutory*

*Section 31 of the Local Government Act requires Council to classify any land acquired by it as either operational land or community land within three (3) months of acquisition. If no classification is made the land is taken to have been classified as community land.*

- *Directors Review*

*As per report.*

**RECOMMENDATION:**

**That Council classify land acquired in relation to the Kempsey Water Supply being Lot 1, DP872794, at Hat Head Road, Kinchela, as operational land.**

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**G B Snape**  
**DIRECTOR CORPORATE & COMMUNITY SERVICES**