

Report on the public hearing for the proposed reclassification of Council owned land

Cabonne Council

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Introduction

The public hearing

The public hearing on the proposed reclassification of land from 'community' to 'operational' in the Cabonne Local Environmental Plan 2012 was independently chaired by Mark Dicker on Thursday 28 August 2014 from 4.30pm to 4.50pm.

The public hearing was advertised in the Molong Express and also on Cabonne Council's website (<http://www.cabonne.nsw.gov.au/>). The hearing was held at the Cabonne Council committee room, Bank Street, Molong.

The meeting was opened by Mr Mark Dicker at 4:30pm and closed at 4:50pm with no community member attending. Subsequently no written submissions were provided at the hearing. Mrs Heather Nicholls Cabonne Council's Director of Environmental Services was also in attendance.

Proposed reclassification sites

The sites proposed for reclassification from 'community' to 'operational' land are:

- 6 Gidley Street, Molong
- 10 William Street, Molong

Legislative context

Pursuant to Section 25 of the Local Government Act 1993 all public land must be classified. There are two classifications for public land – community and operational. Section 27 of the Act provides that the classification or reclassification of land may be made by a Local Environmental Plan. Section 29 of the Act states council must arrange a public hearing where it is proposed to reclassify community land to operational land.

Pursuant to section 57(7) of the Environmental Planning and Assessment Act 1979 a report of any public hearing is to be furnished to the relevant planning authority and may be made publically available by that authority.

Consideration of sites

The following is a description of the two sites;

- Lot 1 Gidley Street, Molong being land described as Lot 1 DP 730639
- Lot 5 William Street, Molong being land described as Lot 5 DP 1076034

Current and proposed reclassification:

Current	Proposed
Community	Operational

Reason for reclassification:

A due diligence review of council's operational and community land has indicated that both allotments are classified as community land. The Local Government Act 1993 prevents council from selling, exchanging or disposing community land.

There is potential for the sale of Gidley Street and monies to be used to fund new aged care accommodation within Molong. William Street may also wish to be sold in the future and it is considered more appropriate to be operational land.

Council's proposed future use of the land

Reclassification of both allotments would allow council the option to sell and/or redevelop Gidley Street. It would also provide council with the potential to sell the William Street site should it wish to do so.

Recommendation

It is recommended that the reclassification of 6 Gidley Street and 10 William Street is appropriate and that council proceed with the planning proposal.

Next step

The independent report of the outcomes of the public hearing will be submitted to Cabonne Council for consideration. The report from the public hearing, as required by section 57(7) of the Environmental Planning and Assessment Act 1979, is to be made available to the community.

Once endorsed by council the documentation will be forwarded to Department of Planning & Infrastructure for final notification of the plan. Should the Minister the lands be reclassified to operational land, the local Cabonne community and any affected parties would be notified by council of the outcome.