



PUBLIC HEARING REPORT AND RECOMMENDATION
FOR PROPOSED RE-CLASSIFICATION FOR
CESSNOCK CITY COUNCIL

26 September 2024

Prepared by Alexandra Joy
UQ Power
3226 Great North Road Wollombi 2325
0415 843 654



INTRODUCTION

Alexandra Joy as principal of UQ Power has been engaged by Cessnock City Council to conduct and independently chair a Public Hearing into the proposed re-classification and Rezoning of Council Owned Land - Summary of Submissions Received During the Exhibition Period and to prepare a subsequent report back to Council.

This report provides acknowledgement that there were no members of the public at the Public Hearing pertaining to the re-classification of the defined land.

Background

[At Ordinary Council meeting held 17 February 2021](#), the elected Council resolved to reclassify a portion of Carmichael Park from Community to Operational Land. This furthers the actions of the Carmichael Park Masterplan that includes works in regards to the Bellbird Park Bowling Club (BPBC) to address the following issues:

- Fencing and extension of the bowling club's boundary at the southern end to allow vehicular access for club patrons and deliveries etc; and
- Fencing of the western boundary to formalise the site and stop vehicular access from the bowling club through Carmichael Park.

The masterplan and discussions with the BPBC identified that BPBC requires a strip of land along their southern boundary (adjacent to the main football field) to formalise access historically gained using Council land. This will facilitate clear and separate vehicular access to the rear of BPBC and separate this from users of Carmichael Park.

Currently the subject land is classified as Community Land and will require reclassification to Operational use to enable the sale.

Details of Hearing:

Public Hearing - Tuesday 24th September 2024

5:30pm - 6:30pm

Cessnock City Council Administration Building - Community Meeting Room

As this planning proposal included the reclassification of public land from Community to Operational, under the Local Government Act 1993 a public hearing must be held.

The Public Hearing is an independent process to hear and capture community views about the proposed reclassification. This will help to inform Council's decision about the proposal. All community members were welcome to attend this hearing independently chaired and facilitated by myself.



1.0 Purpose of a public hearing

(1) In this section, public hearing means any public hearing required to be arranged under this Part.

(2) The person presiding at a public hearing must not be

(a) a councillor or employee of the council holding the public hearing,

or (b) a person who has been a councillor or employee of that council at any time during the 5 years before the date of his or her appointment.

(3) Not later than 4 days after it has received a report from the person presiding at the public hearing as to the result of the hearing, the council must make a copy of the report available for inspection by the public at a location within the area of the council. For the purposes of Section 47G of the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979, Alexandra Joy has not been an employee of Cessnock City Council within the last 5 years. Further, Alexandra Joy, has never been a Councillor at Cessnock City Council.

1.1 Purpose of the report

This public hearing report has been prepared under Section 29 of the Local Government Act 1993 (LG Act) and Section 1 Environmental Planning and Assessment Act 1979 (EP&A Act). The purpose of this report is to provide Cessnock City Council with information and advice as to the submissions made in relation to a public hearing held of which there was no representation from members of the public

The Public Hearing room was kept open for the time advertised 5.30-6.30pm, however no other respondents attended. The Public Hearing was then closed.

2. RECOMMENDATIONS

In conclusion, after consideration of the issues surrounding the reclassification of the subject land - it has been determined that, given there is minimal interest in attending a public hearing and given the club is already in place and mostly using the space as outlined, that the residents have no issue with this continuing, therefore it appears that the proposed reclassification is appropriate and accepted by the local residents.

No further comment can be provided due to lack of community representation about the Public Hearing.

It is also recommended that Council makes available a copy of this report to the general public within four (4) business days in accordance with Section 47(G)(3) of the Local Government Act 1993.

Signed

Alexandra Joy