



REPORT FROM PUBLIC  
HEARING: RECLASSIFICATION  
OF PUBLIC LAND FROM  
COMMUNITY LAND TO  
OPERATIONAL LAND UNDER  
THE LOCAL GOVERNMENT ACT  
1993

SUBJECT LAND: Lot 70, DP 1286642 (Formally Lot 1, DP  
793207) Cobb Highway, MOAMA NSW.  
PUBLIC HEARING: Monday 27 March 2023 from 1pm to  
2pm Moama Recreation Reserve – Pavilion,  
52 Perricoota Road, MOAMA

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FEDERATION COUNCIL

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## 1. INTRODUCTION

### 1.1 The Local Government Act 1993

The Local Government Act 1993 (LG Act) classifies public land as either being community or operational. The LG Act sets out regulations regarding the management of public land, including the process required to reclassify community land as operational land. This classification and reclassification of public land is described in section 25 to 34 of the LG Act. 1.2 Public Hearing.

### 1.2 The Public Hearing

As part of the process to reclassify community land to operational land, a council must undertake a Public Hearing (Hearing). This allows the community to provide additional information regarding the reclassification and raise any issues regarding the matter. Following the Hearing, the Hearing Chair is to provide a report back to Murray River Council (Council) noting the discussions and outcomes from the Hearing. Council is to make a copy of this report public within four days of receiving the report. The meeting was held on Monday 27 March 2023, at the Moama Recreation Reserve-Pavilion, 52 Perricoota Road, Moama, commencing at 1pm. A copy of the information supplied by the Council regarding the Public hearing is included in Attachment 1. There were no speaker register and no members of the public attended the meeting.

### 1.3 Independent Chair for the Public Meeting

I, Susan Appleyard, was appointed by the Council to facilitate the Public Hearing as chair, in accordance with Section 47 of the LG Act. I am Currently employed as the Director of Development and Environment at Federation Council and have been in the role since April 2019 and prior to that was employed by Murrumbidgee Council (Jerilderie Shire) for a total period of 12 years. I state that I am not currently and have not been an employee of Murray River Council in the past 5 years.

*Section 47G of the LG Act, requires that the chair of the Hearing be independent and meet the following requirements under subsection (2) The person presiding at ta 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.*

### 1.4 Declaration

I declare that the information and opinions contained in this report are those of the author and not those of wither Murray River Council or Federation Council.

## 2. BACKGROUND

The subject site is Lot 70, DP 1286642 (formally Lot 1 DP 793207) Cobb Highway, Moama, NSW. The location of the site is shown in the Public Hearing Pack (attachment 1). The land is Zoned RU1 – Primary Production under Murray Local Environmental Plan 2011 and has an area of 32 Hectares. The site has access via the Cobb Highway and Tataila Road, is unencumbered by easements and is bounded by Industrial land to the south and Primary Production land to the north, east and west.

Murray Shire Strategic Land Use Plan 2010-2030 identified the site for *“Longer term industrial/highway business – buffers required to future residential (development) to the west.”*

The site was purchased by Murray River Council in the second half of 2020 and there was no resolution of Council within 3 months of taking ownership of the subject site to classify the site as operational land under the Local Government Act 1993, therefore it was automatically classified at three months post settlement as Community land. The land has never been used nor has it ever been intended for public access or community use.

Therefore, the Planning proposal to change the classification of the subject site from community to operational land is to correct an administrative error associated with the initial transfer of the land to council ownership.

## 3. MEETING OUTCOME

The meeting commenced at 1pm with an Acknowledgement to Country. It was noted at the commencement of the meeting that no members of the public had registered their interest to address the meeting and no members of the public were present at the meeting. I advised the meeting would remain open for a period of 20 minutes, with recording of the meeting to close at 1.03pm.

At 1.23 pm the meeting recording recommenced and 1.24pm the meeting was formally closed as there were no members of the public present.

## 4. ATTACHMENT:

Murray River Council – Public hearing Pack

Reclassification of land from Community to Operational Land; Lot 70, DP 1286642 (Formally Lot 1, DP 793207) Cobb Highway, MOAMA

Public Hearing: Monday 27 March 2023 from 1pm- 2pm

Moama Recreation Reserve – Pavilion – 52 Perricoota Road, Moama.