

## 9.2 Classification of Land - Lot 24 DP1293812 at 9 Palermo Road, Mudgee

REPORT BY THE PROPERTY OFFICER  
TO 21 JUNE 2023 ORDINARY MEETING  
GOV400103, PAR300003, 27049

### RECOMMENDATION

#### That Council:

1. **receive the report by the Property Officer on the Classification of Land - Lot 24 DP1293812 at 9 Palermo Road, Mudgee; and**
2. **classify allotment Lot 24 DP1293812 located at 9 Palermo Road, Mudgee as Operational lands in accordance with Section 31 of the Local Government Act 1993.**

---

### Executive summary

Council is required to classify all land held by it and this report seeks Council's resolution to classify of Lot 24 DP1293812 located at 9 Palermo Road, Mudgee, being land vested in the ownership of Mid-Western Regional Council for the purposes of drainage reserves, as Operational.

### Disclosure of Interest

Nil

### Detailed report

In accordance with Sections 26 and 31 of the Local Government Act 1993 (LGA), all public land must be classified as either "Community" or "Operational" Land.

The purpose of classification is to identify clearly that land which should be kept for use by the general public (community land) and that land which need not (operational land). Community land would ordinarily incorporate land such as a public park. Land that is classified Operational would include land held as an asset, land which facilitates a council carrying out its functions or is land that may not be open to the public, such as in this case, where the land parcels are required for drainage purposes.

On 8 May 2023, a new drainage reserve was vested in Council as part of a subdivision, being Lot 24 DP1293812 located at 9 Palermo Road, Mudgee. A map of the land is attached to this report.

To proceed with the classification, Council is required to publish a notice of its intention to classify the lands. Such a notice will be published in the Mudgee Guardian on the 16<sup>th</sup> of June 2023 and on Council's website.

It is recommended that Council approve the classification of the subject lands as Operational in pursuance of its obligations under the LGA.

## Community Plan implications

<b>Theme</b>	<b>Good Government</b>
Goal	An effective and efficient organisation
Strategy	Prudently manage risks association with all Council activities

## Strategic implications

### Council Strategies

Nil

### Council Policies

Not Applicable

### Legislation

Chapter 6, Part 2, Division 1 of the Local Government Act 1993, directs that all public land must be classified as either Community or Operational land

## Financial implications

Not Applicable

## Associated Risks

Any land acquired by a Council that is not classified under the Act i.e. resolved by Council at the end of 3 months, is taken to have been classified as Community land.

The land was dedicated as a drainage reserve on the 8<sup>th</sup> of May 2023 and as such, it will be classified as *Operational* land within the stipulated time-frame.

BRITTNEY WAKLEY  
PROPERTY OFFICER

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

18 May 2023

*Attachments:* Nil

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER