

IN2 – Bulk Transfer of Formed Crown Roads to Council Public Roads

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245080

TRIM 4387

EXECUTIVE SUMMARY

This report recommends that Council apply to the NSW Department of Primary Industries (Crown Lands) to transfer formed Crown Roads within the Wollondilly LGA to Council as Public Roads.

Council advise the Crown Lands that it does not intend to close and sell the road reserves in the foreseeable future.

That the Mayor and General Manager be authorised to execute all documentation in relation to this matter including those requiring the Common Seal of Council.

REPORT

An application is proposed to be made by Council to apply to the NSW Department of Primary Industries for the transfer of ownership of a number of formed Crown Roads to Council as Public Roads. There are many formed roads within the Shire that service the ratepayers living along them and travelling over them that have remained as Crown Roads. It will simplify all processes for these owners to deal with only a single road authority.

There are a total of 294.2 kilometres (km) of Crown Roads within Wollondilly Shire. For the purposes of this report, the Crown Roads fall into four categories:

- 61.3 km are clearly formed roads for the whole length of the Crown Road segments. Council proposes to transfer these first.
- 15.8 km of Crown Roads where only part of the segment is formed (for example 200 m formed of 500 m length and Council would only transfer the 200 m). These will need to be divided and the formed sections only transferred.
- A few roads, totalling 1.8 km in length, where the property boundaries, the physical formed road and crown road boundaries differ in location. These will need further research and possibly negotiation with the adjoining owners before being resolved.
- Lastly, there are 215.3 km of Crown Roads that are not formed or are within the national park. These are to remain Crown Roads.

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The map, not attached but available via the hyperlink below, highlights the proposed road areas in purple that are to be transferred as public road and those that are to remain Crown roads in green. There are a smaller number of Crown road sections that are only formed for part of their length; these will be shown in orange.

http://maps.wollondilly.nsw.gov.au/intramaps80public/?module=Crown_Roads_Transfer

Council is required to state in writing to the Department of Primary Industries that it does not intend to close and sell these roads in the foreseeable future and that these roads are required for construction and/or maintenance of access.

Once the application has been received by the Department of Primary Industries, all transfers will be arranged within that Department including advertisement in the Government Gazette.

CONSULTATION

- Crown Lands
- Planning

FINANCIAL IMPLICATIONS

The NSW Department of Primary Industries (Crown Lands) has agreed to waive their usual fee of \$109.60 per road for this instance.

This matter has no financial impact on Council's adopted budget or forward estimates. The road pavement is already included in Councils' asset system as many were constructed by Council and maintenance work currently done on these roads is at Council expense.

POLICIES & LEGISLATION

- Road Act 1993
- Local Government Act 1993
- Crown Lands Act 1989

ATTACHMENTS

Nil.

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RECOMMENDATION

1. That Council approve application to the Department of Primary Industries to have ownership of the Crown Road sections, identified on the linked map, dedicated to Council as a Public Roads on the basis that Council does not intend to close and sell these road reserves for the foreseeable future.
2. That the Mayor and General Manager be authorised to execute all documentation pertaining to this matter including those requiring the Common Seal of Council.