



KEMPSEY
Shire Council

DIRECTOR SHIRE SERVICE'S REPORT

13 September 2005

DSS5 ROADS – ROAD TO HUNGRY HEAD, HAT HEAD
FILE: * MGR

SUMMARY:

Reporting on discussions held with National Parks and Wildlife Service (NPWS) staff regarding the road to Hungry Head at Hat Head.



The road to Hungry Head at Hat Head has been used for many years to access the camping ground at Hungry Head. During storms in the last 12 months there has been incidents where campers have not been able to leave the camping area due to the condition of the road. The NPWS have requested Council to upgrade the road.

Investigations have revealed that the road is not on a road reserve but is mostly on private property owned by Council. Council uses the road to access its reservoir, treatment works and bore fields. NPWS uses the road to access the Hungry Head National Park and fire trails within the Park.

Council staff have held discussions with NPWS staff with a view to negotiating a mutually beneficial arrangement for the upgrading and ongoing maintenance of the road. Issues discussed included:

- the fencing of sections of the road to prevent unauthorised access to fire trails and Council's infrastructure,
- the legalities of reducing the standard of road construction,
- the cost to upgrade the road to an agreeable standard and
- the cost of ongoing maintenance of the road.

Council staff has agreed to seek advice, on liability of public access over private property and the standard of road required, from our insurers and to determine the costs to upgrade the road to the required standard and annual maintenance costs. Further discussions will take place once this information is available and a report prepared for Council's consideration.

REPORT IMPLICATIONS:

- ***Environmental***

Unless the road is properly maintained to an agreed standard, scouring and erosion will continue.

- ***Social***

The community have long used this road for access and to close it to the public is not seen as a viable alternative. However, some constraints will be required for safety reasons and to secure Council's water and sewer infrastructure.

- ***Economic (Financial)***

No funds are available from Roads funds for this road but some limited funds are available under Water funds for access for Macleay Water staff. National Parks staff are now very aware of the road ownership details and are prepared to look at a Memorandum of Understanding for both improvements and ongoing maintenance.

- ***Policy or Statutory***

Nil

- ***Director's Review***

This road is required by Council for access only and is not a public road. For Council to have protection from liability claims, appropriate signage will be required to alert users.

RECOMMENDATION:

That the information be noted.

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**K J Finnie
DIRECTOR SHIRE SERVICES**