

DSS3	SWAN LANE, COLLOMBATTI
	FILE: R Swan Lane (301173) NJT

SUMMARY:

Reporting on a request to dedicate Swan Lane, Collombatti, as a Public Road.



Council at its meeting on the 9th August 2005 considered a report on a request to dedicate Swan Lane, Collombatti, as a Public Road and resolved:

"That this matter be deferred and a further report be submitted to Council after clarification of the Forestry Contribution and that the adjoining owners be contacted regarding them contributing \$2,000 each toward the cost of the road upgrade."

A copy of the report is attached [\(Appendix B\)](#).

As has previously been reported, Council is unable to expend funds or carry out any works on roads unless it is the road authority.

Prior to expending any funds on the road, Council needs to resolve to convert Swan Lane from status of a Crown Road to a Dedicated Public Road.

Letters have been sent to the property owners with dwellings on Swan Lane to ascertain if they would be willing to contribute \$2,000 to the cost of the road upgrade. A letter was also sent to Forestry NSW to determine if they would be willing to contribute.

Replies have been received from all the properties owners that were contacted. Their responses are tabled below.

Property ID	Amount	Qualifications
17805	\$2,000	Pay in Full
16237	\$2,000	Pay in Full
10609	\$2,000	Instalments
10559	\$1,000	2 equal instalments
10551	\$2,000	5 equal instalments
10610	\$375	6 equal instalments
16236	\$0	Not willing to contribute
10608	\$2,000	Instalments
Forestry	\$500	
Total Contribution	\$11,875	

Access to these properties would be better served by dedicating the first 1.7km of Swan Lane as a Public Road under the care and control of Council. The length of 1.70kms consists of the previously

reported length of 1.5kms together with the initial 0.2km upgraded and maintained by Council as a result of previous subdivision contributions.

The residents have indicated that they do not require a high standard road, but due to current litigation issues with sub-standard roads, this is not considered to be an appropriate option.

The residents have indicated that they are willing to contribute towards the cost of upgrading the road. The cost of upgrading of the road should normally be at the full expense of the applicants. The estimated cost to construct the road to Council's minimum standard is estimated to cost \$25,000.

Mr Bruce Sutherland has expressed concern that the section of road beyond the proposed is not being considered. This section of road extends for a distance of 0.7km to his property boundary and a further 1km to the boundary of the Forestry Plantation. Mr Sutherland was not approached initially as he doesn't have a residence on the property. A copy of Mr Sutherland's letter is attached [\(Appendix C\)](#).

Due to the shortfall in overall road funding, and the lack of a dwelling on the property, it is not recommended that Council accept responsibility for this additional section of Swan Lane beyond the boundary of the last property with a dwelling.

It is recommended that the Department of Lands be approached to convert the first 1.70km of Swan Lane from Crown Road to a Dedicated Public Road, and that this section of road be added to the maintained length of roads.

It is recommended that Council provide \$9,000 to match the promised contributions to carry out roadworks to the extent of available funds. An amount of \$3,000 could be funded from the Minor Roads vote and the remaining \$6,000 funded by making minor adjustments to the current projects in the Gravel Resheeting Program to accommodate this expenditure.

REPORT IMPLICATIONS:

- ***Environmental Implications***

The environmental implications from the following recommendation would be that the existing erosion problems could be addressed.

- ***Social Implications***

The social implications from the following recommendation is that the residents would gain a safe all weather road access to their properties.

- ***Economic (Financial) Implications***

The financial implication from the following recommendation is that \$3,000 be made available from the Minor Roads vote and \$6,000 funded from the General Resheeting Program.

- *Policy or Statutory Implications*

There are no policy or statutory implications.

- *Director's Review*

Rarely can the dedication of a Crown Road in poor condition be supported. However, given the number of benefiting dwellings and the number of Rights of Carriageway in the area as a result of subdivisions previously approved by Council, this section of road should be dedicated given that contributions will be received from the benefiting landowners.

RECOMMENDATION:

1. That the Department of Lands be approached to convert the first 1.70km of Swan Lane from Crown Road, to a Dedicated Public Road, and that this section of road be added to the Council maintained length of roads.
2. That the promised contributions be recovered from the benefiting property owners.