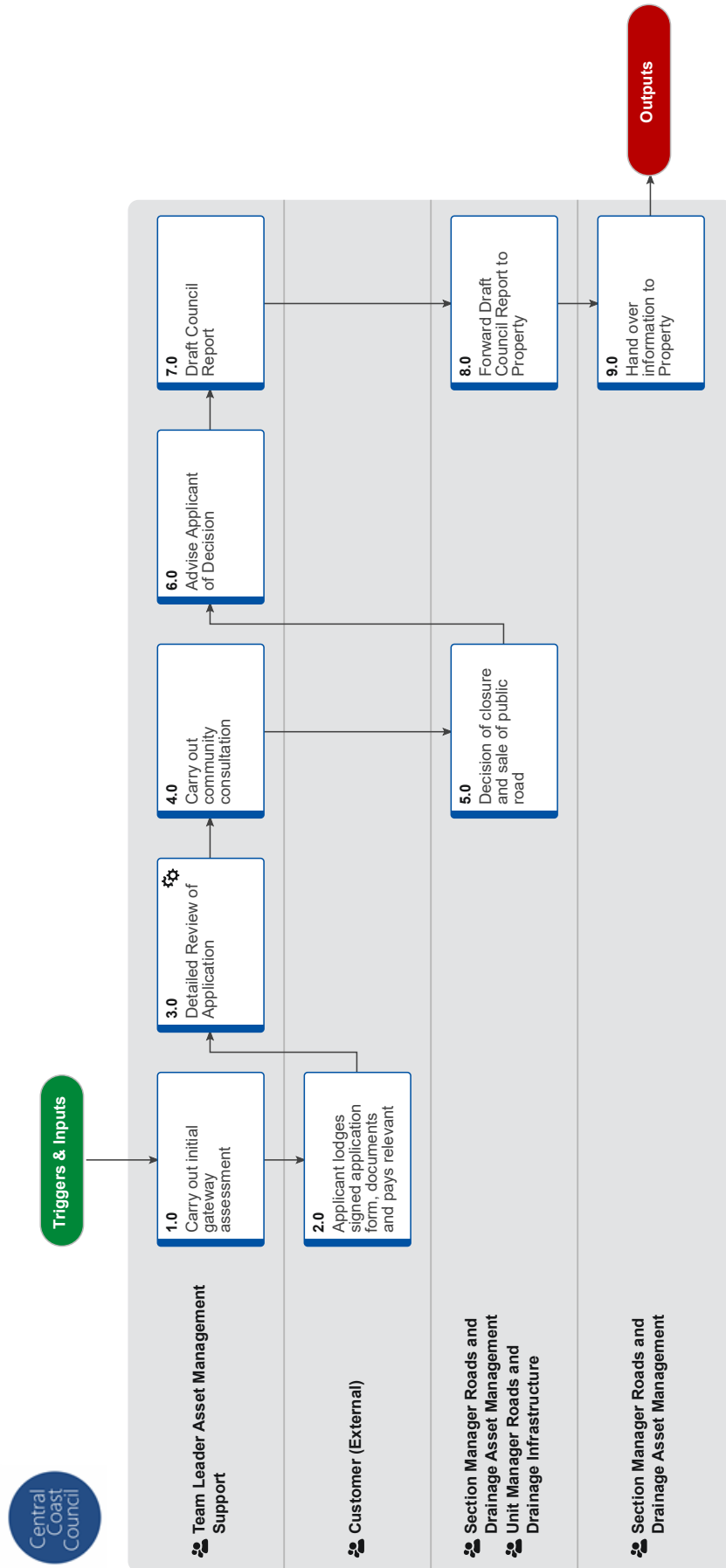


Process applications for permanent closure and sale of public road v1.0



Summary

Objective

This objective of this process is to show how to process the applications to permanently close and sell a public road that is under the control of Central Coast Council in accordance with Section 34 of the Roads Act 1993 .

Background

There are portions of land designated as road reserve throughout the local government area which are not constructed as road or used for road purposes. Whilst the majority of this land is required by Central Coast Council there are some instances where the road reserve is not required for future use and can be sold to the adjoining land owner.

Owner Casey De Pereira

Expert Rachel Jackson

Procedure

1.0 Carry out initial gateway assessment

Team Leader Asset Management Support

- a** Review the applicants request of closure and purchase of road to identify constraints that would prevent further consideration of sale

NOTE What is insufficient information is provided by the Applicant?

Where a request is received incomplete or with insufficient information, it is to be returned to the Applicant to request adequate details be provided to allow an initial gateway assessment to be carried out.

- b** Review all attributes of the road requested by the Applicant which include but not limited to: ownership, indigenous matters and culture, appropriate zoning, flooding issues, if the land is reserved for a purpose that is not consistent with sale, if the sale of the land would cause access issues for adjoining land owners, if the land is subject to a Council tenure.

NOTE Ensure to check with internal stakeholders

Dependent upon the road, the proposal to permanently close and sell will need to be circulated to internal stakeholders such as Property, Water & Sewer, Waterways and Strategic Planning,.

- c** Provide Applicant with the outcome of initial gateway assessment

NOTE Where an initial gateway assessment supports further investigation towards the proposed closure and sale, prepare template and forward to the Applicant

NOTE If the initial gateway assessment identifies the proposed closure and sale should not progress, the applicant is to be advised, prepare template and forward to the Applicant. The process may be discontinued at this step

2.0 Applicant lodges signed application form, documents and pays relevant Councils fees and charges

Customer (External)

3.0 Detailed Review of Application

Team Leader Asset Management Support

- a** Review the documents provided by the Applicant to ensure no objections from third parties and that all information is adequate.

NOTE What if insufficient information is provided by the Applicant?

Where a request is received incomplete or with insufficient information, it is to be returned to the Applicant to request adequate details be provided to allow a detailed review of the application to be carried out.

- b** Consider the application against all factors identified during the initial assessment in further detail

- c** Investigation undertaken into the closure and sale of the public road that provides clarity and confidence to stakeholders that high standards of transparency. The assessment of the proposal is carried out in a consistent and fair manner. To ensure outcomes are aligned with the broader public interest in also considering economic, social, cultural and environmental values.

- d** Each public road has its own circumstances which will be investigated and dealt with on its own merits and considering the appropriate legislation under the Roads Act 1993. Factors taken into consideration before reaching a decision include, but are not limited to:

- current use of the road for access, including any topographical or environmental constraints
- maintaining the primary (or most practicable) legal access, where already available to each property
- alternative access needs (if any) to surrounding properties
- maintaining legal access to other Council land (for example reserves or waterways)
- current authorised use of the road by other parties such as enclosure permit or licence
- asset encroachments within the road reserve
- existing easements which either incorporate use of the road or pass over the road.

NOTE The detailed review of the application may result in the application being discontinued at this step

4.0 Carry out community consultation

Team Leader Asset Management Support

- a** Prepare notification to adjoining and affected landowners to advise of the proposed road closure and sale and determine if there is any other interest in the purchase. A period of twenty eight days is to be provided as minimum for submissions to be made to Council, in writing.

NOTE Templates are available for use to forward to adjoining and affected landowners

NOTE What if the Applicant has provided adjoining owners agreement in the application?
Council is to carry out due diligence and confirm that adjoining and affected landowners do not have any objections to the proposed closure and sale of road to the Applicant. This is to ensure there is no community disputes and/or anti-social behaviour occurring and provides open and transparent transaction to all parties.

b Review any submissions received to identify of any objections to the application

NOTE Should the objections be able to be overcome, the application can proceed

NOTE Should the objections not be able to be overcome, the application may be discontinued at this step

5.0 Decision of closure and sale of public road
Section Manager Roads and Drainage Asset Management, Unit Manager Roads and Drainage Infrastructure

a Provide recommendation of any proposed sale and closure of public road to Section Manager and Unit Manager for approval

6.0 Advise Applicant of Decision
Team Leader Asset Management Support

a Provide Applicant with outcome of the detailed review of the application. The outcome will be in writing and provide details of the decision

NOTE Where the detailed review of the application supports progressing the proposed closure and sale, prepare template and forward to the Applicant

NOTE If the detailed review identifies the proposed closure and sale should not progress, the applicant is to be advised, prepare template and forward to the Applicant. The process may be discontinued at this step

7.0 Draft Council Report
Team Leader Asset Management Support

a Draft Council Report to provide information the proposed closure of the public road. Include the details from the investigation, review and application to allow the elected Council to be informed.

8.0 Forward Draft Council Report to Property
Section Manager Roads and Drainage Asset Management, Unit Manager Roads and Drainage Infrastructure

a Draft report which has been approved with road content is to be forwarded to Property to allow information on the sale and valuation to be included.

9.0 Hand over information to Property
Section Manager Roads and Drainage Asset Management

a Where public road has been determined as suitable for sale, it will be forwarded to Property to progress at this point. It is acknowledged that it will prioritised against other proposals and will proceed on its own merits against other proposals.

Triggers & Inputs

TRIGGERS

Starts	Frequency	Volume
Receipt of customer request to purchase a road	Adhoc	Adhoc

INPUTS

None Noted

Outputs & Targets

OUTPUTS

None Noted

PERFORMANCE TARGETS

None Noted

Process Dependencies

PROCESS LINKS FROM THIS PROCESS

None Noted

PROCESS LINKS TO THIS PROCESS

None Noted

RACI

RESPONSIBLE

Roles that perform process activities

Customer (External), Section Manager Roads and Drainage Asset Management, Team Leader Asset Management Support, Unit Manager Roads and Drainage Infrastructure

Systems that perform process activities

None Noted

ACCOUNTABLE

For ensuring that process is effective and improving

Process Owner	Casey De Pereira
Process Expert	Rachel Jackson
Automation Specialists	Rachel Jackson
Approvers	Rachel Jackson
Publishers	Rachel Jackson

CONSULTED

Those whose opinions are sought

STAKEHOLDERS

None Noted

STAKEHOLDERS FROM LINKED PROCESSES

None Noted

INFORMED

Those notified of changes

All of the above, as well as; James Taylor[System Stakeholder]. These parties are informed via dashboard notifications.

Systems

Legislation

Lean

None Noted

Process Approval

Date	Approver	Type
21-11-2021 (GMT)	Rachel Jackson	Process Expert
Approval bypassed	Casey De Pereira	Process Owner
21-11-2021 (GMT)	Rachel Jackson	Promaster

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