

#### 1. BACKGROUND

Coonamble Shire Council (the Council) is the roads authority for the purpose of managing Council Public Roads within its local government area (the Shire) as per *The Roads Act 1993*. In Part 10, Division 2 sections 153 - 157 of *The Roads Act 1993*, provisions exist for the short-term lease of unused public roads. All applications to Council for the lease of unused public roads are to be dealt with by Council in accordance with the Act.

#### 2. PURPOSE

To ensure that Coonamble Shire Council has available instructions for the option of leasing out an unused Council public road to an adjoining landholder or adjoining land lessee while maximising the use of the public road asset.

#### 3. POLICY OBJECTIVE

To make the best possible use of unused Council public road assets

#### 4. LEGISLATION

This policy is to be read in conjunction with the following:

- *Roads Act 1993*
- *The Local Government Act 1993*

#### 5. APPLICATION/SCOPE

This policy applies to:

- Short-term leases of public roads
- Owners of land adjoining a public road that is subject to a short-term lease

The General Manager has overall responsibility for ensuring this policy complies with Council's legal and code of conduct obligations, and that all those under Council's control comply with it.

The Council will lead the community in their understanding and compliance with this policy. Executive staff will implement this policy and lead Council staff in their understanding and compliance of this policy. Management will implement this policy,

provide guidance Executive and other Council staff as to the content and implementation of this policy, and ensure the timely review of this policy, every three (3) years is met. All Council staff will be required to comply with this policy and associated legislation when implementing the related set of procedures.

## 6. POLICY

Council is committed to providing short-term leases of its unused public roads to applicants according to the following conditions;

- Applicants seek procedural advice via a formal request to Council
- Applicants understand that an application is not itself a binding contract, and submission of an application does not guarantee a successful outcome
- The applicant is made aware that an application is non-refundable regardless of success
- Applicants are to be either an owner or a lessee of land adjoining the Council public road asset
- Council leases of a Council public road cannot exceed five (5) years inclusive of extensions
- Council must not provide a lease for any road under the authority of Crown Lands, or under the authority of Transport for NSW (TfNSW)
- Council gives public notice of the intent to lease out a given Council public road, inviting public submissions, for a period no less than twenty-eight (28) days;
  - On Councils Website
  - Via the local newspaper, and
  - To the owner of each land parcel adjoining the Council public road
- Council reserves the right to terminate any granted lease of unused Council public road at any time and for any reason
- The applicant accepts that under no condition shall infrastructure be erected on the leased Council public road without Councils permission

## 7. DEFINITION

Term	Definition
Public Road	<b>Public Road</b> is defined under <i>The Roads Act 1993</i> as; <ul style="list-style-type: none"><li>• any road that is opened or dedicated as a public road, whether under this or any other Act or Law; and</li><li>• any road that is declared to be a public road for the purpose of this Act</li></ul>
General Manager	Refers to the statutory executive of the Council as defined in Chapter 11 Section 335 of <i>The Local Government Act 1993</i> , including where on an Interim or Acting basis, and under any alternative titles.
TfNSW	Refers to Transport for NSW

<b>Title: Short-term Leases of Unused Council Public Roads Policy</b>		
<b>Department: Corporate Services</b>		
<b>Version</b>	<b>Date</b>	<b>Author</b>
V1.0	4 November 2025	S Lloyd
<b>Review Date: 2029</b>  This policy may be amended or revoked at any time and must be reviewed at least three (3) years since its adoption (or latest amendment). The Manager of Assets will be responsible for the review of this policy.		
<b>Amendments in the release:</b>		
<b>Amendment History</b>	<b>Date</b>	<b>Detail</b>
<b>Annexure Attached:</b>		
<b>Greg Hill</b> <b>General Manager</b>		