

MEETING: Ordinary Meeting of Council
DATE: 16th April 2024

DEPARTMENT: TECHNICAL SERVICES
OFFICER: Director of Infrastructure

REPORT ITEM	13.1	
REPORT TITLE	Road Access	
Budget Impact	Allocated: \$	Spent: \$
File Reference	14.67.2.2	
PILLAR Objective	COMMUNITY ASSETS & INFRASTRUCTURE In collaboration with the community, identify core community assets to be retained, maintained, managed and improved for community use.	

RECOMMENDATION

That Council approve/deny the request to have the set of gates from the unnamed road, 631 Brady Road removed.

EXECUTIVE SUMMARY

There is an unnamed road reserve providing access to a dwelling located at 632 Brady Road, section 364, and access to farm land section 365. A set of double gates have been installed for some time across the road reserve providing a degree of security to the dwelling. The owners of the dwelling do not reside at the dwelling full time and are onsite every few weeks.

The gates have been kept closed more often and not. There have been numerous disputes over the gate between the two neighbors, with the occupier of section 364 claiming it provides additional security to the property when unoccupied, whilst the neighbor accessing section 365 claims it to be unnecessary and a hinderance. The occupier of the primary production land has contacted the council requesting that the gates be removed entirely as the gates present a hinderance to accessing the farming land.

Ordinarily, the installation of infrastructure on a roadway is managed under Section 221 of the Local Government Act, with an appropriate permit and conditions issued. It is not possible to determine exactly how long the gates have been in place for. There is no Council authorization for the installation of the gates, however if the gates were to be approved, there are no concerns regarding the ability to issue a section 221 permit.

Due to the ongoing conflict between the two neighbors, staff are seeking a decision as to whether the gates are left in place or removed.



Location of Gates on Road accessing sections 364 & 365,



View of gates from Brady Road



Property located on section 364, access road running to right of property to access section 365