
Cessnock City Council

Road Standards, Development and Transfer of Crown Roads

Date Adopted 16/03/2010 Revision: 4

1. Policy Objectives

The objectives of this policy are to set out the circumstances where Council will accept transfer of a Crown Road to Cessnock City Council

2. Policy Scope

This policy applies to the development and transfer of Crown Roads

3. Policy Statement

For the purpose of applying the appropriate policy for the time period, the following sub sections outline the policy to be applied according to the date that the development took place.

3.1. Transfer of Crown Roads to Council prior to 21 September 2006:

Council accept transfer of Crown Roads on a case to case basis from the Department of Land and Property Management Authority in consultation with Council's Infrastructure & Services Department. Request for transfer can be instigated by either party (Sections 150 & 151 Roads Act 1993) and each road is to be assessed in Council's historical dealings with the road in question including any previous construction and /or maintenance undertaken by Council. Council's past approval of development accessing Crown Roads does not constitute an automatic acceptance of ownership.

3.2. Transfer of Crown Roads to Council from 21 September 2006:

Council accept transfer of Crown Roads in accordance with the *Protocols for Transfer of Crown Roads Required to Service Developments* agreement between Council and the Land and Property Management Authority signed 21 September 2006 in relation to developments approved by Council accessing Crown Roads.

3.2.1.1. Road Standards for Crown Road Transfers

In respect of Crown Roads proposed to be transferred to the care and control of Council, the road will be required to be constructed to the standard identified in Council's *Engineering Requirements for Development*.

Council will only accept the ownership of Crown Roads that are to service a development, after the Construction Certificate for Engineering Roadworks on that section of Crown Road has been approved by Council and is on the basis of the Department of Land and Property Management Authority's agreement to take these roads back if the development does not proceed within the normal period with which the consent operates.

4. Policy Administration

Business Group:	Works and Infrastructure
Responsible Officer:	Infrastructure Manager
Policy Review Date:	Three years from date of adoption unless legislated otherwise
File Number / Document Number:	DOC2018/027859
Policy Number:	R35.3
Relevant Legislation:	<ul style="list-style-type: none"> • EP&A Act and Roads Act 1993 • NSW Roads Act 1993
Related Policies / Protocols / Procedures	<ul style="list-style-type: none"> • Protocols for Transfer of Crown Roads Required to Service Developments – D0000/811438

5. Policy History

Revision	Date Approved / Authority	Description Of Changes
1	15 March 2000 DC&RS 18/2000 - 135	New policy adopted
2	20 January 2005	Periodic review
3	16 March 2010 (OR4/2010)	Periodic review
4	19 August 2019	Updated to new policy format