Item 10: Operations

10.1 Land Purchase for Road Realignment - 6166 Bylong Valley Way (Part Lot 5 DP 1175935) - Mr L Braithwaite

REPORT BY THE SENIOR WORKS ENGINEER
TO 15 APRIL 2020 ORDINARY MEETING
GOV400087, ROA100463

RECOMMENDATION

That Council:

1. receive the report by the Senior Works Engineer on the Land Purchase part Lot 5 DP 1175935 for road realignment - 6166 Bylong Valley Way, Budden NSW;

2. resolve to purchase the 386m2 of Lot 5 DP 1175935 ('Sale Land') by agreement with the Vendor for the Sale Price of $1000.00 for the purpose of public road;

3. agree for Council, at its own cost, to procure the preparation, lodgement and registration of an appropriate Subdivision Plan giving effect of the road realignment;

4. authorise the General Manager to complete and execute all documentation necessary to effect the subdivision and land purchase; and

5. amend the 2019/20 Budget as follows:

5.1 Transfer $4,000 from Bylong Valley Way RNSW, funded $3,000 from grants, and $1,000 from RMS contributions to Regional Sealed Road Land Matters.

Executive summary

The Bylong Valley Way RNSW2080 project requires the purchase of private land to progress realignment of a section of the road. It is proposed:

- The transfer of the Sale Land to Council is to be carried out by way of a plan of subdivision ('Subdivision Plan'), the registration of which will cause the Sale Land to be dedicated as a public road, for the purposes of the Roads Act 1993, and become part of Bylong Valley Way, being a public road.
- In consideration of the sale of the Sale Land, Council agrees to pay, and the Vendor agrees to accept, the sum of $1,000.00 ('Sale Price').

It is recommended that Council proceed with the subdivision and purchase of the Sale Land and authorise the General Manager to perform all duties necessary to finalise the land transfer.
Disclosure of Interest

Nil

Detailed report

Council’s has been successful in application for Restart NSW funding for proposed pavement strengthening, widening and upgrades to 9.4km’s of Bylong Valley Way (‘RNSW 2080 fund’).

Part of the upgrades proposed for Bylong Valley Way Milestone 2 works requires realignment of the geometry of a corner to improve road safety and handling. In order to progress this element of the project the purchase 386m² of private land is required. Part of Lot 5 DP1175935 (‘Sale Land’) is currently owned by Mr. Lionel L. Braithwaite (‘the Vendor’).

Staff have made contact with the Vendor to discuss terms that would satisfy both parties for acquisition by agreement, that is:

a) The transfer of the Sale Land to the Purchaser is to be carried out by way of Subdivision Plan, the registration of which will cause the Sale Land to be dedicated as a public road, for the purposes of the Roads Act 1993, and become part of Bylong Valley Way, being a public road.

b) In consideration of the purchase of the Sale Land, Council agrees to pay, and the Vendor agrees to accept, the sum of $1,000.00 (‘Sale Price’).

Community Plan implications

<table>
<thead>
<tr>
<th>Theme</th>
<th>Connecting Our Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goal</td>
<td>High quality road network that is safe and efficient</td>
</tr>
<tr>
<td>Strategy</td>
<td>Provide a roads network that balances asset conditions with available resources and community needs</td>
</tr>
</tbody>
</table>

Strategic implications

Council Strategies
Not Applicable

Council Policies
Not Applicable

Legislation
Not Applicable

Financial implications

The Bylong Valley Way upgrade project has a budget of $5,185,000 with pro rata contributions of 75% RNSW 2080 fund and 25% Council. This will fund the compensation and all associated subdivision and administration expenses.

The budget variation is required to allocate project funds to the purchase of this portion of land for realignment, but has no net impact to the budget or ratios.
Performance Ratio | Revenue | Infrastructure Renewal
--- | --- | ---
2019/20 | – | – | –
Future Years | – | – | –

Associated Risks

This matter is considered low risk and does not require mitigation measures.

RAY KEARNS
SENIOR WORKS ENGINEER

GARRY HEMSWORTH
DIRECTOR OPERATIONS

1 April 2020

Attachments: 1. Location Map & Corner Realignment Detail.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER
Figure 1: Detail of Corner Realignment

Alignment Legend:
- Utility Control String Line
- Safety Barrier Control String Line
- NSW Control Line and Checklines
- NSW Safety Barrier
- Survey Mark (Top Point)
- Survey Mark (Corner Point)
- Approximate Extent of Property Acquisition