

ATTACHMENT 4

KEY ADVANTAGES AND DISADVANTAGES OF RETAINING OBSTRUCTED ROADS AS PUBLIC ROADS

ADVANTAGES	DISADVANTAGES
No change to service provision or existing rights based on historical commitments to manage as 'public roads' – noting most roads have been on the Register prior to 2011	Council may not be able to maintain or repair existing laneways and passageways
No impact on potential historical agreements between Council and landowners and wider community	Council potentially liable should there be injury, loss or damage on an obstructed laneway or passageway
Protection of public assets based on Council's current understanding of 'road' status – assists Council's enforcement processes to provide public access and protect adjacent private assets, noting divided public opinion over access and public use of assets	
Retaining obstructed laneways and passageways until contested ownership is resolved seen as measure to deter future obstruction of land	
No changes to resourcing or processes to management road infrastructure	

KEY ADVANTAGES AND DISADVANTAGES OF REMOVING PUBLIC ROAD STATUS OF OBSTRUCTED ROADS

ADVANTAGES	DISADVANTAGES
Council's level of liability is likely to be reduced if there is an injury, loss or damage on an obstructed laneway or passageway	Removal of 'public road' status may encourage obstruction of 'roads' and may limit Council's ability to protect public assets and enforce public access and protection of private assets, noting divided public opinion over access and public use of assets
	This would represent a change in Council's existing service provision and may impact on historical arrangements between Council, landowners and the community