

## 6.2.2 Road Discontinuance and Street Name change - Lecky Road Officer South

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### Recommendation(s)

That Council having given public notice of a proposal to discontinue part of Lecky Road, Officer South as shown in Attachment 1 (Road) pursuant to s206, Schedule 10, Clause 3 of the Local Government Act 1989 and having considered no submissions being made in respect of the discontinuance, hereby directs:

1. that a notice be published in the Victorian Government Gazette to discontinue the Road
2. that the Road be removed from the Councils register of Public Roads in accordance with section 17(4) of the Road Management Act 2004 as it is no longer reasonably required for general public use;
3. notify the Department of Energy, Environment and Climate Action that the land has reverted to the crown as unreserved crown land following, the publication of the notice in the Government Gazette; and
4. notify the Geographic Names Victoria of the name change of the section of road to the east of the discontinued road from Lecky Road to Nancie Road.

### Attachments

1. Lecky Rd plan [6.2.2.1 - 1 page]

### Executive Summary

Council is proceeding with the proposal to discontinue a section of Lecky Road Officer South, to deliver on the adopted Cardinia Road Employment Precinct Structure Plan (PSP). The section of road is a government road and therefore when discontinued it will revert to the Crown and the Department of Energy, Environment and Climate Action (DEECA) will then be responsible to create Melbourne Water as the committee of management for it to be maintained as a drainage path.

### Background

The PSP includes a proposal to discontinue two sections of Lecky Road for the land to be created as a drainage path. Furthermore, the planning permit for the development of 70 Lecky Road includes a requirement for the discontinuance of the two sections of Lecky Road.

Officers have commenced the discontinuance process under delegation for the section of Road. The western section of road to be discontinued will occur at a later time based upon the timing of development of the adjoining land, this is also shown on the attached plan for information.

Officers gave public notice on Wednesday 28 February of the proposal to discontinue the Road (Proposal) in accordance with s207A, Schedule 10 Clause 3 and s223 of the Local Government Act 1989 (LGA). Public notice was given in the Pakenham Gazette, on the Councils website and a letter to all abutting owners allowing for submissions to be provided for a period of 28 days.

No submissions were received in relation to the Proposal, therefore officers seek approval to discontinue the Road. If Council resolves to discontinue the Road a notice will be included in the Victoria Government Gazette discontinuing the Road at which point the land will revert to the crown as unreserved crown land. Furthermore, the Road will also be removed from the Public Road Register.

As a result of the road discontinuance Lecky Road will be inaccessible along its full length, therefore in accordance with Geographic Names Victoria (GNV) provisions, the isolated sections of Lecky Road require renaming, each with a unique name. The renaming is necessary before lots being developed can be appropriately addressed.

It is proposed that the eastern section of Lecky Road be renamed to Nancie Rd. Officers wrote to adjoining owners previously seeking feedback about this proposition. Feedback was considered and the proposed renaming has been included with the road discontinuance public notice. A further name change will be proposed in the future for the western section of Lecky Road, following the second road discontinuance with a proposed name change to Kathleen Grove.

### **Policy Implications**

The Proposal is carried out in accordance with the Road Discontinuance Policy 2024. In particular, the Proposal meets the objective of improving local amenity for residents.

### **Relevance to Council Plan**

#### **3.1 We value our natural assets and support our biodiversity to thrive**

3.1.3 Work with community to improve and manage our natural assets, biodiversity and cultural heritage.

#### **5.1 We practise responsible leadership**

5.1.1 Build trust through meaningful community engagement and transparent decision-making.

### **Climate Emergency Consideration**

The Proposal will allow for the development of the wetlands shown in the attached plan as included in the PSP.

### **Consultation/Communication**

Council gave public notice in accordance with section 223 of the LGA allowing for submissions to be received for a period of 28 days. No submissions were received. The second section of road to be discontinued will be carried out at an appropriate time in accordance with the development of land along Lecky Road and as such public notice associated with the second discontinuance will occur at that time.

Officers previously consulted with Geographic Names Victoria and abutting owners in relation to the proposed name changes, being the eastern section of Lecky Road to Nancie Road and the western section to Kathleen Grove.

The proposed names associated with the proposal and the future section of discontinuance are to honour the two sisters, Nancie and Kathleen Kinsella who were the daughters of Michael Kinsella and Susan Kinsella (nee Lockens) of Cora Lynn. The family moved to Cora Lynn in 1905, having purchased 60 acres of land north of Main Drain.

Nancie was born in 1900 and Kathleen in 1904, and they had three older brothers, Arthur, Daniel and Norman. The children attended school at Koo Wee Rup North State School and then Cora Lynn State School. Nancie and Kathleen both went on to become nurses. Nancie left Australia prior to the war and, after the outbreak of war, enlisted with Queen Alexandra's Imperial Military Nursing Service. Nancie was awarded an MBE in recognition of gallant and distinguished services and the Associate

Royal Red Cross medal for bravery and exceptional devotion to duty. Kathleen enlisted with the Australian Army Nursing Service. Sadly, Kathleen died as a passenger on the Vyner Brooke Ship. The Ship, which was boarded by civilians and nurses, was bombed, strafed and sunk.

### **Financial and Resource Implications**

No income will be derived from the Proposal, however the survey and public notice costs associated with the Proposal are quoted at \$9,500.

### **Conclusion**

As no submissions have been received and the Proposal is a recommendation of the PSP it is proposed that Council endorse the discontinuance of the Road, remove the Road from the public road register and notify the Geographic Names Victoria of the change in name of the section of road to the east of the discontinued road to Nancie Road as shown on the attached plan.

Attachment – Lecky Road Officer South - Road Discontinuance Proposal



Note: The Road Discontinuance between Lecky Road and Nancie Road will be completed first.