

Council Policy



Policy Title:	Road Management Policy
Policy Number:	11.7
Focus Area:	Provides infrastructure that meets community needs
Responsibility:	Asset Systems and Planning
Meeting Adopted:	17 October 2023 - 171023/10

INTRODUCTION

Richmond Valley Council (Council), as the roads authority under the *Roads Act 1993*, is responsible for the care, control and maintenance of 1,065km of public road network within the Local Government Area.

Council is responsible for funding, planning, designing and operating the road network and footpaths. This includes engaging with communities on the safe use of roads and other public spaces, planning for local communities and implementing community health and safety initiatives to improve road safety. Council has a responsibility to take reasonable steps to protect the public from foreseeable dangers on the road network and to adequately address risks which are known.

Council has an obligation to undertake the management of public road infrastructure with compliance with safety standards and implement general procedures and standards to exercise functions for risk management of the road network.

This policy aims to ensure that activity on or within Council's Road reserve is planned, assessed and managed in accordance with relevant legislation will ensure consistency, and transparency.

OBJECTIVE

The objective of this policy is to:

- Identify the circumstances under which Council will consider the acceptance of roads within the regular maintenance program;
- Define the operational management requirements relating to undertaking works on affected land within a road reserve;
- Ensure a framework for risk management of Council's road network is implemented;
- Define the criteria and hierarchy of roads directly linking to levels of service and treatment options for roads based on hierarchy and condition;
- Ensure a systematic approach is established for the inspection, prioritisation and response to risks;
- Provide the guidelines for crown roads or roads not managed by Council;
- Provide access throughout the Council area to facilitate the provision of assistance in times of emergency;
- Facilitate a safer local and regional road network.

SCOPE

The Policy applies to all roads within the Richmond Valley Local Government Area.

This policy is to read in conjunction with the *Road Reserve Management Plan* and *Road Network Management Plan*.

POLICY

Richmond Valley Council, as the roads authority under the Roads Act 1993, acknowledges responsibility to undertake reasonable steps to sustainably manage public road infrastructure to comply with safety standards and implement general procedures to protect the public from any foreseeable dangers on its road network.

General Principles

- Council funds shall not be expended on any road not included in the road maintenance register.
- Council may accept the responsibility for other roads for maintenance and ownership in accordance with the standards and requirements as outlined within this policy.
- Council may complete maintenance and construction on private roads or roads not under Council's control at the applicant's expense.
- The policy and associated management plans provide guidance for contractors, external service providers and the general public who seek to undertake identified activities within road reserves under Council's control.
- The policy and associated management plans ensure identified works performed within road reserves under Council's control are undertaken to standard, conducted by appropriately insured and licensed entities in a safe manner with minimal impact on the environment.

Any activities relating to works being conducted within a road reserve will be managed in accordance with the ***Road Reserve Management Plan***.

Council will undertake operational and maintenance of Council's public roads in accordance with the ***Road Network Management Plan***.

Background

NSW Roads are typically categorised into State, Regional and Local roads.

- State roads are classified with Transport for NSW as the relevant road's authority.
- Regional roads similarly are classified and managed by Council with funding assistance from Transport for NSW.
- Local roads are all public roads that are not State or Regional roads are managed and maintained by Council.

Roads categorised as Crown roads are under the ownership, care and control of NSW Crown Land as the relevant road authority. As such, consent is required from NSW Department of Planning and the Environment – Crown Lands for any activities, events or works on Crown Roads.

1. Acceptance of Roads to the Maintenance Schedule (Roads Maintenance Register)

Existing Maintained Roads

Council may accept existing maintained roads for inclusion as part of Council's road maintenance schedule if they meet the following criteria:

- The subject road must be the sole means of access to at least one residence. If a residence can obtain access from another maintained road, the road shall not be included.
- The maximum maintainable length shall be the distance to the access point of the last residential property which contains at least one residence, unless the road serves as a significant thoroughfare to other maintained roads.
- The road shall be a dedicated public road:
 - Where Council accepts maintenance over a Crown Road that was previously maintained by Council, it shall approach the State Government to have the road reclassified as a public road over the maintenance length. If the road is accepted for inclusion to the Roads Maintenance Register, all costs for reclassification will be met by Council.
 - Maintained roads that are within a National Parks and Wildlife Service or State Forest controlled road reserve will be taken off the road register and are not to be maintained in the future.
 - Maintained roads that are located on private property will be taken off the road maintenance register and are not to be maintained in the future.
- Constructed roads shall be wholly located within the designated road reserve. If this is not attainable, then Council will work towards that goal within Council's funding limits.

New Roads

Council may accept new roads for inclusion as part of Council's road maintenance schedule if they meet all the following criteria:

- The subject road must be the sole means of access to at least one residence. If a residence is able to obtain access from an existing maintained road, the road shall not be included.
- The maximum maintainable length shall be the distance to the access point of the last residential property which contains at least one residence, unless the road serves as a significant thoroughfare to other maintained roads.
- The road shall be a dedicated public road:
 - Where Council accepts maintenance over a Crown road that was not previously maintained by Council, it shall approach the State Government to have the road reclassified as a public road over the maintenance length. If

the road is accepted for inclusion to the roads asset register, all costs for reclassification will be met by the applicant.

- Roads within a National Parks and Wildlife Service or State Forest controlled road reserve will not be considered.
- Roads located on private property will not be considered.
- The road and appropriate structures shall be constructed or upgraded at no cost to Council to the required standard specified in the Northern Rivers Development and Design Manual (current version), the Northern Rivers Construction Manual (current version), AUSPEC and Council's current hierarchy standard.

Council will endeavour to provide a minimum of a Class C gravel unsealed hierarchy road to the access point of the last residential property which contains at least one residence in accordance with this policy and funding constraints.

Further additions to the road's maintenance asset register will only be considered on a written request to Council. In determining an application Council will consider the above criteria, community impact, Council's financial position and the ability to maintain the additional road length.

Council may consider acceptance of roads that do not meet the above criteria but serve as an access requirement for Council's operations (e.g. access to Council's infrastructure) or to State Government operations where a contribution is made to the road.

All roads created by approved subdivisions and constructed to standard shall be added to Council's roads maintenance register at the end of the construction period. This does not include subdivisions of community title or the like where the assets are maintained by the various owners.

2. Roads Not Accepted for Maintenance

Council may accept undertaking the responsibility of being the road authority of a road via transfer (existing road) or plan of subdivision (new road) however declines to accept future road maintenance.

This will be formalised via a Council resolution and details will be recorded against Council's road register. Council will ensure details of the decision are noted in future planning s10.7 certificates issued with respect to all properties requiring access from the road. This can be taken to occur when roads are added to the road asset register, but funding limitations prevent any maintenance being done on the subject road.

Current maintained roads that do not comply with criteria (1) above will be taken off the road maintenance register and are not to be maintained in the future.

Requests for roads to be included in the roads maintenance register that are outside this Policy will be addressed by Council on their individual merit.

3. Road Classification and hierarchy changes

Each road within the Richmond Valley has been assigned a classified hierarchy rating which defines the construction guidelines standards and service levels.

Council will undertake operational and maintenance of Council's public roads in accordance with the **Road Network Management Plan**.

A request can be made to upgrade a hierarchy classification from an unsealed to sealed road. The initial construction costs to construct the upgrade must be borne by the applicant/s.

A request can be made to upgrade the hierarchy of a road for maintenance purposes, eg Class D to C gravel road. Council will consider the construction standard, traffic use, community impact, Council's financial position and the ability to maintain the additional road at an increased service level.

Any costs for developments that generate extra traffic that require an unsealed road to become sealed will be borne by the applicant.

Determination on hierarchy classification and any changes is the sole responsibility of Council.

Upgrading works would only be permitted following Council agreement to accept responsibility for future maintenance of the road to the standard of the classification. Once the upgrade is approved and works completed then Council would accept the maintenance of this road at its new classification.

4 Crown Roads

Council acknowledges the NSW Crown Lands guidelines and criteria for transfer of Crown Road to Council.

Council may accept roads to be transferred from Crown roads to a Council public road but in doing so may specify that the Council will not accept future maintenance of the road.

5 Roads managed by other authorities

Council has no authority to approve use, construction, occupation or works which are the responsibility of another road authority. This includes roads owned by Transport for NSW, Local Land Services, national parks, state forests, crown road or privately owned roads. Council has no obligation for the inspection, maintenance, condition or safety of any roads managed by other authorities.

6 Authorisation of Works on Private Property

There are locations within the Richmond Valley where the road construction is formed outside of the road reserve. The intent of the policy is still to undertake maintenance and to work towards legalising these discrepancies. However, legally Council is not permitted to carry out works on roads that do not lie within a Council controlled road reserve. The adoption of this policy authorises Council staff to enter private property and work on Council's assets where sections of the formed road lie outside of the designated road reserve in accordance with the provisions of the Section 67 of the *Local Government Act (1993)*.

A fee of zero dollars (\$0) applies to these works.

7 Budgeting

Council will assess in formulating its annual road budget (in context of its overall budget), the appropriate allocation of funding to maintenance works in such a way as to generally achieve the best possible long-term overall condition of the road network.

REFERENCES

- *Roads Act 1993 (NSW)*
- *Crown Land Management Act 2016 (NSW)*
- *Local Government Act 1993 (NSW)*
- NSW Department of Industry – Guideline administration of Crown Roads.
https://www.industry.nsw.gov.au/_data/assets/pdf_file/0017/164033/Administrati-on-of-Crown-roads-guideline.pdf
- Richmond Valley Council Revenue Policy
- Asset Management Policy
- Asset Management Strategy
- Road and Transport Asset Management Plan 2022-2032
- Road Network Management Plan
- Road Reserve Management Plan

REVIEW

This policy will be reviewed at the time of any relevant legislative changes, compliance requirements or at least every four years.

Version Number	Date	Reason / Comments
1	23 June 2015	New policy
2	17 October 2023	Review and updated to Council's hierarchy as per the Roads and Transport Asset Management Plan 2022-2032.