Council Policy – Road Management

Responsible Directorate	Infrastructure Services
Responsible Business Unit/s	Road Maintenance Town Maintenance
Responsible Officer/s	Manager Infrastructure Operations Coordinator Roads
Affected Business Unit/s	Assets and Programming

Objective

To provide a framework for making consistent and structured decisions as to whether a road or area of land used as a road should be included on the Shire of Ashburton's (the Shire) Road Register.

Specifically, the objectives of this policy are to establish the:

- circumstances under which the Shire will accept responsibility for a road, sections of road or area of land used as a road; and
- process required for the Shire to accept responsibility for a road, sections of road or area of land that is not currently listed in the Road Register.

Scope

This policy is intended to apply only to those roads and road reserves for which the Shire is the responsible authority.

There are numerous roads and tracks within the Shire that Council is not responsible for but are managed by other authorities such as Main Roads Western Australia, the Department of Department of Biodiversity, Conservation and Attractions and other State authorities. In particular, the majority of roads and tracks through National Parks are not the responsibility of the Shire. A small number of private roads are the responsibility of their respective owners.

Roads and road reserves that are the responsibility of other authorities (eg. State roads, National Park roads, private roads etc.) are not included in this policy. This policy is intended to apply consistently throughout the Shire.

Policy Statement

Background

The Shire is committed to the provision and maintenance of roads within its boundaries and has an obligation to ensure that the road network provides an appropriate level of service and functionality for the road user.

A Road Management Policy is required to set out a framework for making consistent, structured and justifiable decisions as to whether a gazetted road or area of land used as a road is reasonably required for general public use and is therefore considered to be a 'Public Road'. Once identified as a Public Road and the responsibility of the Shire, it is considered a 'Shire road' and must be included in the Shire's Road Register.

Inclusion in the Road Register is an acknowledgement by the Shire that it is the responsible road authority in respect of the Public Road, and therefore has the responsibility for its ongoing maintenance, repair, inspection and the risks associated with this function. The level of service is dependent on the classification of the road in the road hierarchy, the standard to which the road has been constructed, the funds available for the maintenance and the level of risk deemed applicable to that road.

If the Shire decides that an area of land used as a road is not the Shire's responsibility, and therefore not a Shire Road then the Shire does not have any statutory or common law duty to inspect, repair or maintain the area of land. In this case, the Shire has the discretion, not duty, to inspect, maintain and repair areas of land used as a road that are not on the Road Register.

The Shire will be able to determine whether a road is a Shire road based on the criteria set out in this policy.

Road management

This policy sets out the guidelines for staff and elected members in relation to the management of roads within the Shire boundaries.

1. The Shire is responsible for the management of Shire Roads within its boundaries.
2. The Shire shall maintain a Road Register detailing the roads for which it is the responsible road authority. The Road Register is a living document that is to be updated, as required by resolution of Council.
3. The criteria for determining consideration for inclusion on from the Road Register are as follows. The road should satisfy at least one of the following criteria:
    a. Is gazetted;
    b. Provides primary access to at least one full-time occupied property (ie. the property is otherwise land-locked and without any road frontage);

c. Has previously been constructed by, or regularly maintained by the Shire;

d. Provides clear benefit to several property owners (not just one);

e. Connects into and forms part of the wider network of Public Roads;

f. Serves a defined purpose or function for the public (.e. there would be consequences if public access was removed and/or the needs for public use cannot be readily accommodated with alternatives); and/or

g. Provides for a social or economic benefit such as tourism.

4. The Shire shall maintain a Road Asset Management Plan that, as a minimum, outlines the following:

   a. The Road Hierarchy System,

   b. Levels of service,

   c. Inspection programs,

   d. Construction standards,

   e. Maintenance standards, and

   f. Road condition reporting.

Road Register

The Shire maintains a Road Register. Roads that are not included in this register are currently not recognised by the Shire as assets, nor does the Shire accept any maintenance responsibility for such roads.

The existing extent of the Shire's road network has been determined from historical records of the extent to which the Shire has established and maintained the road network, with some additional roads that Council has formally accepted responsibility for, generally through land development.

Council may determine that additional roads, sections of roads or areas of land used as roads be included in the Road Register in accordance with this policy.

Other considerations

Request for road registration or improvement

In circumstances where property owners or ratepayers wish to have a presently unregistered road included in the Shire's Road Register and for it then to be maintained by the Shire, the ratepayer/s or property owner/s may make application in writing to the Shire to have the road included.

The road will be inspected and a report prepared for Council's consideration of the matter at an Ordinary Council Meeting. Council will not accept responsibility for roads which do not meet the minimum criteria specified in this policy. The road will also be assessed against, and must reach at least the minimum standards, that are described in the Road Asset Management Plan.

Where work is required to bring the proposed road up to a standard that is acceptable by Council, the costs of performing such work shall be borne by the proponent or proponents that have made the application to have the road included in the Road Register.

In considering such a proposal, Council will have due regard for the criteria for determining inclusion on the Road Register and the ongoing maintenance costs generated by the improved road.

New developments

Where a new development on rural land requires a higher standard of road than has been provided, the costs associated with upgrading of the road will be the full responsibility of the developer. Every effort should be made to address this issue as part of the planning for the development.

Definitions

Road Register is a register of all public roads for which the Shire is the responsible road authority.

Shire Road means any public road that is on the Road Register of the Shire.

Relevant policies/documents

Shire of Ashburton Strategic Community Plan 2022-2032
Council Policy - Asset Management
Strategic Asset Management Plan-2023-2028
Road Asset Management Plan
Road Register

Relevant legislation/local laws

Local Government Act 1995
Land Administration Act 1997
Main Roads Act 1930

Office use only				
Relevant delegations	Nil			
Council adoption	**Date**	9 May 2023	**Resolution #**	074/2023
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