

1. PURPOSE

This policy has been developed to give guidance to Council staff, contractors and land owners in establishing guidelines for the maintenance of Unmaintained and Unformed Public Roads.

2. OBJECTIVE


- 2.1. To establish guidelines for the management and administration of unformed roads, and road reserves.
- 2.2. To make a determination on those roads that should be incorporated into the maintained network.
- 2.3. To define guidelines that can be applied to all requests for maintenance of roads currently not on the maintained road register.

3. SCOPE

This policy applies to Unformed Public Roads not maintained by Council.

4. PUBLIC ROAD RESERVES

- 4.1 Council will not maintain every public road reserve within the shire whether formed tracks or unformed road reserves. Council will only provide a maintained road network within the limit of funds available as determined in Council's four (4) year Delivery Program and annual Operational Plan as amended from time to time.
- 4.2 Roads will only be added to the maintained list after consideration from Council and taking into account the cost to bring the road up to a minimum standard (as defined in the Road Asset Management Plan and Council Development Policies) and the impact of the total roads program.
- 4.3 Roads, or sections there - of that service less than five (5) residences will not be considered for addition to the maintained road list, noting that historically, there are roads within the shire that do not meet this requirement.
- 4.4 Road extensions beyond a property boundary will not be considered. Council considers that its first priority is to provide access to individual properties; access for the improved management of a property is the responsibility of the landowner.
- 4.5 Council may perform maintenance on unmaintained roads under a private works arrangement with the affected property owner(s) when plant is in the region and subject to current workloads.
- 4.6 Private individuals or Contractors may perform maintenance on public roads that are listed on the unmaintained road register, if and only if:
 - They have submitted an application to perform maintenance – Such application shall detail the extents of proposed maintenance activities, experience of the person performing the works, and plant and equipment to be used for the maintenance;
 - Appropriate traffic control plans are in place prior to undertaking the proposed works;
 - The applicant has a current Public Liability Insurance Policy to cover any mishap which may occur with a recommended minimum level of indemnity of \$ 10 million and such policy shall be suitably endorsed to cover Council.
- 4.7 Where the subdivision of land creates a new road, a condition of the development approval will be that the developer constructs the new road in accordance with Council requirements.

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Where the subdivision of land or a new development envisages the construction or upgrading of a road within an existing road reserve and the upgrade is solely for that development, a condition of approval will be that road access to that land is required to be upgraded to a standard sufficient to serve that development, in other cases Council may negotiate with the proponent for a contribution to the cost of the upgrade to enable the application to meet the requirements of the development.


- 4.8 Approval of a dwelling on a property on an unformed road a track does not commit the Council to the construction or repairs of that road. Council works are dependant on finances available and works programmed.

5. CROWN ROAD RESERVES

- 5.1 Council does not maintain or administer Crown Road Reserves. In the event of the Department of Lands proceeding to transfer Crown Roads to Council then Council will not maintain additional rural roads constructed as accesses to rural subdivision or properties.
- 5.2 Council may consider maintenance of Crown Roads where the road provides access to ten (10) or more subdivided lots or separate land holdings capable of being occupied and the road is upgraded by the subdivider or land holders to conform to the standards specified in Councils Road Asset Management Plan and Council Development Policies.

6. REFERENCES

- Report No 2 “Unmaintained and Unformed Roads Policy” submitted to the Asset Management and Works Committee of Thurs 28th January 2010
- Roads Act 1993
- Moree Plains Shire Council - Unmaintained Road Register

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