

## MAINTENANCE OF UNSEALED ROADS AND ROAD RESERVES POLICY

### Version-control information:

Adopted by CEO: 8 March 2022

Next review due: 9 March 2027

Previous version: Maintenance of Unsealed Roads Protocol, adopted 18/02/10

Policy register reference: 164

Responsible service: Infrastructure Services

**Contact position: Manager Infrastructure Services**

### Policy statement

Blue Mountains City Council will maintain unsealed roads and road reserves (including footpaths and nature strips) in a safe and accessible condition, while using Council resources responsibly. Council will not maintain unformed roads as trafficable roads.

### Scope

This policy operates under the provisions of the *Roads Act 1993* (NSW). It applies to all road reserves and unsealed roads on Council land. It excludes road reserves that adjoin nominated state roads (or that are managed by other public authorities), unformed roads, fire trails and Crown public roads.

### Roles and responsibilities

Positions	Responsibilities
Director Economy, Place and Infrastructure Services	Approve funding to seal unsealed roads or to undertake other major maintenance work up to the value of their financial delegation.  Approve maintenance work to be undertaken on private land (at the landowner's expense).
Manager Infrastructure Services	General oversight of maintenance works including but not limited to the management of maintenance strategy and routine maintenance programs.  On advice from the Operations Engineer, approve maintenance work up to the value of their financial delegation.
Operations Engineer	Review an Asset Investigation Officer's assessment and make a recommendation to the Manager Infrastructure Services. No delegation to approve works on unsealed roads.
Asset Investigation	Respond to maintenance requests for road reserves or

Officer	<p>unsealed roads by:</p> <ul style="list-style-type: none"> <li>• investigating the issue of concern,</li> <li>• assessing what action needs to be taken to resolve the issue,</li> <li>• assessing how urgent the issue is, and</li> <li>• notifying the requestor of their findings and decisions.</li> </ul> <p>Issue work orders to maintenance teams once the work is approved by the delegated authority.</p>
maintenance team	Undertake maintenance work as directed by the Asset Investigation Officer.
Emergency Management & Resilience team	Maintain official fire tails on Council-managed land.
Planning and Building Assessment teams	Assess development applications for upgrading or constructing unformed roads.
Development Engineering Team	<p>Provide comment on development applications including those for upgrading or constructing unformed roads.</p> <p>Assess and approve applications for works within the road reserve under section 138 of the Roads Act and undertake inspections of that work.</p>
private landowners	<p>Maintain driveways, footpaths and gardens within their property boundary.</p> <p>Submit and pay for a Roads Act application detailing any proposed works in the road reserve.</p> <p>Construct and maintain access from edge of seal to their property boundary in accordance with the determination of the Roads Act application.</p> <p>Pay for any maintenance work Council agrees to or must undertake on their land.</p> <p>Rectify and pay for any damage they have caused to Council land.</p>

## Definitions

Term	Definition
reactive maintenance	Maintenance that is undertaken only in response to a report, complaint or request. It is distinct from planned maintenance, which is done in line with a routine maintenance schedule.

requestor	A person who asks for maintenance work to be carried out on an unsealed road or a road reserve. A requestor could be a member of the public, a Council staff member or a representative of another authority.
road reserve	Includes land from the edge of the road seal to the nearest property boundary.
unsealed road	Roads on Council land that have sandstone or gravel surfaces.
unformed road	A road that has not been constructed by Council or handed over to Council in an approved form. Generally has a grass or natural soil surface where it is trafficable. Council does not maintain these roads but may carry out works such as weed control or stormwater management works.

## Table of contents

1. Introduction .....	3
2. Maintenance requests .....	3
3. Assessment to determine maintenance of roads .....	4
4. Assessment to determine maintenance of road reserves .....	4
5. Planned maintenance programs .....	5
6. Fire trails .....	5
7. Related documents .....	5

## 1. Introduction

Blue Mountains City Council is responsible for unsealed roads and road reserves on Council-owned and -managed land under the *Road Transport Act 2013* (NSW) and the *Local Government Act 1993* (NSW). Road reserves can contain footpaths, bus shelters, vegetation and access points into private properties.

This policy outlines how Council manages and maintains road reserves (including vegetation growing on those reserves) and unsealed roads that require grading, gravel re-sheeting, dust suppression or pothole repairs.

## 2. Maintenance requests

All maintenance requests that Council receives for road reserves and unsealed roads will be logged as a customer service request, after which one of Council's Asset Investigation Officers Asset Investigation Officers will investigate the issue of concern.

The Asset Investigation Officer will inspect the site to determine any works that are required in line with the Transport Asset Management Plan and their risk assessment. They may conclude that no works are required. Should works be deemed necessary, Council will prioritise the works in line with its prioritisation hierarchy.

The Asset Investigation Officer must contact the person who made the request to let them know whether they will take any action and, if so, what action they will take and when it will occur. If the Asset Investigation Officer has determined not to take any action, they must let the requestor know the reasons for this decision.

(Asset Investigation Officers Asset Investigation Officers should inform requestors, where necessary, that unsealed roads will always be of a lesser quality than sealed roads, and that their surface does not allow for high speeds and cannot be stabilised to limit dust or remain in an unchanged condition.)

For requests relating to road reserves on unformed roads, the Asset Investigation Officer will recommend maintenance only if the work is required to rectify drainage issues or weed management.

It is private property owners' responsibility to maintain safe property access from the edge of the sealed road to their property boundary to Council's standards in line with section 138 of the *Roads Act 1993* (NSW).

### **3. Assessment to determine maintenance of roads**

Council's *Maintenance of Unsealed Roads and Road Reserves Procedure* sets out a hierarchy of roads and the standards of maintenance that Council will generally commit to for each level in the hierarchy. Asset Investigation Officers must use this hierarchy and their risk assessment to prioritise maintenance requests.

In certain circumstances, such as after significant rainfall, higher-than-usual levels of maintenance may be undertaken to discharge Council's duty of care. Such maintenance will not alter a road's level in the hierarchy for future maintenance purposes.

### **4. Assessment to determine maintenance of road reserves**

Road reserves may include formed footpaths. Footpaths that Council has built must remain accessible and fit for use and may require maintenance if they become obstructed or are unsafe.

On receipt of a customer service request for footpath maintenance, the Asset Investigation Officer will inspect the site to determine required works in line with their risk assessment and the Transport Asset Management Plan. They may conclude that no works are required. Should works be deemed necessary, Council will prioritise the works in line with its risk assessment. Road reserves without a formed footpath will not be assessed for footpath maintenance.

Maintaining vegetation and mowing for aesthetic purposes is generally only undertaken in and around town centres and high-profile areas. Managing vegetation and mowing grass on nature strips in front of private property is the responsibility of private landowners.

Council does not remove vegetation or mow specifically to deter snakes or vermin. It must be noted that Blue Mountains City Council is located in a world heritage area and snakes are ever present but transient in the landscape.

## 5. Planned maintenance programs

Council has a routine maintenance program for roads and road reserves in the local government area. This routine is determined by a number of factors such as location, profile, driveway access, safe passage and surface. (Further details are in Council's *Maintenance of Unsealed Roads and Road Reserves Procedure*.)

Planned maintenance for road reserves includes footpath repairs and management of vegetation surrounding road reserves (including around bus shelters). Footpaths and bus shelters in high-profile areas such as town centres will be maintained to a higher level. Generally, vegetation management and mowing programs are only undertaken in town centres and high-priority locations. Areas outside of these will not be managed as part of a routine program; they will require maintenance by request and will be subject to available resources and based on risk.

All vegetation management, whether planned or reactive, will be conducted in accordance with Council's tree management policies and procedures.

## 6. Fire trails

Fire trails do not fall under the scope of this policy as they are used (and maintained) principally by the Rural Fire Service and for informal public recreation.

## 7. Related documents

This document should be read in conjunction with:

### Legislation

- *Roads Act 1993* (NSW)
- *Road Transport Act 2013* (NSW)
- *Local Government Act 1993* (NSW)

### Other documentation

Blue Mountains City Council's:

- *Maintenance of Unsealed Roads and Road Reserves Procedure*
- *Urban Forest Procedure*
- *Road Encroachments on Private Lands Policy*
- *Road Encroachments on Private Lands Procedure*
- *Transport Asset Management Plan*
- *Development Control Plan 2015*
- *Development Control Plan 31*