



Gladstone Regional Council

Council Policy

Title	MAINTENANCE OF FORMED OR GRAVEL ROADS
Policy Number	P-2014/11
Responsible Directorate	ENGINEERING SERVICES
Responsible Officer	MANAGER ROAD SERVICES
Date of Adoption	15 JULY 2014
Resolution Number	G/14/2079
Date Review Due	15 JULY 2017

1.0 PURPOSE:

Gladstone Regional Council (Council) owns public roads for the community to use under the Local Government Act. The Act confers a “right of passage” by a member of the public to pass along a public road, subject to such restrictions as are imposed by the Council or law.

This policy sets out Council's response to requests by others to carry out repairs and maintenance on formed and gravelled roads within road reserves under the care and control of Council.

The objectives of this policy are to establish the basis and process for staff to deal with requests to carry out repairs or maintenance to formed or gravelled roads in excess of allocated funding in a transparent and equitable manner, and clearly articulate that Council may permit:

- (a) other competent and legal entities to undertake approved repairs and maintenance subject to certain conditions.

2.0 SCOPE:

This Policy applies to gazetted road reserves under the jurisdiction of Council with approved works to create a formed or gravelled road.

3.0 RELATED LEGISLATION:

- Local Government Act 2009
- Local Law 1 (Administration) 2011

- Subordinate Local Law 1.15 (Carrying Out Works on a Road or Interfering With a Road or its Operation) 2011

4.0 RELATED DOCUMENTS:

Nil

5.0 DEFINITIONS:

To assist in interpretation of this policy the following definitions apply:

A **road** is—

- (a) an area of land that is dedicated to public use as a road; or
- (b) an area of land that—
 - (i) is developed for, or has as 1 of its main uses, the driving or riding of motor vehicles;
and
 - (ii) is open to, or used by, the public; or
- (c) a footpath or bicycle path; or
- (d) a bridge, culvert, ferry, ford, punt, tunnel or viaduct.

However, a road does not include—

- (a) a State-controlled road; or
- (b) a public thoroughfare easement.

AADT Annual Average Daily Traffic, determined by the Chief Executive Officer (or delegate)

Gravelled Road A public road reserve that contains an approved gravel pavement formed using a grader so that stormwater will drain off laterally, and (Typically defined as LOS 6 Road for this policy)

Formed Road A public road reserve that does not have gravel paving but which is formed using a grader so that stormwater will drain off laterally. (Typically defined as LOS 7 Road)

6.0 POLICY STATEMENT:

The level of repairs or maintenance to formed or gravelled roads is dependent on the Council resources allocated on an annual basis which is made generally in accord with adopted levels of service and typical usage/weather patterns.

In cases where Council's funding does not allow Council to address road user's requests, it is reasonable for Council to empower other competent and legal entities to undertake repairs and maintenance subject to certain conditions.

All applications for carrying repair or maintenance works on Council roads must be made under Subordinate Law 1.15 (Carrying Out Works on a Road or Interfering With a Road or its Operation) 2011.

Council will only consider giving approval for applications received for repair or maintenance works on roads where the formed or gravelled road is typically a no through road or where the AADT is less than 25 vehicles per day which are predominately local traffic.

Where Council receives an application from a property owner for carrying repair or maintenance works on Council roads to formed roads or gravelled roads Council approval may be given provided:

- 1) the applicant undertakes the approved works at no cost to Council; and
- 2) in addition to the standard conditions applicable to Council approvals for the undertaking of works on Council controlled roads the applicant will be required to ensure that:
 - (a) they obtain all State Government approvals before any works commences;
 - (b) the works starts and is completed during daylight hours within the time specified in the approval and no equipment or resources is stored within the road reserve prior to, during, or after the works.
 - (c) the road is closed to traffic by placing road closed signs (provided by Council), at locations approved by Council.
 - (d) all affected landholders and Council have been notified in writing 2 working days prior to work commencing.
 - (e) no clearing of vegetation occurs without approval from the Chief Executive Officer (or delegate).
 - (f) no gravel is placed on the road without the approval of the Chief Executive Officer (or delegate).
 - (g) the work does not unduly affect or inconvenience neighbouring property holders.
 - (h) the work is undertaken and protected by a competent legal entity (ie an experienced Civil Contractor with relevant experience, not an individual person), approved by the Chief Executive Officer (or delegate).

Council does not condone or accept any responsibility for any work carried out on a Council road under the care and control of Council, without its written permission. Unauthorised work will not be maintained or improved in any manner by Council, and the Chief Executive Officer (or delegate) may direct staff to remove unauthorised material or obstructions or control access if a safety risk to the public or environment has been established by the Chief Executive Officer (or delegate).

No maintenance or legal liabilities are accepted by Council for works approved by other authorities, eg. clearing.

7.0 ATTACHMENTS:

Nil

8.0 REVIEW TRIGGER:

This policy will be reviewed when any of the following occur:

1. The related legislation/documents are amended or replaced.
2. Other circumstances as determined from time to time by a resolution of Council
3. Periodic Review – 3 years from date of adoption

TABLE OF AMENDMENTS		
Originally Adopted	15 May 2012	G/12/1039
Amendment 1	15 July 2014	G/14/2079
Amendment 2	<INSERT DATE COUNCIL MEETING>	<INSERT RESOLUTION NUMBER>
Amendment 3	<INSERT DATE COUNCIL MEETING>	<INSERT RESOLUTION NUMBER>

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STUART RANDLE
CHIEF EXECUTIVE OFFICER