

PURPOSE

The purpose of this policy is to ensure that any requests for extensions or accesses to the road network are constructed to the required standard and that the limitations of Council's contribution to such works are clear.

SCOPE

This policy applies to extensions or accesses to the existing road network. The requirements for new works as a result of a Reconfiguration of a Lot (ROL) or Material Change of Use (MCU) will be detailed in the appropriated Development Approval (DA) and associated Operational and or Capital Works Approval.

Under Division 1, Part 3 of the Local Government Act 2009, Council has control over all roads in its local government area. Extensions and/or access to the road network are required from time to time. This control over roads has a concomitant legal obligation on Council to ensure roads are maintained to an appropriate standard within the limitations of its resources.

Council must exercise control over request for extensions and accesses to the road network so as to ensure the inherent legal obligations are met and that there is not an undue risk to Council to litigation as well as ensuring that the works are funded and constructed by the appropriate persons and to appropriate standards.

POLICY STATEMENT

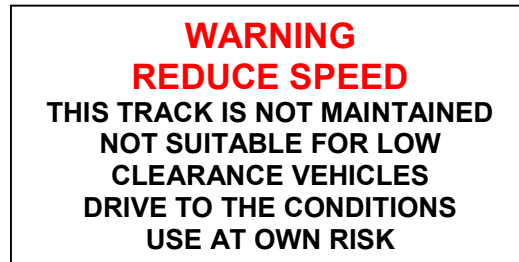
1. Road Access

- It is the responsibility of the property owner to construct and maintain an access from the constructed road to the property.
- Any proposed work that will interfere with an existing road, including kerb and channel or paved footpath, will require written approval from Council prior to work commencing.
- The standard of access shall be generally in accordance with the following:-
 - Institute of Public Works Engineering Australia (Queensland Division Inc) Standard Drawing RS-049 Residential Driveway Plan 1 of 2
 - Institute of Public Works Engineering Australia (Queensland Division Inc) Standard Drawing RS-050 Residential Driveway Plan 2 of 2
 - Institute of Public Works Engineering Australia (Queensland Division Inc) Standard Drawing RS-051 Heavy Duty Vehicle Crossing
 - Institute of Public Works Engineering Australia (Queensland Division Inc) Standard Drawing RS-056 Rural Driveway

2. Road Extensions

- Council will not undertake maintenance improvements or maintenance works to unmade / unformed roads for the provision of access where the road does not provide access to a property with an existing dwelling or entrance to a workplace ie yards, sheds etc
- Any proposed work within a road reserve will require a written request and lodged within Council's Customer Service Request system and written approval from Council prior to work commencing. This includes any clearing and formation works but does not include the construction of an access track or driveway from the constructed road to the property boundary.
- Approval for clearing of vegetation must be obtained from the Department of Natural Resources & Mines if required. Council reserves the right to refuse or object to any application for clearing works.
- All works are to be constructed by Council or an approved contractor who must meet the required standards in terms of:-
 - Experience
 - Quality Assurance
 - Workplace Health & Safety
 - Insurances

- The standard of road construction shall be in accordance with the relevant drawings from the Department of Transport & Main Roads Standard Drawings - Roads
- The standard of road traffic control shall be in accordance with The Department of Transport & Main Roads Manual of Uniform Traffic Control Devices
- Vertical and horizontal alignment to the satisfaction of Councils General Manager Of Works
- Where, due to the topography of the area the road traverses, it is necessary to provide drainage structures , the applicant will be responsible for the provision of the same to a nominal design of:-
 - 450mm diameter RCP pipe culvert with approved headwalls and a nominal length of 9.76metres. Culvert construction will be in accordance with the relevant drawings from the Department of Transport & Main Roads Standard Drawings – Roads.
- Where a more significant drainage structure is deemed necessary, Council will consider a funding contribution request from the proponent.
- No works deviating from the gazetted road reserve will be accepted.
- When roads have been completed, inspected and accepted by Council. Council will have responsibility for all ongoing maintenance and improvement works as dictated by resource and budgetary constraints.
- At the discretion of the General Manager of Works, appropriate signage may be erected on unmade, unformed or formed roads to advise the public that the road is not maintained beyond a particular location, is maintained to a limited degree or to warn that public that there may be a particular hazard ahead. (Refer to table below for typical wording).



- Council shall maintain a Road Register. This register will list and provide a map and lengths of all roads maintained by Council.
- Council may consider funding capital improvements to any road as part of its annual Capital Works Program and Budget.
- A person must not, without lawful excuse or the written approval of Council, carry out works on a road or interfere with a road or its operations. Council will reserve the right to dismantle or alter the works or fix any damage caused by the works at the expense of the person who undertook the works. Council will also reserve the right to not maintain the road.

Notwithstanding the above, Policy Scope, Council may, within the limit of its budgetary constraints, carry out works in the following instance:

3. Unformed Roads (Rural Areas)

In this situation, providing plant is working in the area, and at the direction of the General Manager of Works Council may undertake such minor maintenance to a maximum value of \$2,000 (e.g. load of gravel / fill spread with a suitable machine) as is necessary to provide a dry weather (only) access along the road.

4. Unformed Roads (Urban Areas)

In this situation, Council is mindful of the health concerns through poor drainage, dust nuisance etc. And may carry out such works as it considers necessary to alleviate these problems. It is noted that, because of limits on the funds available to Council, a contribution to works by affected property owners, is likely to assist Council in being able to fund the works at an earlier time.

5. Capital Works on Unformed Roads

Council may contribute to capital works on unformed roads on the following conditions:

- Proposed contributions will be considered as part of an overall budget or budget review process.
- Council's requirements for the road to be constructed to a formed, gravel and drained standard to ensure public safety and public liability protection.
- As a guide only, Council may contribute an amount equivalent to the net general rates collected in the previous 2 years from the subject land with property owner to contribute at least a matching amount.
- Factors such as whether the property owner lives on the property, property search responses prior to purchase, whether the property owner sought a property search prior to purchase and the length of time that the property owner has owned the property may be relevant to Council's decision as to whether or how much to contribute
- Council will use special rating powers where appropriate to secure contributions.

RELEVANT LAW

Local Government Act 2009, Division 1, Part 3
2014 North Burnett Regional Council Planning Scheme
Amendments Incorporated to 3 July 2017

Doc ID 826688

DEFINITIONS

Term	Definition
Road	(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; 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.
Unmade Road	A road that has had no capital improvements including clearing, forming and gravelling. Notwithstanding this, an unmade road may be trafficable, however is considered not generally used by the public. Unmade roads are not included in Council's Road Register and are not maintained.
Unformed Road	A road that has been cleared an open to, and customarily used by the public.
Formed Road	A road that has been cleared and formed by grading so that stormwater will drain off laterally. A formed road would usually have table drains, outlets and crossfall with the running surface consisting of natural materials.
Gravelled Road	A road that has been cleared, formed and surfaced with gravel paving material (usually transported to the site).
Sealed Road	A gravelled road that has had a single or multiple applications of bitumen and screenings aggregates or asphaltic concrete applied as a running surface.
Existing Dwelling	Approved permanently occupied dwelling or entrance to a workplace ie yards, sheds etc

APPROVAL

Council approved this policy on 28 August 2019.

REVIEW

This policy will be reviewed every two years by Responsible Officer, Civil Works Department and is due for review in August 2021.

REVISION HISTORY

Version	Meeting	Approval Date	History
1	General	28 August 2019	New policy