

Road Network Policy

Policy type	Council
Function	Infrastructure Services
Policy Owner	Asset Maintenance
Effective date	8 November 2012

1. Purpose

The *Local Government Act 2009* requires council to prepare and maintain register of all roads, including private roads within its Local Government Area.

This policy has the following objectives:

- Defining the requirements and responsibilities prescribed by legislation; and
- Defining the council maintained road network and non-council road network (e.g. private roads, vehicle access cross overs, state controlled roads).
- Limiting Councils financial liability by ensuring that changes to the maintained road network are duly considered

2. Background

This Policy applies to all roads under the jurisdiction of the Cassowary Coast Regional Council.

2.1 Responsibility

Councillors are responsible for adopting the defined road network, including the maintained road network extent.

The **Chief Executive Officer** has overall responsibility for the implementation and execution of the policy.

The **Director Infrastructure Services** has responsibility for the ongoing management of the network extents, including maintenance extents.

3. Definitions and Principals

Financial Asset Register – Council's register of assets as maintained to meet financial reporting standards.

Authorised Person – means the Chief Executive Officer of the Council or a person delegated by the Chief Executive Officer as being authorised.

Maintained Road – means a road, which is listed as maintained on council's road register.

Private road – is a shared Vehicle Access Crossover that services more than 5 properties, has been constructed to a fit for purpose standard or are roads that are generally open to the public but are located on private land.

Property Access Crossover – extends from the property boundary to the edge of the sealed formation, the shoulder point of the unsealed formation or the extent of the maintained road network.

Road Area means:

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

Roadworks Permit – means an approval issued under Cassowary Coast Regional Council Subordinate Local Law No. 1 (Administration) 2011, Schedule 7— Alteration or improvement to local government controlled areas and roads. Council does not condone or accept any responsibility for any work carried out within a road area without its written approval.

Works Acceptance – means acceptance of development (operational) works in accordance with the FNQROC Development Manual, Construction Procedures, CP1.19.

4. Procedure

Council will maintain a spatial register of all roads within the Local Government Area, including:

- Maintained roads
- Private roads

Council's road maintenance service applies to Maintained Roads as defined by the spatial register. The responsibility for maintenance of Private Roads or PACs is the responsibility of the property owner/s receiving benefit from the Private Road or PAC.

Decisions about changes to the maintained network will be recorded in Council's record keeping system so prospective property owners can be made aware of arrangements.

4.1 Maintaining the network extents

Modifications to the Road Network are to be approved by Council except in the case of a temporary and/or permanent road closures.

In making decisions to expand the network the Council will consider the additional funding required to fund the ongoing maintenance, operations and renewal of the asset. Increases in the operational budget to fund the increased costs and maintain the level of service across the road network will be considered by Council as additions to the road network in subsequent budgets.

Where an individual or developer desires to expand Council's road network a development application under the *Planning Act 2017* shall be approved by Council prior to the commencement of works. All works must be constructed to council approved standards, including:

- Road geometry and extents; and
- Council defined engineering design and construction standards, including FNQROC standards where appropriate.

Where Council is considering expanding Council's road network, Council will make an assessment of the cost to upgrade the proposed expanded section of road network to a fit for purpose standard. If the existing standard of the unmaintained road is considered not fit for purpose funding for the upgrade will be provided in the Council's annual budget and upgrade works completed prior to Council adding the road to the maintained road network.

Irrespective of the financial implications upon the approval of a temporary and/or permanent road closures by the State Government, Council will as soon as practicable remove any sections of the maintained road network effected by the closure from the maintained road register and the Financial Asset Register.

In circumstances where a temporarily closed road is reopened, upon reopening it will be treated as a **private road** or **property access crossover**.

4.2 Unmaintained Road Areas

Due to Council's limited budget, Council priorities its resources to maintain and renew its maintained road network and as a result any road area that does not contain a section of a maintained road will not be maintained by Council. Property owners who require access though a section of road reserve which does not feature a **maintained road** shall construct and maintain a **property access crossover**.

Related forms, policies and procedures	Financial Asset Register Roadworks Permit
Relevant legislation	<i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>
Reference and resources	FNQROC Development Manual

Policy Number	10741		
Approved by	Council Resolution 0192	Approval date	8 November 2012
Approved by	Council Resolution AS0022	Approval date	8 February 2018
Approved by	Council Resolution LG1812	Approval date	26 September 2024
Review date	26 September 2027		