

Council Policy UNSEALED ROADS POLICY

1. INTRODUCTION

Port Macquarie-Hastings Council (PMHC) is dedicated to maintaining public roads for our community. Our guiding principles include safety, environmental preservation, and asset longevity. This Policy specifically addresses the management of unsealed roads in the PMHC Local Government Area but is contained within a series of policies that have been developed to ensure that activity on or within Council Road reserve is planned, assessed and managed in accordance with relevant legislation to ensure consistency, transparency and robust policy.

2. POLICY STATEMENT AND SCOPE

As the Roads Authority, Port Macquarie-Hastings Council (PMHC) bears the responsibility of managing and maintaining Council's Road network includes sealed and unsealed roads. Sealed roads are formed using surface treatments such as bitumen, asphalt or concrete to create a smooth driving experience. Unsealed roads are formed and constructed with road materials but are left in this state with no top seal applied. The Unsealed Roads Policy sets out the principles by which Council manages the unsealed road network. The principles are governed by the practical application of finite resources to assist in mitigating risk on both formed and unformed public roads except for:

- The management of Crown roads except where the road is listed on Council's Road Asset Register for maintenance.
- An Identified Fire Trail - a Road, trail or other track on public and/or private land used by firefighting agencies to access the landscape to prevent, fight, manage and contain bush fires that is selected as part of an area's fire trail network and recorded in the area's Fire Access and Fire Trail (FAFT) Plan. These are managed through specific agreements or as conditions of development.
- Forestry Roads - Forestry Corporation of NSW maintains a network of forest roads and trails which complements the public road network and provides access for community use, forest management and fire protection. These roads contained with Forestry land are managed by NSW Forestry Corporation.
- Roads within National Parks areas that are not listed on Council's Road Asset Register. These are maintained by the NSW National Parks and Wildlife Services (NPWS).

2.1. Road Categorisations

Unsealed Roads are categorised into five typical categories. They are listed in order of

Road Category	Description
Category A (Higher traffic)	• Traffic count generally more than 100 vehicles/day. • Generally, through roads which connect to significant local community centres or destinations - Main traffic flow with many branches/feeder roads. • The running surface is generally 6.5–8.0 metres wide (including shoulders) with two lanes for traffic.

	• Road is formed and generally drained to Council standards. • Significant rain events may cause temporary closure. • Pavement material may be either imported gravel, local gravel, recycled materials suitable for road use, in-situ material, or a combination of these. • Roads typically have guideposts located adjacent to culverts and limited advisory signage
Category B (Lower traffic)	• Traffic count generally less than 100 vehicles/day. • Generally, through roads which distribute to a Category A Road (unsealed) but can be no through roads - limited flow with occasional branches/feeder roads including Access Tracks. • The running surface is generally 3–6.5 metres wide (including shoulders) with one or two lanes for traffic. • Road is formed and generally drained to Council standards. • Significant rain events may cause temporary closure. • Pavement material may be either imported gravel, local gravel, recycled materials suitable for road use, in-situ material, or a combination of these. • Roads typically have guideposts located adjacent to culverts and limited or no advisory signage.
Category C (Access Tracks)	• Generally, an access track with infrequent traffic use and less than 10 vehicles/day and may provide a connection to Forestry NSW areas or National Parks. • Typically, “no through” roads that are open to the public and provide access to a limited number of properties. • Generally, have no standard formation, are undrained and their make-up consists of naturally occurring material, however, may contain a small percentage of imported materials. • Accessible by suitable 4WD vehicles (sufficient ground clearance) driven by a reasonably competent driver. • It is probable that water will cross the road in minor rain events and significant rain events and may cause temporary closure and road scour.
Category D (Unformed/Paper Roads)	• These are unformed “paper” roads, which are indistinct, inactive, or not regularly used as a vehicle access track. • No road formation exists as the road is only identified as such on a map.
Category E (Unsealed Car Parks)	• Unsealed car parks are generally constructed partly on a road and partly on other property but can be completely on non-road property. • Generally located close to public reserves, however, can also be found in other urban locations. • Unsealed car parks are a low-speed environment and typically hold low risks when compared to the rest of the road network.

2.2. Management Principles

Council will manage the unsealed roads using the following below principles noting that the application of this policy is limited within the bounds of Council's available resourcing.

Nature of activity	Management Principles
Categorisation of Roads	Roads are categorised, as outlined in the previous section, based on multiple factors including: • traffic volumes, • number of premises accessed, • school bus routes, • regional tourism value, • regional economic value, and • network and community connectivity. The categorisation of a road defines the level of service provided by Council in maintaining that road.
Program of works	Allocation of available resources across the entire unsealed road network will be reflective of the categorisation of the road, community safety, and risk, and include: • scheduled grading program. • scheduled gravel re-sheeting program. • reactive maintenance to high-risk issues identified during programmed works or by the public.
Sealing of Unsealed Roads	Council will not routinely program activities to seal unsealed roads. The sealing of unsealed roads will only be undertaken through defined projects identified by strategic merit and resolved by Council to include it within the Operational Plan subject to available funding such as Grant funding.
Upgrading of Existing Roads	Council will not routinely program activities to upgrade existing roads, including changes to alignment (vertical and horizontal), upgrading of existing road safety treatments, changes to pavement width and drainage, and changes to creek crossings such as fords, causeways, culverts, bridges, or other crossing types. The upgrading of existing unsealed roads will only be undertaken through defined projects identified by strategic merit and resolved by Council to include it within the Operational Plan subject to available funding such as Grant funding.
Transfer of Roads (and associated assets) to Council	Council will not accept the transfer of private roads or assets, unless required through conditions of development consent or via Crown Road transfer under the NSW Roads Act 1993 Crown Roads are not routinely transferred to Council. On the rare occasion where they must this would only occur on the positive assessment by Council staff by applying Council's developed transfer criteria. Applications to transfer Crown Roads that serve properties without dwelling entitlements are only considered if mandated by legislation. .

Enclosure Permits	Council may consider applications for the enclosure of a Public Road (typically unformed/paper roads) for lease where there is no adverse effect upon current or potential road users or adjoining properties. A public road cannot be enclosed without Council consent.
Sale of Roads	Council may consider applications of sale to an adjoining owner(s) where there is no adverse effect upon current or potential road users or adjoining properties. The owner(s) must pay all costs associated with the road closure process.
Installation of Cattle Grids and Public Gates	Council may consider applications for the installation of a cattle grid or public gate from an adjoining owner(s) where there is no adverse effect upon current or potential road users or other adjoining properties. Installation and maintenance of a cattle grid(s) or a public gate(s) is solely the responsibility of the benefiting landowner(s). Council shall only consider applications for the erection of a Public Gate(s) on Category A or Category B roads when applied for by the last property owner at the end of a no through road. Council, at its sole discretion, may alter the road Categorisation and lower the Level of Service beyond the Public Gate subject to the consent conditions.
Driveways / Road Crossings	Maintenance and upkeep of driveways / road crossings (including pipe crossings) is entirely the responsibility of the benefiting landowner(s).
Crown Road Maintenance	In routine management, Council will not undertake maintenance activities on Crown land, unless the road is listed on Council's Road Asset Register. Council may undertake maintenance at the request of Crown Lands in exceptional cases such as flood repairs. In these cases, funding for the maintenance and repair is not from Council funding and is undertaken on the basis that the status of the road as a Crown Road will not be changed.
Private Works on Public Roads	Council does not generally allow private works on our roads. In exceptional circumstances based on the merit of the application, Council may accept an adjoining owner(s) to pay for the cost of upgrading an unsealed road, or for additional maintenance. These agreements will be managed through a private works agreement. This does not commit Council to regular maintenance activities on the road. Acceptance of any private works is solely at the discretion of Council, and any works must be undertaken in accordance with any conditions set out by Council in accordance with the NSW Roads Act - not limited to section 138.

2.3. Service Provision

The service provision is related to the availability of funding and resourcing which is delivered by the service treatment. The adopted budget and allocated resources dictate the service level delivered to the community via the service treatment. The allocated resources are reviewed on an annual cycle during the Operational Planning and budget review cycle each year.

Unsealed road categorisations, extent and maintenance interval targets:

Road Category	Grading Interval Target	Gravel Resheeting Frequency Target	Current Extent of Network
Category A (Higher traffic)	6 months	3 kms p.a. or (2.78% of the Category A network)	108 kms
Category B (Lower traffic)	12 months	3 kms p.a. or (0.87% of the Category B network)	346 kms
Category C (Access Tracks)	On an as-needs basis where impassable by a standard 4WD vehicle. This is assessed by Council officers considering the reasonably 4WD vehicle accessibility and expected driving abilities.	0 km	Estimated at 50 kms
Category D (Unformed/Paper Roads)	No pavement maintenance	0 km	Estimated at 100 kms
Category E (Unsealed Car Parks)	On an as-needs basis following risk assessment	Ad-hoc pothole filling	93 car parks

2.3.1. Service Provision rationale

- Grading intervals and gravel re-sheeting as stated above is the Level of Service that Council can provide within current resourcing at time of policy adoption.
- When the program is affected by delays such as weather, the program recommences at the soonest practical time and the program frequency remains unchanged, i.e. it is not accelerated unless where reactive maintenance to high risk issues is required.
- The Level of Service will be reviewed when there is a significant change in network composition, condition and/or budget allocation.
- Occasionally grants are received that allow grading above this frequency to occur. This does not commit Council to maintain a higher Level of Service beyond the grant funding availability.
- Vegetation Management on Rural Roads is covered under a separate policy covering unsealed roads and sealed roads.
- Approval of a dwelling, shed, business, or any other activity or structure on a property which gains access via an unformed road or access track does not commit the Council to the construction of a formed road or to the regular maintenance of that road or access track.
- Works shall be allocated in accordance with the above-mentioned programs, supported by risk based reactive maintenance focused on addressing community safety issues and in line with guidance from Council's insurer.

3. RESPONSIBILITIES AND AUTHORITIES

Council is the Roads Authority for all roads and associated road reserves vested in fee simple to Council (meaning that it has absolute ownership of the land) as described within the NSW Roads Act 1993. Council is the appointed Authority for the Local Government Area as described in the Local Government Act 1993.

Council as the governing body is responsible and accountable for:

- Adopting the Unsealed Roads Policy
- Determining strategic priorities for Community Infrastructure in association with unsealed roads

The Chief Executive Officer and Directors are responsible and accountable for:

- Communicating this, Policy.
- Ensuring compliance of this Policy.
- Ensuring this Policy is reviewed and updated to meet current legislative requirements.
- Ensuring appropriate delegations are in place regarding exercising Road and Local Government Authority functions.

The Group Manager, Community Infrastructure Planning and Design and Group Manager Community Infrastructure Recreation and Operations are responsible and accountable for:

- Implementing this, Policy.
- Monitoring compliance of this Policy.
- Reviewing and updating this Policy to meet current legislative requirements.
- Ensuring appropriate procedures are developed, implemented, and monitored to meet the

principles of this Policy.

Managers and Engineers in Community Infrastructure Planning and Design and Community Infrastructure and Recreation Operations are responsible and accountable for:

- Implementing and communicating this Policy and any associated procedures to internal and external stakeholders.
- Monitoring compliance of this Policy and any associated procedures.

Coordinators in Community Infrastructure and Recreation Operations are responsible and accountable for:

- Implementing and communicating this Policy and any associated procedures.

All Council Officers are responsible and accountable for following this Policy and any associated procedures.

4. REFERENCES

This Policy must be followed by all Council staff. All significant changes to this Policy will be tabled at a future meeting of Council for consideration. Legislative References include:

NSW Local Government Act 1993
NSW Roads Act 1993
NSW Environmental Planning and Assessment Act 1979
Civil Liability Act 2002
Work Health and Safety Act 2011
Work Health and Safety Regulation 2017
Work Health and Safety (Mines) Act 2013
Work Health and Safety (Mines) Regulation 2014
Biodiversity Conservation Act 2016
Fisheries Act 1994
State Environmental Planning Policy (Transport and Infrastructure) 2021
State Environmental Planning Policy (Resilience and Hazards) 2021
Road Transport Act 2013

Other references:

Making a Council Policy
Council's Asset Management Policy
Road Reserve Management Policy
Roadside Vegetation Management Policy
PMHC Local Strategic Planning Statement
PMHC AUS-SPEC Design and Construction Specifications
Council's NATSPEC maintenance specifications
Statewide Mutual Best Practice Manual – Roads
Australian Road Research Board (ARRB) - Unsealed Roads Manual
Unsealed Roads Pavement Management - Position Paper
Rural Roads Slashing Program
Rural Roads Outreach Mowing Program
Urban Mowing Program
Weed Spraying Program
Parks and Open Space Hierarchy and Maintenance Schedule

5. DEFINITIONS

A definition of key terms referred to in the Policy:

Councillor	An elected member of Council.
Chief Executive Officer	1 st tier management position at Council.
Director	2 nd tier management position at Council.
Group Manager	3 rd tier management position at Council, asset custodian.
Engineer	Specific professional engineering staff within Council
Coordinator	Supervisor of outdoor staff.
Council Officer	A member of Council staff.
Fee Simple	Absolute ownership of land
Standard 4WD Vehicle	A vehicle that has the ability for torque to be applied to both rear and front axels groups via a locked centre differential and/or transfer case, as applicable, has a ground clearance (unladen) of 200mm or greater and has no post factory modifications to enhance its 4-wheel drive capabilities.
Hinge Point	The point in the cross-section of a road at which the extended batter slope line would intersect the extended shoulder line.

6. PROCESS OWNER

The Group Manager, Infrastructure Planning and Design is the process owner. The process owner should be contacted for any information in relation to this Policy.

7. AMENDMENTS

This is an updated Policy to the previously authorised Policy dated 21/11/2018. Minor amendments have been made to reflect current roles, responsibilities, and structures in Council.

8. REVIEW

This Policy will be reviewed in three years or as necessary to ensure compliance with legal requirements.