

COUNCIL POLICY					
TF	REE PLANTA	TIONS ON UNUSED	Policy No:		
	ROAD RESERVES POLICY		Adopted by Council:	16 May 1995	
			Next review date:		
Senior M	anager:	Director Infrastructure, Deve	Director Infrastructure, Development & Works		
Respons	ible Officer:	Manager Planning & Enviror	nment		
Function	al Area:	Planning			
Introduct Backgrou		West Wimmera Shire Cou supporting initiatives to reha			
Purpose Objective		Guidelines to advise and assess applications from individuals, community groups, landholders or other entities, to establish tree plantations on unused road reserves.			
Policy De	etails	. P			
1.	Adjoining la	ndowners and stakeholders			
	Council will consulted.	consider planting application	ons only if adjoining la	andowners have been	
		ment of Environment, Land, Vings on road reserves.	Vater and Planning (DE	LWP) are to be notified	
4	Except when landowner permission is provided in writing, trees are to be planted closer than 2 metres from a landowner's fence, and no closer than 5 metres gateways.				
	A minimum width of seven (7) metres in the centre of the road should be clear of a planting to enable any future use of the road.			should be clear of any	
2.	Care and Maintenance				
	West Wimmera Shire Council is not responsible for the care and maintenance of the tree plantations.			nd maintenance of the	
3.	Unused road future use				
If there are future plans to reo a clear width for use by traffic.			nd reserve for traffic, the	planting must allow for	
4.	Plant specie	es			



	Preferred plantings are those that are suitable to the site location, native to Victoria and indigenous to the area.
5.	Application in writing
	Any individual, community member or group who is desirous of planting trees on unused road reserves must provide the Shire with a plan that identifies at a minimum, the location, the extent and estimated numbers of plants and the proposed species.  It is recommended an establishment plan is included.

Policy Adopted:	Ordinary Meeting 16/05/95	Minute Book Page 154	
Policy Reviewed:	Ordinary Meeting 26/09/02	Minute Book Page 10410	
	Ordinary Meeting 06/04/06	Minute Book Page 13682	
	Ordinary Meeting 11/03/10	Minute Book Page 17759	
Ordinary Council 16/07/15		Minute Book Page 31431	RecFind 15/002910
	Ordinary Council//17	Minute Book Page	RecFind 17/00



COUNCI	L POLICY			
TRE	E PLANTING	ON WEST WIMMERA	Policy No:	
SH		IL ROAD RESERVES POLICY	Adopted by Council:	25 July 2002
			Next review date:	
Senior M	lanager:	Director Infrastructure Deve	lopment & Works	
Respons	ible Officer:	Planning & Environmental N	Manager	
Function	al Area:	Planning & Environment		
Introduct Backgrou		West Wimmera Shire Cou supporting initiatives for app		
Purpose Objective		Responsible management of tree planting on our road reserves by using the following guidelines to advise and assess applications by individuals, community groups or other entities.		
Policy De	etails			
1.	Adjoining la	ndowners and stakeholders		
	Council will consider planting applications only if adjoining landowners have been consulted. Except when landowner permission is provided in writing, trees are to be planted no closer than 2 metres from a landowner's fence, and no closer than 5 metres off gateways.		writing, trees are to be	
2.	Restrictions			
	No trees are to be planted within:			
	Table drains;			
	6.5 metres from the centre of the sealed road;			
	5 metres from the centre of a gravel road.			
3.	Fire breaks			
	No planting to occur in fire breaks nominated in the Municipal Fire Management Plan.			
4.	Adjoining landowners and stakeholders			
	Council will consulted.	Council will consider planting applications only if adjoining landowners have been consulted.		
	The Departr	ment of Environment, Land, V	Vater and Planning (DE	LWP) are to be notified



	of any plantings on road reserves.
5.	Maintenance
	Council is not responsible for the ongoing maintenance or replacement of dead trees.  Permission may be conditional on written establishment and maintenance plants for specified periods.
6.	Plant species
	Preferred plantings are those that are suitable to the site location, native to Victoria and indigenous to the area.
7.	Application in writing
	Any community member or group who is desirous of planting trees on Shire road reserves must provide the Shire with a plan that identifies at a minimum, the location, the extent and estimated numbers of plants and the proposed species.  It is recommended an establishment plan is included.

Policy Adopted:	Ordinary Meeting 25/07/02	Meeting 25/07/02 Minute Book Page 10300	
Policy Reviewed: Ordinary Meeting 06/04/06		Minute Book Page 13682	
Ordinary Meeting 11/03/1		Minute Book Page 17759	
	Ordinary Council 16/07/15	Minute Book Page 31431	RecFind 15/002911
	Ordinary Council//17	Minute Book Page	RecFind 17/00



COUNCI	L POLICY			
١	WORKS UNI	T ROAD RESERVE	Policy No:	
RISK MANAGEMENT POLICY			Adopted by Council:	13 June 2002
			Next review date:	
Senior M	anager:	Director Infrastructure Deve	lopment & Works	
Respons	ible Officer:	Works Manager		
Function	al Area:	Works Department		
Introducti Backgrou				
Purpose Objective				
Policy De	etails			
1.	Risk Assess	sment – Footpaths		
	Type of risk	:		
	• Slips	s / Trips / Falls		
	Risk control	measures:		
		oping centres monthly interva	ls.	
	• Othe	er footpaths in urban areas 6 i	monthly intervals.	
2.	Risk Assessment – Roads – Sealed			
	Type of risk:			
	Potholes, Slippery Surfaces, Low Limbs, Culvert Collapse, Dead Animals and		e, Dead Animals and	
	Water Over Road.			
	Risk control measures:			
	• Safe	ety inspection at 12 weekly int	ervals.	
	Programmed patrol maintenantenantenantenantenantenantenante		using management syst	em to intervention



	level.		
3.	Risk Assessment – Roads – Shoulders		
	Type of risk:		
	Edge Rutting, Edge Wear and Guide Post Damage.		
	Risk control measures:		
	Safety inspections at 12 weekly intervals.		
	Programmed shoulder grading and guide post replacement.		
4.	Risk Assessment – Signs		
	Type of risk:		
	Damaged or missing, Obstruction to sight distance and Reflectivity at night.		
	Risk control measures:		
	Safety inspections annually.		
	Programmed maintenance using management system.		
	Annual night inspections.		
5.	Risk Assessment – Roads – Unsealed		
	Type of risk:		
	<ul> <li>Potholes, Slippery Surfaces, Low Limbs, Culvert Collapse, Dead Animals and Water Over Road.</li> </ul>		
	Risk control measures:		
	Safety inspections at 6 month intervals.		
	Programmed maintenance activities using management system.		
6.	Risk Assessment – Bridges		
	Type of risk:		
	Timber deck and structure deterioration, Concrete decay and spalling.		
	Risk control measures:		
	Inspection annually.		
	Programmed work as per intervention levels.		



7.	Risk Assessment – Vegetation Control		
	Type of risk:		
	Chemical Spraying in public areas.		
	Risk control measures:		
	Use of procedures as per management system.		
	Adherence to material safety data sheet from chemical manufacture.		
8.	Risk Assessment – Kerb & Channel Pit Covers		
	Type of risk:		
	Broken or raised section (trips and falls).		
	Risk control measures:		
	Inspection annually.		
	Programmed works.		
9.	Risk Assessment – Traffic Accidents		
	Type of risk:		
	Spillage of substances, Traffic Control.		
	Risk control measures:		
	As per spillage procedure.		
	As per signage code for emergency procedures.		

Policy Adopted: Ordinary Meeting 13/06/02		Minute Book Page 10145	
Policy Reviewed: Ordinary Meeting 25/07/02		Minute Book Page 10300	
	Ordinary Meeting 06/04/06	Minute Book Page 13682	
	Ordinary Meeting 11/03/10	Minute Book Page 17759	

### 3.6 Neighbourhood Safer Places (Robyn Evans, GMIDW; Adrian Schmidt, Municipal Fire Prevention Officer)

- Nominate NSP before the next fire plan
- Discussion around Dergholm, Apsley and Lake Charlegrark
- · Lake Charlegrark is removed from the list of NSP
- · Dergholm requires consultation
- Harrow Recreation Reserve is discarded as a NSP given failure to meet required criteria
- · Report will be presented to Council.

Action: Consensus that the NSP criteria / standards must be maintained by Council as part of any consideration around NSP declarations. Consensus that Lake Charlegrark and Harrow did not meet the required criteria to support NSP declaration consideration. Recognised further consultation required with Dergholm community around NSP process / criteria. Detailed report and officer recommendation for possible late item of business consideration 21/11/2013. GMIDW

#### 15.1 NEIGHBOURHOOD SAFER PLACE - PLACE OF LAST RESORT UPDATE

FILE NUMBER: PS0308

REPORT AUTHOR: ADRIAN SCHMIDT, MUNICIPAL FIRE PREVENTION

OFFICER

#### FOR INFORMATION

#### Introduction

In conjunction with the Country Fire Authority, (CFA) West Wimmera Shire Council (Council) is responsible for designating and maintaining the formal Neighbourhood Safer Places-Places of Last Resort, (NSP-PLR).

NSP-PLRs evoke the idea that a place can be safe from fire however this is not possible to guarantee. NSP-PLRs are solely for when individual fire plans fail and a place of absolute last resort may be where an individual may choose to go.

Discussions about NSP-PLRs are conducted through Council's Municipal Fire Prevention Committee (MFPC) and endorsed by Council's Municipal Emergency Management Planning Committee (MEMPC) of which the MFPC is a subcommittee. Recommendations from the MEMPC go to Council for endorsement.

#### Background

#### 2010

June 2010 Council adopted the Neighbourhood Safer Places –Place of Last Resort (NSP-PLR) Plan. This plan documents the agreed process for the nomination and adoption of any site as a NSP-PLR.



Colin Mibus as the Municipal Fire Prevention Officer undertook assessment of Lake Wallace Reserve, Edenhope and Harrow Hall, Harrow in conjunction with CFA. Report was tabled with WWSC in August 2010 that Lake Wallace Reserve, Edenhope was deemed compliant by CFA and meet the Councils NSP-PLR Criteria. Harrow Hall, Harrow was deemed to meet CFA criteria but did not meet Councils NSP-PLR Criteria, in particular relating to safe access and egress to the site.

#### 2011

At the July 2011 MFPC meeting it was noted that Dergholm Hall had been assessed by CFA and meet criteria and now required assessment by Council to ascertain if it meet Councils NSP-PLR Criteria.

In October 2011 WWSC requested that a report be prepared regarding the possible declaration of Lake Charlegrark as a NSP-PLR. This action was noted at the November 2011 meeting of the MFPC with the action for Lake Wallace Reserve, Edenhope to be approved and a reviewed to be undertaken of the Apsley and Dergholm sites and Lake Charlegrark to be investigated.

#### 2012

July 2012 MFPC a report was given that Vic Police, CFA and WWSC had completed inspections of sites at Apsley and Lake Charlegrark. The Apsley football oval was deemed to meet the CFA requirements with conditions and also meet Councils NSP-PLS Criteria. Lake Charlegrark was found to be unsuitable as a NSP-PLR. The rationale for this assessment is that as a caravan/recreational park, that people there in the case of a fire would already be there and it is not a 'Place of Last Resort' as such and as defined by the State guidelines.

On August the 16<sup>th</sup> 2012 Apsley Football Oval was endorsed by WWSC as a NSP-PLR.

#### 2013

Lake Wallace Reserve, Edenhope and Apsley Football Oval, Apsley have been reassessed by CFA and Council as continuing to meet criteria for Neighbourhood Safer Places- Places of Last Resort and the MFPC October 2013 endorsed these sites to retain designation as NSP-PLRs.

At the October 2013 MFPC the committee requested the local group officer to speak with the Dergholm community regarding their need for a NSP-PLR. If the community wishes to proceed with this sites designation council will undertake the Councils NSP-PLR criteria process.

The suitability of Harrow Hall was also discussed and the committee unanimously agreed that the hall was not suitable as a NSP-PLR and would have further discussions with the community as to other potential sites and to confirm relocation routes to safer places such as Balmoral, Edenhope or Casterton, in the case of individual fire plans to leave early and depending on the direction and location of the threat.

11 November 2013 the MEMPC considered the above and endorsed all of the MFPC recommendations.

#### Risk Management Implications

There is significant risk in Council endorsement of a NSP-PLR that does not meet the criteria of a NSP-PLR. This will be mitigated by the assessment process closely adhering to the 2010 Council assessment process.

The other risk for Council, CFA and VicPolice is the community making their own decisions about utilising spaces undesignated as NSP-PLRs, but being referred to or used effectively as such. This will be mitigated by community consultation and education.

As identified above, members of the MFPC will also discuss with the community at Harrow, alternative sites other than the Harrow hall for possible NSP-PLR assessment.

#### Legislative Implications

Emergency Services Legislation Amendment Act 2009 made changes to the Country Fire Authority Act 1958 and the Emergency Management Act 1986 requiring the CFA to certify NSP-PLR against CFA Fire Rating Criteria and Victorian Councils to identify, designate, and maintain suitable places as NSP-PLR in their municipal district.

In regards to a NSP-PLR it is a Local Government decision whether to adopt such nominated sites as places of last resort, but it should consider every application on its merits in accordance with its adopted Plan. There is no requirement to have NSP-PLR as such.

#### **Environmental Implications**

Nil

#### Financial and Budgetary Implications

Annual maintenance of Lake Wallace Reserve by council staff maintains this location. Committee of Management at Apsley Recreation Reserve maintain this location.

#### Policy and Council Plan Implications

#### Council Plan Outcome

6.6 Council will incorporate relevant emergency management and recovery initiatives and actively work with regional agencies. Initiatives will acknowledge the capacity of Council, the resilience of the community and the expertise of regional agencies.



Appropriately assessing, designating and maintaining NSP-PLRs in the Shire will address the above and these actions are also compliant with the Council Plans below:

- West Wimmera Shire Council Emergency Management Plan 2013
- West Wimmera Shire Council Municipal Fire Management Plan
- West Wimmera Shire Council Neighbourhood Safer Places Plan 2010.

#### Communication Implications

Ongoing community education about fire risk, fire plans and Neighbourhood Safer Places-Places of Last Resort is necessary. The CFA are the primary conduit for such information. Council has an updated website to ensure referral to the CFA for this critical communication.

Council will support CFA messaging in all its communications regarding fire and emergency management.

#### Conclusion

Edenhope and Apsley Neighbourhood Safer Places-Places of Last Resort will continue to be monitored and maintained on an annual basis. Any amendments to these locations as NSP-PLRs would be discussed at both Municipal Fire and Emergency committees prior to recommendations coming to Council.

Dergholm as a NSP-PLR has merit and will be a likely recommendation to Council soon.

Lake Charlegrark will have investigations under the State Caravan Park Emergency Management guidelines and the current Municipal Fire Prevention Committee's recommendation to the Municipal Emergency Management Planning Committee will be not to pursue its assessment as NSP-PLR.

The MFPC's recommendation to the MEMPC is that the Harrow Hall meets neither Council nor State requirements as NSP-PLR and should therefore not be designated. The MEMPC endorsed the recommendation not to nominate the Harrow Hall as a NSP-PLR.

Further consultation with the CFA and the community at Harrow should occur to investigate alternative sites as potential NSP-PLRs.



#### OFFICER RECOMMENDATION

- That Council continue to monitor and maintain Apsley and Edenhope Neighbourhood Safer Place – Places of Last Resort sites and registered NSP-PLRs.
- That Council ceases investigation of Lake Charlegrark as a Neighbourhood Safer Place – Place of Last Resort.
- That Council ceases investigation of Harrow Hall as a Neighbourhood Safer Place – Place of Last Resort.
- That Council engages with the community at Harrow to discuss possible alternative sites for a Harrow Neighbourhood Safer Place – Place of Last Resort.

Moved: Councillor Meyer

Seconded: Councillor Jones

- That Council continue to monitor and maintain Apsley and Edenhope
   Neighbourhood Safer Place Places of Last Resort sites and registered NSP-PLRs.
- That Council ceases investigation of Lake Charlegrark as a Neighbourhood Safer Place – Place of Last Resort.
- That Council ceases investigation of Harrow Hall as a Neighbourhood Safer Place – Place of Last Resort.
- That Council engages with the community at Harrow to discuss possible alternative sites for a Harrow Neighbourhood Safer Place – Place of Last Resort.

Carried Unanimously

Attachments:

No.	Name	RecFind Ref	
1.	Municipal Emergency Management Planning Committee Minutes of 11 November 2013	13/004681	
2.	CFA Revised Audit requirements	10/001397	
3.	2010 NSP-PLR Plan	13/004546	



#### **Rae Stone**

From: Adrian Schmidt

**Sent:** Friday, 30 June 2017 11:34 AM

To:j.hunt@cfa.vic.gov.auCc:Records; Michelle EllisSubject:Harrow NSP Edgars Rd

Hi Janelle

Thanks for the chat.

As discussed please remove the Council request to have Edgars rd assessed as a NSP site in Harrow. I have discussed this with the CFA and we currently are assessing other alternative sites.

Please accept this email as an official request.

• To remove the Council request to have Edgars Road assessed as a posable NSP site.

#### Thanks

#### Adrian Schmidt | Ranger/Local Laws Officer, MFPO

West Wimmera Shire Council

e <u>adrianschmidt@westwimmera.vic.gov.au</u> | p 03 5585 9900<u>mailto:adrianschmidt@westwimmera.vic.gov.au</u> | OFFICE: 49 Elizabeth Street, Edenhope, VIC 3318 | p 03 5585 9900 | f 03 5585 9950 | <u>westwimmera.vic.gov.au</u>







 CFA Region:
 West

 Telephone:
 5329 5500

 Fax:
 5329 5582

02 AUG 2017

West Wimmera Shire 49 Elizabeth Street Edenhope 3318

Dear Adrian

Neighbourhood Safer Places - Places of Last Resort Assessment for 1000095443 Blair street , Johnny Mullagh Recreation Reserve Blair Harrow 3317

The CFA ACT 1958, Sect 50G (5 a and b), sets out obligations for CFA as follows; (5) On receiving a request (for assessment from Municipal Council), the Authority must-

- (a) assess the place; and
- (b) if the place meets the criteria set out in the CFA Assessment Guidelines, certify in writing that the place meets those criteria.

This letter and the attached report are designed to meet these obligations and provide assistance to Council in its further decision-making for potential Neighbourhood Safer Places - Places of Last Resort.

CFA developed criteria to assist Council in determining the suitability of potential sites for Neighbourhood Safer Places - Places of Last Resort. These criteria have been developed as part of a consultative process, involving other fire agencies, emergency services and stakeholders.

This site assessment has been based on the quantity of vegetation determined at the time of this inspection and under section 50I of the CFA ACT 1958, it is council responsibility to maintain all Neighbourhood Safer Places.

The 1000095443 Blair street, Johnny Mullagh Recreation Reserve Blair Harrow 3317 has been determined as Compliant with the CFA Guidelines, provided that prescriptions of management of grassland over the fire danger period are secured by agreed terms entered into by the landholder. This written agreement must refer to the specific treatments and prescriptions as stated in attached CFA Assessment Criteria Report, be signed by the landowner and attached to the NSP Online Business System on designation of this potential NSP site or confirming designation as part of Review.

CFA understands that it is Council's responsibility to designate this site as a Neighbourhood Safer Place - Place of Last Resort and that Council may wish to engage with other Agencies and stakeholders, including CFA as part of any final approval process before a final decision is made.

CFA hopes you find this information of benefit in the final designation process. If you require further assistance on this matter, please contact Tony Brady at 0400 573 943.

Yours faithfully

(Refer to attached file for authorisation signature)

Operations Manager West



## NEIGHBOURHOOD SAFER PLACES - Places of Last Resort

#### **CFA ASSESSMENT CRITERIA REPORT**

**Neighbourhood Safer Place Site Name and Address:** 

1000095443 Blair street, Johnny Mullagh Recreation Reserve

**Blair Harrow 3317** 

The	site	is	assessed as:
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a)		Meeting the CFA assessment criteria on the day of assessment; or
b)		Not meeting the CFA assessment criteria on the day of assessment; or
c)	$\boxtimes$	Meeting the assessment criteria provided that prescriptions of management of the grassland over the fire danger period are secured by agreed terms entered into by the landholder (see below)

#### Criteria

#### 1) Setback Distances and Radiant Heat Measures

Neighbourhood Safer Places should provide protection to people from lethal levels of radiant heat by providing an appropriate separation distance between fire hazards, particularly vegetation and the site of the Neighbourhood Safer Place.

If a Neighbourhood Safer Place is an open space, the appropriate separation distance should be greater than 310 metres from the outer edge of the NSP to the fire hazard, or should be prescribed to ensure a maximum potential heat impacting on the site of no more than 2kw/m².

If a Neighbourhood Safer Place is a building, the appropriate separation distance greater than 140 metres from the outer edge of the building to the fire hazard or should be prescribed to ensure that the maximum potential heat impacting on the building is no more than 10kw/m².

		North Aspect	East Aspect	South Aspect	West Aspect
Setback distance (m)	Actual	44	79	90	63
	Prescribed (Grassland Only)	80	n/a	n/a	n/a
Radiant Heat (Kw/ m²)	Actual	3.33	1.59	1.27	1.94
	Prescribed (Grassland Only)	1.3	n/a	n/a	n/a

### 2) The following is only to be completed if grassland areas require further and specified management over the fire danger period

Recommendation	Y/N
There must be prescriptions for management of the grassland over the fire danger period, secured by agreed terms entered into by the landholder. This written agreement must refer to the specific treatments and prescriptions as stated below, be signed by the landowner and attached to the NSP Online Business System on designation of this potential NSP site or confirming designation as part of Review.	Y
The identified treatment of the grassland be included within the MFPP or MFMP (whichever is relevant) and is the responsibility of Council to facilitate and if required enforce the treatment during the fire danger period.	Υ

#### **Treatments and Prescriptions:**

All grassed areas within the reserve to a distance of 80m from the NSP boundaries on the north, south and east sides are to be maintained to less than 100mm throughout the Fire Danger Period

PRINT CFA OFFICER NAME: Tony Brady DATE: 06.06.2017

#### C2 Aerodrome hangar location map





Long Office Chair

#### DELAIDE LIUR INC

Operations

Gawler Aerodrome

Ward Belt Road Buchfelde SA 5118

PO Box 94. Gawler Sth Australia 5118

PHONE (08) 8522 1877 Int Hill 8 852, 1877 Fax (08) 8522 3155 Website, www adelaidespanny on net

Email: adsoar@adsLon net

"3 November 2000

Dear Hanga Owner

This letter accompanies a new hangar site lease for you to sign and return. This is the second lease form distributed this year for private hangar sites, so some explanation is warranted. The background to the matter is as follows:

A new agreement was negotiated between the Light Regional Connect and the Adelaide Soaring Club Inc. culminating last year a Head Lease which hases the entire Gawler Acrodrome to the ASC Inc. The Head Lease made procession for subleases in members who wish to enert a hangar, and prescribed the format of the sublease

Sublease forms were distributed in time 2009 However some members expressed. concern about some aspects of the subless. The ASC temporal meand these concerns and sought advice from the Gaseler Actodrome Management from who suggested commber of changes

I am happy to say that all the changes supported by the GAMG buy obern incorporated in the new document attached. Buetly, they are as follows:

- An quirement which was in the previous version for members holding a hangar site sublease to insure equipment on the site has been removed.
- The provisions relating to entry by the lessor have been changed to require trasonable none;
- The requirement for removal of constructions etc have been changed so they now reflect what is in the head lease as it applies to the ASC line. In particular(sec. 10.2) it has been made clear that removal of concrete floors and underground infrastructure would not be required it such an exentuality arose
- The sublease now includes explicit reference (see the Schedule) to the rent rate and variations to it. This is to address the concerns of members who had asked for as much surety as could be included.
- I spheri reference has also be, it made in the Schedule reassistance of the suble asc.
- The provisions relating to GST have been aftered to make it clear that the sublease tent is inclusive of 6.84

I wo copies of the final document relating to the site entrently allocated to you an attached. Would those members who did not sign the previous leases please sign the new documents and have them witnessed, and return one to the ASC office

If you did sign the previous version it is in your interest to sign the new version as if contains provisions advantageous to you

Site tents for 2009 2010 have now been calculated for all sites and site n in as per the sublease will be included in your monthly statement from ASC.

Yours subsected.

Geoff Wood President, ASC

6 - 11 1 1

THIS AGREEMENT is made the

day of

### BETWEEN ADELAIDE SOARING CLUB of Gawler SA 5118 (ASC)

AND The party described in Item 1 (Tenant)

#### BACKGROUND

- A. The ASC leases the Land pursuant to the Headlease
- B The Tenant has requested and the ASC has agreed to grant to the Tenant a sublease to use the Area for the Permitted Use.
- C. The ASC and the Tenant wish to record the terms of their agreement in this Sublease.

#### AND THE PARTIES AGREE as follows

#### ACKNOWLEDGEMENT OF BACKGROUND

The preceding statements are accurate and form part of this Sublease

#### 2 GRANT OF SUBLEASE

The ASC grants and the Tenant accepts a sublease of the Area for the Term as set out in this Sublease.

#### 3 FEE

The Tenant must pay the Fee in advance on each Payment Date

#### 4 USE OF AREA

#### 4 1 Permitted Use

The Tenant must use the Area only for the Permitted Use and must not use or allow the Area to be used for any other use without the ASC's consent

#### 4.2 Installation works by Tenant

- 4.7.1 The parties acknowledge that the Tenant has carried out or intends to carry out certain installation works on the Area to make it suitable for the Permitted Use, namely the installation of a removable air craft hangar. Such installation works must be carried out in strict accordance with this clause.
- 4.2.2 The Tenant must not carry out any further installation works on the Area without the ASC's consent.
- 4.2.3 Unless otherwise agreed in writing between the parties, all installation works on the Area made pursuant to this clause will be the property of the Tenant.
- 4 2 4 Clause 4.2.3 does not affect the ASC's right to require the Tenant to remove improvements made to the Area pursuant to clause 10.2

\*

#### 43 No warranty

The Lessor makes no warranty or representation regarding the suitability of the Area for the Permitted Use or any other purpose

#### ADELAIDE SOARING CLUB

- 5.1 The Tenant warrants that at the time of entering into this Sublease the Tenant was a Flying Member of the Adelaide Sparing Club Incorporated
- 5.2 The Tenant shall at all times hold and maintain membership of the Adelaide searing Clipb incorporated as a Flying Member

#### INSURANCE

#### 6.1 ASC will insure

The ASC will maintain public risk insurance for the Land

#### REPAIR AND MAINTENANCE

#### 71 Repair

The Tenant must keep and maintain the Area in good repair

#### 72 Cleaning

The Tenant must keep the Area clean and tidy

#### R TRANSFERRING, SUBLETTING AND CHARGING

The Tenant must not transfer, assign, sublet, charge, hire or otherwise deal with or give up the Tenant's interest in this Sublease or the Area without the ASC's consent

#### 9 ASC'S OBLIGATIONS AND RIGHTS

#### 9 1 Quiet enjoyment

Subject to the ASC's rights and to the Tenant complying with the Tenant's obligations under this Sublease, the Tenant may occupy the Area during the Term without interference from the ASC.

#### 9.2 Right to enter

1) 2.1 The ASC may (except in the case of emergency when no notice will be required) enter the Area after giving the Tenant reasonable notice to do anything the ASC must or may do under this sublease or must do under any Legislation or to satisfy the requirements of any Statutory Authority.

#### 93 Emergencies

In an emergency the ASC may prevent the Tenant from entening the Area or Land

#### 9.4 Right to Rectify

The AGC may at the Tenant's cost do anything which the Tenant should have done under this Sublease but which the Tenant has not done or which the ASC reasonably considers the Tenant has not done properly, provided that the ASC must give the Tenant reasonable notice before taking such action

#### 10 RIGHTS AND OBLIGATIONS ON EXPIRY

#### 10.1 Expiry

This Sublease will come to an end at midnight on the last day of the Terminal unless it is terminated earlier by the ASC or the Tenant under any other provision of this Sublease.

#### 10.2 Handover of possession

Before this Sublease comes to an end, the Tenant will if required

- 10.2.1 remove the Tenant's improvements and equipment and repair any damage caused by such removal provided that the Tenant is not required to remove underground services or concrete foolings and floors, and
- 10.2.2 complete any repairs which the Tenant is obliged to carry out under this Sublease.

#### 103 Abandoned Goods

If when this Sublease comes to an end, the Tenant leaves any improvements goods or equipment at the Area, then the ASC will be entitled to deal with and dispose of those goods.

#### 10.4 Holding Over

If with the ASC's consent, the Tenant continues to occupy the Area after the end of this Sublease, the Tenant does so as a monthly tenant which

- $10.4.1^{\circ}$  either party may terminate on one month's notice given at any time and
- 10/4.7 is on the same terms as this Sublease

#### 11 BREACH

#### 11 F ASC's rights on breach

- 11.1.1 If the Tenant is at any time in breach of any of its obligations under this Sublease, and the Tenant fails to remedy that breach to the satisfaction of the ASC after being requested by the ASC to do so the ASC may at any time thereafter come onto the Area without notice and do all things necessary to remedy that breach
- 11.1.2 The Tenant will be liable to pay or reimburse the ASC for all costs and expenses incurred in that regard which the ASC may recover from the Tenant as a debt due and payable on demand.

#### 112 Default, breach and re-entry

In the event that

- any moneys (or part of any moneys) payable under this Sublease are unpaid for the space of 14 days after any day on which the same ought to have been paid (provided that a demand in writing for those moneys has first been made by the ASC), or
- the Tenant commits, permits or suffers to occur any breach, or default in the due and punctual observance and performance of any of the covenants, obligations and provisions of the Sublease (provided that the Tenant has first been given written notice of such breach or default and reasonable opportunity to rectify that breach or default if such breach or default is capable of being rectified).

then despite any other clause of this Sublease the ASC may terminate this Sublease without prejudice to any action or other remedy which the ASC has or might or otherwise could have for arrears of the Fee or any other amounts or damages as a result of a breach of this Sublease.

#### 12 INDEMNITY AND RELEASE

#### 121 Risk

The Tenant occupies and uses the Area at the Tenant's risk

#### 122 Indemnity

The Tenant is liable for and indeminifies the ASC against all actions, liabilities, penalties, claims or demands for any loss, damage injury or death incurred or suffered directly or indirectly including in connection with loss or damage to property or injury or death to any person caused by the Tenant or the Tenant's agents, contractors or invitees, the use of the Area by the Tenant or the Tenant's agents, contractors or invitees or otherwise relating to the Area.

#### 123 Release

The Tenant releases the ASC from all actions, liabilities, penalties, claims or demands for any damage, loss, injury or death occurring on the Area or the Land except to the extent that they are caused by the ASC's negligence

#### 13 SUBSISTENCE OF HEADLEASE

This Sublease is subject to the subsistence continuation and operation of the Headlease and in the event that Headlease expires, terminates or is otherwise determined then this Sublease will terminate and come to an end on the expiry termination or determination of the Headlease and neither the ASC or the Tenant will in the event of such termination of this Sublease have any claim against the other except in respect of any previous breach or default under this Sublease.

#### 14 TERMS OF SUBLEASE

Unless inconsistent with the terms of this Sublease, all of the covenants contained in the Headlease are hereby deemed to be incorporated into this Sublease as if they

were specifically set out herein so that the ASC shall be put in the place of the Headlessor and the Tenant in the place of the ASC as headlessee and the Tenant agrees to observe perform and satisfy such terms and conditions as if the same had been expressly repeated in this Sublease

#### 15 GOODS AND SERVICES TAX

- 15-1-1 the lease fee is inclusive of GST
- the ASC shall, on or before the date on which the lease fee is payable issue a fax invoice to the Tenant.
- 15.1.3 the Tenant shall pay the lease fee on the due date for payment by the Tenant of the lease fee
- If the Lenant does not comply with its obligations under the Sublease or with its obligations under GST Legislation in connection with the Sublease and as a result the Council becomes liable for penalties or interest for late payment of GST, then the Tenant must pay the ASC on demand an amount equal to the amount of the penalties and interest.

#### IN GENERAL

#### 16.1 Costs

The parties will bear their own costs of the negotiation, preparation and execution of this Sublease

#### 16.2 Notice

- 46.2.1 Without excluding any other form of service, any notice required to be given or served will be sufficiently given or served as follows:
  - 16.2.1.1 in the case of the Tenant if posted by pre-paid post to the last known address of the Tenant
  - 16.2.1.2 in the case of the ASC, if posted by pre-paid post to the address stated in this Sublease unless the Tenant is or ought reasonably be aware that that is not the ASC's address at the relevant time).
- Notice served by pre-paid post will be deemed to have been given or served three Business Days after posting

#### DEFINED TERMS AND INTERPRETATION

#### 17.1 Introductory

In the Sublease, unless the contrary intention appears

- 17.1.1 a reference to this Sublease is a reference to this document
- 12.12 words beginning with capital letters are defined in clause 17.2
- 17.1.3 a reference to a clause is a reference to a clause in this Sublease.

- $\pm i/4$  , a reference to an Item is a reference to an item in the Schedule
- 17.1  $h_{\parallel}$  a reference to the Schedule is a reference to the schedule of this Sublease, and
- £7.1 ft. a reference to an Annexure is a reference to an annexure to this publicase.

#### 17.2 Defined terms

In this Sublease

Agreed Consideration means the Fee and all other consideration (whether in money or otherwise) to be paid or provided by the Tenant for any supply or use of the Area and any goods, services or other things provided by the ASC under this Sublease (other than tax payable under clause 15).

Area means the area described in Item 2

**ASC** means the party described as ASC in this Sublease and where the context permits includes the members and invitees of the ASC.

Business Day means a day which is not a Saturday Sunday or public holiday in Adelaide

Commencement Date means the commencement date described in Item 2

Fee means the fee described in Item 4

GST has the same meaning as given to that term in the GST Legislation

**GST Legislation** means the *A New Tax System (Goods and Services Tax) Act* 1999 (Cth) and any ancillary or similar legislation

**GST Rate** means  $10^{\circ}$  or such other percentage equal to the rate of GST imposed from time to time under the GST Legislation

**Headlesse** means the lease for the Land dated 17 April 2009 between the Headlessor as lessor and the ASC as lessee

Headlessor means Light Regional Council

**Institute** means the South Australian Division of the Australian Property Institute

**Land** means that portion of the land comprised in Certificate of Title Volume 5115 Folio 511 marked: 860 on the plan attached to the Headlease

**Legislation** includes any relevant Statute or Act of Parliament (whether State or Federal) and any regulation or by-law including by laws issued by any local government body or authority

Payment Date means the Commencement Date and each anniversary thereof during the Term

Permitted Use means the use described in Item 3

Statutory Authorities means any government or semi-quivernment body and any authority created by or under Legislation

Statutory Requirements means all relevant and applicable Legislation and all lawful conditions, requirements, notices and directives issued or applicable under any such Legislation or by a Statutory Authority

Tenant means the party described as Tenant in this Sublease and where the context permits includes the invitees of the Tenant.

Tenant's Equipment means any and all improvements, fixtures and fittings and other equipment installed on or brought on to or made to or kept on the Area by the Tenant including without limitation pursuant to the installation works described in clause 4.2

Term means term of the Sublease commencing on the Commencement Date and described in Item  $\beta$ 

#### 173 Interpretation

Unless the contrary intention appears

- 17.3.1 beadings are for convenience only and do not affect interpretation
- 17.3.2 the singular includes the plural and vice versa.
- 17.3.3 a reference to an individual or person include a corporation, partnership joint venture, authority, frust, state or government and vice versa.
- 17:3.4 a reference to any party in this Sublease, or any other document or arrangement referred to in this Sublease, includes that party's executors, administrators, substitutes, successors and assigns
- 17.3.5 a reference to any document (including this Sublease) is to that document as varied, novated, ratified or replaced from time to time
- 47.3.6 a reference to any Legislation includes any statutory modification or reenactment of it or any Legislation substituted for it, and all by laws regulations and rules issued under it.
- a reference in this Sublease to the ASC's approval or consent is to the ASC's prior written approval or consent which may be granted or withheld in the absolute discretion of the ASC rand which may require the approval or consent of the Headlessor).
- 17.3.8 including and similar expressions are not and must not be treated as words of limitation.
- 17.3.9 the covenants and powers implied in leases by virtue of Sections 124 and 125 of the Real Property Act 1886 will apply and be implied in this Sublease unless they are expressly or impliedly excluded or modified and



### West Wimmera Shire Council



### Road Management Plan

#### 2017



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### Amendment Register

ISSUE:	DATE:	DETAILS:	BY:
Version 1	2/12/2004	Approved by Council	D White
Version 2	3/08/2008	Approved by Council	D White
Version 3	17/10/2013	Approved by Council	D White
Version 4			D Gyford



#### 1.0 INTRODUCTION

#### 1.1 Executive Summary

The Road Management Plan provides details of council's policies, procedures and responsibilities in relation to the daily management of its roads and associated infrastructure.

It establishes the management systems in place for the local road infrastructure of the West Wimmera Shire Council. This is part of the recommended requirements of the Road Management Act introduced by the Victorian government. The Road Management Act has been introduced to provide a more modern legislative framework that is directly related to effective road management.

The Road Management Act 2004 imposes a legal duty for the Council to construct, inspect, maintain and repair roads to an adequate standard, having regard to the nature of the road and the traffic that uses them. The Act authorises the Council to develop a Road Management Plan that sets out in detail the standards of construction, inspection, repair and maintenance of public roads under their administration.

The Road Management Plan is based on the policy, strategy and available resources of the West Wimmera Shire Council, taking into consideration the community needs and priorities.

For council roads, council would be the controlling road authority for the full road reserve, with utility groups and the road authority being regulated under the Road Management Act as detailed in the Code of Practice for Utility Installations in Road Reserves.

The policy and strategy of this plan refers to all Council's assets.

This plan details the roads and associated road assets managed by the council, details the standards that are to be applied to these roads and the intervention levels which determine the time period of maintenance rectification.

The Road Management Act incorporates various stakeholders who have a responsibility under the Act. They are:

- Councillors
- Council employees
- Council contractors
- Utilities



Noad users: including residents within the shire and those travelling from outside.

Road users have now had obligations placed on them, including duty to drive safely having regard to road, weather and traffic conditions. Details of the obligation and of damage claims are in this plan.

#### 1.2 Purpose of a Road Management Plan

#### **Section 50 of the Road Management Act states:**

The purposes of a road management plan are having regard to the principal object of road management and the works and infrastructure management principles—

- (a) to establish a management system for the road management functions of a road authority which is based on policy and operational objectives and available resources; and
- (b) to set the relevant standard in relation to the discharge of duties in the performance of those road management functions.

#### **Section 39 of the Road Management Act states:**

### Road authority may make a policy or policy decision relating to road management functions

(4) A road authority is to be taken to have made a policy or policy decision relating to a road management function if the road authority has made a road management plan that includes provisions relating to the performance of that road management function.

As a result the Road Management Plan may be used in defence of any common law proceedings in relation to the exercise of that road management function.

#### 1.3 Contents of a Road Management Plan

A road management plan should include determinations of standards for the purposes of section 41 of the Act in relation to:

(a) the inspection, maintenance and repair; and



(b) the prioritisation of inspection, maintenance and repair of roadways, pathways, road infrastructure and road-related infrastructure in respect of the public roads or classes of public roads to which the plan applies.

To these ends, a **road management plan** may contain the following:

- (c) a description of the types of road infrastructure
- (d) a description of the inspections required for different types of road infrastructure;
- (e) the standard or target condition to be achieved in the maintenance and repair of different types of road infrastructure; and
- (f) details of the management system, which is established or is to be established and implemented by the road authority to discharge its duty to inspect, maintain and repair.

For each of the public roads or classes of public roads for which the road authority is the responsible road authority.

In addition, a road management plan may determine standards in respect of any other matter referred to in section 41 of the Act.

#### 2.0 OBLIGATIONS

#### 2.1 Council's Legal Obligations

The following Acts, Codes of Practice and regulation are Council's obligations as a road authority:

Section 52(d) of the Road Management Act requires that the Plan "Must include any matters that a relevant Code of Practice specifies"

#### **Relevant Ministerial Codes of Practice are:**

- Operational Responsibilities for Public Roads
- Noad Management Plans content
- Clearways on Declared Arterial Roads
- Management of Infrastructure in Road Reserves
- Worksite Safety Traffic Management

#### Legislation, regulations and Australian Standards which impact on this plan are:

- Road Management Act, 2004
- Transport Act 1983



- Road Safety Act 1986 (Amended 2004)
- Local Government Act 1989
- Council Local laws
- Roads to Recovery Act 2000
- Subdivisions Act 1988
- Disability Discrimination Act 1992
- Catchment & Land Protection Act 1994
- Flora and Fauna Guarantee Act 1988
- Environment Protection & Biodiversity Conservation Act 1999
- Trades Practices Act 1974
- Building Codes
- AS1742.7 Manual of Uniform Traffic Devices 2010

#### 2.2 Key Stakeholders

Key Stakeholder groups with an interest in the use or management of municipal public roads include:

- · The community in general (for recreation, sport, leisure and business);
- · Residents and businesses adjoining the road network;
- · Pedestrians:
- · Users of a range of miscellaneous smaller, lightweight vehicles such as bicycles, motorised buggies, wheel chairs, prams, etc;
- · Commercial users of motorised vehicles such as trucks, buses;
- · Primary producers including stock, grain, wine and hobby farms etc;
- · Vehicles, cars and motor cyclists;
- · Tourists and visitors to the area; and
- · Utilities as prescribed in Section 3 of the Road Management Act.

#### 2.3 Road user Obligations

The Road Safety Act has been amended to place obligations on the road users.

#### Section 17A of the Road Safety Act refers to this:

- '17A. Obligations of road users
  - (1) A person who drives a motor vehicle on a road must drive in a safe manner having regard to all the relevant factors, including (without limiting the generality) the:



- (a) physical characteristics of the road;
- (b) prevailing weather conditions;
- (c) level of visibility;
- (d) condition of the motor vehicle;
- (e) prevailing traffic conditions;
- (f) relevant road laws and advisory signs;
- (g) physical and mental condition of the driver.
- (2) A road user other than a person driving a motor vehicle must use a road in a safe manner having regard to all the relevant factors:
  - (a) Infrastructure on the road reserve
  - (b) Have regard to the community in relation to the road reserve and take reasonable care to avoid conduct that may harm the environment of the road reserve.
- (3) A road user must -
  - (a) have regard to the rights of other road users and take reasonable care to avoid any conduct that may endanger the safety or welfare of other road users;
  - (b) have regard to the rights of the community and infrastructure managers in relation to road infrastructure and non-road infrastructure on the road reserve and take reasonable care to avoid any conduct that may damage road infrastructure and non-road infrastructure on the road reserve:
  - (c) have regard to the rights of the community in relation to the road reserve and take reasonable care to avoid conduct that may harm the environment of the road reserve.

#### 2.4 Limits in Relation to Liability for Property Damages

Section 110 of the Road Management Act details the liability and extent of claim for property damages.

#### **Section 110 - Limits in relation to liability for property damages:**

(1) For the purposes of the definition of "property damages" (see glossary), "the condition of a road or infrastructure" does not include machinery, plant, tools or other equipment or materials of a road authority, infrastructure manager or works manager used for the construction, installation or maintenance of roads or infrastructure.



#### Example:

"The condition of a road or infrastructure" would not include graders, excavators, temporary barriers, shovels, stockpiles of gravel or sand and pipes or poles that have not yet been installed.

- (2) A road authority is not liable for property damages where the value of the damage is equal to or less than the threshold amount.
- (3) The amount which may be recovered against a road authority in a claim for property damages, which exceeds the threshold amount, is to be reduced by the threshold amount.
- (4) A road authority is not liable for tar damage if the road authority has:
  - (a) closed the road to traffic during works and for a reasonable period after the tar was applied; and
  - (b) covered the portion of the road to which the tar was applied with gravel or stones or other appropriate material before re-opening the road to traffic.
- (5) For the purposes of determining a reasonable period under sub-section (4), regard may be had to:
  - (a) any relevant Code of Practice;
  - (b) any relevant road management plan;
  - (c) any policy;
  - (d) the matters specified in paragraphs (a) to (e) of section 101.

#### **Section 115 - Notice of incident:**

- (1) If a person proposes to commence a proceeding in a court based on a claim in relation to an incident arising out of the condition of a public road or infrastructure, the person must give written notice of the incident to the responsible road authority within the prescribed period of the incident occurring.
- (2) In sub-section (1), "prescribed period" means—
  - (a) the period of 30 days; or
  - (b) a longer period as may be prescribed either in respect of all cases or a specified case or class of cases.



- (3) A notice under sub-section (1) must include the prescribed particulars so as to enable the responsible road authority to prepare a condition report under section 116.
- (4) If a person fails to give notice under this section and a report is not prepared under section 116, a court may in any proceeding based on a claim in relation to an incident arising out of the condition of a public road or infrastructure take the failure into account in deciding the weight to be given to evidence about that condition at the time of the incident having regard to:
  - (a) the reason why notice was not given;
  - (b) the length of the delay;
  - (c) the extent of any prejudice caused to the road authority in the proceeding;
  - (d) any other matter relevant in the interests of justice in the proceeding.

# 2.5 Inability to meet obligations of the Road Management Plan due to unavoidable intervening events

Council will make every endeavour to meet all aspects of its Road Management Plan, (RMP). However, in the event of natural disasters and other events including, but not limited to, fires, floods, droughts and the like, together with human factors, such as a lack of Council staff or suitably qualified Contractors, because of Section 83 of the Victorian Wrongs Act, 1958, as amended, Council reserves the right to suspend compliance with its Road Management Plan. In the event that the CEO of Council, has to, pursuant to Section 83 of the above Act, consider the limited financial resources of Council and its other conflicting priorities, meaning Council's Plan cannot be met, they will write to Council's Officer in charge of its Road Management Plan and inform them that some, or all, of the timeframes and response times are to be suspended.

Once the events beyond the control of Council have abated, or if the events have partly abated, Council's CEO will write to Council's Officer responsible for Council's Plan and inform them which parts of Council's Plan are to be reactivated and when they are to be reactivated.

# 2.6 Driveways / Footpaths / Table Drain Crossings/Shared Bicycle & Pedestrian Pathway

Driveway crossings are the responsibility of the property owner. In cases where there is a concrete or paved footpath the property owner is responsible for the driveway infill between the kerb and channel and the footpath, and the footpath and property line. The council is



responsible for the maintenance of the footpath. In cases where the footpath is damaged by the property owner or tenant then the cost will be billed to the owner.

Where a culvert crossing is required over a table drain then the cost of this is the responsibility of the property owner as is any subsequent maintenance.

## 2.7 Footpaths and Overhanging Vegetation

A landowner has responsibility to keep the footpath clear of vegetation growing from their property.

# 2.8 Road Opening Permits

All works carried out on the road reserve must be notified to the council and all works are carried out according to Road Management (Works and Infrastructure) Regulations. Utility organisations will be bound by the Code of Practice "Management of Infrastructure in Road Reserves"

In cases where the road or associated infrastructure is to be opened, a Road Opening Permit is required to be issued by Council. The permit states the standard of reinstatement work and conditions relating to the carrying out of the works. In these cases a permit fee may apply. The standard of reinstatement will be as per the "Road Reinstatement Procedures and Conditions".

# 2.9 Shared Bicycle & Pedestrian Pathway

Council is responsible for shared bicycle and pedestrian pathways on lands for which we are Committee of Management.

# 2.10 Rail Crossings

Rail crossings will be maintained in accordance with AS1742.7 Manual of Uniform Traffic Devices



## 3.0 ASSET MANAGEMENT AND SERVICE DELIVERY

## West Wimmera Council Plan 2017-2021 - Strategic Objective 4:

- \* West Wimmera Shire delivers the very best experience and opportunity that rural living has to offer
- Marie Increase community confidence in Council Service Levels

West Wimmera Shire seeks to:

- Establish an annual service review process to inform budget allocations
- Enable Council to plan/review the viability of Council services
- \* Enable Council to match community expectation by promoting service level information
- Enable Council to discuss changes to services with the community and other agencies
- Enable Council staff to confidently deliver Council priorities

There is a balance by Council in its allocation of resources thus ensuring all sections of the community are benefited by Council's activities.

Council has a policy and strategy that relates specifically to it infrastructure assets and is a reflection of its Council Plan which states that council will provide "A safe and efficient transport network".

# 3.1 Asset Management Policy

Asset Management will be undertaken using the following criteria:

- Mark Guidelines are set to manage assets in a structured and co-ordinated way.
- \* There are clear directions for staff, councillors and community
- Continuous improvement and seeking innovative ways of meeting service requirements
- Risk Management of assets is considered
- Planning for the future
- Council listens to and works for the needs of the community
- Provision of a level of service in accordance with the objectives set out in the Council Plan
- Development of a broad capital evaluation framework that takes into account life cycle costs.
- Legislative and regulatory requirements are achieved.



# 3.2 Asset Management Strategy

The purpose of the strategy is to provide a framework for the strategic management of the council's assets, which include the following groups:

- Roads
- Bridges & Major Culverts
- Buildings & Structures
- **Footpaths**
- Drainage
- Recreation & Open Space

The Council Plan for infrastructure services is borne out in the Asset Management Policy and Strategy. To achieve this Council will provide infrastructure to meet the community needs, ensuring a relationship between maintenance and capital works. Council will annually review its Council Plan and Budget to ensure operations are funded and Council is viable in the long term.

This is further detailed in the Management section.

#### 4.0 MANAGEMENT

A critical part of infrastructure management is not only maintenance but also capital renewal and capital upgrade, this being part of the Asset Management Strategy. Asset Renewal and Upgrade includes all activities that are not of a maintenance nature.

# 4.1 Capital Renewal

Capital renewal includes all activities that are not of a maintenance nature and which tend to extend the service life of an existing asset. Some examples of capital renewal are.

- \* The resheeting of a gravel road
- \* The resealing of a sealed road
- The replacement of a failed section of sealed pavement.
- The replacement of a length of failed kerb / footpath.

Capital renewal does not include the upgrading of an asset such as the widening of a sealed road or the conversion of an unsealed road to a sealed status.



Council will strive to renew existing assets based on the capital condition inspections. However, council will be subject to certain financial constraints and may not be in a position to rehabilitate all assets on demand. Council will undertake a full condition inspection of all of its road assets on a 3-year cyclical basis to assist with this task.

The road hierarchy system, combined service provision parameters (4.3.3) shall be used to priorities renewal projects.

# 4.2 Capital Upgrade

Capital upgrades are those activities that lift the design standard or serviceability of the asset. They would include such activities as:-

- Widening of an existing pavement (sealed or unsealed)
- Sealing of a previously unsealed road
- Provision of a new road where one did not exist before.
- Extension of kerb and channel system.
- rovision of a new footpath where one did not exist before.

Capital upgrades to the road system will be carefully considered on an individual basis. Council is aware of its present financial liability for the ongoing maintenance and capital rehabilitation of the existing road system and that any capital addition to the system will have two financial impacts. Firstly it will divert available funding from the rehabilitation of existing assets and secondly it will add to the future rehabilitation burden.

All future capital improvement projects will be analysed on an individual basis and must fit one of the following criteria.

- Is the improvement related to a road safety issue and therefore lower the risk to Council?
- Is the proposed improvement in line with the design standards for the road classification?
- Is there a measurable economic benefit to the community or business?
- Is the project of an important community nature?

Other matters that will also be examined on an individual project basis are:

- \* Who should fund the project? Are there any sources of external funding available for the project?
- ▶ Is it a project of measurable worth to the community?
- What will be the ongoing financial implications of the project?



## 4.3 Hierarchy

## **4.3.1** Roads

In determining both the standard of road construction and maintenance, as well as the original road design standard it is useful to have in place a road hierarchy. Standards of road construction and maintenance can then be assigned to the various hierarchy categories.

West Wimmera shire has developed the following road hierarchy system for its road network which totals 2721 km of roads:

- ► Highways State Highways controlled by Vic Roads
- \* Arterial Roads Declared arterial roads managed and funded fully by Vic Roads.
- ★ Link Roads category 3 (433km)
- Collector Roads category 4 (361km)
- \* Access-Dwelling Roads category 5A (5A & 5B 1333km)
- Access-Property Roads category 5B
- Minor Roads category 6A (6A & 6B 594km)
- Minor Roads (not maintained) category 6B

#### Link Roads; Category 3

Provides a link between highways, main roads, suburbs, or Access to major tourist facilities, industrial centres, commercial areas and housing areas.

**Definition:** A link road between townships and major rural communities to the arterial road network. Generally have traffic volumes in excess of 80 vehicles per day. Provide major access routes for heavy vehicles.

These are sealed roads. Because of their important and strategic nature these roads will tend to be maintained to a high standard.

## **Collector Roads; Category 4**

Provides connection between higher class roads, or access to major public facilities, smaller commercial centres, minor tourist facilities and industrial centres.

**Definition:** A road that links communities to arterial roads and local link roads.

These are both sealed and unsealed



## Access-Dwelling Roads; Category 5a

These roads serve as primary all weather access to at least one dwelling.

**Definition:** Serve at least one occupied dwelling and link individual houses to higher classification roads, generally have traffic volumes less than 30 vehicles per day.

The majority of these roads are unsealed with a small percentage being sealed.

#### **Access-Property Roads; Category 5b**

These roads serve as all weather access to rural, commercial or industrial properties

**Definition:** Serve as access to non residential properties only and link those non residential properties to higher classification roads, they generally have average traffic volumes of less than 30 vehicles per day and have imported pavement material placed upon them.

#### **Minor Roads; Category 6A**

Provides dry weather access to rural, commercial or industrial properties

**Definition:** Serve as access to non residential properties only and link those non residential properties to higher classification roads, they generally have average traffic volumes of less than 10 vehicles per day and have no imported pavement material placed upon them.

#### Minor Roads (not maintained); Category 6B

Roads not maintained by Council

**Definition:** Roads within a road reserve which are not maintained by council

## **4.3.2** Footpaths / Shared Bicycle & Pedestrian Pathway

West Wimmera Shire has developed the following footpath and kerb and channel hierarchy system.

#### **High Usage Areas; Category 1:**

- 1. Locations within 100m of commercial areas.
- 2. Locations within 100m of schools and links to commercial areas.



#### Medium Usage Areas; Category 2:

(i) All other areas including shared bicycle and pedestrian pathways

#### 4.3.3 Classification Parameters

The factors that are taken into account in determining the road/footpath classification and hence the level of service for each road within the West Wimmera Shire is:

- Traffic volume
- People usage of footpath
- Meavy vehicle traffic
- School bus routes
- \* The number of houses and properties served
- Strategic purpose of the road/footpath

## 4.4 Description of Road Infrastructure

#### **Purpose:**

Details of roads and road assets, including bridges, footpaths and kerb & channel for which the council is responsible are recorded in the road register / road asset register.

#### 4.4.1 Information Contained

The council will maintain a register of public roads and assets that will include:

- a) The name of each public road
- b) The date on which a road became a public road
- c) If the public road ceases to become a public road, the date the road ceased to be a public road
- d) The classification of the public road
- e) The reference of any plan or instrument that fixes or varies the boundaries of a public road
- f) A reference to any agreement under which responsibility for any part of a public road or ancillary area is transferred to or from another road authority
- g) Details of assets that are part of the road infrastructure (including bridges and major culverts).



#### 4.4.2 Demarcation

The road register will contain information of roads, which are under the authority of the West Wimmera Shire Council. Infrastructure, which is not detailed in the registers, is not under the authority of Council. The Ministerial Code of Practice, "Operational Responsibility for Public Roads' will determine the limits of responsibility for declared freeways and arterial roads.

For council roads, council would be the controlling road authority for the full road reserve, with utility groups and the road authority being regulated under the Road Management Act as detailed in the Code of practice for Utility Installations in Road Reserves.

Other authorities, who may have infrastructure with the West Wimmera Shire, are:

- Rail Authorities
- Department of Sustainability and Environment
- Bordering Municipalities
- VicRoads
- Utilities

## 4.4.3 Bordering Municipalities

Where a public road is a municipal road then Council is the co-ordinating and responsible Road Authority for the operational function. In the instance of boundary roads with other municipalities the responsibility is allocated according to an agreement between the two municipalities. The West Wimmera Shire Council borders Hindmarsh Shire Council, Horsham Rural City Council, Tatiara District Council, Naracoorte Lucindale Council, Wattle Range Council, Glenelg Shire Council and Southern Grampians Shire Council.

The Boundary road agreement sets the responsibilities as follows:

Each municipality is responsible for all routine maintenance (grading and rolling), without any cost sharing, on the agreed length of boundary roads, and

Periodic maintenance, rehabilitation and improvement works (including reseals and gravel resheeting) shall be proposed by the municipality responsible for the road, but the cost shall be shared on a 50:50 basis. The decision to carry out any works requires consent of both municipalities and must be detailed at Budget time.

Written agreements exist between each bordering council.



## 4.4.4 Management System / Software

The West Wimmera Shire's road register is detailed in the Council's Asset Management Software

The Roads Module is used to record data of the assets that are found within the Road and Street environment, these being:

- Footpaths
- Kerbs
- Street Furniture
- Street Trees
- Sealed Road Pavements
- Un Sealed Road Pavements
- The Sealed Surface (on top of the Sealed Pavement)

#### Data recorded includes:

- Road / street name
- Road datum
- Road / footpath / kerb length
- Road / footpath / kerb condition
- Works undertaken
- Road category and zone

## 4.4.5 Bridges, Major Culverts and Minor Culverts

The bridges and major culverts are also recorded and include details of:

- Location (road and chainage)
- Dimensions
- Construction materials
- Replacement value
- Depreciation
- ★ Age
- Economic life

## 4.5 Register of WWSC Assets

West Wimmera Shire has the following registers:



- Register of Public Roads
- Register of Bridges and Major Culverts
- Register of Footpaths
- Register of Minor Culverts

#### 4.6 Level of Service

#### 4.6.1 Determining Factors

Council expenditure must cover a variety of services, one of which is roads and its associated infrastructure. The allocation of funds for roads is for maintenance, capital upgrade and capital renewal.

These works are determined based on the classification provision parameters 4.3.3. All these factors are taken into consideration to determine the design standards, inspection frequency and intervention levels. These factors when combined with the capital condition inspection are used to determine and prioritise the capital works program whether it is renewal or upgrade.

## 4.6.2 Community Engagement

#### 4.6.2.1 Current and Previous Community Engagement

Current engagement undertaken by Council includes:

Audience/Technique
Customer requests
Community satisfaction survey
Council meetings

#### 4.6.2.2 Customer Requests

Customer input is further enhanced by the adoption of a customer request system. A Customer request recording/action system has been introduced. The system is detailed in the Customer Request Policy. Those matters that relate to roads must be actioned according to the Intervention Levels as set out in the Road Management Plan.



## 4.6.2.3 Community Satisfaction Survey

Feedback from the Community Satisfaction Survey that refer to assets included in this plan are taken into account when determining service levels.

## 4.6.2.4 Council meetings

Council meetings are held on a monthly basis through the year in various communities and are available for the community to attend. These meetings provide input by councillors and the community into council services.

#### 4.6.2.5 Community Engagement Outcomes

The outcomes from the engagement process are summarized below:

Audience/Technique Date:	Expectations/comments/outcomes/issues:
	Sealed road provided
	Gravel road network provided
Expectations developed	K&C provided in urban areas
	Provide all weather access
from community engagement.	Provide a safe roads network
engagement.	Wider seal widths
	No inconvenience from dust
	Rough gravel roads
Customer requests	Maintenance requests
Community Satisfaction Survey	The survey indicated that the community places a high importance on local streets & footpaths and an even higher importance on the maintenance of unsealed roads

### 4.6.3 Details of How Engagement Translates into Levels of Service

From the engagement process the key customer expectations relating to the assets included in this plan are:



Asset Component	Customer Expectations (outcome of customer engagement)			
	Sealed road provided			
	Gravel road network provided			
	K&C provided in urban areas			
	Provide all weather access			
	Provide a safe roads network			
	Wider seal widths			
	No inconvenience from dust			
	Rough gravel roads			

## 4.6.3 Standards for Maintenance, Repair and Design

The service provision standards can be defined in terms of

- Mesign standard (Table 2,)
- **№** Inspections (Table 3)
- ➤ Intervention Level (Appendix I)

Table 2: Summary of Road Design Standard for Road Hierarchy Classifications:

Road Register	Current Design Standard   Desired Design Stand	
Category		
Link Roads (Road Category 3)	Minimum of 3.7m wide sealed pavement with 2.0m shoulders and 15.0m overall formation width including table drains.	Minimum of 6.2m wide sealed pavement with 2.0m shoulders and 15.0m overall formation width including table drains.
Collector Roads (Road Category 4)	3.7m wide sealed pavement with 1.2m shoulders and 11.8m overall formation including table drains.  Alternatively, 5.0m wide gravel pavement with 12.0m formation width.	6.2m m wide sealed pavement with 2.0m shoulders and 15.0m overall formation including table drains.  Alternatively, 5.0m wide gravel pavement with 12.0m formation width.
Access Roads (Road Category 5A) (Dwelling)	Gravel pavement 5.0 m wide with overall earth formation 12.0m wide	Gravel pavement 5.0m wide with overall earth formation 12.0m wide
Access Roads (Road Category 5B) (Property)	Gravel pavement 5.0 m wide with overall earth formation 12.0m wide	Gravel pavement 5.0m wide with overall earth formation 12.0m wide



Minor Roads (Road Category	Earth formed pavement.	Earth formed pavement.
6A)	Unformed Tracks	
Minor Roads (Road Category	Unformed Tracks	Unformed Tracks
6B)		
roads not maintained by Council		

When roads have reached the end of their lifecycle the road will be either renewed or upgraded, dependant on the following criteria:

- Traffic volume
- Safety and risk of road users
- Funds and resources available
- Heavy vehicle traffic
- School bus routes
- The number of houses and properties served
- Strategic purpose of the road/footpath

This will determine the design standard, with the desired standard for those roads meeting the above criteria as detailed in Table 2.

Road design standards, traffic management and procedures are based on reference to the:

- Austroads Guide to Road Design
- ▲ AS1742.7 Manual of Uniform Traffic Devices 2010

### 4.6.4 Inspection Standards

An inspection program has been implemented with the frequency of inspection as per Table 3.

Inspections are undertaken with the objective the road and associated infrastructure meets the standard as set out in the intervention levels. Those items listed in the intervention levels are those items that are inspected for safety, with risk to the road user being a main determining factor. Risk combined with those factors taken into consideration to determine hierarchy are the determining factors for frequency of inspection. Bridge inspections are carried out as detailed in the Local Roads Bridge Management Manual.



#### Table 3:

<b>Register Category</b>	Inspection details		
Link Roads (Road Category 3)	Routine Inspection of sealed roads on a 3 monthly cycle or in response to complaints, with night inspections on an annual basis. Capital condition inspections on a 3 year basis.		
Collector Roads (Road Category 4)	Routine Inspection of sealed roads and unsealed roads on a 6 monthly cycle or in response to complaints.  Capital condition inspections on a 3 year basis.		
Access Roads (Road Category 5)	Routine Inspection once per year or in response to complaints. Capital condition inspections on a 3 year basis.		
Minor Roads (Road Category 6)	Routine Inspection once per year or in response to complaints.  Capital condition inspections on a 3 year basis.		
High Usage Footpaths (Footpath	Routine Inspections on a monthly basis		
Category 1)	Capital condition inspections on a 3 year basis.		
Medium Usage Footpaths (Footpath	Routine inspections on a 6 monthly basis		
category 2)(including shared bicycle	Capital condition inspections on a 3 year basis.		
and pedestrian pathways)			
Bridges and Major Culverts	Routine maintenance inspection (level 1)		
	Link Roads 6 monthly; Collector, Access and Minor Roads 12 monthly		
	Condition Inspection (level 2) every 2 years		

## 4.6.5 Management Systems for Inspection and Maintenance

The road and footpath inspections are recorded in Council's Asset Management Software. Monitoring is done to ensure that roads are inspected and defects are rectified with the prescribed period. The inspection details of bridges are input into the Bridge Inspection System. These systems enable monitoring of any defects to ensure that rectification occurs as determined by the Intervention Levels 4.6.3. Details of defects are readily accessible at any point in time.

**Table 4** (page 27) shows details of the Asset Risk and Maintenance System and the path that the inspection process follows from the time of inspection to the generation of reports.



#### 4.6.6 Standards

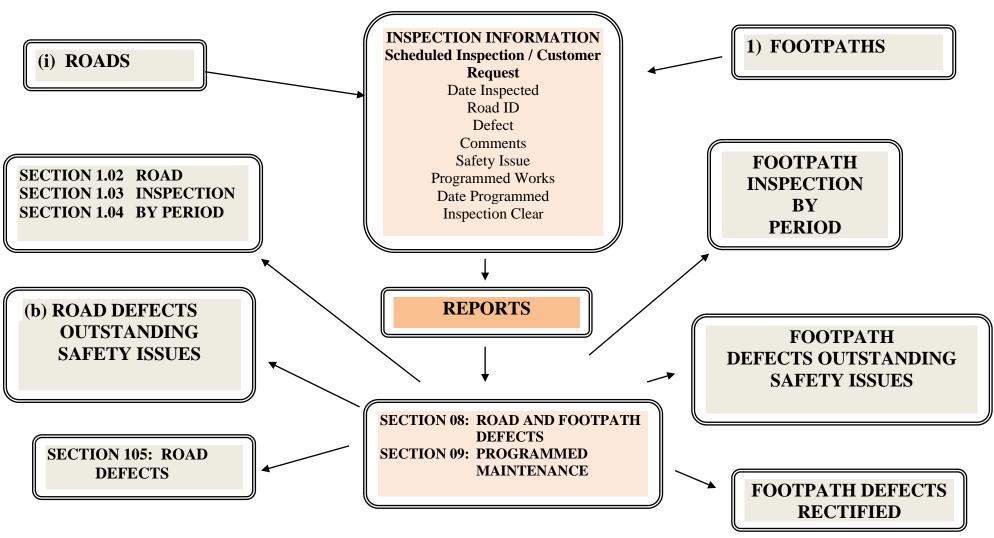
Standards have been set, for the infrastructure within the road reserve, for which the West Wimmera Shire is the controlling authority. The infrastructure will be maintained to the set intervention level. If for an unforeseen circumstance the road or its related asset cannot be rectified within the prescribed time period then the area will have appropriate traffic management applied as per AS 1742.2, AS 1742.3 and Code of Practice – Worksite Safety – Traffic Management. Standards Australia HB 81.1 – HB 81.9 is to be used a field guide. The Intervention level is detailed in Appendix I.

## 4.6.7 Reactive road and footpath requests

Council receives requests from road and footpath users in relation to road and footpath defects. The rectification of these defects is determined by the interventions levels which apply to defects detected during councils programmed inspections. The intervention levels are described in Appendix 1.



Table 4:
ASSET RISK AND MAINTENANCE SYSTEM:





## 5.0 DOCUMENTS REFERENCED

West Wimmera Shire Council - Council Plan 2017 - 2021
Asset Management Policy
Asset Management Strategy
Road and Street Naming Policy
Customer Request Procedure
Integrated Management System Manual
Road Opening and Reinstatement Procedures and Conditions
Standards Statement
Local Roads Bridge Management manual by ARRB
Bridge Maintenance Repair and Strengthening Guidelines by VicRoads

### 6.0 REVIEW OF PLAN

Each incoming council must review its Road Management Plan during the same period as it is preparing its Council Plan under the **Local Government Act 1989**.

The review being co-coordinated by the Assets & GIS Coordinator.

### 6.1 Adoption and Amendments

Before adopting or amending this plan Council must undertake a process of:

- Giving notice of the Plan or amendment
- Allow 28 days for submissions
- Consider any submissions
- Mark Give notice of intention to adopt the plan or amendment



The notice must be published in the Government Gazette and a local daily newspaper.

Upon review of The Road Management Plan, Council must also give notice of the review and the proposed Road Management Plan amendments and where copies may be inspected or obtained. The final phase of review involves Council publishing a notice of intention to adopt the plan amendments in the Government Gazette.



# **Appendix I INTERVENTION LEVELS:**

DRAINAGE				
Asset	Category	Criteria	Intervention level	
Surface Drains and verges:	3,4	When there is flooding or likely to be flooding	To provide appropriate warning within 2 hours of the report or inspection and rectify within 24 hours as conditions allow	
	5,6	of water or scouring.	To provide appropriate warning within 2 hours of the report or inspection and rectify within 24 hours as conditions allow	
Culvert and pit repair:	3,4	Any damage which is a hazard to the public.	To provide appropriate warning where required within 2 hours of the report or inspection and rectify within 10 days	
	5,6	When a culvert or pit becomes non-functional	To provide appropriate warning where required within 2 hours of the report or inspection and rectify within 30 days.	
Surface drains	3,4,5,6,	Grading of table drains when dry to remove any lip accumulation after shoulder grading and to clean table and shute drains.	To be done every 10 years	



Asset	Category	Criteria	Intervention level
Pothole patching: Treatment of isolated failed pavement areas in traffic	3	=> 50mm in depth and/or 300mm in diam.	10 days
lanes.	4		15 days
Edge repair: Repair of broken edges of seal to line and level to	3	=>150mm laterally over 5 m 100mm in depth	10 days
maintain nominal seal width.	4		20 days
Regulation of wheel ruts and depressions:	3	Regulate if rut holds water or exceeds 50mm in depth under a 1.2m straight edge traverse or a 5m straight edge longitudinal.	20 days
	4		30 days



SEALED PAVEMENT -continued-:				
Asset	Category	Criteria	Intervention level	
Crack sealing: Filling of cracks and joints.	3	Program and seal cracks 3mm and wider	Within 12 weeks of detection	
	4		Within 16 weeks of detection	
Digouts/Stabilisation: Treatment of isolated failed pavement.	3,4	Repair when failed area is > 2 sqm.	To provide appropriate warning within 24 hours, maintain in a safe condition and rectify within 6 months	
Road marking;	3,4		Statcon markings to be re-painted every three years	
Spot filling, grading and reshaping of unsealed shoulder to correct;  1. drop off from edge of seal to shoulder  2. roughness, scouring or potholes  3. holding of water			Grade once per year	



UNSEALED ROADS				
Asset	Category	Criteria	Intervention level	
Pothole patching:	4,5	=> 75mm in depth and/or 500mm in diameter	20 days	
	6	=> 200mm in depth and 1m in diameter	25 days	
Maintenance grading:	4		2 per year	
	5		1 per year	
	6		Every 2 years	



ROUTINE MAINTENANCE				
Asset	Category	Criteria	Intervention level	
Sign repair and replacement: Repair, replace, re-erection and cleaning of signs, including supports.	3,4,5,6	Any sign or support which is a hazard to the public.  Straighten sign posts when more than 10° off vertical or replace when damage renders ineffective.  Clean sign and delineator faces when reflectivity is reduced due to accumulation of dirt.  Replacement of signs which are worn, damaged or missing	20 days	
	3,4,5,6	Warning and regulatory signs to be replaced	2 days	
Guardrail: Realignment, repair or replacement of isolated	3,4	Any defective guardrail, which is a hazard to the public.  Defective guardrail, posts and hardware.	To provide appropriate warning within 24 hours and rectify within 15 days	
guardrail <= 15m section, including terminal sections, posts, rails and cleaning of delineators.	5		To provide appropriate warning within 24 hours and rectify within 20 days	



ROUTINE MAINTENANCE – continued –:				
Asset	Category	Criteria	Intervention level	
Guideposts and delineators: Cleaning, painting and/or replacement of damaged	3	Replace all missing posts when more than 10% of posts are missing on straights, and 5% on curves with an advisory speed, or where more than two posts in a row are missing.	15 days	
and missing guideposts and delineators.	4		20 days	
	5		30 days	
	3,4,5	Restore the whole of the white faces of each post to a clean white finish when more than 50% of it is noticeably degraded or dirty.	3months	



Asset	Category	Criteria	Intervention level
Minor maintenance of bridge components including:	3	Clear and clean when any accumulation of material causes interruption to the escape of	Rectify within 10 days
<ul> <li>a) Cleaning and clearing of deck, footway, expansion</li> </ul>	4	drainage water, or the operation of expansion joints.	Rectify within 15 days
joints, scuppers and downpipes.	5		Rectify within 20 days
b) Minor repair including repair of decks, spalled posts and parapets, and repair, tightening of railing.	3,4,5	Broken timber planks or defective timber	To be provide appropriate warning within 2 hours of the report or inspection and replace within 2 days
	3,4	When running planks are loose, their bolts shall be re-tightened or replaced.  Minor damage to concrete or timber that can	To be done within 10 working days
	5	be repaired without special scaffolds of materials	To be done within 20 working days



EMERGENCY WORKS AND SERVICES						
Asset	Category	Criteria	Intervention level			
All works arising from emergency incidents including flooding, fires, storms, traffic accidents, etc. to ensure the safety of the public and protection of the asset. This includes after hours situations.	3,4,5,6		Attendance and action required within 2 hours of call or detection. To rectify if possible and provide appropriate warning to any damage that is a hazard to traffic.			



FOOTPATHS, KERB AND CHANNEL					
Asset	Category	Criteria	Intervention level		
Footpath maintenance Kerb and channel maintenance	1-High usage  2- Medium usage	<ul> <li>Vertical displacement of more than 20 mm.</li> <li>Cracks and missing pieces wider than 10 mm and longer than 50 mm.</li> <li>Tree roots causing a total rise of 50mm above vertical alignment of the path.</li> <li>Moving and broken pieces with movement of more than 20mm</li> <li>Hole at end or side with a depth greater than 25mm and presenting a hazard to users.</li> </ul>	To provide appropriate warning within 2 days. Where major works required then to be placed on programmed works		



VEGETATION					
Asset	Category	Criteria	Intervention level		
Grass mowing Mowing of roadside areas, maintain sight distance Grass and weed control Control of vegetation growth around road furniture.	3,4		Keep grassed shoulders to a maximum height of 450 mm. Cut grass to maintain sight distance at intersections, on bends and 30 m in advance of all approaches and departures.  Keep grass around road furniture, guide posts and guardrail to a maximum height of 450 mm		
Urban road reserves without kerb and channel	3,4,5		Keep grass to a maximum height of 300mm		
Tree and shrub management	<ul><li>3,4</li><li>5</li><li>6</li></ul>	Trim trees when they become a danger to the travelling public.	To be trimmed within 10 days  To be trimmed within 15 days  To be trimmed within 20 days		



## Glossary

"property damages" means any claim for damage to property or for economic loss caused by the condition of a road or infrastructure but does not include any damage or loss arising out of personal injury or death;

#### Example:

Property damages would include a windscreen cracked by a loose stone or damage to a tyre caused by a pothole but would not include damage to a vehicle caused by an unsecured temporary barrier.

"tar damage" means damage to a vehicle caused by tar, asphalt, bitumen or bituminous compounds;

"threshold amount" means the amount of \$1000 as varied under section 111 of the Road Management Act 2004.

"vehicle" has the same meaning as in the Road Safety Act 1986.