

**ORDINARY MEETING OF COUNCIL  
14 SEPTEMBER 2009**

<b>4</b>	<b>ROAD MANAGEMENT PLAN 2009</b>
<b>LOCATION/ADDRESS:</b>	<b>CITY OF PORT PHILLIP</b>
<b>GENERAL MANAGER:</b>	<b>GREG WOOD, ACTING GENERAL MANAGER CITY &amp; INFRASTRUCTURE SERVICES</b>
<b>PREPARED BY:</b>	<b>DAVID ELSON, ACTING MANAGER ASSET SERVICES</b>
<b>FILE NO.:</b>	<b>78/20/08</b>
<b>ATTACHMENTS:</b>	<b>ATTACHMENT #1 - ROAD MANAGEMENT PLAN 2009 (DRAFT)</b>

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**1. EXECUTIVE SUMMARY**

- 1.1 In June 2009, Council resolved to begin a statutory process for the review of its Road Management Plan.
- 1.2 Since that time, the review of Council's Road Management Plan was advertised inviting community comment.
- 1.3 No submissions were received, however a council officer working party determined that there was a need to amend the Plan which will require a further public submission process.
- 1.4 This report asks Council to consider the amended draft Road Management Plan and outlines the final stages in the process.

**2. RECOMMENDATION**

That Council:

- 2.1 Receives and endorses the draft Road Management Plan
- 2.2 Advertises the changes made in the Road Management Plan, which involve changes to some of the standards, in the Government Gazette, a newspaper circulating in the area and in a local paper allowing a further 28 days for affected people to make a submission.

**3. BACKGROUND AND CONTEXT**

- 3.1 The intent of the Road Management Act 2004 is to introduce a coordinated management system for public roads that promotes safe and efficient state and local public road networks and the responsible use of road reserves for other legitimate purposes, such as the provision of utility infrastructure.
- 3.2 The Act gives road authorities a policy defence against public liability claims resulting from road condition, provided they develop and adopt a Road Management Plan. The Plan must detail how a road authority will manage and maintain its road assets and the relevant levels of service it will provide.
- 3.3 On 22 June 2009, Council resolved to review its Road Management Plan as was its statutory obligation. The review was to be advertised for at least 28 days to give interested parties the opportunity to make a submission on the Plan. It was subsequently requested that the Plan be updated to acknowledge the unique heritage features in Port Phillip.
- 3.4 Copies of the Plan, the levels of service and the road register were made available from the Assist Centres at the three Town Halls as well as on Council's website.
- 3.5 The review of the Road Management Plan was advertised in the Government Gazette on 9 July 2009, in The Age on 4 July 2009, and the Port Phillip Leader on 7 July 2009.
- 3.6 The advertisements called for submissions on Council's Road Management Plan by 16 August 2009 and advised interested parties that they have the right to be heard by Council on this matter.
- 3.7 No submissions were received by Council on the review of the Plan.
- 3.8 An internal Road Management Plan working party was established to review the Plan. The working group benchmarked the Plan against Road Management Plans from the Cities of Yarra, Glen Eira, and Greater Shepparton City Council (which Council's Risk Management and Insurance Advisor believes is a superior Road Management Plan). The working group generally found that while the Plan was still largely relevant some parts required change. These included;
  - 3.8.1 The Plan was repetitive.
  - 3.8.2 Stating that the Levels of Service were not part of the Plan was inconsistent with the Road Management (General) Regulations.
  - 3.8.3 References to arterial roads, accessibility, heritage, and the quantity of assets covered by the Plan were missing.
- 3.9 The review of the Plan highlighted seven areas where a change to the standards is proposed. These are;

- 3.9.1 Road pavement condition inspections reduced from annual to every three years in accordance with industry practice. Routine maintenance (defect) inspections remain at annual or shorter intervals depending on the location.
  - 3.9.2 Kerb and channel condition inspections reduced from annual to every three years in accordance with industry practice. Routine maintenance (defect) inspections remain at annual or shorter intervals depending on the location.
  - 3.9.3 Footpath condition inspections reduced from annual to every three years in accordance with industry practice. Routine maintenance (defect) inspections remain at annual or shorter depending on the location.
  - 3.9.4 Bridge condition inspections reduced from annual to every three years in accordance with industry practice. Routine maintenance (defect) inspections remain at six monthly.
  - 3.9.5 Laneway condition inspections reduced from annual to every three years in accordance with industry practice. Routine maintenance (defect) inspections remain at annual or shorter depending on the location.
  - 3.9.6 Street tree programmed maintenance in locations with high or low voltage power lines but which is not a significant boulevard – reduced from an inspection every 2 years to every 2.5 years (governed by the Electric Line Clearance Act) to comply with the requirements in Council's Street Tree Maintenance contract.
  - 3.9.7 Routine Inspections of Traffic Control Devices at Laneways inspected annually rather than 6 monthly.
- 3.10 The Road Management (General) Regulations procedures for amending a Road Management Plan that involves a change in the standard of construction, inspection, maintenance or repair require the road authority to advertise the changes in the Government Gazette and a daily newspaper circulating in the area.

#### **4. CONSULTATION AND STAKEHOLDERS**

- 4.1 A management review of the Road Management Plan was undertaken by a working group comprising members from the following internal departments – Asset Services, Infrastructure Services, Parks and Open Spaces, Governance and Risk, and Communications and Stakeholder Relations.
- 4.2 External consultation was advertised in the Government Gazette, The Age and the two local papers calling for submissions by 16 August 2009. At the close of this period no submissions were received.

- 4.3 Council's Risk Management and Insurance Advisor was consulted about the reviewed Plan and has endorsed it. A copy was also forwarded to Council's Insurer for comment and they have requested no changes to the Plan.
- 4.4 Given that there are seven areas where Council is changing the standards, a further 28-day consultation period is required. This period will give affected parties the opportunity to make comment on those seven sections of the Plan.

## **5. DISCUSSION**

### **5.1 ALIGNMENT TO COUNCIL PLAN**

- 5.1.1 Promote a culture of good governance.
- 5.1.2 Review services to ensure they meet community needs.
- 5.1.3 Maintain Council and community assets to a standard that matches industry best practice.
- 5.1.4 Maintain and enhance streetscapes for improved amenity, character and sustainability

### **5.2 POLICY IMPLICATIONS PLAN**

- 5.2.1 The review of the Road Management Plan has been conducted in accordance with the Road Management (General) Regulations 2005 and the Local Government Act.
- 5.2.2 Council will comply with the final stage of the Regulations by consulting with the community for a further 28 days on the changed standards to seven parts of the Plan.

### **5.3 FINANCE / RESOURCE IMPLICATIONS**

- 5.3.1 The costs associated with this review have been met within the existing operational budgets.

### **5.4 LEGAL & RISK IMPLICATIONS**

- 5.4.1 Council has the option not to continue with the review but it will no longer be able to use the Road Management Plan as a policy defence in public liability claims. The weakening of Council's defence in these matters is considered to be unacceptable and this is not considered a viable option.
- 5.4.2 Council's Governance and Risk department advise that this review is appropriate and has been endorsed by Council's Risk Management and Insurance Advisor.

**6. IMPLEMENTATION STRATEGY**

**6.1 TIMELINE**

- 6.1.1 Council will need to consult the community for a further 28 days given the changes to the standards concerning the seven areas previously discussed.
- 6.1.2 At that time, Council will receive another report receiving final submissions and finalising the Plan.

**6.2 COMMUNICATION**

- 6.2.1 Officers will advertise the changes to the draft Road Management Plan in the Government Gazette, The Age and the local paper for a further 28 days inviting submissions and highlighting the seven areas affected by the changes.
- 6.2.2 A further report will go before Council at that time and should Council endorse the Road Management Plan (2009) a final advertisement will be placed in the Government Gazette, The Age and the local paper regarding the adoption of the Plan.

**7. OFFICER DIRECT OR INDIRECT INTEREST**

- 7.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.