



Maroondah 2025
A Community Planning Together

ROAD MANAGEMENT PLAN

VERSION NO 5

20 July 2009



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SCHEDULE OF REVISIONS AND ADOPTION

Schedule of Revisions

Revision No	Prepared by	Date	Checked by	Comment
1	AT	9/9/04		Preparation of draft document
2	AT	22/9/04	DK, MI	Step program review undertaken and additional comments included
3	AT	13/12/04	DK, MI	Plan reviewed and modified following public exhibition
4	ATo	01/08/07		
5	NT	9/06/09	ATo	Plan reviewed and modified following public exhibition

Schedule of Adoption

Adoption No	Date	Comment
1	13/12/04	Adoption of Road Management Plan (Version 3)
2	10/12/07	Adoption of Road Management Plan (Version 4)
3	20/07/09	Adoption of Road Management Plan (Version 5)

1. EXECUTIVE SUMMARY

In May 2001 the High Court decision to abolish the nonfeasance immunity (highway rule) led to the introduction of the Road Management Act 2004 (Act). The nonfeasance immunity rule had previously afforded all Councils with a defence against claims as it provided that there was no legal requirement for a Council to repair or properly maintain roads.

In 2002 the Victorian State Government temporarily reinstated the nonfeasance immunity until 1 January 2005 to provide time to respond to this new challenge. To provide Council with a policy defence against claims arising from the management of a road, the Act was introduced to reform the laws relating to road management within Victoria.

The Act provides that Council has a statutory obligation to inspect, maintain and repair a public road, and that a Road Management Plan (Plan) may be developed to set reasonable standards in relation to the performance of road management functions for the maintenance of its public roads and associated road related assets. The Act also requires that Council keep a register of public roads in respect of which it is the coordinating road authority. A policy has been developed that establishes criteria for inclusion of a road in the register around the scenario, *“is the road reasonably required for general public use”*.

While the development of a Plan is not compulsory, Maroondah City Council (Council) has taken the view, in line with the Municipal Association of Victoria (MAV), that the establishment of a Plan is based on sound asset management principles and practices that will provide long-term community benefit.

In establishing the Plan, Council has reviewed its maintenance standards and management systems required to deliver an effective service in the context of what is reasonable, affordable, achievable and comparable.

The review has included an analysis of asset profiles and management principles, current service levels, available resources, expenditure profiles, risk management principles and community expectations. The Plan establishes an acceptable level of risk that balances the desired level of service documented in the Plan with the available financial and resource levels. The Plan includes assets such as road surfaces, kerb and channel, stormwater pipe drainage and pits, footpaths, shared paths (bike paths), table drains, linemarking, local area traffic management devices, guard fence and guide posts.

The maintenance standards and systems established in the Plan will be tested and reviewed in the first year of operation and refined as the additional and enhanced asset management systems are implemented and a greater understanding of Council's road related assets are developed. The Plan also sets improvement programs that will be developed and implemented within specified timeframes to further enhance Council's asset maintenance service delivery.

In summary, the Plan documents a maintenance service standard and integrated management system for Council's public roads that identifies required improvement programs. The service levels documented in the Plan will be tested against the criteria that Council has acted reasonably in setting the standards, and will provide Council with a policy defence against claims arising from the maintenance of its public roads and related assets.

2. INTRODUCTION

2.1 Maroondah Profile

The City of Maroondah covers a land area of 61.4 square kilometres in Melbourne's Outer East, 22 kilometres from the Central Business District (CBD). The area is a substantially developed residential municipality, with just over 100,000 residents.

Encompassing many of Melbourne's outer eastern suburbs, the City of Maroondah is divided into 3 wards; Wyreena, Mullum and Arrabri. Maroondah includes the suburbs of Ringwood, Ringwood North and East, Heathmont, Warranwood, Croydon, Croydon North and South, Croydon Hills, Bayswater North, Kilsyth, Kilsyth South and parts of Wonga Park and Vermont.

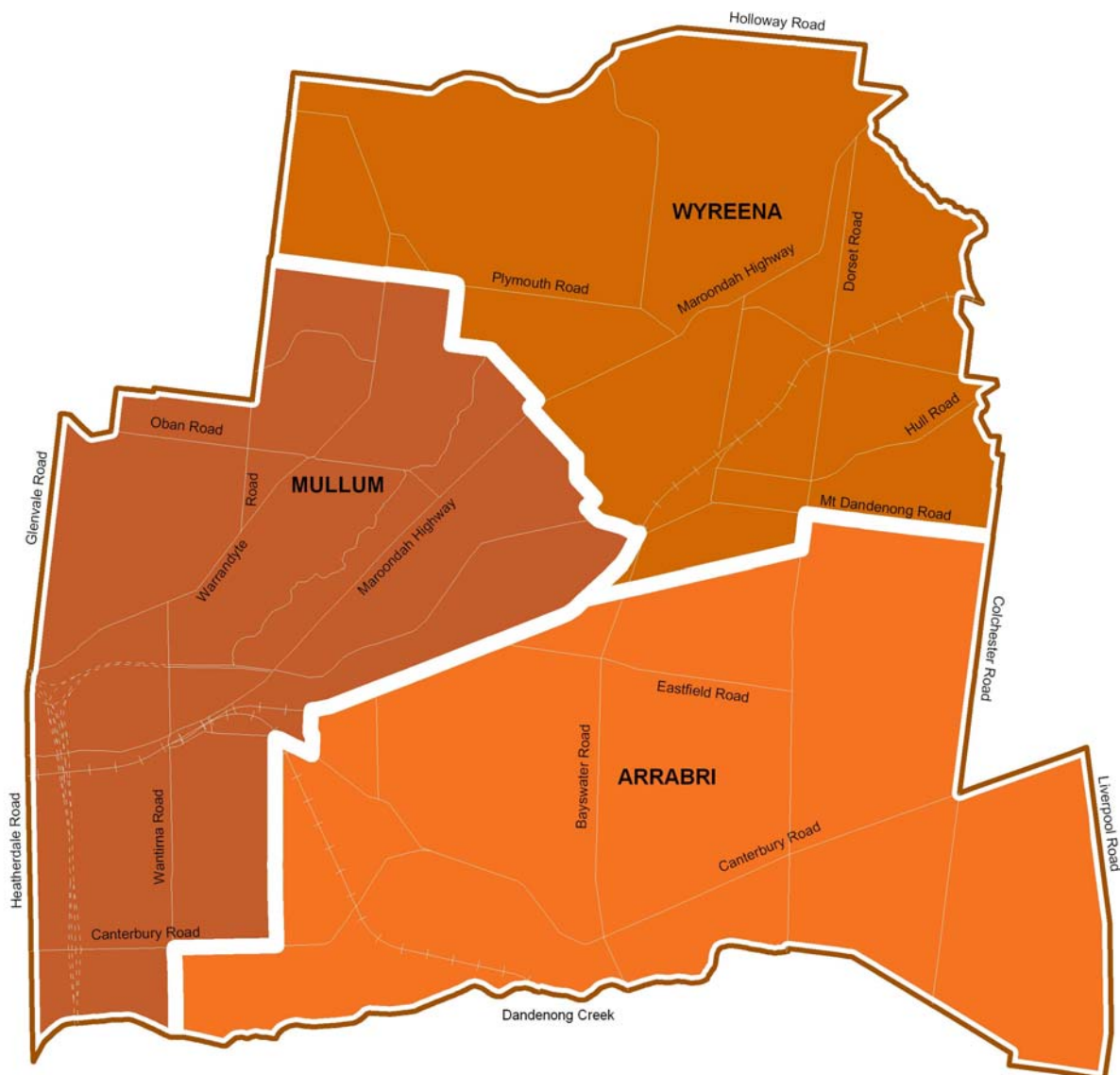


Figure 2.1 – City of Maroondah Map

2.2 Asset Portfolio

The network of roads, footpaths, carparks and kerb & channels within Council's boundaries are significant in size and value when considered against its 61 Sq. Km area. The network comprises the following assets:

ASSET	TYPE	QUANTITY
ROADS	CONSTRUCTED	462 km
	UNCONSTRUCTED	8.9 km
RIGHTS OF WAY (ROWs)	CONSTRUCTED	8.4 km
	UNCONSTRUCTED	11 km
CARPARKS	CONSTRUCTED	205,000 Sq.m
	UNCONSTRUCTED	55,000 Sq.m
SHARED PATHS	CONSTRUCTED	19.2 km
	UNCONSTRUCTED	11.2 km
KERB & CHANNEL	-	901 km
FOOTPATHS	CONSTRUCTED	575 km
SIGNS	-	Approx 20,000
STORMWATER PIPES	-	702 km
STORMWATER STRUCTURES	-	23,568
BUS SHELTERS	-	163

**Figure 2.3 – Maroondah City Council Asset Portfolio
(Current as of July 2008)**

The municipality also has approximately 32 km of arterial roads, which link with the state government's network of arterial roads and state highways. These roads do not form part of Council's responsibility for the ongoing maintenance or development under the new provisions of the Road Management Act 2004.

3. ROAD MANAGEMENT PLAN

3.1 Introduction

This document is Maroondah City Council's (Council) Road Management Plan (Plan) version 5, which supersedes the previous version 4, and is made pursuant to section 49 of the Road Management Act 2004 (Act).

The Plan was developed following the process below:

- Council authorised notice of intention to make a Plan – 20 September 2004;
- Gazettal (20 September 2004) and public notice of the intent to make a Plan published in The Age (25 September 2004), and Maroondah Journal (28 September 2004);
- Public submissions hearing – 4 November 2004;
- Consideration of submissions by Council – 15 November 2004;
- Council authorised preparation of final Plan for adoption; - 15 November 2004
- Formal adoption of the Plan by Council – 13 December 2004;
- Gazettal of the Plan (16 December 2004), public notice placed in The Age (18 December 2004), and in a newspaper generally circulating in the area (20 December 2004) notifying of the adopted Plan; and
- Placement of the adopted Plan on public display where it can be inspected or obtained.

After approximately 2 years in operation, Council undertook a review of version 3 of the Plan, in accordance with part 3 of the Road Management (General) Regulations 2005.

In 2008/09, Council again undertook a review of the Plan in accordance with part 3 of the Road Management (General) Regulations 2005, and as per the following process;

- Review of Road Management plan to be completed by 30 June 2009
- Gazettal (24 December 2008) and public notice of the intent to review the Plan published in The Age (23 December 2008), the Maroondah Leader (23 December 2009), and the Maroondah Journal (23 December 2008);
- Gazettal (4 June 2009) and public notice of the intent to amend the Plan published in The Age (3 June 2009), the Maroondah Leader (2 June 2009), and the Maroondah Journal (2 June 2009);
- Council authorised preparation of final plan for adoption - 13 July 2009
- Formal adoption of the amended Plan by Council - 20 July 2009
- Placement of the amended Plan on public display where it can be inspected or obtained

The Plan complies with section 52 of the Act and the requirements of the Ministerial Code of Practice for Road Management Plans published in the Government Gazette on 16 September 2004.

3.2 Requirement to Prepare a Road Management Plan

Section 49 of the Act provides that the development of the Plan is voluntary. Council has taken the view that the establishment of a Plan is based on sound asset management principles and practices that will provide long-term community benefit.

3.3 Purpose of the Road Management Plan

Council's Plan has been prepared in accordance with section 50 of the Act. Section 50 provides that –

The purposes of a road management plan are to have regard to the principal object of road management and associated works together with 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.

The Plan provides the framework of how Council will meet these objectives through the establishment of systems for condition inspections and asset maintenance practices.

3.4 Contents of the Road Management Plan

The content of the Plan has been developed in accordance with section 52 of the Act. Section 52 provides that Council may set relevant standards or policies for the performance of road management functions and establish management systems to discharge these duties.

3.5 Road Management Plan Framework

The Plan is a document, adopted by Council that establishes the following strategic framework within the requirements of sections 50 and 52 of the Act:

- Agreed Levels of Service for the inspection, repair and maintenance of Council's road related assets and other assets as specified in the Plan;
- Maintenance management systems;
- Register of Public Roads as required by the Act, and maintained in accordance with the Plan;
- Boundary Agreements with neighbouring municipalities that provide clear definition of Council's responsibilities for Boundary Roads and other shared assets;
- Agreements with VicRoads and other authorities;
- Risk Assessments to determine the levels of service provided;
- Reporting frameworks for incident notification and condition inspections; and
- Auditing procedures

3.6 Key Road Management Plan Stakeholders

The Road Management Plan impacts or relates to a wide range of internal and external stakeholders:

Internal Stakeholders	External Stakeholders
Operations Department	Maroondah Community, and adjacent Municipalities
Engineering & Infrastructure Services	VicRoads
Risk Management	Parks Victoria
Finance	Department Sustainability & Environment (DSE)
Information Technology	Melbourne Water
Building Services	State Emergency Service
Local Laws	Utilities / Service Authorities
Strategic Planning	Public Transport Service Providers
Statutory Planning	Local Businesses / Community Groups
	Melbourne Fire Brigade
	Victoria Police
	Victoria Ambulance Service

Table 3.1 – Key Road Management Plan Stakeholders

The internal and external stakeholders in **Table 3.1** form a key relationship in the management of Council's public roads. The decision making process utilised by Council in the determining its priorities for asset maintenance and capital works must take into consideration the varying needs and requirements of its key internal and external stakeholders.

3.7 Availability of the Plan

The Plan may be inspected or obtained at Council's Civic Office in Braeside Avenue, Ringwood, Council's Customer Service Centres at Eastland Shopping Centre and Croydon Civic Centre, and on Council's website.

3.8 Ministerial Codes of Practice

Codes of Practice have been prepared and approved by the Minister to provide practical guidance in relation to the performance of road management functions by road authorities. The Plan has been prepared in accordance with the Codes and the provisions of section 24 of the Act.

The following Codes of Practice are referred to or affect the operation of the Plan:

- Ministerial Code of Practice for Management of Road and Utility Infrastructure in Road Reserves;
- Ministerial Code of Practice for Operational Responsibility for Public Roads;
- Ministerial Code of Practice for Clearways on Declared Arterial Roads;
- Ministerial Code of Practice for Road Management Plans;
- Ministerial Code of Practice for Worksite Safety Traffic Management; and

3.9 Regulations

Council's Plan also operates under the provisions of the following Regulations:

- Road Management (General) Regulations 2005
- Road Management (Works & Infrastructure) Regulations 2005

The Plan will be continually reviewed to ensure compliance with the Regulations.

4. DOCUMENT CONTROL

4.1 Amendments

The Plan will be subject to reviews in accordance with the requirements of the Road Management (General) Regulations 2005 (Regulation) Part 2 Division 1, section 4.

Any amendment required to the Plan as a consequence of reviews, changes to the Act, Codes of Practice, Regulations, Levels of Service or Management Systems are to be undertaken in accordance with the requirements of the Regulations and the Act.

4.2 Plan Reviews

Reviews associated with the Plan will be undertaken in accordance with part 3 of the Road Management (General) Regulations 2005 and to coincide with the development of the particular year's Annual Budget. In addition to the requirements of the Regulations, the reviews of the Plan will have regard to the following:

- Changes in legislation or any other external factor influencing the delivery of the Plan;
- Current budgets and forecasts;
- Resources levels that will affect service delivery specified in the Plan;
- The performance of the assets;
- Community expectations;
- Changes to maintenance practices;
- Existing and future Asset Management strategies; and
- Any other internal factors that may influence the delivery of the Plan.

Resulting amendments to the Plan will be undertaken in accordance with section 4.1 of the Plan.

4.3 Community Consultation and Involvement

Community consultation associated with version 4 and this version (Version 5) of the Plan has been undertaken in accordance with section 54 of the Act and the Road Management (General) Regulations 2005. The community consultation process involved the publication of notices, as detailed within **Section 3.1**.

The Plan will also form part of the Best Value review of Council's Operations Department for the provision of asset maintenance service delivery. The Best Value review ensures that the expectations and priorities of the community are taken into account and an on-going process of community input in developing asset maintenance priorities has been established.

5. STRATEGIC DIRECTION

5.1 Council Plan

Maroondah City Council's Council Plan details what Council must do to work towards achieving the long-term vision described in Maroondah 2025 - A Community Planning Together. The Council Plan sets out strategies for the next four years and takes into account what Council needs to undertake in these four years to achieve our long-term vision. The Plan underpins the strategic directions contained within Council's Council Plan.

5.2 Best Value Principles

The Plan has been developed with regard to the Best Value Principles provided in section 208B of the Local Government Act 1989.

5.3 Asset Management Plan – Roads 2008-2013

The Maroondah City Council Asset Management Plan – Roads 2009 – 2024, which is being reviewed in conjunction with this Plan, provides a strategic 15-year plan for the maintenance and development of Council's road related assets.

The review of this Plan continues the integral link with the Maroondah's Asset Management Plan - Roads. The review of this Plan ensures that management systems are put in place that compliment, and are mindful of the strategic development of, road related assets.

The levels of service specified in the plan, the data collected from routine inspections, and the four yearly cyclic condition assessments undertaken as part of the pavement management system form a critical relationship in the ongoing maintenance of assets, the development of works programs and the refinement of existing asset strategies.

5.4 Long Term Financial Strategy

Council has established a 10 year Long Term Financial Strategy to set Council's strategic direction. The strategy ensures the long-term financial viability of Council and includes the review of expenditure on the renewal and maintenance of Council's assets in the context of Council's total budget.

5.5 Emergency Management Plan

Maroondah City Council's Municipal Emergency Management Plan has been produced pursuant to Section 20(1) of the Emergency Management Act 1986. This plan addresses the prevention of, response to and recovery from emergencies within the municipality of Maroondah and is the result of the co-operative efforts of the emergency management planning committee and assistance from Victoria State Emergency Service Central Regional Headquarters and recognises the previous planning activities of the municipal area.

The Plan takes into consideration the requirements of the Emergency Management Plan and the need to ensure that emergency events are factored into the standards established through the Plan.

5.6 Other Documents

Other documents that form part of the Plan's considerations include:

- Maroondah Bicycle Strategy;
- Maroondah Integrated Transport Strategy;
- Maroondah Pedestrian Strategy;
- Vehicle Crossing Guidelines;
- Draft Unconstructed Roads Guidelines;
- Road Safety Strategy;
- Draft Tree Policy and Street and Reserve Tree Management Guidelines;
- Maroondah City Council Risk Management Strategy 2006-2009 (See **Section 9.1**)
- Engineering Standard Drawings (Maroondah City Council)

6. POWERS & DUTY OF THE ROAD AUTHORITY

6.1 Council's Statutory Duty

The Act provides in section 40(1) that a road authority has a statutory duty to inspect, maintain and repair a Public road –

- (a) to the standard specified in the Road Management Plan for that public road, or a specified class of public road, which includes that public road; . . .

Section 40(2) of the Act provides that the statutory duty imposed by subsection 40(1) does not create a duty to upgrade a road or to maintain a road to a higher standard than the standard to which the road is constructed.

6.2 Municipal Roads

Under the Act, Council is the coordinating road authority in respect of municipal roads.

A “**municipal road**” means any road which is not a state road, including any road which–

- (a) is a road referred to in section 205 of the Local Government Act 1989; or
- (b) is a road declared by VicRoads to be a municipal road under section 14(1)(b); or
- (c) is part of a Crown land reserve under the Crown land (Reserves) Act 1978 and has the relevant municipal council as the committee of management.

Council has a statutory duty to maintain those municipal roads it has determined to be a public road under section 17 of the Act.

6.3 State Arterial Roads

A “State Road “ means a road which –

- (a) is a freeway or arterial road; or
- (b) is declared to be a non-arterial State Road under this Act; or
- (c) is the responsibility of a State Road authority under another Act;

In respect to State Arterial Roads, Council only has a duty in respect to Arterial Roads as defined by section 14 of the Act. These are declared roads of VicRoads who is the coordinating road authority.

6.4 Where Does Council’s Statutory Duty Apply?

Section 40(3) of the Act provides that the statutory duty to inspect applies to any part of a public road, which is –

- (a) a roadway;
- (b) a pathway;
- (c) a shoulder;
- (d) road infrastructure.

Section 40(4) of the Act provides that the statutory duty to inspect does not apply to –

- (a) a road which is not a public road;
- (b) any roadside or other area of a public road that has not been developed by a road authority for use by the public as a roadway or pathway; i.e. nature strips whether with a formally or informally constructed pathway are not inspected or maintained by Council; and
- (c) non-road infrastructure, which is installed in the road reserve.

Section 8 of the Plan provides the details of what Council has recorded as a public road in its Register of Public Roads (Register), and **Section 10** of the Plan describes the road related assets to be maintained within the public road.

6.5 Power to determine standard of construction, inspection, maintenance and repair

Section 41 of the Act provides that the relevant road authority may determine the standard to which the relevant road authority will construct, inspect, maintain and repair roadways, pathways, road infrastructure and road related infrastructure.

The Plan specifies the frequency of inspection in **Schedule 6**, and the maintenance intervention levels and actions to be applied are specified in **Schedule 7**.

7. ROAD USER RIGHTS AND OBLIGATIONS

In developing the Plan Council has had regard to the statutory rights and obligations of road users. The statutory rights of road users are set out in sections 7 to 10 of the Act and may be summarised as:

- *a member of the public is individually entitled as of right, to pass along a road - section 8(1);*
- *members of the public are generally entitled as of right, to pass along a road - section 8(2); and*
- *an owner or occupier of any land, which adjoins a road, is entitled as of right, to access the road from that land - section 9(1).*

subject to any restrictions on such rights imposed at common law or by legislation.

The obligations of road users generally are set out in section 138 of the Act, which inserted a new section 17A into the Road Safety Act 1986 –

- (1) A person who drives a motor vehicle on a highway must drive in a safe manner having regard to all the relevant factors, including (without limiting the generality) the –
- physical characteristics of the road;
 - prevailing weather conditions;
 - level of visibility;
 - condition of the motor vehicle
 - prevailing traffic conditions;
 - relevant road laws and advisory signs;
 - physical and mental condition of the driver.

While Council has a statutory obligation to manage its roads and other related assets in accordance with the standards and level of service detailed in its Plan, this does not abrogate the duty of the road user, including pedestrians, to show due care in their use of the roads and other related assets.

8. REGISTER OF PUBLIC ROADS

8.1 Introduction

Council is responsible for all public roads within its municipal boundary that are a municipal road and for which it is the coordinating road authority: section 17 of the Act. All such roads must be recorded by Council in a register of public roads (Register): section 19 of the Act.

The Council Register has been prepared in accordance with Sections 17 and 19 of the Act. In doing so Council has made its determination of what road is included in the register based on section 17(3) of the Act – *is the road reasonably required for general public use*.

8.2 Register of Public Roads Policy

A policy has been adopted by Council to ensure consistent assessment of whether different types of roads under the Act are public roads and provide definition and clarity of what is a Public Road and will therefore be included in the Register of Public Roads. The Register of Public Roads Policy is attached to the Plan in **Schedule 2**.

8.3 Availability of the Register

In accordance with section 19(5) of the Act the Register is available for inspection by the public, free of charge, at Council's Civic Offices, Braeside Avenue, Ringwood and Customer Service Centres at Eastland Shopping Centre and Croydon Civic Centre, during normal business hours, and on Council's website.

8.4 Asset Hierarchies

Clause 1(d) of schedule 1 of the Act requires that the classification of a Public Road be recorded in the Register.

The Register of Public Roads Policy establishes a framework for a road classification system. The road classification is noted in the Register and appropriate levels of service for each classification have been developed.

The hierarchies established for the road and pathway networks are discussed in **Section 11** in further detail.

9. RISK MANAGEMENT

9.1 Maroondah City Council Risk Management Strategy 2006-2009

The Maroondah City Council Risk Management Strategy 2006-2009 (RM Strategy), which was formally adopted by the Corporate Management Team (CMT) in February 2006, establishes the risk management direction for all service areas operating within the Council, including those service areas responsible for the implementation of the Plan.

Council has also established a Risk Management Cross-Functional Working Group, with representatives from a number of Council's service areas, to launch, facilitate and monitor the implementation of the RM Strategy, and to provide the necessary direction for any strategic risk management matters.

The RM Strategy provides the strategic direction for the risk management component of the Plan, and provides the basis for all road related risk mitigation activities undertaken by Council.

9.2 Specific Defect Risk Assessment

The overall risk associated with a specific defect that is identified, and the subsequent priority for any required rectification works, is determined by considering:

- The severity of the defect – see **Schedule 1**
- The hierarchy of the asset in which the defect is located – **Section 11**
- The relative defect ranking (comparative risk) from **Section 9.3**

Council's Asset Surveillance Team determines the severity of specifically identified defects, in accordance with Council's Asset Surveillance Manual (**Schedule 1**), and as part of their routine asset surveillance inspections (**Schedule 6**). The determination of the severity of the defect is generally related to the magnitude or the extent of the defect, and is generally measured physically, depending on the type of defect, to ensure rating consistency.

Australian Standard AS4360: 1999 – Risk Management provides the basis for establishing a risk rating by considering the likelihood of an event occurring and the subsequent consequences of that particular event.

The risk management methodology from AS4360: 1999 was used to establish the relative defect ranking (comparative risk) for the different defect types associated with Council's assets, in order to assist with the determination of the maintenance priorities and the subsequent desired levels of service. The relative defect ranking (comparative risk) is attached to the Plan in **Schedule 3**.

9.3 Adopted Risk Management Position

Council has adopted a **moderate** position for the level of risk it is prepared to accept for its public roads and related assets. The levels of service required to achieve this moderate risk position are detailed in **Schedules 6 & 7**. Council has made this determination by considering what is reasonable; what is achievable; and what is affordable.

10. ASSETS REGISTER

10.1 Assets Included in the Plan

The road related assets that fall within the public road reserve and that are subsequently included in the Plan are described below. In determining what assets are included in the Plan, consideration has been given to the requirements of the Act, the “Ministerial Code of Practice Operational Responsibility for Public Roads”, risk assessments, available resources, available budgets and expenditure profiles.

The road related assets included in the Plan are as follows:

- Constructed and Unconstructed Roads, including the service roads adjacent to Arterial Roads (VicRoads) - refer to **Section 13.1**
- Carparks
- Rights of Way (ROWs)
- Kerb and Channel
- Linemarking
- Stormwater drainage structures, pipes and culverts
- Formally or informally constructed pathways, including shared paths and reserve paths, and those pathways adjacent to Arterial Roads (VicRoads) - refer to **Section 13.1**
- Bridges
- Pedestrian Underpasses – where the structure crosses a municipal road Council maintains the structure. Where it crosses an arterial road the maintenance is in accordance with the definitions provided in the Operational Code of Practice.
- Local Area Traffic Management Devices
- Road Signage
- Street furniture
- Guard Fence
- Retaining Walls constructed for the roads structural integrity
- Street lighting
- Bus Shelters
- Barrier and Safety Fences

The asset types inspected and maintained by Council are documented within the specified inspection frequencies and intervention levels and are attached to the Plan in **Schedule 6** and **Schedule 7**.

The above assets have been identified within Council’s Geographical Information System (GiS), which provides an effective graphical tool for the management of the respective assets. The GiS system is complimentary to the Register.

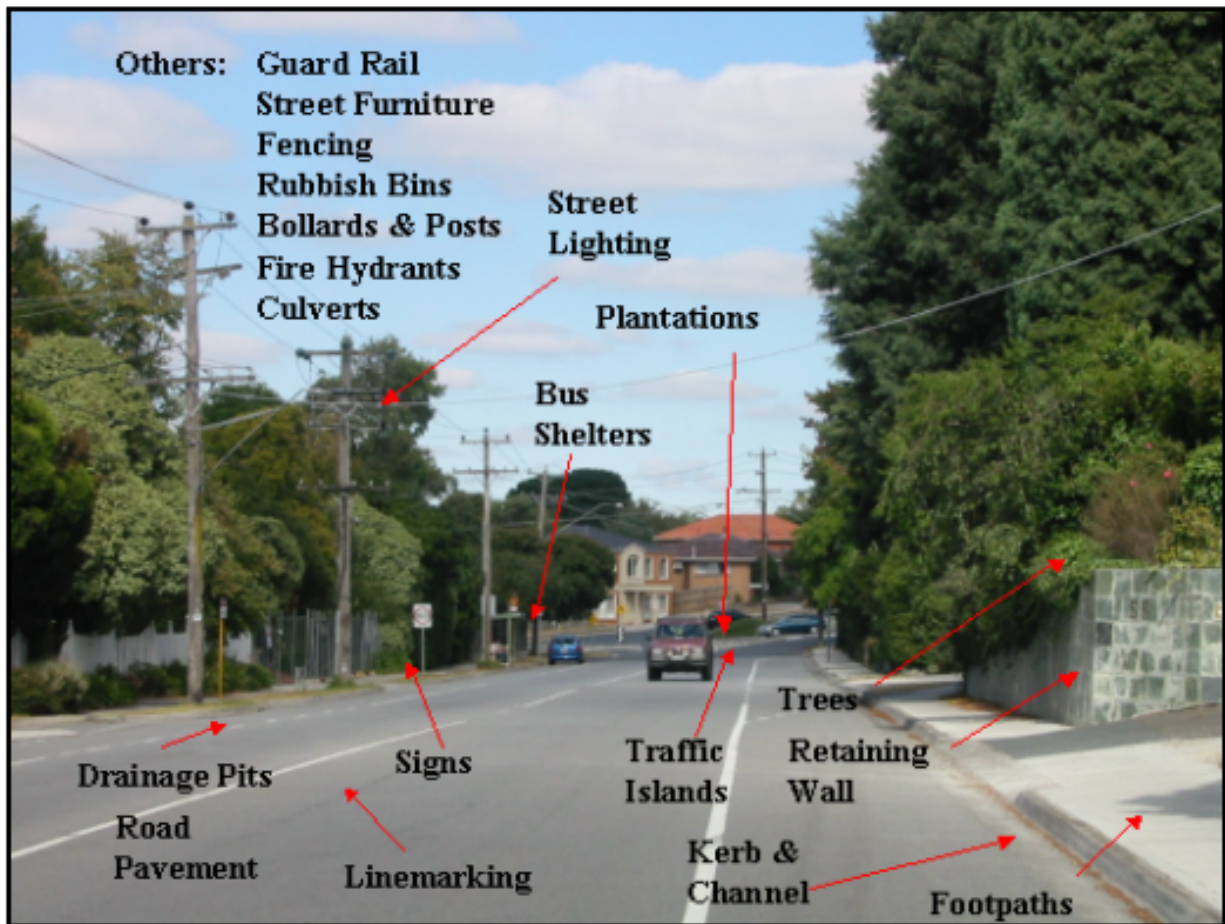


Figure 10.1 - Assets included in the Plan

10.2 Assets Not Included in the Plan

The assets Council has determined to not include in the Plan are:

- Arterial Roads (VicRoads) – Kerb and channel, road pavement and central median islands – refer to **Section 13.1**
- Vehicular crossings (driveways) – refer to **Section 13.2**
- Street trees – managed under separate Council tree policy, and associated guidelines for street trees and reserve trees;
- Road pavement and pedestrian crossing at Railway crossings within 2.13 metres of the outer track;
- Body Corporate (private) driveways;
- Unconstructed and unformed pathways; and
- Service authority assets – except identified hazards (in line with Council defect ratings requiring immediate response) noticed in conjunction with Council asset inspections, which are passed on to relevant Service Authority

11. ASSET HIERARCHY

11.1 Road Hierarchy

To establish appropriate levels of service for the inspection, maintenance and repair of the road infrastructure networks within the municipality, Council has developed a road hierarchy (see **Table 11.1** below), by giving consideration to the following:

- Linkages with other roads in the network;
- Linkages with commercial and residential areas in the municipality;
- Existing and predicted traffic volumes;
- Differences between the existing VicRoads (Arterial) and Local (Municipal) Road network;
- Level of transportation of goods and services;
- Adjacent recreational facilities;
- Use of the network for public transport and school bus routes; and
- Location of schools.
- Transport hubs

Road Hierarchy	Responsibility
Freeway	VicRoads
Arterial Road	VicRoads / Maroondah City Council (refer to Section 13.1)
Link Road	Maroondah City Council
Collector Road	Maroondah City Council
Local Access Road	Maroondah City Council
Ancillary Area - Carpark, Right of Way	Maroondah City Council

Table 11.1 - Maroondah Road Classifications

11.2 Pathway Hierarchy

To establish appropriate levels of service for the inspection, maintenance and repair of the pathway infrastructure networks within the municipality, Council has developed a pathway hierarchy (see **Table 11.2** below), by giving consideration to the following:

- Adjacent road hierarchy
- Estimated current and predicted pedestrian traffic volumes
- Location of major and minor shopping precincts (as defined in **Schedule 5**)
- Location of other high use areas, such as aged care facilities, community facilities, schools, hospitals, child care centres etc
- Difference between formally and informally constructed and unconstructed pathways
- Location of pathway (ie within road reserves or within recreation reserves)
- The adopted principle footpath network

Pathway Hierarchy	Description
Hierarchy 4	Formally and informally constructed pathways located around major shopping precincts
Hierarchy 3	Formally and informally constructed pathways located around minor shopping precincts i.e. strip shopping centres, aged facilities, schools, community facilities, hospitals, child care centres, public transport pick up points, together with formally and informally constructed pathways located along VicRoads Arterial Roads and any formally or informally constructed shared pathways
Hierarchy 2	Formally or informally constructed pathways in Local Access Roads, Collector Roads, and Link Roads, and formally or informally constructed shared / reserve pathways
Hierarchy 1	Unconstructed footpaths & unconstructed shared paths – Not recorded

Table 11.2 - Maroondah Pathway Hierarchy

12. LEVELS OF SERVICE

12.1 Introduction

The Act provides in section 40(1) that a road authority has a statutory duty to inspect, maintain and repair a Public Road –

- (a) to the standard specified in the road management plan for that public road or a specified class of public roads, which includes that public road; . . .

Council has established in the Plan:

- **Inspections frequencies (Schedule 6)** to satisfy the duty to inspect a public road; and
- **Intervention levels (Schedule 7)** to satisfy the duty to maintain and repair a public road.

12.2 Adopted Levels of Service

The adopted levels of service for inspection frequencies are attached to the Plan in **Schedule 6**. The intervention levels for repair and maintenance of the public roads are attached to the Plan in **Schedule 7**.

12.3 How the Levels of Service Were Developed

The levels of service adopted in the Plan were established in consultation with Council's Operations Department to establish reasonable, affordable and achievable standards.

12.4 Road Management Inspection Types

Council will undertake the following inspections of its assets:

- **Asset Surveillance Inspections**, in accordance with the inspection frequencies documented within **Schedule 6** of this plan
- **Asset Condition Assessments**, undertaken on a minimum three-yearly cyclic basis by Council's Infrastructure Management department
- **Reactive (Ad Hoc) inspections**; and
- **Asset Protection Inspections**, associated with building construction works

These asset inspection types are discussed in more detail below.

12.5 Asset Surveillance Inspections

The Act provides that Council has a statutory duty to inspect a public road to the standard specified in the Plan. In determining the applicable standard Council has made a policy decision that the standards are reasonable.

The condition inspection frequencies have been documented in the Plan and are attached in **Schedule 6**. Council's Asset Surveillance Team undertakes these types of inspections on a programmed basis, in accordance with the Asset Surveillance Manual in **Schedule 1**.

12.6 Asset Condition Assessments

Council's Infrastructure Management department commissions external contractors to undertake a condition assessment of Council's assets on a minimum three-yearly cyclic basis. The condition assessments assist Council's Infrastructure Management department to undertake Total Life-Cycle Asset Management associated with its assets, and are undertaken in accordance with the requirements of the Accounting Standard AASB116. The data collected is utilised in the development of future works programs and funding applications.

The frequency of the Asset Condition Assessments is detailed within **Schedule 6** of the Plan.

12.7 Reactive Inspections

A defect reported by the general public will be inspected within the specified inspection time and assigned a priority based on the specific relevant intervention level(s).

12.8 Asset Protection Inspections

As part of the building works approval process, Council undertakes an assessment of the condition of the adjacent Council infrastructure prior to, and following any building works, to ensure that reinstatement works required are noted and undertaken to Council's satisfaction.

Council will undertake inspections of Service Authority (Utilities) works in accordance with the requirements of the Ministerial Code of Practice for Management of Road Utility Infrastructure in Road Reserves, and the associated Regulations.

12.9 Maintenance Intervention Levels

Council's statutory duty under the Act extends beyond the duty to inspect a public road. Once a routine inspection has discovered a defect, a defect is reported by the public or through reactive inspections, Council has a duty to assess the priority and then repair the public road where applicable within the specified period of time and to an appropriate standard.

Council has developed and documented minimum intervention levels for its road related assets that it considers are reasonable in the context of what is affordable, and achievable within current budgets, available resource levels, and the adopted risk profiles.

The intervention levels specified in the Plan establish for each asset type a response times to repair any defects that may be found on inspection of the asset. The intervention levels have been determined based on what is considered reasonable in the context of Council's available resources and allocated budgets.

The levels of service established in the Plan have also been reviewed by Council's Operations Department, and referenced against available standards and adjacent municipalities' standards to ensure that the levels specified are achievable, reasonable and comparable.

As Council develops a greater understanding of its assets and work practices through the implementation of the Plan, the levels of service and budgets will be further refined.

The criteria utilised for determining appropriate levels of service for an asset include:

- Existing and proposed resource levels;
- Risk principles / considerations;
- Available budgets, expenditure profiles and existing financial strategies;
- Road related asset maintenance strategies and policies and overall organisational funding priorities; and
- Community and social expectations.

In determining the application of appropriate standards for asset maintenance Council will apply relevant Australian Standards, Codes of Practice and Regulations in its decision making processes and maintenance activities to ensure that industry best practice is achieved.

12.10 Maintenance Activity Prioritisation

Section 39 of the Act provides that –

a road authority (Council) may make a policy decision relating to road management functions –

- (2) *Without limiting the decision making process of a road authority, a road authority may make a policy decision relating to the performance of a road management function.*
- (3) *For the purposes of this Act, a decision made by a road authority is a policy decision if having regard to the broad range of activities of the road authority, the decision is based substantially on factors or constraints, which are financial, economic, political, social or environmental.*

Council will prioritise its maintenance activities in accordance with the specified Intervention Levels in **Schedule 7**, and Inspection Frequencies in **Schedule 6**, and make policy decisions regarding its scheduling of maintenance activities in the context of the provisions of section 39 of the Act. The decision making process and establishment of policy decisions in respect of maintenance activities will take into account factors such as available resources, budgets, social, political and environmental factors.

12.11 Road Management Limitations

Council will make every endeavour to comply with all aspects of its Road Management Plan (Plan). However, in the event of natural disasters and other events, as listed but not limited to those below, Council reserves the right to prioritise its response to works in certain situations.

In determining the priorities for works there will be occasions where the standards set are not achievable. These may be for a variety of reasons that could not have been reasonably foreseen or managed such as:

- **Emergency and disaster events:** such as but not limited to storms, floods, fire, essential services disruption, widespread disease, terrorist attack, civil unrest or disobedience, major substance spillage or leak;

- **Financial and resource constraints:** such as but not limited to labour disputes and labour shortages, lack of suitably qualified Contractors, unavailability of consumables needed for works, price fluctuations in consumables, unforeseen variations to Council's revenue sources including external funding or the amount of a particular type of work exceeds Council's reasonable budgetary allowance for that work;
- **Statutory obligations:** This Plan has been established in the context of Council's current statutory obligations, service delivery priorities based on local community needs and available resources. If significant additional statutory obligations or demands for services are placed on Council without adequate funding of those obligations then that may constitute an intervening event.

When the above situations occur Council may suspend or adjust some or all of the specified service and intervention levels, works priorities and any other activities under this Plan until such time as Council has recovered sufficiently from the intervening event to return in part or whole to normal operations. The Plan may also be reactivated as a whole or in stages. Whenever Council's Plan is suspended or adjusted or reactivated under this clause, then Council's Director Operations and Infrastructure or Manager Engineering & Infrastructure Services (or equivalent position or anyone acting in those positions or equivalent positions) will issue written directions to Council staff to confirm the scope, timing and reasons for such direction. In issuing any direction under this clause the relevant Council Director or Manager are to take into account the considerations contained in section 83 of the *Wrongs Act 1958 (Vic)*. Council will maintain a register of these directions.

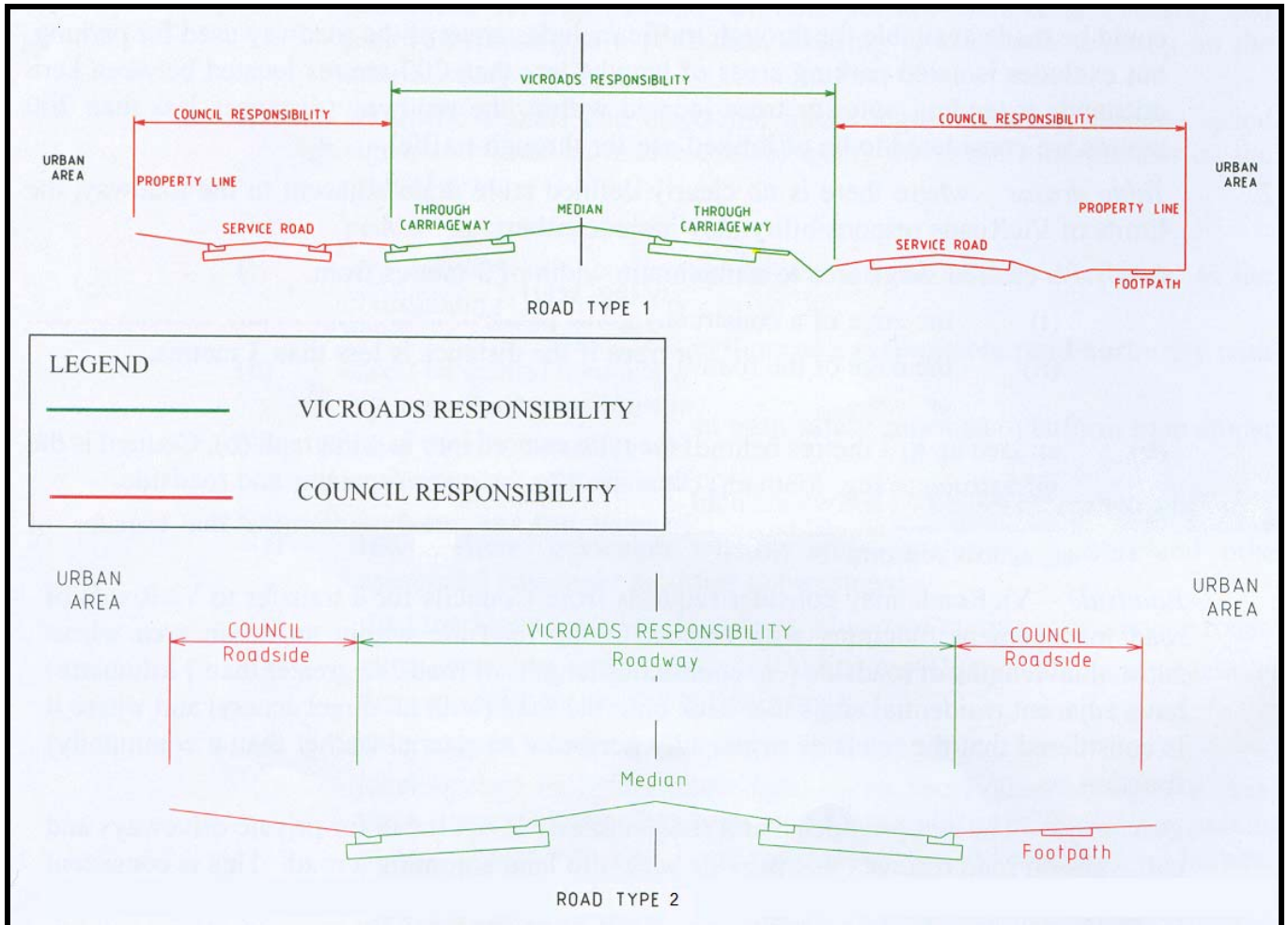
Council has also determined that its responsibility to maintain a network of road related assets free of seasonal situations such as, but not limited to, incidences of frost or shade, or naturally deposited vegetation (autumn leaves or berries etc.), to be beyond the measure of reasonableness, and as such these incidences are not inspected or responded to, in normal circumstances.

13. DEMARICATION OF RESPONSIBILITY

13.1 Demarcation of responsibility on Arterial Roads

The operational responsibility for Arterial Roads is shared between Council and VicRoads. While VicRoads is the coordinating road authority for Arterial Roads, Council is the responsible road authority for aspects of the arterial road behind the kerb and channel such as footpaths. **Figure 13.1** below describes the most common operational demarcation scenario found for the Arterial Road Network.

Sections 36 and 37 of the Act clarify the operational responsibilities in respect of Arterial Roads.



**Figure 13.1 – Operational Responsibility for VicRoads' Arterial Roads
(Source Ministerial Code of Practice for Operational Responsibility)**

13.2 Demarcation of responsibility for vehicle crossings

Council has made a policy decision that as the footpath's primary purpose is to accommodate pedestrian traffic, the sections of vehicle crossing that traverse a footpath (shown red in **Figure 13.2** below) should be inspected, maintained and repaired by Council in accordance with the inspection frequencies and intervention levels within **Schedule 6** and **Schedule 7** respectively.

Council's policy decision is based on grounds of public safety. Where the risk of potential injury to pedestrians arising from poorly maintained or constructed footpath sections of vehicle crossings is assessed as being significant, and the cost of repair or reinstatement is relatively minor, then Council's focus will be on ensuring public safety. In short, the whole of community consequences of footpath related falls can outweigh in some cases the need to consistently ensure property owners properly maintain their vehicle crossings at their own cost. Therefore, in the limited circumstances set out in this Plan, Council may repair footpath sections of vehicle crossings at its cost to ensure public safety rather than following the statutory process required to force a property owner to do the work or for Council to recover the cost of such work where Council has to undertake it.

If Council's investigations conclude that the footpath sections of a vehicle crossing were damaged other than from use by pedestrians (such as damage caused by vehicular traffic loading from a private property) and there is not a significant risk to public safety, then Council has the power under the *Local Government Act 1989*¹ to require the property owner to maintain, repair or reconstruct the crossing to Council's approved standard at the property owner's cost. If a property fails to comply with such a requirement then Council may do the works and recover the costs from the property owner.

The sections of footpath that traverse a vehicle crossing are required under Council's Local Laws to be properly constructed, maintained, repaired or reconstructed in accordance with Council's standard drawings and the requirements of Council's Engineering Services' department, at all times. Failure to do so is a breach of Council's Local Laws² which can lead to a criminal prosecution and potential conviction and/or fines.

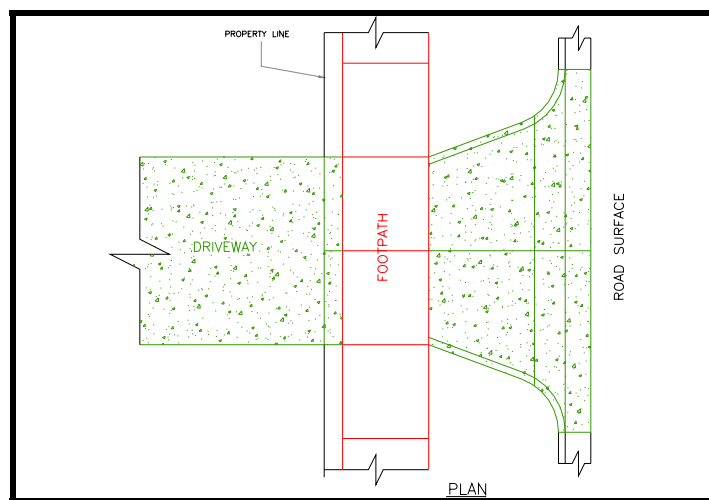


Figure 13.2 – Operational Responsibility for the sections of vehicle crossings that traverse a footpath

14. AUDIT PROGRAMS

Council will undertake periodic audits of maintenance activities to ensure that it is complying with the standards specified in the Plan. An internal auditor that is independent of the Operations Department will undertake the Audit on a six monthly basis.

¹ Refer to clause 12 of Schedule 10 and section 225 of the Local Government Act.

² Refer to clause 16 of Council's Local Law No. 6 – Use of Roads and Other Council Property.

15. DEFINITIONS

15.1 Public Road

A “**municipal road**” means any road which is not a state road, including any road which;

- (a) is a road referred to in section 205 of the Local Government Act 1989; or
- (b) is a road declared by VicRoads to be a municipal road under section 14(1)(b); or
- (c) is part of a Crown land reserve under the Crown land (Reserves) Act 1978 and has the relevant municipal council as the committee of management.

Council has a statutory duty to maintain those municipal roads it has determined to be a public road under section 17 of the Act.

A “**State Road** “ means a road which –

- (d) is a freeway or arterial road; or
- (e) is declared to be a non-arterial State Road under this Act; or
- (f) is the responsibility of a State Road authority under another Act;

in respect to State Arterial Roads, Council only has a duty in respect to Arterial Roads as defined by section 14 of the Act. These are declared roads of VicRoads who is the coordinating road authority.

15.2 Road Surface

Within this Plan, the road surface shall mean the sealed driving surface of the road carriageways, including ancillary carparking areas, etc., (sprayed seal or asphalt). The road surface will have a depth equivalent to the depth of material associated with the provision of the surface material covering the crushed rock pavement material and compacted sub-base.

15.3 Road Pavement

The road pavement shall refer to all materials below the road surface that have been placed and compacted to provide the required designed, structural strength to the road. It shall include the compacted clay sub-base and compacted crushed rock, or similar, base material of the road structure.

15.4 Roads – Constructed

A constructed road shall include any road that has had placed, materials either full width or part width, in accordance with a prepared design and specification for that road and in accordance with the Maroondah City Council “Standard Engineering Drawings”. It shall not necessarily include therefore, roads where material is placed, in essence, to provide dust suppression or protection to pothole development, which has not had or been placed in accordance with a full road design and specification. It shall also not include any sealed roadway that has not been constructed to at least the minimum pavement depth required by the “Standard Engineering Drawings”. It may however include a road that has been established and accepted through use or prior maintenance activities.

15.5 Roads – Unconstructed

An unconstructed road shall include all trafficable roadways, which are not constructed as above, either totally or in part.

15.6 Pathways – Formal Construction

A formally constructed pathway shall mean any pedestrian footpath or shared pathway that has been constructed using a concrete or masonry material to an engineering design and specification with consideration for appropriate levels and cross fall. It will not include asphalt pathways

15.7 Pathways – Informal Construction

Informally constructed pathways shall include pedestrian or shared pathways constructed using porous materials (toppings, crushed rock, etc.), or asphalt. The pathways will have undergone some form of basic engineering preparatory works to provide adequate grade and crossfall levels. However these works may not have included detailed design or specifications.

15.8 Unconstructed Pedestrian Tracks

Pedestrian passage in this category includes access ways and pedestrian tracks that have been established by usage but where no demand or endeavour has been made to provide formal or informal construction. In particular, no preliminary works would have been undertaken by Council to provide longitudinal or cross fall grading to an engineering design or to provide any necessary drainage away from the site.

15.9 Primary Response Repairs

Primary response repairs are actions or works undertaken by Council within a specified timeframe, to minimise risk following notified or self-identified defects that are deemed to be outside the normal acceptable service levels as determined by the stated intervention levels within this Plan. In some cases the primary response repairs will also be the secondary repairs. Primary response repairs are the first required actions undertaken to mitigate the potential hazard as detailed in the Plan by the intervention levels and time frames.

15.10 Secondary Response Repairs

Secondary response repairs are the actions or works undertaken by Council within a specified timeframe, to eliminate the hazard defect on a permanent basis and to restore the asset to its full remaining life potential.

15.11 Local Area Traffic Management (LATM) Devices

Local Area Traffic Management Devices (LATM's) are traffic control devices installed along the road pavements in strategic positions, specifically to modify or control traffic movement and/or speed. They are a separate device and do not form part of the road surface within the meaning of this Plan.

15.12 Fencing (Barrier or Safety, including Bus stop Fencing)

Fencing responsibilities by Council within the meaning of this Plan refer to barrier or safety fences installed specifically for the safety of pedestrians at pedestrian/traffic interfaces. They do not include property boundary fences or guard rails.

16. APPENDICES

The following appendices are attached to the plan:

- SCHEDULE 1 – ASSET SURVEILLANCE MANUAL**
- SCHEDULE 2 – REGISTER OF PUBLIC ROADS POLICY**
- SCHEDULE 3 – DEFECT RISK MANAGEMENT RANKING**
- SCHEDULE 4 – ROAD CLASSIFICATION MAP**
- SCHEDULE 5 - PATHWAY HIERARCHY MAP**
- SCHEDULE 6 – INSPECTION FREQUENCIES**
- SCHEDULE 7 – INTERVENTION LEVELS**
- SCHEDULE 8 – BOUNDARY & OTHER AGREEMENTS**
- SCHEDULE 9 – PLAN ACTIONS & RESPONSIBILITIES**