

Construction of Unmade Roads Policy

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Council File Reference:	<i>Council Policies (P)</i>
Applicable Legislation:	<i>Local Government Act 1999 DCSB –I-14.02 -Crossover, Road Verge, and Driveways Policy Planning, Development and Infrastructure Act 2016</i>
Relevant Policies:	<i>Crossings (driveways)</i>
Related Procedures:	
Delegations:	<i>Berri Barmera Council Delegations Register</i>

1. Purpose

To provide clear guidelines regarding requests relating to unmade, unformed and formed roads.

The policy will assist Council in determining the extent to which it will be involved in the survey and capital improvement and/or maintenance of unmade or unformed road reserves.

To ensure any works on unmade, unformed, or formed roads are undertaken without impact on existing budgeted works.

To ensure that there is a fair and transparent process in place for the improvement of unmade roads.

Note: This policy does not apply to vehicular access (driveway) from the road to the property boundary as per Councils Crossings (driveways) Policy.

2. Definitions

Council	means Berri Barmera Council
Public Road Reserve	an area of land gazetted to public use as a road but does not include State controlled roads. In some cases, these areas may be graded periodically as fire access tracks, or for other purposes. For the purposes of this policy, these roads are considered unmade.
Sealed road	a road with bitumen or asphalt surface.

Sheeted road	a formed and surfaced road with pavements constructed of gravel or rubble by the use of stabilisation processes.
Formed road	a public road reserve that does not have gravel paving, but which is formed using a grader so that stormwater drainage will occur.
Unformed road	a public road reserve that has been cleared and open to, and routinely used by the public.
Unmade road	a public road reserve that has had no capital improvements including clearing. Notwithstanding, an unmade road may be trafficable or un-trafficable in all weathers.

3. Principles

There is no obligation on the Council to undertake capital improvement and/or maintenance of unmade, unformed, or formed roads within a public road reserve for the purpose of access by the landowner to his or her property.

In general, Council will not undertake capital improvements or maintenance works to unmade, unformed, or formed roads where the road does not provide access to a property with an existing dwelling. Special circumstances, where a benefit to the community can be demonstrated, such as firefighting access, weed control and access to campgrounds and tourist attractions, may be considered at Councils discretion.

Should a landowner require access via an unmade or unformed road Council expects that the landowner will provide that access at their cost. This puts them in the same situation as a developer who must upgrade roads at their cost as part of a new development.

Where a public road reserve is constructed to a standard approved by Council and inspected and accepted by the Works Manager, Council will continue to maintain the road to a standard set by resource and budgetary constraints applicable within each financial year in accordance with Council's Infrastructure Asset Management Plan.

4. Policy Statement

The aim of this Policy is to define Berri Barmera Council principles for road construction of unmade roads. The policy will ensure governance and operations procedures and activities align with legislative requirements and best engineering practice and quality infrastructure outcomes.

5. Delegations

The Manager of Infrastructure and Operations must be consulted on the establishment of any road on an unmade road reserve. The decision to allow the capital improvements of an unmade road reserve must be resolved by a Council resolution.

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