

POLICY TITLE PRIVATE ASSETS IN ROAD RESERVES

POLICY NUMBER CPOL/INFRA517

1. PURPOSE

To define the criteria and requirements under which private assets are allowed in the road reserve.

2. SCOPE

Council seeks to provide a consistent and efficient process for the way in which private assets are allowed to be placed in Council's road reserves.

3. POLICY

Council is responsible for the provision and maintenance of local roads infrastructure.

Infrastructure within road reserves includes, but is not limited to, the road itself (including formation and sub grade), pavement, seal, shoulders, guideposts, table drains or side cuts, culverts and regulatory or discretionary road signage installed by the road authority.

Maintenance obligations are imposed on all owners of infrastructure in a road reserve through the *Road Management Act 2004* and other Acts include such things as inspection requirements, documentation, processes for undertaking works and safety regulations. The vast majority of owners of infrastructure within road reserves are statutory service providers, however some are private landowners.

Prior to the installation of private infrastructure in Council's road reserve, an executed Section 173 agreement under the Planning and Environment Act 1987 is to be entered into. This document is a legally binding agreement between Council and the landowner (tied to title). The agreement sets out the arrangements for:

- ongoing ownership and use of an asset;
- works, maintenance; and
- risk allocation in respect of the asset because it is located in, on or under the road.

4. RELATED POLICIES/PROCEDURES/DOCUMENTS

PRO/INFRA517 Private Assets In Road Reserves Procedure
Section 173 Agreement
Works Within Road Reserve Permit

5. RELATED LEGISLATION

Road Management Act 2004
Local Government Act 1989
Planning and Environment Act 1987

6. DOCUMENT HISTORY

Version Number	Issue Date	Description of Change
1.0	June 2019	Initial release
1.1	December 2020	Review
1.2	May 2024	Review

Signed: Stuart King Mayor Date: 22/05/2024