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**POLICY MANUAL**  
**(Post 1 July 1993)**

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**SUBJECT:** ROADS, STREETS AND TRAFFIC

**POLICY TITLE:** UNSEALED STREETS & ROADS

**DIVISION:** ENGINEERING

**FILE NO:** AR 07

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**OBJECTIVE:** To establish a policy for dealing with dust problems on unsealed streets and roads.

**POLICY:** Because of the high recurrent cost, Council does not carry out dust suppression on unsealed streets and roads.

The sealing of unsealed residential streets will be considered for inclusion in the Annual Estimates with priority being assessed on the following criteria:

- A. The degree of occupation of lots fronting the road.
- B. The degree of nuisance from the unsealed surface.
- C. Traffic volume using the street.
- D. Recurrent maintenance costs.

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**AUTHORISATION:** WC 142/94

**DATE:** 05/04/94

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***POLICY MANUAL***  
***(Post 1 July 1993)***

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**SUBJECT:                               ROADS, STREETS AND TRAFFIC**

**POLICY TITLE:                        UPGRADING OF UNFORMED ROADS**

**DIVISION:                             ENGINEERING**

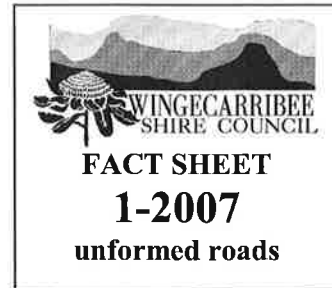
**FILE NO:                               8029, 7810/3**

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**POLICY:** If a landowner intends to gain vehicular access to their land along an unformed road, then the following conditions will apply:-

1. A written application to construct a formed road must be lodged, stating the reasons for the proposal.
2. The application will be assessed, and written conditional approval may be granted:-
  - \* In the case of access to a single lot, the access to generally take the form of a 4m wide gravel surfaced road, with culverts, generally located in the centre of the road reserve. Steep grades will require sealing of the road and lining of table drains in accordance with normal standards.
  - \* In the case of access to multiple lots in the same ownership, the access will be conditioned as if the application was a subdivision to create the existing lots.
3. If an approval is given, standard conditions will apply, including:-
  - \* Normal engineering standards of road construction.
  - \* Provision for traffic in accordance with the relevant Australian Standard
  - \* Approval by Councils Engineering of the contractor, following proof of the usual licenses, etc
  - \* Approval by Council Engineer of the materials and methods proposed to be used
4. Following construction of the road in accordance with conditional approval, and its acceptance by Councils Engineer, Council may assume responsibility for its maintenance after occupation of a dwelling served by the road, only in residential or village zones.

# **Unformed Roads in Wingecarribee Shire**



In addition to the 660km of sealed and 330km of unsealed roads that council maintains, there are hundreds of kilometres of Crown and Public Roads across the Shire that Council does not maintain. These roads, while available for public use, are referred to as Unformed Roads (or "paper roads").

Over time, residents have built houses along these unformed roads, using them to access their properties. As these roads have not been properly formed or correctly drained, they deteriorate quickly during wet weather. When landowners contact Council and request maintenance on these roads, they become angry when told that Council does not maintain these roads.

Council keeps a list of roads which it does maintain in a document called the "Road Segment Ledger", which is available for inspection at the Customer Services Centre of the Civic Centre, Elizabeth Street Moss Vale. If a road or access-way is not listed in this document, the maintenance of the road is the responsibility of the landowners who use the road for access.

The reason for this is that Council simply does not have the capacity to construct and maintain an access along every road reserve in the Shire. Indeed, it would be an inequitable use of rate funds to do so even if this was not the case. Further, the Roads Act does not compel a Roads Authority (Council) to construct or maintain a road along these reserves.

Even though all road reserves are owned by Council or the crown, Council only maintains those roads that have been constructed by Council, or constructed by another party to Council's requirements then formally handed over to Council. People wishing to upgrade their access along an unformed road are required to gain the approval of Council prior to undertaking the work. In addition, if the road is a Crown Road, approval is also required from the Department of Lands.

The formation of a road to Council standards, however, does not automatically imply that Council will maintain the road. Council as a rule will only take over maintenance of the road if it serves a genuine public function, for example by providing access to a number of properties along the road.

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## **Policy for the Upgrading of Unformed Roads**

If a landowner intends to gain vehicular access to their land along an unformed road, then the following conditions will apply:-

1. A written application to construct a formed road must be lodged, stating the reasons for the proposal.
2. The application will be assessed, and written conditional approval may be granted:-
  - In the case of access to a single lot, the access generally takes the form of a 4 metre wide gravel surfaced road, with culverts, generally located in the centre of the road reserve. Steep grades will require sealing of the road and lining of table drains in accordance with normal standards.
  - In the case of access to multiple lots in the same ownership, the access will be conditioned as if the application was a subdivision to create the existing lots.
3. If an approval is given, standard conditions will apply, including:-
  - Normal engineering standards of road construction
  - Provision for traffic in accordance with the relevant Australian Standard
  - Approval by Council's Engineer of the contractor, following proof of the usual licences, insurances, etc.
  - Approval by Council's Engineer of the materials and methods proposed to be used
4. Following construction of the road in accordance with the conditional approval, and its acceptance by Council's Engineer, Council may assume responsibility for its maintenance after occupation of a dwelling served by the road only in residential or village zones.

### BACKGROUND TO POLICY

#### Legal Framework

The relevant legal framework is contained in the Roads Act 1993.

- Council has no statutory duty to carry out works of construction or repair of public roads, or to keep them in repair.
- It is an offence to carry out any work on a public road without the consent of Council. (Section 138.)
- Council can give this consent subject to conditions. (Section 139.)
- Council can revoke this consent at any time and for any reason. (Section 141.)
- If the road is a Crown road rather than a public road, the Department of Land and Water Conservation will only permit its upgrading if Council will then accept it as a public road. Therefore, Council can impose identical conditions to those that would apply to a public road.

#### Principles

The principles behind the policy are:-

- Council has an obligation to ensure that *legal* access is available to all lots. Council has **no** obligation to provide *physical* access to lots.
- The market value of a lot reflects the amenities which benefit the lot, such as water supply, sewerage, gas, sealed road access, etc.
- Council should not be required to provide vehicular access at its cost as this is effectively subsidising the purchase price of the lot.
- Owners of a lot on an unformed road who genuinely wish to build on the land should be able to do so at a reasonable cost, including the cost of provision of vehicular access.
- Council needs to minimise its exposure to subsequent complaints and requests for construction and sealing of the formed access road, by ensuring that it is built to an appropriate standard.
- Owners or developers of multiple lots located on an unformed road who intend to develop and resell the lots should be required to provide access to a standard that would apply to subdivision. In such cases, the developer should be prevented from the sequential extension of the road and sale of the lots one at a time, by "bending" the policy.

#### Intentions

The intentions of the policy are:-

- To allow property owners to provide access to their land at reasonable cost.
- To minimise requests for Council to further upgrade or maintain a road provided by a property owner.
- To ensure that the effects on the environment are considered and adverse impacts minimised.
- To ensure that de-facto land developers are required to provide a standard of road identical to that required by subdivision.

## LIST OF KNOWN UNFORMED ROADS

	<u>ROAD</u>				<u>US,UU</u>	<u>NTH/STH</u>
	<u>NO</u>	<u>STREET NAME</u>	<u>TOWN</u>	<u>LENGTH</u>	<u>RS,RU,UF</u>	<u>DISTRICT</u>
1	4202	ALPINE ROAD	ALPINE	421	UF	NTH DIST
2	4201	CORRIE ROAD	ALPINE	670	UF	NTH DIST
3	1204	BOLD STREET	BALACLAVA	230	UF	NTH DIST
4	1215	WILSON STREET	BALACLAVA	170	UF	NTH DIST
5	1302	ATHOL STREET	BALMORAL	200	UF	NTH DIST
6	1307	EMILY STREET	BALMORAL	400	UF	NTH DIST
7	1311	LEMON STREET	BALMORAL	480	UF	NTH DIST
8	1314	STATION STREET	BALMORAL	840	UF	NTH DIST
9	1315	VICTORIA STREET	BALMORAL	1070	UF	NTH DIST
10	1316	WILLIAM STREET	BALMORAL	460	UF	NTH DIST
11	1406	BOWAN STREET	BERRIMA	520	UF	STH DIST
12	1426	BURWAN STREET	BERRIMA	200	UF	STH DIST
13	1409	IRAN STREET	BERRIMA	260	UF	STH DIST
14	1421	WILKINSON STREET	BERRIMA	1600	UF	STH DIST
15	1575	MACDONALD STREET	BOWRAL	400	UF	NTH DIST
16	1640	WARBURTON ROAD	BOWRAL	500	UF	NTH DIST
17	1702	BIGGERA STREET	BRAEMAR	80	UF	NTH DIST
18	1812	CHARLOTTE STREET	BUNDANOON	100	UF	STH DIST
19	1829	KAREELA ROAD	BUNDANOON	2850	UF	STH DIST
20	2001	BANK STREET	BURRAWANG	80	UF	STH DIST
21	2006	CROWN STREET	BURRAWANG	410	UF	STH DIST
22	2008	GEORGE STREET	BURRAWANG	170	UF	STH DIST
23	2011	MAY STREET	BURRAWANG	120	UF	STH DIST
24	2013	RAILWAY STREET	BURRAWANG	920	UF	STH DIST
25	2015	REGION STREET	BURRAWANG	140	UF	STH DIST
26	2010	STATION STREET	BURRAWANG	60	UF	STH DIST
27	2204	AZALEA STREET	COLO VALE	800	UF	NTH DIST
28	2207	BIGNONIA STREET	COLO VALE	830	UF	NTH DIST
29	2210	DAPHNE STREET	COLO VALE	280	UF	NTH DIST
30	2215	FLORA STREET	COLO VALE	440	UF	NTH DIST
31	2220	LAUREL STREET	COLO VALE	250	UF	NTH DIST
32	2221	LYNWOOD AVENUE	COLO VALE	400	UF	NTH DIST
33	2226	RAILWAY AVENUE	COLO VALE	100	UF	NTH DIST
34	2227	ROSE STREET	COLO VALE	450	UF	NTH DIST
35	2230	WATTLE STREET	COLO VALE	450	UF	NTH DIST
36	2309	NORWOOD STREET	EXETER	130	UF	STH DIST
37	2310	OLD ARGYLE ROAD	EXETER	310	UF	STH DIST
38	2401	BELIMBA ROAD	FITZROY FALLS	390	UF	STH DIST
39	2406	OXLEY ROAD	FITZROY FALLS	470	UF	STH DIST

## Attachment 5

40	2411	THROSBY ROAD	FITZROY FALLS	420	UF	STH DIST
41	2501	GEORGE EMERY LANE	GLENQUARRY	700	UF	NTH DIST
42	2702	BANKSIA STREET	HILL TOP	2260	UF	NTH DIST
43	2703	BEDE STREET CALLISTEMON	HILL TOP	170	UF	NTH DIST
44	2706	AVENUE	HILL TOP	70	UF	NTH DIST
45	2707	CASUARINA STREET	HILL TOP	70	UF	NTH DIST
46	2709	CHARLES STREET	HILL TOP	130	UF	NTH DIST
47	2711	CRUDINE STREET	HILL TOP	240	UF	NTH DIST
48	2717	EMILY STREET	HILL TOP	400	UF	NTH DIST
49	2718	FITZROY STREET	HILL TOP	1250	UF	NTH DIST
50	2720	FULVIA STREET	HILL TOP	60	UF	NTH DIST
51	2722	HAKEA STREET	HILL TOP	140	UF	NTH DIST
52	2724	JAMES STREET	HILL TOP	280	UF	NTH DIST
53	2725	JANE STREET	HILL TOP	180	UF	NTH DIST
54	2726	KING STREET	HILL TOP	480	UF	NTH DIST
55	2727	LAURA STREET	HILL TOP	600	UF	NTH DIST
56	2728	LIGAR STREET	HILL TOP	420	UF	NTH DIST
57	2729	LINDA STREET	HILL TOP	590	UF	NTH DIST
58	2732	MELALEUCA STREET	HILL TOP	600	UF	NTH DIST
59	2735	OLIVER STREET	HILL TOP	90	UF	NTH DIST
60	2737	PERCY STREET	HILL TOP	840	UF	NTH DIST
61	2738	PIRILLIE STREET	HILL TOP	70	UF	NTH DIST
62	2739	PROTEA STREET	HILL TOP	140	UF	NTH DIST
63	2740	QUEEN STREET	HILL TOP	330	UF	NTH DIST
64	2741	RAGLAN STREET	HILL TOP	590	UF	NTH DIST
65	2743	ROSINA STREET	HILL TOP	300	UF	NTH DIST
66	2745	SAMUEL STREET	HILL TOP	160	UF	NTH DIST
67	2752	VERA STREET	HILL TOP	590	UF	NTH DIST
68	2753	VIVIENNE STREET	HILL TOP	40	UF	NTH DIST
69	2753	VIVIENNE STREET	HILL TOP	100	UF	NTH DIST
70	2754	WARATAH STREET	HILL TOP	130	UF	NTH DIST
71	2758	WILLIAM STREET	HILL TOP	90	UF	NTH DIST
72	3001	BELANGLO STREET	MEDWAY	310	UF	STH DIST
73	3002	CAMDEN STREET	MEDWAY	100	UF	STH DIST
74	3003	CARRADA STREET	MEDWAY	310	UF	STH DIST
75	3004	ELLSMORE STREET	MEDWAY	520	UF	STH DIST
76	3006	OLDBURY STREET	MEDWAY	440	UF	STH DIST
77	3007	PORTLAND STREET	MEDWAY	520	UF	STH DIST
78	3008	RAILWAY PARADE	MEDWAY	550	UF	STH DIST
79	3110	ANN STREET	MITTAGONG	60	UF	NTH DIST
80	3117	BENT STREET	MITTAGONG	740	UF	NTH DIST
81	3124	BRIGHT STREET	MITTAGONG	390	UF	NTH DIST

## Attachment 5

82	3129	CHARLES STREET	MITTAGONG	330	UF	NTH DIST
83	3135	COUNT STREET	MITTAGONG	1080	UF	NTH DIST
84	3138	DEANE STREET	MITTAGONG	100	UF	NTH DIST
85	3144	ELIZABETH STREET	MITTAGONG	100	UF	NTH DIST
86	3155	HOOD STREET	MITTAGONG	90	UF	NTH DIST
87	3156	HUXLEY STREET	MITTAGONG	300	UF	NTH DIST
88	3158	JOHN STREET	MITTAGONG	380	UF	NTH DIST
89	3159	KING STREET	MITTAGONG	400	UF	NTH DIST
90	3161	LEOPOLD LANE	MITTAGONG	280	UF	NTH DIST
91	3171	NATTAI STREET	MITTAGONG	140	UF	NTH DIST
92	3187	RAILWAY PARADE	MITTAGONG	850	UF	NTH DIST
93	3193	RICHARD STREET	MITTAGONG	180	UF	NTH DIST
94	3194	ROBINSON STREET	MITTAGONG	180	UF	NTH DIST
95	3197	SIEMENS STREET	MITTAGONG	100	UF	NTH DIST
96	3206	THOMAS STREET	MITTAGONG	240	UF	NTH DIST
97	3213	WILLIAM STREET	MITTAGONG	170	UF	NTH DIST
98	3316	BRADDON ROAD	MOSS VALE	600	UF	STH DIST
99	3351	GORDON ROAD	MOSS VALE	580	UF	STH DIST
100	3358	HUTCHINSON ROAD	MOSS VALE	740	UF	STH DIST
101	3366	KIRKHAM STREET	MOSS VALE	550	UF	STH DIST
102	3371	LEVER ROAD	MOSS VALE	540	UF	STH DIST
103	3379	McCOURT ROAD	MOSS VALE	1900	UF	STH DIST
104	3404	SHELLEY ROAD	MOSS VALE	1050	UF	STH DIST
105	3429	YOUNG ROAD	MOSS VALE	400	UF	STH DIST
106	4702	ARGYLE STREET	NEW BERRIMA	840	UF	STH DIST
107	4703	AUSTRALIA AVENUE	NEW BERRIMA	280	UF	STH DIST
108	4706	BURWAN STREET	NEW BERRIMA	510	UF	STH DIST
109	4711	NICHOLSON STREET	NEW BERRIMA	1500	UF	STH DIST
110	4712	ODESSA STREET	NEW BERRIMA	530	UF	STH DIST
111	4714	PERTH STREET	NEW BERRIMA	430	UF	STH DIST
112	4715	RAGLAN STREET	NEW BERRIMA	900	UF	STH DIST
113	3501	ALEXANDRA STREET	PENROSE	220	UF	STH DIST
114	3503	GEORGE STREET	PENROSE	750	UF	STH DIST
115	3505	MARY STREET	PENROSE	560	UF	STH DIST
116	3508	PRINCE STREET	PENROSE	90	UF	STH DIST
117	3509	PRINCESS STREET	PENROSE	350	UF	STH DIST
118	3510	QUEEN STREET	PENROSE	160	UF	STH DIST
119	3511	VICTORIA STREET	PENROSE	640	UF	STH DIST
120	3605	BURRAWANG STREET	ROBERTSON	460	UF	STH DIST
121	3607	CAMP STREET	ROBERTSON	250	UF	STH DIST
122	3608	CHARLOTTE STREET	ROBERTSON	1080	UF	STH DIST
123	3609	CONGEWOI STREET	ROBERTSON	500	UF	STH DIST
124	3610	CROWN STREET	ROBERTSON	480	UF	STH DIST

## Attachment 5

125	3611	EAST STREET	ROBERTSON	500	UF	STH DIST
126	3613	HIGH STREET	ROBERTSON	770	UF	STH DIST
127	3615	INGRAM STREET	ROBERTSON	140	UF	STH DIST
128	3616	LAWN AVENUE	ROBERTSON	260	UF	STH DIST
129	3620	MAIN STREET	ROBERTSON	180	UF	STH DIST
130	3622	MAY STREET	ROBERTSON	590	UF	STH DIST
131	3624	MERYLA STREET	ROBERTSON	550	UF	STH DIST
132	3627	NORTH STREET	ROBERTSON	1000	UF	STH DIST
133	3633	SHIERLAW ROAD WALLANGUNDA STREET	ROBERTSON	1320	UF	STH DIST
134	3641	STREET	ROBERTSON	100	UF	STH DIST
135	3642	WEST STREET	ROBERTSON	1550	UF	STH DIST
136	3705	GREENHILLS ROAD	SUTTON FOREST	1330	UF	STH DIST
137	3818	MITTAGONG STREET	WELBY	330	UF	NTH DIST
138	3820	NATTAI STREET	WELBY	650	UF	NTH DIST
139	3901	BADGERY STREET	WILLOW VALE	200	UF	NTH DIST
140	3903	CORDEAUX STREET	WILLOW VALE	500	UF	NTH DIST
141	3911	FEDERATION AVENUE	WILLOW VALE	350	UF	NTH DIST
142	3904	GASCOIGNE STREET	WILLOW VALE	430	UF	NTH DIST
143	3906	PARKES ROAD	WILLOW VALE	460	UF	NTH DIST
144	3908	RITCHIE ROAD	WILLOW VALE	300	UF	NTH DIST
145	3909	WARRIGAL STREET	WILLOW VALE	80	UF	NTH DIST
146	4002	CAMDEN STREET	WINGELLO	150	UF	STH DIST
147	4020	DAVYS LANE	WINGELLO	200	UF	STH DIST
148	4005	GARRETT STREET	WINGELLO	340	UF	STH DIST
149	4008	MUNDEGO STREET	WINGELLO	610	UF	STH DIST
150	4011	PARK STREET	WINGELLO	320	UF	STH DIST
151	4018	UNNAMED LN OFF GARBUTTS UNNAMED LN OFF	WINGELLO	470	UF	STH DIST
152	4016	PARK ST TALLYGANG	WINGELLO WOMBEGAN	490	UF	STH DIST
153	4402	MOUNTAIN ROAD	CAVES	6540	UF	NTH DIST
154	4101	ANDES STREET	YERRINBOOL	130	UF	NTH DIST

Total      **78 Km**

Average length of Known Unformed Roads:      **505 m**

**\*Number of roads with no segment number  
that we are aware of**      **240**

Estimated length of all Unformed Roads:      **199 Km**

\*Information taken from Rural Addressing Project



## UNFORMED AND UNMAINTAINED ROAD POLICY

### POLICY STATEMENT:

Wingecarribee Shire Council has numerous unformed and unmaintained roads throughout the shire.

- All road reserves are owned by Council or the Crown, however, Council only maintains those roads that have been constructed by Council, or constructed by another party to Council's requirements then formally handed over to Council.
- The formation of a road to Council standards, however, does not automatically imply that Council will maintain the road. Council as a rule will only take over maintenance of the road if it serves a genuine public function.
- The maintenance of "Unformed Roads" are the responsibility of the landowners who use the road access.
- Council will accept written applications to construct a formed road. Applications will be assessed and may be granted conditional approval based on the following:-
  - In the case of access to a single lot, the access to generally take the form of a 4m wide gravel surfaced road, with culverts, generally located in the centre of the road reserve.
  - Steep grades will require sealing of the road and lining of table drains in accordance with normal standards.
  - In the case of access to multiple lots in the same ownership, the access will be conditioned as if the application was a subdivision to create the existing lots.
- Standard Conditions will apply to any approval as outlined in the guidelines.
- Following construction of the road in accordance with conditional approval, and its acceptance by Councils Engineer, Council may assume responsibility for its maintenance after occupation of a dwelling served by the road.

### RELATED LEGISLATION, CIRCULARS OR GUIDELINES:

- *Roads Act (1993)*

### DOES THIS DOCUMENT REPLACE AN EXISTING POLICY, PROCEDURE OR PLAN?

Yes, this document replaces Council's:

- Upgrading of Unformed Roads Policy, June 1996

- Unsealed Streets and Roads, April 1994

**RELATED COUNCIL POLICY OR PROCEDURE:**

- Unformed and Unmaintained Road Guidelines

**APPLICATION AND DISTRIBUTION**

**It is mandatory for all Council Engineering Staff comply with this Policy.**

This Policy and Guidelines are available on Council's website under Council Policies.

**APPROVED BY:**

Council: XXXX

**EFFECTIVE:**

**REVIEW DATE: 4 Years**

**DISTRIBUTION: Manager Assets, Manager Engineering Services, Manger Environment and Planning, Intranet, Internet**

**RESPONSIBLE COUNCIL DEPARTMENT/OFFICER: MANAGER ASSETS**

**VERSION HISTORY TABLE:**

## UNFORMED AND UNMAINTAINED ROADS POLICY GUIDELINES

**DIVISION: INFRASTRUCTURE SERVICES**

**SECTION: ASSETS**

**SUBJECT: UNFORMED AND UNMAINTAINED ROADS**

**FILE NOS: 7810/3 7810/7**

**APPROVAL DATE:**

**MINUTE NO:**

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### BACKGROUND

There are hundreds of kilometres of Crown and Public Roads across the Wingecarribee Shire that Council does not maintain. These roads, while available for public use, are referred to as Unformed Roads (or "paper roads").

Council keeps a list of roads which it does maintain in a document called the "Road Segment Ledger", which is available for inspection at the Customer Services Centre of the Civic Centre, Elizabeth Street Moss Vale. If a road access-way is not listed in this document, the maintenance of the road is the responsibility of the landowners who use the road access.

### Legal Framework

- The relevant legal framework is contained in the Roads Act 1993.
- Council has no statutory duty to carry out works of construction or repair of public roads, or
- to keep them in repair.
- It is an offence to carry out any work on a public road without the consent of Council (Section 138)
- Council can give this consent subject to conditions (Section 139)
- Council can revoke this consent at any time and for any reason (Section 141)
- If the road is a Crown road rather than a public road, the Department of Land and Water Conservation will only permit its upgrading if Council will then accept it as a public road
- Therefore, Council can impose identical conditions to those that would apply to a public road.

### Principles

The principles behind the policy are:-

- Council has an obligation to ensure that legal access is available to all lots.
- Council has no obligation to provide physical access to lots.
- The market value of a lot reflects the amenities which benefit the lot, such as water supply, sewerage, gas, sealed road access, etc.
- Council should not be required to provide vehicular access at its cost as this is

effectively subsidising the purchase price of the lot.

- Owners of a lot on an unformed road who genuinely wish to build on the land should be able to do so at a reasonable cost, including the cost of provision of vehicular access.
- Council needs to minimise its exposure to subsequent complaints and requests for construction and sealing of the formed access road, by ensuring that it is built to an appropriate standard.
- Owners or developers of multiple lots located on an unformed road who intend to develop and resell the lots should be required to provide access to a standard that would apply to subdivision. In such cases, the developer should be prevented from the sequential extension of the road and sale of the lots one at a time, by “bending” the policy.

### **Intentions**

The intentions of the policy are:-

- To allow property owners to provide access to their land at reasonable cost
- To minimise requests for Council to further upgrade or maintain a road provided by a property owner
- To ensure that the effects on the environment are considered and adverse impacts minimised
- To ensure that de-facto land developers are required to provide a standard of road identical to that required by subdivision.

### **OBJECTIVE**

The objective of this policy is to outline the responsibility for maintaining Unformed Streets and Roads within the Shire.

### **SCOPE**

This policy guideline applies to all Unformed and unmaintained Roads within the Wingecarribee Shire.

### **POLICY**

- All road reserves are owned by Council or the crown, however, Council only maintains those roads that have been constructed by Council, or constructed by another party to Council's requirements then formally handed over to Council.
- The formation of a road to Council standards, however, does not automatically imply that Council will maintain the road. Council as a rule will only take over maintenance of the road if it serves a genuine public function, for example by providing access to a number of properties along the road.
- The maintenance of “Unformed Roads” are the responsibility of the landowners who use the road access.

### **PROCEDURE**

If a landowner intends to gain vehicular access to their land along an unformed road, then the following conditions will apply:-

1. A written application to construct a formed road must be lodged, stating the reasons for the proposal.
2. The application will be assessed, and written conditional approval may be granted:-

- In the case of access to a single lot, the access generally takes the form of a 4 metre wide gravel surfaced road, with culverts, generally located in the centre of the road reserve. Steep grades will require sealing of the road and lining of table drains in accordance with normal standards.
  - In the case of access to multiple lots in the same ownership, the access will be conditioned as if the application was a subdivision to create the existing lots.
3. If an approval is given, standard conditions will apply, including:-
- Normal engineering standards of road construction
  - Provision for traffic in accordance with the relevant Australian Standard and RTA standards
  - Approval by Council's Engineer of the contractor, following proof of the usual licences, insurances, etc.
  - Approval by Council's Engineer of the materials and methods proposed to be used
4. Following construction of the road in accordance with the conditional approval, and its acceptance by Council's Engineer, Council may assume responsibility for its maintenance after occupation of a dwelling served by the road only.

#### **DEFINITIONS/RELATED INFORMATION**

- i. Legislation and explanatory information – NSW Government Land and Property Authority
- ii. Cross reference other policies – Unformed Streets and Roads
- iii. Define unfamiliar or technical terms – N/A
- iv. Should authority be delegated to amend this policy ??

#### **CONTACT**

Manager Assets

#### **REVIEW**

Every 4 years