



BOROONDARA
City of Harmony

Unmade Lanes Policy

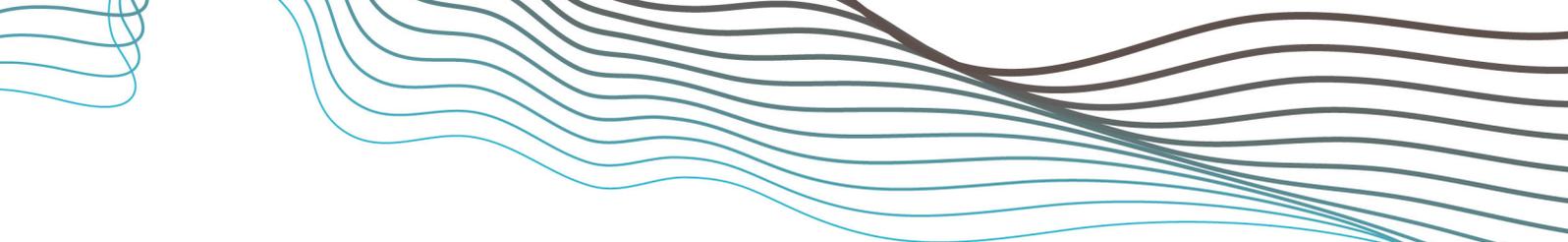
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1. Introduction

1.1. Purpose

To set the principles and standards for the management of unconstructed lanes within the City of Boroondara.

1.2. Scope

The scope of this policy applies to all unconstructed lanes within the City of Boroondara that are open and accessible for public use by vehicles or pedestrians. This policy does not apply to unconstructed lanes that exist on land titles but have been closed to public access with fences or gates.

The stakeholders of this policy are all Council officers involved in the administration of public road infrastructure or any related land use issue, the abutting residents and property owners to unmade lanes, and the general community who may be users of the unmade lanes.

The policy documents management practices that will be applied to unmade lanes within the City of Boroondara. It provides guidance to Council officers and informs the community.

2. Background

The majority of the properties within Boroondara were subdivided and sold with unconstructed roads, footpaths and lanes servicing the subdivision. Provisions in the Local Government Act allowed Council to collect contributions from the benefitting property owners to fund the construction of roads, footpaths and lanes where there was the majority support from the property owners for their construction. Once these assets were constructed to the appropriate standard then Council accepted the ongoing maintenance and renewal responsibility for those assets. This practice continued until the 1970's by which time virtually all of the road assets within Boroondara had been constructed. Following changes to the Subdivision Act any new subdivisions now require these infrastructure assets to be constructed at the time of subdivision.

A few roads and footpaths, plus a number of lanes in Boroondara remain unconstructed as the majority of the benefitting property owners do not perceive a benefit in their construction to justify the cost of the required contribution. Lanes usually provide secondary access to properties which may not be important for some abutting property owners. Historically these unconstructed assets were considered to be "private" assets by Council officers and the responsibility for their ongoing maintenance was considered to be the abutting property owners.

Council does receive requests to repair and construct the unmade lanes. Generally property owners are unwilling to undertake maintenance work on the lanes or contribute to their construction. To resolve the requests or any significant hazards, Council officers do undertake some minor work on unmade lanes to address public safety and amenity issues.

Under the Road Management Act 2004 Council as the Coordinating Road Authority for most public roads in Boroondara has a responsibility to manage the public road infrastructure on behalf of the wider community. The standards that Council will apply to its public roads are outlined in the Road Management Plan and this includes the agreed level of service for unmade lanes. By including both made and unmade lanes in the Road Management Plan and in the Register of Public Roads, the community is informed of the service levels that will be maintained for those assets and of the risk management practices that will be applied in the management of those assets.

2.1. Methodology

This policy was developed in conjunction with a review of Council's Road Management Plan 2009 and takes into consideration the maintenance practices of other councils.

2.2. Context

This policy informs the general community regarding the principles and standards that will be applied in management of unmade lanes and documents the level of service that will be provided.

The Local Government Act 1989 includes in the list of the functions of Council "providing and maintaining community infrastructure" and that "Council is to have the care and management of all roads that Council has agreed to have the care and management."

The Road Management Act 2004 describes the function of a road authority to provide and maintain roads for the use by the community served by that road authority.

The Boroondara Road Management Plan outlines the service levels for public roads listed in Council's Public Road Register.

The Boroondara Register of Public Roads lists the public roads within Boroondara that Council accepts responsibility for their care and management.

2.3. Consultation

This policy has been developed following internal consultation with Council officers.

2.4. Corporate framework

This policy supports Council's Mission and Vision by addressing the following objective in the Council Plan June 2012:

"Providing facilities and assets" and the need to proactively manage the ongoing maintenance and development of Council's assets and facilities to meet our community's current and future needs

3. Policy statement

The following principles will guide the management of unmade lanes:

- Unmade lanes are a community asset that will be managed by Council taking into consideration their relative benefit to the wider community and the available resources.
- Unmade lanes that are open and accessible for public use by vehicles or pedestrians will be included in Council's Register of Public Roads.
- The inspection and maintenance standards for unmade lanes will be those specified in Council's Road Management Plan and in the Infrastructure Cleansing and Weed Control Services contract.
- Unless Council resolves otherwise, the benefitting property owners will be required to fund the construction of an unmade lane in accordance with the special charge provisions of the Local Government Act 1989.
- Council may fund the construction of an unmade lane based on the available resources and prioritised by the level of use, the abutting development, their location and the public benefit.
- Any proposals for Council to fund the construction of unmade lanes will be approved by Council as part of the annual budget submissions for new capital projects, with the exception of unmade lanes that may be fully or partly constructed as a consequence of a storm water drainage project.
- Subject to the relevant planning and building controls, any proposed private development with all or part of the property access via an unmade lane will be required as a minimum, to construct the full width of the lane over the length of the property boundaries of the development to Council standards unless otherwise agreed.

- The discontinuance and sale of unmade lanes that effectively service one property will be encouraged. Council's Discontinuance of Roads and Reserve Policy 2010 will apply to any discontinuance proposal.

4. Implementation and monitoring

4.1. Accountabilities

For all queries or feedback regarding this policy document, please contact the responsible officer below.

Contact	Contact number	Contact e-mail
Asset Planning	9278 4504	Boroondara@boroondara.vic.gov.au

The responsible department coordinates the implementation, maintenance and review of this policy; ensuring that stakeholders are aware of their accountabilities.

4.2. Financial implications

The construction of an unmade lane by Council will be funded from the annual new capital works budget and the subsequent end of life renewal will be funded from the annual renewal capital works budget. There will be a corresponding increase in the replacement value and annual depreciation cost of Council's road infrastructure in the annual financial statements. Offsetting this cost would be a reduction in the ongoing minor works and maintenance that would be undertaken on high use unmade lanes.

5. References

5.1. Related documents

- Council Plan June 2012
- Local Government Act 1989
- Road Management Act 2004
- Boroondara Road Management Plan 2013
- Boroondara Register of Public Roads
- Discontinuance of Roads and Reserve Policy 2010

5.2. Definitions

Lane: a road or path typically 3 metres or less in width that usually provides secondary access to the rear or side of properties. The property title may describe the lane as a road, carriageway or right of way easement.

Public Benefit - an action or outcome that benefits the wider community and that may deliver or support the objectives contained in any relevant Council strategies or plans, such as the Integrated Transport Strategy or the Boroondara Activity Centres Strategy.

Public Road - a road that is required for public use.

Unmade Lane: a strip of land set aside for a road on title with no man made material added to form a sealed surface or that has not been constructed to a standard acceptable to Council.