

From: [REDACTED]@taswater.com.au>
Sent: Friday, 17 November 2023 3:01 PM
To: Road Management Legislation Review
Subject: RE: Discussion paper - Road Management Legislation Review our Ref SI 2023/00672-GCC

Hi [REDACTED]

I do apologise for missing the 6 November cut off date , we are currently under staff, and we have to rely on our departments for their inputs as well.

Here are some comments.

Principles – Yes, we agree with the draft principles.

Framework structure – Yes, we support moving to a single, consolidated road management act.

Proclamation process – We have no comments to make on this point.

Subdivisions - We have no comments to make on this point.

Defining the road manager – We consider that the Victorian model could work in Tasmania.

Ambiguity – Under development assessment (and project works) we often need access through roads (subdivision roads) that appear to be private roads in the name of deceased persons. This makes obtaining consent difficult and can lead to uncertainty and time delays for project deadlines. A single statute would help to resolve ambiguity.

Bridges – Perhaps a division of the Tasmanian Government could be created and then become responsible for the management of bridges on a local highway/road.

Liability – There should there be an explicit statutory duty for road managers to inspect, maintain and repair and there should there also be a framework for establishing the standard to which a road manager will maintain a road.

Service authorities - Infrastructure corridors must be considered in the framework and any changes made to legislation should seek to ensure works undertaken in road corridors are coordinated. We are often informed that we will be issued with a letter under the R&J Act outlining we must undertake a project to remove/renew our assets in unrealistic time frames. TasWater are not the road owners or road authority, and we have our own projects prioritised according to our own risk framework. Projects initiated by road owners should not be forced onto us to manage. There needs to be better management of planned projects and where priorities and timeframes do not align, the road owner needs to understand that they should incorporate the best interests of Service authorities into their projects, not the other way around. An Infrastructure Reference Panel (IRP) sounds like a great initiative that could work in Tasmania.

Footpaths and other infrastructure – We have no comments to make on this point.

Temporary road closures – Consider adopting the Victorian model and include (in the amended legislation) the requirement to provide adequate notice to consult with affected parties prior to the commencement of temporary road closures.

Public transport infrastructure - We have no comments to make on this point.

Cost recovery - We have no comments to make on this point.

Additional Comments:

Land use planning – The issue raised in the paper is often the only mechanism to provide TasWater with an opportunity to make comments on road projects that directly affect TasWater infrastructure, without this mechanism we are often left out of any consideration/consultation for road projects. If there are any changes to legislation to remove this process, then the legislation should most certainly be looking to incorporate an IRP.

Cheers

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IS ENOUGH



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