

[REDACTED]

From: [REDACTED]@centralcoast.tas.gov.au>
Sent: Tuesday, 7 November 2023 10:13 PM
To: Road Management Legislation Review
Cc: [REDACTED]
Subject: Road Management Legislation Review

To:
Department of State Growth

Road Management Legislation Review

Hi [REDACTED]
Please find below responses to the Discussion Paper released September 2023.
I apologise for the day late, public holiday yesterday in the north west.
Many of our issues were raised at earlier meetings.
Responses have been kept brief but can be expanded if required.

Principles

Support the three principles.

Framework Structure

Support the establishment of a single act, but if this is not possible the resulting various Acts need to be complementary with supporting clear guidelines.

Proclaimed Roads

Agree the process could be simplified, but likely still requires the State to be the responsible authority.
Boundaries should remain with licenced land surveyors to determine.
All roads once created should be available in the Road Manager asset databases and available on such services as LIST.

Subdivisions

Need to consider current and potential road hierarchy to try to future proof designs. Narrow road reserves are pushed by developers but can leave legacy issues for future infrastructure, both above and below ground. There are also many legacy issues around ownership where road reserves were not transferred to Councils. This requires a simpler solution than the current legal nightmare of finding previous subdividers to transfer the land, many long since deceased.

Defining the Road Manager

The Victorian model may work provided cost shifting does not occur (either way)
There are likely technical issues to sort if this occurs, eg what is a "roadside area", drainage, utilities access to name a few

Ambiguity

We have had instances of drainage beside state managed roads, footpaths constructed as part of highway works, service roads constructed as highway works, maintenance responsibilities for trees and mowing.

Bridges

Transfer of bridges needs to be dealt with in a fair and equitable way. This may be through consistent agreements, transfer arrangements or handover.
It should not be s of right and not cause financial burden if transferred.

Liability

Not all councils are mature in inspection and maintenance regimes.

To make this statutory may increase the burden on human and monetary resources and would need to be carefully considered and more deeply consulted with Local Government Road Managers

Service Authorities

Improving working with other authorities and a reasonable balance is required. Many have powers under their own Acts which are interpreted to be permission to install or repair their infrastructure without road manager involvement. Underground services can sometimes impact ability of the road manager to manage their own asset, eg underground power lines too close to the surface to allow repair of kerb and channel or road works, watermains preventing tree planting in the nature strip.

Footpaths and other infrastructure

Central Coast has very few State Roads in Urban areas. In the past we saw an occasion where a state road was resealed to a 7m width, leaving a varying width of road not resealed for varying widths between 0.5m and 1.0m between the new work and kerb. This was done without any consultation with Council, but could have been avoided. We do have paths in State reserves that are not clearly defined as to responsibility.

Drainage

CCC has Tasrail between the land and Bass Strait.

Rail legislation states that drainage can't be directed to the rail corridor, this presents a problem when the rail infrastructure is effective a dam with pipes to drain the landward side.

May require consideration in the process.

Temporary Road closures

Emergency related closures should be treated differently to other organised closures, eg events, roadworks etc.

Various contemporary means of notice is required.

The commissioner of Police should not need to be involved in event closures, or as a referral agent only.

Trees and obstructions

This needs to be modernised for relevant obstructions not only trees. Dealing with tree roots could be represented in the Act but may be getting into details. This is an area of ambiguity on where Councils may be liable for damage .

Traffic Control and Line marking

While agreeing there is a fine line between user and safety, it may be prudent to define roles and responsibilities in the revised Act (s) and remove the need for Transport Commission Directions, which are often lost by change of staff not aware the directions have been given at some past point.

Public Transport

Clarity on infrastructure is required.

State govt and bus operators can make changes which lead to resourcing issues for Councils, ie moving shelters, providing DDA compliance for stops, pull off areas in rural areas etc.

Cost Recovery

The licensing model or similar is supported for one off examples like turbines etc.

Of a much larger concern are the logging coupes that significantly impact narrower rural roads, both from a damage perspective and loss of amenity and perceived safety for the local users.

Spatial Systems

Spatial systems could provide an indication of location, extents and type but could not yet accurately define boundaries. It is agreed that opportunities for use of spatial systems should be considered.

Emerging Transport modes

Consideration of known possibilities can be incorporated. There are many unknown technological advances that may need future revisions.

Regards [REDACTED]

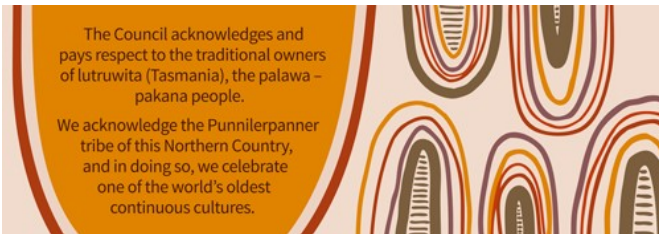
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