



**Macedon  
Ranges**  
Shire Council

# Public Roads Procedure



Adopted by Council 18 April 2018

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## Introduction

Macedon Ranges Shire Council provides a local road network covering approximately 1,700km of which approximately 1,600km are maintained in accordance with the Road Management Plan and associated Asset Management Plans.

In addition to these roads, Council is aware of approximately 87 kilometres of roads that are not on the road register throughout the shire.

## Purpose

The purpose of this document is define what constitutes a 'public road', sets out the criteria used to determine whether a non-registered road qualifies for consideration to the Register of Public Roads and the process for consideration of such request.

## Public Roads

A 'public road' is a road reasonably required for general public use as defined in Section 17 of the Road Management Act, 2004 (RMA). In accordance with Section 19 of the RMA, a road authority must keep a Register of Public Roads specifying the public roads in respect of which it is the Coordinating Road Authority.

The Coordinating Road Authority for a public road is determined using Section 36 of the RMA. Council is generally the Coordinating Road Authority for public roads within the municipality that are not State Roads; these roads are designated as municipal roads. Council has a statutory duty to inspect, maintain and repair municipal roads as listed in Council's Register of Public Roads.

## Register of Public Roads

The RMA requires that a responsible road authority must maintain a register of public roads. The MRSC Register of Public Roads is updated regularly and can be inspected at Council's Customer Service Centres with 24 hours prior notice or viewed on Council's website at [www.mrsc.vic.gov.au](http://www.mrsc.vic.gov.au)

The Register of Public Roads clearly identifies which roads are maintained by MRSC also known as 'local' or 'municipal' roads. Roads that have been identified on the

MRSC Register of Public Roads for ongoing maintenance are those roads that are reasonably required for public use. Private roads are not included, in line with established practice.

From time to time, MRSC will receive requests to include or add additional roads to the Register of Public Roads, or receive requests to maintain roads that are not currently on the Register. Council must then make a decision regarding the appropriateness of such requests.

It is important to note that the RMA does not create a duty to upgrade a road or to maintain a road to a higher standard than the standard to which the road is constructed (s.40 subsection 2).

Public roads are defined in the RMA as freeways, arterial roads and other roads reasonably required for general public use. Where doubt exists, MRSC will determine if a road is “reasonably required for general public use” via a council decision.

## Process for Inclusion of Roads onto Public Road Register

All requests for addition of road or roads onto the public road register either received from residents or instigated by Council Officers are to be considered by Council. The process for considering such requests is as follows:

- Council Officers acknowledges the request if received by a resident and advises customer of next steps and timing;
- Council Officers investigate the request and develops a report to be considered by Council. Reports in relation to requests for inclusion of a road onto the public road register will be considered bi-annually at the April and October Council meetings;
- Council considers the request and makes a decision at the Council meeting;
- The requestor is advised of the decision by Council; and
- If required amendments are made to the Public Road Register by Council Officers.



## Criteria for roads for inclusion on Register of Public Roads

18 Guiding principles will be used to determine whether a road is 'reasonably required for general public use' within the meaning of section 17(3) of the Road Management Act 2004. Of this 18 principles at least 3 must be met as a minimum before consideration is given to adding the road to the public road register. The principles to be met are as follows:

1. At least two or more properties and at least two or more permanent residents are abutting onto the road or requiring the road for access purposes;
2. Whether or not land abutting onto the road or requiring the road for access has been developed to its highest and best economic use;
3. The type of properties abutting onto the road, including public open space, community facilities, sporting facilities and car parking areas are of significant community value;
4. Whether the road connects into and forms a part of the wider network of public roads;
5. The usage patterns of the road in relation to the nature and frequency of past, present and likely future use;
6. Whether the road is regularly required for both vehicular and pedestrian use;
7. Whether the Council or any of its predecessors or any other public authority has constructed the road at public expense;
8. Whether the Council has cared for, managed or controlled the road on a regular basis;
9. Whether the properties which enjoy a frontage to the road or require the road for access purposes have alternative access rights;
10. Whether there are designated car parking facilities and traffic control signs attaching to any public use of the road;
11. Whether the road has ever been required to be set aside for public use as a condition of any planning approval;

12. Whether the road has ever been formally dedicated or proclaimed to be a public highway under the Local Government Act, 1989 or any predecessor legislation;
13. Whether the road has ever been constructed under a special charge scheme or a private street scheme;
14. Whether the road has been constructed by developer or private owner or entity to Council's minimum standards;
15. Whether the use is occurring "as of right", in particular evidence of previous permission;
16. Existing geometric standards and surface condition are in accordance with Council's requirements;
17. Whether the road contains assets owned and managed by public service authorities, gas, electricity, telecommunications, sewerage, water; and
18. Whether the road has fencing, barriers, signage or associated safety devices.

## Management of Public Roads

MRSC's Road Management Plan establishes Council's road management system for road infrastructure and road related infrastructure as defined under the RMA, and for which Council is the relevant road authority. The plan has been developed in line with Council's obligations under the RMA and Wrongs Act, 1958 with consideration given to established policy, resource availability, risk management and operational objectives.

## Road Hierarchy

The RMA categorises roads into three main classifications:

- Freeways (VicRoads responsibility)
- Arterial Roads (VicRoads responsibility)
- Local Roads (MRSC responsibility)

The local road network is made up of sealed and unsealed roads. The functional road hierarchy splits the local road network into categories, as shown in the table below.

Category	Type	General Description	Typical ADT
1	Sealed Link	Sealed roads carrying high traffic volumes.	>2000
2	Sealed Collector	Sealed roads carrying low traffic volumes generally of a local nature. Provides access to properties on that particular road and adjoining roads.	1000-2500
3	Sealed Access	Sealed roads providing access to properties on that particular road. Generally dead-end roads.	500-1200
4	Unsealed Collector	Unsealed roads carrying low traffic volumes generally of a local nature. Provides access to properties on that particular road and adjoining roads.	200-600
5	Unsealed Access	Unsealed roads providing access to properties on that particular road. Generally dead-end roads.	50-250
6	Unsealed Local	Unsealed roads that do not meet Cat 5 standards but are considered reasonable for public use.	>70
FAT	Fire Access Tracks	Unformed roads used only for fire fighting purposes.	Nil

*Note: ADT = Average Daily Traffic Count*

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The typical ADT is not the guiding principle for classifying a road category. Other factors including road construction standards and roadside environmental conditions are to be considered when determining the classification.

Road categories 1-5 standards can be found in Council's Engineering Requirements for Infrastructure Construction Guidelines (ERIC) and the Infrastructure Design Manual (IDM).

Road category 6 standards are presented as Appendix A.

## Updating the Register of Public Roads

The Register of Public Roads will be updated within 30 days of decision to include a road from Council.

Other situations requiring update of the Register of Public Roads include:

- assets inherited via sub divisions and land developments;
- amend physical characteristics of an asset/s resulting from capital works;
- assets transferred by government bodies such as VicRoads;
- change in agreement with adjoining municipalities; and
- discontinuance of a road.

## Accessing the Register of Public Roads

An up to date copy of the Register of Public Roads can be viewed at any of Council's Customer Service Centres by providing at least 24 hours' notice or by visiting Council's website [www.mrsc.vic.gov.au](http://www.mrsc.vic.gov.au).



# Appendix A

## Construction Standards for a Category 6 Road

The below diagram provides the characteristics expected for the category 6 road classification.

