

### 9.3 ROAD MANAGEMENT PLAN REVIEW

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#### Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes  No

**Reason:** Nil

#### Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes  No

**Reason:** Nil

#### Appendix

Road Management Plan 2021 – Draft (**Appendix “9.3A”**)

#### Purpose

To adopt the updated Road Management Plan.

#### Summary

- The Road Management Plan documents Council’s approach to maintenance of roads, footpaths and related roadside areas to facilitate their safe and serviceable use for vehicles and pedestrians.
- The Plan is established under the provisions of the *Road Management Act 2004* for a range of reasons, including to limit Council’s liability to road related claims in certain circumstances, providing that Council is operating in accordance with the Plan.
- Council is required to review the plan each four years, in the year following a Council election, by 31 October of that year.
- This year’s review of the Plan has incorporated the findings of an internal audit on the plan conducted in 2019. Extensive changes were made to the plan as a result of that audit.
- The Plan has also been reviewed in consideration of an audit by the Victorian Auditor-General’s Office into maintaining local roads in March 2021. The relevant recommendations of that report required no changes in the Plan.
- Consultation on the Plan has occurred in accordance with, and exceeding the requirements of the relevant regulations.
- The community consultation included a series of workshops across rural parts of the municipality, and one in Horsham, in May 2021. This was followed up by a well-advertised web-based process in August and September 2021.
- It is proposed that the updated Plan be adopted.

#### Recommendation

That Council adopt the updated Road Management Plan (**Appendix “9.3A”**).

## REPORT

### Background

The Road Management Plan is a document which describes the maintenance systems in place for Council's road and footpath network to facilitate their safe and serviceable use for vehicles and pedestrians. When a Council has a Road Management Plan and complies with the inspection and maintenance regime established in the plan, Council's liability to claims for damages arising from road-related incidents (e.g. damage to tyres, or trips along footpaths) is limited.

The *Road Management Act 2004* (the Act) establishes the provisions for Road Management Plans. All road management authorities in Victoria may have them, including Regional Roads Victoria, DELWP and Councils.

Regulations made in support of the Act describe the process for renewing a Road Management Plan, including the consultation process. One such aspect is the requirement for the Plan to be reviewed in accordance with the timetable for establishment of a new Council Plan following the election of a new Council, i.e. by 31 October 2021.

Council has reviewed its Plan each four years since 2012 in accordance with the requirements. In addition, Council undertook an internal audit on the Plan in 2019, aiming to understand compliance with the Plan and any improvements that should be made to the plan. This audit led to the implementation of an enhanced footpath defects backlog program to address an accumulation of hazards that were identified in the footpath network. This program, and related actions, are aiming to ensure that full compliance is achieved by December 2021.

In addition, the audit identified a range of improvements to the Plan document itself.

The review also considered the recommendations of the Victorian Auditor-General's Office (VAGO) in its March 2021 report "Maintaining Local Roads". The relevant recommendations from that report are:

- 11. collect and retain data on compliance with timeliness standards in road management plans*
- 12. establish performance measures for road management plans and use them to annually review performance and the practicality of standards set out in the plans.*

Council's maintenance management system, Reflect, ensures the collection and maintenance of data to meet the requirements of recommendation 11 (refer Section 4.5 of the Plan). Section 5.1 of the Plan outlines the approach in the Plan to address recommendation 12.

No changes were required to the Plan to address the VAGO recommendations.

### Discussion

The draft Road Management Plan 2021 document is attached as an appendix to this report (**Appendix "9.3A"**).

Extensive changes have been made to the 2017 document based on:

- The internal audit described above
- Workshops with operations staff to ensure the capacity to undertake the rectification works in the times listed within the Plan
- Feedback from Council's insurer.

In addition, since completion of the 2019 audit there has been an ongoing program of monthly meetings and training with Operations staff to ensure that:

- Relevant staff are fully aware of the requirements of the Plan
- Suitable resourcing is provided to achieve the response times for inspections and rectification of identified defects
- The Reflect maintenance management system is able to provide staff information about the defects in a suitable form, to action priority defects, i.e. within the timeframe allowed for actions
- Monitoring of achievements is reported on a regular basis.

Feedback from external consultation was relatively limited. Several respondents identified specific roads that they consider should receive a different level of maintenance. This aspect is being addressed through the Rural Road Network Plan, which will consider changes to hierarchy levels of all roads in Council's rural areas. This is due for completion by the end of 2021.

A further issue identified in community responses was the level of trip hazards that should be actioned for footpath defects. The Plan identifies 25 mm as the relevant trigger level. This has been the case since 2015, however historically Council had the practice of painting a yellow line for trip hazards at 15 mm height. With Horsham's highly reactive soils, it is not practical to repair hazards at this height. The 25 mm trigger level is consistent with the level set in Road Management Plans in neighbouring municipalities.

### **Options to Consider**

Council is required to maintain its Road Management Plan to maintain the limitations to liability provided for through the *Road Management Act 2004*.

### **Sustainability Implications**

Nil directly

### **Community Engagement**

An extensive engagement process was undertaken, which exceeded the requirements set in the regulations. This process included:

- Advertising the review of the Plan in the Government Gazette
- Publishing the reviewed draft Plan on Council's website
- Extensive advertising of the release of the reviewed Plan
- The series of community workshops for the Rural Road Network Plan held in May 2021 included consultation on the Road Management Plan, visiting eight sites, and specifically included Horsham, to ensure that urban residents could comment on or inspect the Road Management Plan.

Emergency services agencies were also consulted, with a copy of the Plan being forwarded to each member of the Horsham Municipal Emergency Management Planning Committee.

Despite the extensive engagement process, only seven submissions were received. This is a similar number to previous reviews.

### **Innovation and Continuous Improvement**

Since the last update to the Plan, Council has introduced Reflect as its electronic maintenance management system. The use of this system has facilitated the accurate reporting of achievement of the requirements with the Plan, and the identification of improved processes and resources to ensure compliance with the Plan.

### **Collaboration**

Nil

### **Financial Implications**

Costs associated with engagement on the Road Management Plan have been covered through the Rural Road Network Plan process.

The key financial implications for the Road Management Plan are:

- Ensuring there are sufficient resources to maintain compliance with the Plan
- The limit to liability the Road Management Act provides.

### **Regional, State and National Plans and Policies**

The Road Management Plan is prepared in accordance with the provisions of the *Road Management Act 2004* and its regulations.

### **Council Plans, Strategies and Policies**

The Road Management Plan is a key Council plan.

### **Risk Implications**

Risk management is at the heart of the Road Management Plan. The Road Management Plan is based on the hierarchical structure of Council's road and footpath networks, with different response times and hazard levels identified for different defect types based on the importance of the road/footpath according to its hierarchy level.

### **Conclusion**

The Road Management Plan has been through an extensive review process and is proposed for adoption by Council.