



NAMBUCCA VALLEY COUNCIL EXTENSION TO BITUMEN AND PROVISION OF RURAL ROAD DUST SEALS POLICY NO:ES 05

Our Vision

Nambucca Valley ~ Living at its best

Our Mission Statement

'The Nambucca Valley Council will value and protect its natural environment, maintain its assets and infrastructure and develop opportunities for its people.'

1.0 Policy objective

This policy applies to requests by residents to extend the sealed road network beyond the existing bitumen road seal and or the construction of an isolated dust seal adjacent to a rural property.

The purpose of this policy is to:

- To provide clarity on the proposed extension of the bitumen sealed network within the Valley.
- To establish a procedure for the guidance of the public desirous of seeking the extension of bitumen seal or the provision of a dust seal works
- To establish private contributions towards sealing of unsealed (gravel) and the procedures and conditions under which Council would accept voluntary contributions to seal an unsealed (gravel) section of public road.
- Detail the manner in which costs and liability for performing works is to be determined, allocated and charged.

2.0 Related Legislation/Documents

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Unsealed Roads Manual Guidelines to Good Practice – ARRB
- Roads Act 1993
- NVC Engineering Guidelines
- Roads and Maritime Services Road Design Guide Road Condition and Restrictions

3.0 Definitions

3.1 Abbreviations

NVC Nambucca Valley Council
AADT Annual Average Daily Traffic

3.2 Resident Contribution

The contribution to be made by the resident/s for sealing a maintained gravel road that would not otherwise form part of the bitumen seal extension program.

3.2 Council Contribution

Council's contribution to the cost of sealing a gravel road not included in the seal extension program is the preparation of the subgrade and base course ready to apply bitumen seal

3.4 Unsealed (Gravel) Road

An unsealed (gravel) road is a dedicated road that has been formed and surfaced with imported gravel material from a quarry.

3.5 Gravel Rural Road

A dedicated road that has been formed and surfaced with imported gravel material.

3.6 Rural Road

A road servicing allotments in a rural area, for which the majority of allotments have a road frontage in excess of 40m.

3.7 Sealing

There are a variety of sealing techniques which may be applied to an existing road formation that has been prepared to a minimum standard as determined by Council (including pavement and drainage works). High traffic volume roads will require a more robust level of seal design whilst low traffic volume roads may have a simplified seal design to mitigate the impacts of dust on amenity, improve environmental outcomes and/or offer maintenance savings.

3.6 Dust Seal

A dust seal is a low cost technique which consists of a seal applied to the existing road configuration, with limited need for road drainage, road formation and road pavement reconstruction. A dust seal is usually most suitable for low traffic roads where the cost of a dust seal can offer maintenance savings, improved amenity and or environmental outcomes. A dust seal is a risk based solution for locations where roadworks to standard engineering specifications are non-economic.

4.0 Policy Content

4.1 Background

To define the criteria for the provision of bitumen seals on rural gravel roads where adjoining property owner(s) request some action to reduce or remove the nuisance of dust, or improve conditions beyond approved service levels, adjacent to their property.

Establishes Council policy regarding the circumstances in which Council will consider the extension of bitumen or provision of a dust seal on rural roads

This policy describes guidelines to carry out works on Council maintained unsealed rural roads to minimise public concerns relating from dust nuisance. The policy also permits

Council to accept monetary contributions from residents to allow co-contribution of dust sealing of unsealed rural gravel roads, subject to conditions outlined within this policy

Council has some 300kms of unsealed roads (2021) within the Council area. Currently, Council's emphasis on asset management is the maintenance and renewal of its existing asset base.

Although Council has a process for determination and validation of the highest priority unsealed roads and endeavours to seek funding opportunity to have unsealed roads upgraded, this only allows for a small percentage of those roads being sealed as part of a rolling program. Therefore, Council recognises property owners or residents with this policy, who may want to supplement, what Council can achieve within existing financial and resource constraints. Council has undertaken trials of alternate sealing techniques within the Valley to allow for consideration of more cost-effective options for sealing of lower volume roads.

Council recognises that residents living in houses located along unsealed roads in the Valley may prefer the section of roadway within the immediate vicinity of their house to be sealed to minimise the impact of dust from traffic movements on the amenity of their property and particularly their place of residence.

On this basis Council is willing to consider voluntary contributions to self-fund the sealing of unsealed (gravel) roads within certain parameters. These seals will require ongoing future maintenance by Council for pothole patching and or reseal.

4.2 Costs

- 4.2.1 The voluntary self-funded seal cost will include the sealing works as well as formation reconstruction, pavement reconstruction and drainage reconstruction, where considered necessary.
- 4.2.2 Council will provide a cost estimate for the works detailing the maximum cost. Council's cost estimate will be calculated using all appropriate overhead costs (i.e. on costs) however, Council will not seek a profit from the delivery of the sealing works.
- 4.2.3 Payment for cost of the works will be made one month prior to commencement of any works and will be based on the cost estimate provided. Final costs shall be reconciled at completion of the works. As necessary, Council will adjust payment within 30 days of notification of final costs and issue a credit or seek additional funds if applicable.
- 4.2.4 Prior to Council undertaking the work, it will be necessary for the landholder(s) to sign and execute an agreement prepared by Council confirming the conditions and obligations of this policy. Acceptance of a contribution does not imply acceptance by Council of the work as satisfying any existing or future condition of development consent.
- 4.2.5 Generally, Council will not make any contribution to the works, nor will it accept any offer that is conditional on Council contributing. However, if an allocation has been provided for in the current capital budget or if alternative funding becomes available, Council may co-contribute to extend the length of sealing works. Due to funding constraints, Council's co-contribution may impact its decision making regarding the process.
- 4.2.6 Where a group of residents are cooperatively working together, the distribution of costs must be negotiated between the residents. Council will not coordinate the

negotiations. As a guide it would be envisaged that the cost proportion is attributed to the property boundary length fronting the road.

4.3 Suitability of a bitumen extension or dust seal

4.3.1 Council will assess the suitability of gravel road segments.

4.3.2 Sealing works will need to include formation reconstruction, pavement reconstruction and drainage reconstruction, where necessary.

4.3.3 Sealing of isolated segments of unsealed (gravel) road (for example not being continuous with the existing sealed road network) is not permitted by this policy as it results in the ad hoc sealing of Council's road network. However, exceptions to this provision will be referred to Council for review where it is considered by the General Manager that such an exception is reasonable in the circumstances.

4.3.4 Sealing of longer lengths of unsealed (gravel) roads may be achieved by a group of residents cooperatively working together. For example, this may apply to residents living on a gravel lane. However, the gravel lane will need to link to a sealed road.

4.3.5 Council will manage the works. A contractor working directly for the property owner is not permitted.

4.3.6 The discretion to reject or accept a contribution resides with the General Manager or delegate.

4.4 Schedule

- a) A proposed schedule for the works will be provided with the cost estimate.
- b) The voluntary self-funded sealing works, if approved, will be included in Council's works program to suit resources and programming.
- c) The voluntary self-funded sealing works will not take priority over existing public works programs.

Condition and Obligations

- a) Council accepts the voluntary self-funded sealing contribution without any preferential maintenance commitment, or obligation, in favour of the completed sealing works.
- b) Council will take ownership of the completed sealing works and manage the improved road asset in accordance with Council's existing programs and practices for a maximum period of 10 years. After 10 years, Council may choose to remove the seal and reinstate the gravel surface.
- c) The voluntary self-funded contributor/s will not have any authority or exercise any rights over the works by Council during or after construction.

5.0 Responsibilities

5.1 General Manager

The General Manager is responsible for the overall control and implementation of the policy.

5.2 Directors and Managers

Directors and Managers are responsible for the control of the policy and procedures within their area of responsibility.

5.3 Principles

Council will consider the sealing of a maintained gravel road when a contribution is made by resident/s or property owner/s for the cost of the seal and or preparation of the gravel pavement.

Council may also consider a contribution where there is external funding provided from a State or Federal Government authority matched by resident/s or property owner/s

Only seal extension projects that have been approved by Council, and are included in the Delivery Plan within the current or future financial years, will have some certainty of being undertaken.

6.0 History

Historically, Council has received requests to seal isolated sections of existing unsealed (gravel) roads within the Valley.

Previous requests have on occasion included an offer from residents to contribute financially toward the cost of a bitumen seal. Currently, Council's emphasis on asset management is the maintenance and renewal of its existing asset base.

Although Council has a process for determination and validation of the highest priority unsealed roads and endeavours to seek funding opportunity to have unsealed roads upgraded, this only allows for a small percentage of those roads being sealed as part of a rolling program.

Department:	Engineering Services	Last Reviewed	Resolution Number
Policy Category	Council		
Endorsed By:	General Manager		
Approval Authority	Council		
Policy Owner	Assistant General Manager Engineering Services		
Contact Officer	Paul Gallagher		
Document No.	35184/2021		
First Adopted	14 October 2021		
Resolution No:	418/21		
Review Date:			