

The Road Management Act 2004 was passed on 11 May 2004.

The Act was developed to provide a more efficient and safer Victorian road network, and is the result of extensive stakeholder and community consultation.

The Road Management Act is based on the following key principles:

- clear allocation of road asset ownership and management;
- established processes and accountabilities for policy decisions and performance standards;
- provision of operational powers to achieve targets and performance standards; and
- clarification of civil liability laws for the management of roads.

“Effect on Local Government Authorities

The Road Management Act will affect Local Government Authorities in the following ways:

Enable road authorities to put in place their own reasonable road asset management and maintenance policies and procedures.

Allow each road authority to determine its own appropriate road management plan and standards.

Provide consistent and updated road provisions for declared arterial roads and freeways managed by VicRoads, and public roads managed by municipalities and other Government organisations.

Establish, through a Code of Practice, the allocation of responsibility between road authorities for managing the different parts of the road reserve (eg. roadway, footpath, service road).

Clearly define powers and obligations in regard to traffic management (including clearways), access management, road works by utilities, and maintenance of public transport infrastructure within road reserves.

Provide for:

utilities to obtain the consent of the coordinating road authority for certain works impacting on road infrastructure.

regulations to define consent exemptions for classes of utility infrastructure works within road reserves;

regulations to set any fees for consent (subject to the regulatory impact statement process);

a Code of Practice for coordination of infrastructure within road reserves;

utilities to adequately reinstate roads after completion of repairs or new works;

utilities to be responsible for the repair of road infrastructure damaged by failure of utility infrastructure (eg. burst water mains); and

emergency works to be exempt from any consent requirements.

Continue to provide municipalities with responsibility for parking on arterial roads.

*Provide for VicRoads to implement clearways on declared arterial roads, subject to consultation with councils, affected land owners / occupiers, traders and the community in accordance with a Code of Practice.
Shift 11,000 kilometres of roads to VicRoads' responsibility.*

Impose an 'excess' of \$1000 on financial claims against a road authority for property damage that has resulted from road conditions.

Provide for VicRoads, Councils and other road authorities to enter into arrangements to transfer or delegate from one authority to another responsibility for any operational or coordinating functions.

Requirements of Local Government Authorities

The Road Management Act sets down specific requirements for Local Government Authorities, including the following:

Road authorities will be required to make an assessment of the need to put into place a formal road management plan.

Road authorities will be required to establish a Register of Public Roads listing each public road for which it is responsible.

Road authorities will be required to establish effective policies, administrative processes and systems to manage roads in order to receive a level of statutory protection against civil liability claims under the Act.

Road authorities will be required to prepare a report on road conditions following receipt of notification of an intention to claim for property damage as a result of an incident.

Management of private roads is not covered in this legislation and will remain the responsibility of private owners."

Benefits for the Community

Will clarify the allocation of responsibility between road authorities for managing the different parts of the road reserve (eg. roadway, footpath, service road).

Will deliver a more efficient and safer road network across Victoria.

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- established processes and accountabilities for policy decisions and performance standards;
- provision of operational powers to achieve targets and performance standards; and
- clarification of civil liability laws for the management of roads.

How it Effects the Community

The Road Management Act will affect the Victorian community in the following ways:

Confirm the right of members of the public to travel on roads, and the right of property owners or occupiers of adjoining land to have access to the road.

Provide a more efficient and safer road network across Victoria.

Provide roads that best meet the needs and priorities of the community.

Clarify the allocation of responsibility between road authorities (eg. VicRoads and a municipality) for managing the different parts of the road reserve (eg. roadway, footpath, service road).

Clearly define powers and obligations in regard to traffic management (including clearways), the management of access to roads, road works by service authorities, and maintenance of public transport infrastructure within road reserves.

Continue to provide municipalities with responsibility for parking on arterial roads.

Provide for VicRoads to implement clearways on declared arterial roads, subject to consultation with councils, affected land owners / occupiers, traders and the community in accordance with a Code of Practice.

Impose an 'excess' of \$1000 on financial claims against a road authority for property damage that has resulted from road conditions.

Minimise disruption to traffic and ensure the safety of road users as a result of service authorities and others undertaking works on roads.

Requirements of Individuals

The Road Management Act sets down specific requirements for individuals, including the following:

Road users are required to drive safely having regard to the road, weather and traffic conditions, and to avoid unreasonable risks to other road users.

Individuals are required to give notice of an incident to a road authority within 30 days where there is an intention to make a claim for property damage.

Road authorities will not be responsible for private driveways on road reserves that provide access to land adjoining a road.

Management of private roads is not covered in this legislation and will remain the responsibility of private owners.