

POLICY NAME: (REVIEW)
CONTRIBUTIONS FOR DUST SEALING
OF ROADS

POLICY REF: C11

MEETING ADOPTED: 28 April 2011
Resolution No. 280411/28

POLICY HISTORY: 240108/32



TABLE OF CONTENTS

OBJECTIVE	1
BACKGROUND	1
DEFINITIONS	1
SCOPE OF POLICY	2
RELATED DOCUMENTATION	2
POLICY	2
1. Road Condition and Restrictions	2
2. Costs	2
3. Schedule	3
4. Conditions and Obligations	3
REVIEW	3

OBJECTIVE

This policy allows Council to accept voluntary monetary contributions from residents to allow the self-funding of dust sealing of unsealed (gravel) roads, subject to the rules and conditions contained within this policy.

BACKGROUND

Council has some 20% of its road network as gravel/unsealed roads. This comprises approximately 115kms (2007).

Currently, Council's Management Plan does not provide funds for the upgrading and sealing of gravel roads.

However, Council has recently adopted a dust sealing trial program (Council reports April 2007 and August 2004) that allows for operational cost savings (achieved within the gravel road maintenance budget) to be used for the dust sealing of limited lengths of gravel roads.

The existing dust seal trial program is limited, with some 12 roads being assessed as suitable candidates for dust dealing in 2007, of which two have since been completed. The achievement of the program is subject to achieving operational cost savings.

This dust seal trial program has initiated interest from the community, and in some respect has increased an expectation, or desire, for more extensive sealing of gravel roads by Council.

This policy provides the community with some opportunity to voluntarily self-fund the dust sealing of roads adjacent to their property.

This policy includes rules and conditions, which, for example, continue to disallow the dust sealing of small lengths of isolated (discontinuous) sections of gravel road.

This policy does not propose to substitute or offer an alternative to the requirements of Council Policy "Development Applications Relying on Access from Unsealed Rural Roads".

DEFINITIONS

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 road works to standard engineering specifications are non-economic.

SCOPE OF POLICY

This Policy applies to community members.

RELATED DOCUMENTATION

As a minimum this Policy should be read in conjunction with:

- The Ballina Shire Combined Development Control Plan (DCP) - Chapter 18 - Rural Lands
- Roads Act 1993.

POLICY

1. Road Condition and Restrictions

- 1.1** Council will assess the suitability of gravel road segments on a merit basis for suitability of the application of a dust seal.
- 1.2** Dust sealing will need to include formation reconstruction, pavement reconstruction and drainage reconstruction, where necessary.
- 1.3** Dust sealing of isolated segments of gravel road (ie; 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.
- 1.4** Dust sealing of longer lengths of 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.)
- 1.5** Council will manage the works. A contractor working directly for the property owner is not permitted.
- 1.6** The discretion to reject or accept a contribution resides with the General Manager or delegate.

2. Costs

- 2.1** The voluntary self-funded dust seal cost will include the dust seal as well as formation reconstruction, pavement reconstruction and drainage reconstruction, where considered necessary
- 2.2** Council will provide a cost estimate for the works prior to commencement, however, the final costs of the works will be based on actual costs upon completion.
- 2.3** Council's cost estimate will be calculated using all appropriate overhead costs (i.e. oncosts), however Council will not seek a profit from the delivery of the dust seal.
- 2.4** Council will not make any contribution to the works, nor will it accept any offer that is conditional on Council making a contribution.

2.5 The priority decisions of Council's works program will be made without regard to the potential or otherwise of a contribution under this policy.

3. **Schedule**

3.1 The voluntary self funded dust seal, if approved, will be included in Council's works program to suit resources and programming.

3.2 The voluntary self-funded dust seal will not take priority over existing public works programs.

3.3 Sealing works are generally undertaken during the summer periods, when warmer weather is experienced.

4. **Conditions and Obligations**

4.1 Council accepts the voluntary self-funded dust seal contribution without any preferential maintenance commitment, or obligation, in favour of the completed dust seal works.

4.2 Council will take ownership of the completed dust seal works and manage the improved road asset in accordance with Council's existing programs and practices.

4.3 The voluntary self-funded contributor will not have any authority or exercise any rights over the works by Council during or after construction.

4.4 Payment for cost of the works will be made prior to commencement of works and will be based on the cost estimate provided. Final costs shall be reconciled at completion of the works. Either party, as necessary, will adjust payment within 30 days of notification of final costs.

4.5 Prior to Council undertaking the work, it will be necessary for the landholder to sign and execute an agreement prepared by Council confirming the conditions and obligations of this policy.

4.6 Acceptance of a contribution does not imply acceptance by Council of the work as satisfying any existing or future condition of development consent.

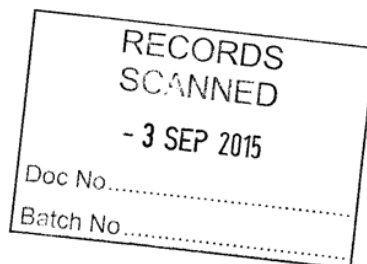
REVIEW

This policy is to be reviewed every four years.

68 Shaws Lane
Tuckombil NSW 2477

The General Manager
Ballina Shire Council
PO Box 450 BALLINA NSW 2478

30 August 2015



Dear Sir

Submission to: Contributions to Dust Sealing of Roads Policy – Review 2015

This submission to the 2015 review of Council's dust sealing policy is supported by residents of Shaws Lane, Tuckombil, and is based on experience over decades of living in increasingly dusty conditions and at times a guttered, pot holed and corrugated road surface. The residents of Shaws Lane have been unable to deal effectively with the dust menace on their own and while willing to contribute funding at a practical and affordable level, the residents see little hope for future improvement of Shaws Lane under the current policy.

Council's policy provides a framework that may one day lead to an improvement in the lane's condition. However the policy's limited scope and inflexibility means that other opportunities potentially providing mutually beneficial outcomes for both Shaws Lane residents and Council, are excluded from consideration and are unavailable. This submission proposes practical changes to the current policy that the residents believe will help in achieving those mutually beneficial improvements. The submission is directly relevant to other gravel roads also.

Recommended amendments to the policy are as follows:

1. The current policy allows for monetary contributions from residents for 'self-funding' dust sealing of gravel roads, as in policy Clause 1.4. However Clause 2.4 excludes Council from making any financial contribution where such dust sealing is funded by the residents.

This creates an either-or funding situation where funds can only be provided by residents or Council, but not both. This is a very restrictive clause that will likely lead to no improvement in road conditions in the foreseeable future.

An alternative approach is for the policy to allow for the resources of residents and Council to be combined to mutual benefit as agreed by the residents and Council, together. For example if Council has savings in its maintenance program, but these are insufficient to initiate and complete a dust sealing work, the addition of resident funding in that circumstance may be sufficient to allow work to proceed.

It is recommended the policy is amended to allow funding of dust sealing work to be made by Council and residents in a cooperative and complementary way as agreed by both parties. The objective being to achieve timely and mutually beneficial outcomes.

Page | 1




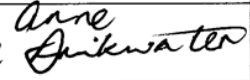




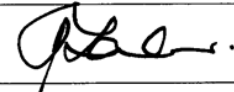
11.5 Policy (Review) - Dust Sealing of Roads.DOC

2. Clauses 1.3 and 1.4 do not permit "sealing of isolated segments of gravel road". This policy provision acts against progressive improvement of the gravel road condition. Where isolated road segments are a recurring problem to Council in regard to rain runoff erosion, with consequential high repair cost, it is a practical measure to seal these segments over a reasonable length, say not less than 150 metres. This sealing work may well be achieved within a limited funds environment whereas an extensive sealing work, connected to the existing sealed road system, may not.

Similarly where a road segment is a major dust problem for residents it is a practical response to allow residents to contribute to the cost of the dust sealing, with the proportion of resident and Council funding to be as agreed. As above, it is acknowledged a minimum sealed length 'rule' would need to apply.

It is recommended the policy is amended to allow for sealing of isolated segments of gravel roads in these practical ways.

These two amendments are believed by the residents (as undersigned) to be eminently practical policy improvements. Their strengths are that they facilitate active, practical and timely progress towards a completely dust sealed, lower maintenance cost, Shaws Lane and Council road system.

Resident Name	Signature	Address
SCOTT TAYLOR		83..... Shaws Lane, Tuckombil NSW 2477
BACLISIN RYLAND	62..... Shaws Lane, Tuckombil NSW 2477
Bonnie Walker	76..... Shaws Lane, Tuckombil NSW 2477
ANNE DRINKWATER	56..... Shaws Lane, Tuckombil NSW 2477
Dale Gilmore	56..... Shaws Lane, Tuckombil NSW 2477
Paul Kirkland	53..... Shaws Lane, Tuckombil NSW 2477
Paul West	12..... Shaws Lane, Tuckombil NSW 2477
Ian Perkins	29..... Shaws Lane, Tuckombil NSW 2477
Ian J Taylor	68..... Shaws Lane Tuckombil NSW 2477