



STRATEGIC POLICY  
**MOUNT ISA CITY COUNCIL**  
 Road Reserve Policy

RESOLUTION NO. **OM08/07/21** VERSION **V4**

**APPLIES TO STRATEGIC POLICIES ONLY**

This an official copy of the **Road Reserve Policy**, made in accordance with the provisions of *Local Government Act 2009, Local Government Regulation 2012, Mount Isa City Council's Local Laws, Subordinate Local Laws*, and current Council Policies.

Strategic policies are adopted by Council due to its desire to influence the direction of an issue or assist in the delegated decision making of Council officers. Strategic policies should follow the jurisdiction provided to Council through its Corporate Plan; the **Road Reserve Policy** is approved by the Council for the operations and procedures of Mount Isa City Council.

.....  
 David Keenan  
**Chief Executive Officer**

DOCUMENT VERSION CONTROL			
Governance/Policies/Strategic Doc ID# 26602		<b>POLICY TYPE</b>	Statutory (Council)
VERSION	DATE	RESOLUTION NO.	DETAILS
V1	04.07.2008	PP04/07/08	<b>Responsible Officer</b> - Manager Technical Services
V2	08.10.2011	G08/10/11	<b>Responsible Officer</b> - GIS & Asset Management Officer
V3	31.03.2016	OM11/05/16	<b>Responsible Officer</b> - GIS & Asset Management Officer
V4	27.05.2021	OM08/07/21	<b>Responsible Officer</b> - Asset Management Coordinator
		<b>REVIEW DUE</b>	07.2025

DISTRIBUTION AND DISSEMINATION			
Internal email to all employees	<b>X</b>	Section meetings / Toolbox talks	<b>X</b>
Internal email to all councillors	<b>X</b>	Included in employee inductions	
Employee noticeboards		Uploaded to Council website	<b>X</b>
Internal training to be provided		External training to be provided	<b>X</b>
Registered in magiQ	<b>X</b>		



**1. PURPOSE**

This policy provides the guidance to Council officers and property owners for the development, maintenance and management responsibilities of road reserves between the driveable roadway and private property boundaries for the safe passage of pedestrians.

**2. COMMENCEMENT**

This policy will commence on and from 21 July 2021. It replaces all other policies or arrangements governing road reserve maintenance and responsibilities (whether written or not).

**3. APPLICATION**

This policy will apply to all road reserves within the Mount Isa City local government area. This policy should be read in conjunction with Local Law No. 4 (Local Government Areas, Facilities and Roads) and the City of Mount Isa Planning Scheme.

**4. COUNCIL ROLES AND RESPONSIBILITIES**

- a) Council is responsible for monitoring the conditions of vegetation and clearance corridors on road reserves, to ensure they do not cause an inconvenience or an obstruction to a person/s using a public street or footpath or is causing or likely to cause damage to an adjacent public place:
  - i. Council is responsible for constructed pathways on the road reserve, including mitigating risks to public safety from private infrastructure and assets:
- b) Council reserves the right to construct or maintain infrastructure on the road reserve at its discretion, and in doing so may remove if necessary, any existing plants, shrubs, groundcover or decorative features, irrigation systems and without compensation to the owner or resident for such removal or alteration
- c) Council is responsible for restoring the verge to its original state, provided the original verge conforms to this Policy
- d) Council is responsible for assessing permits and notices from Service Authorities as per the *Telecommunications Act 1997* affecting the road reserve:
  - i. Council is responsible for negotiating with Service Authorities and the property owner, if any development of a verge is disturbed or destroyed by the activity of a Service Authority and
  - ii. Council is responsible for negotiating with Service Authorities and the property owner, if an upgrade to external services are required

**5. PROPERTY OWNER RESPONSIBILITIES**

- a) The property owner is responsible for all areas not maintained by Council adjoining their property boundary(s):
  - i. All trees and shrubs must be trimmed to the back of the kerb line and to a minimum height of 4.5m above the kerb and channel
  - ii. Pruning / trimming of trees shall be done in accordance with AS 4373-2007 Pruning of amenity trees
  - iii. Vegetation clippings and loose material must not be left in the kerb and channel
  - iv. Vegetation shall be kept clear of power lines and light poles to a minimum distance of 3 metres. In instances where vegetation is intertwining with or touching powerlines, Ergon Energy must be notified immediately and
  - v. Items not approved by Council for temporary usage as a crossover are prohibited. Council



reserves the right to remove such matter without compensation to the owner or resident for such removal or alteration

- b) The property owner is responsible for maintaining minimum clearance corridors adjoining their property boundaries, where practical, as follows:
  - vi. 1.5m for the length of the verge for pedestrian and postal delivery access
  - vii. 0.8m from electricity services (pits and power poles)
  - viii. 1.0m from a Telstra or NBN junction box
  - ix. 0.6m from a water meter
  - x. 1.0m from a water supply valve or water hydrant
  - xi. 1.0m from any other underground pipe or cable
- c) The property owner is responsible for obtaining a permit from Council before the construction of a driveway, permanent or temporary structures:
  - i. work must not put the public at risk or cause property damage to Council's or any Service Provider's infrastructure. Council takes no responsibility for any public liability injury or property damage caused by property owners or their representatives carrying out work on a verge.
- d) In instances whereby developments/obstructions have been created prior to this policy taking effect, the Council may require the property owner to carry Public Liability Insurance to cover the possibility of accidents occurring as a result of the obstructions.

## 6. VARIATIONS

Council reserves the right to vary, replace or terminate this policy from time to time.

## 7. BREACH OF POLICY

- a) Where Council reasonably believes a property owner the matter will be dealt with as per the Council's Local Laws; or
- b) Where Council reasonably believes a Council officer has breached this policy, the matter will be dealt with through disciplinary action or
- c) Where Council reasonably believes a Service Provider has breached this policy, the matter will be dealt as per the *Telecommunications Act 1997*.

## 8. COMMUNICATION AND DISTRIBUTION

Supervisors will ensure the policy is distributed as per the Distribution and Dissemination table on this policy.

## 9. DEFINITIONS

- a) **Footpath** A pathway either within or outside a road reserve for pedestrian and wheeled recreational device access. This surface may be grass, gravel, concrete, asphalt, pavers, timber bridges etc
- b) **Vegetation** All living plants, including trees, shrubs, palms, groundcover and grass.
- c) **Damage** Includes complete unauthorised removal, lopping or pruning of the vegetation; root pruning to any part of the vegetation; killing by poisoning; grubbing or transplanting. Also includes complete removal or alterations to any Council property.



**ASSOCIATED LEGISLATION AND POLICIES**

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- Mount Isa City Council's Local Laws and Subordinate Local Laws
- City of Mount Isa Planning Scheme