



# Victoria Government Gazette

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## Road Management Act 2004

### NOTICE OF MAKING OF A CODE OF PRACTICE FOR ROAD MANAGEMENT PLANS

I, Peter Batchelor, Minister for Transport, in accordance with section 29 of the **Road Management Act 2004**:

1. publish the Code of Practice for Road Management Plans, a copy of which is set out below; and
2. give notice that—
  - (a) the date of commencement of the Code of Practice is 1 October 2004; and
  - (b) copies of the Code of Practice may be obtained from VicRoads Head Office, 60 Denmark Street, Kew.

Dated 13 September 2004

PETER BATCHELOR  
Minister for Transport

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Note: A copy of the Code of Practice may be viewed on the VicRoads website at [www.vicroads.vic.gov.au](http://www.vicroads.vic.gov.au).

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**SPECIAL**

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**Road Management Act 2004**

## CODE OF PRACTICE FOR ROAD MANAGEMENT PLANS

I, Peter Batchelor, Minister for Transport, in accordance with section 28 of the **Road Management Act 2004**, make a Code of Practice for Road Management Plans.

Dated 13 September 2004

PETER BATCHELOR  
Minister for Transport

**1. Purpose of Code**

The purposes of this Code of Practice are to provide practical guidance to road authorities in:

- (a) the making of road management plans; and
- (b) the exercise of road management functions by a road authority to provide a safe and efficient road network for use by all members of the public; and
- (c) good road asset management practices focussed on delivering optimal outcomes having regard to affordability, available resources, and the policies, priorities and strategies of governments and road authorities.

**2. Authorising provisions**

This Code of Practice (“this Code”) is made under section 28 of the **Road Management Act 2004** (“the Act”).

In accordance with section 52(1)(d) of the Act, this Code specifies certain matters that should be included in a road management plan.

**3. Consultation**

In accordance with section 28 of the Act, the Minister consulted relevant road Ministers and the Municipal Association of Victoria before this Code was made.

**4. Application**

This Code applies to all road authorities.

Section 49 of the Act provides that a “road authority may develop and publish a road management plan ...”.

This Code commences on the date specified by a notice in the Government Gazette in accordance with section 29 of the Act.

**5. Interpretation**

Unless the context otherwise requires, expressions used in this Code have the same meaning as in the Act.

This Code is to be interpreted in accordance with the **Interpretation of Legislation Act 1984** as if it were a subordinate instrument within the meaning of that Act.

A reference to a public road or class of public road includes a reference to a part of a public road or to parts of roads within a class of public road.

**6. Legal effect of the Code**

The legal effect of a Code of Practice is set out in section 24(4) and section 27 of the Act.

A Code of Practice is admissible in evidence in any proceeding to which the Act or section 99A of the **Road Safety Act 1986** applies.

**7. Contents of a road management plan****7.1 Determination of standards**

A road management plan should include determinations of standards for the purposes of section 41 of the Act in relation to:

- (a) the inspection, maintenance and repair; and
- (b) the prioritisation of inspection, maintenance and repair

of roadways, pathways, road infrastructure and road-related infrastructure in respect of the public roads or classes of public roads to which the plan applies. Schedule 1 contains a diagram illustrating the basics of a management system for the inspection, maintenance and repair of road infrastructure.

To these ends, a **road management plan** may contain the following:

- (c) a description of the types of road infrastructure (see 7.2 below);
- (d) a description of the inspections required for different types of road infrastructure;
- (e) the standard or target condition to be achieved in the maintenance and repair of different types of road infrastructure; and
- (f) details of the management system, which is established or is to be established and implemented by the road authority to discharge its duty to inspect, maintain and repair:—

for each of the public roads or classes of public roads for which the road authority is the responsible road authority.

In addition, a road management plan may determine standards in respect of any other matter referred to in section 41 of the Act.

### **7.2 Listing of road infrastructure in a road management plan or in an asset register**

A road management plan that determines standards for the purposes of section 41 of the Act may do so by reference to:

- (a) roads, roadways, pathways, road infrastructure or road-related infrastructure; or
- (b) classes of roads, roadways, pathways, road infrastructure or road-related infrastructure:—

that are set out in the road management plan or in an asset register kept by the road authority.

To this end, a road management plan may:

- (a) include a list in its road management plan; or
- (b) refer to an asset register kept by the road authority:—

that lists:

- (c) roads, roadways, pathways, road infrastructure or road-related infrastructure; or
- (d) classes of roads, roadways, pathways, road infrastructure or road-related infrastructure:—

for which the road authority is the responsible road authority.

In establishing the list of road infrastructure to be covered by a road management plan, a road authority should consider:

- (a) all of the road infrastructure; and
- (b) the public roads:—

for which the authority is the responsible road authority under section 37 of the Act and any Code of Practice referred to in section 37(3).

### **7.3 Standards for inspection**

The road management plan may set inspection standards that enable the road authority to achieve the standards of maintenance and repair for different parts of the road reserve and different types of road infrastructure on public roads or classes of public roads for which the road authority is responsible.

If a road management plan determines an inspection standard, this should include the nature and frequency of inspections to be carried out on road infrastructure.

In determining appropriate inspection standards and prioritisations to be specified in the road management plan, the road authority should consider:

- the type of road infrastructure, and the volume and nature of public road usage;
- the scope of inspection;
- community expectations;
- any relevant risk factors; and
- the resources available, and the competing demands for those resources.

The road management plan may set out a priority order in which particular road infrastructure, public roads or classes of public roads may be inspected.

#### **7.4 Standards for maintenance and repair**

The road management plan may determine a standard in relation to the condition to be achieved in the maintenance and repair of the roadways and pathways and other road infrastructure for which the road authority is the responsible road authority.

If a road management plan determines such a standard, it should include, in relation to roadways and pathways:

- the type or nature or seriousness of defects that require repair or a warning (“the intervention level”); and
- the time within which such defects should be repaired or a warning erected after a known defect reaches the intervention level:–

and may include such details in relation to other road infrastructure for which the road authority is the responsible road authority.

In determining appropriate standards, including prioritisations for the maintenance and repair of road infrastructure on public roads, a road authority should consider:

- the type of road infrastructure, and the volume and nature of public road usage;
- community expectations;
- any relevant risk factors;
- the resources available, and the competing demands for these resources;
- the use of temporary measures and warning systems to warn road users of hazards until the utility of the public road can be restored;
- potential impacts on utility infrastructure and utility providers;
- environmental and cultural factors.

The road management plan may set out a priority order in which particular standards or target conditions are to be met for particular roads or classes of roads.

Even though roads and road infrastructure may be of a similar nature having regard to the criteria listed above, a road authority may determine different standards for those roads and road infrastructure having regard to the existing nature of the road. For example, two roads may be used by similar traffic types and volumes and have similar risk factors, but the existing standards of construction of the two roads may mean that different standards of maintenance are appropriate. In this regard, it should be noted that section 40(2) of the Act provides that a road authority's duty to inspect, maintain and repair a public road does not include a duty to upgrade a road or to maintain it to a higher standard than the standard to which the road is constructed.

### 7.5 A management system for inspection, maintenance and repair

Under section 52 of the Act, a road management plan “may include details of the management system that a road authority proposes to implement in the discharge of its duty to inspect, maintain and repair public roads for which the road authority is the coordinating road authority or the responsible road authority.”

A management system that best meets a road authority's needs to discharge its duty to inspect, maintain and repair public roads may include:

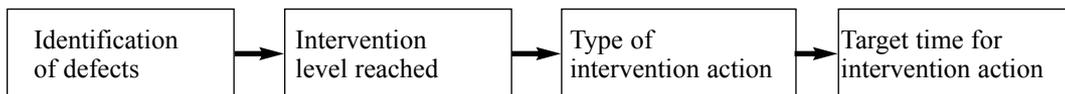
- policies and procedures for setting standards;
- monitoring road condition;
- establishing priorities and allocating resources;
- delivering and auditing maintenance programs;
- recording asset performance; and
- responding to incidents.

In developing and implementing a management system, the road authority may consider:

- requirements for system auditing;
- relevant national, State and local government transport and other policies;
- relevant standards and guidelines, such as mapping and information exchange standards;
- management system compatibility and consistency with other road authorities and utility providers;
- community needs and expectations regarding road standards;
- facilities for public feedback;
- how system documentation and data can be made accessible;
- resources available to the road authority; and
- competing priorities.

#### Schedule 1

Diagram illustrating a management system for inspection, maintenance and repair of road infrastructure



**Notes:**

Identification may be by—

- inspection, or
- notification by member of the public

A road authority is not liable for not repairing a defect of which it is not aware, unless it has been reported or the authority has failed to carry out proper inspections: see s. 102 of the Act.

**Notes:**

A road authority may determine the matters which are to be treated as defects requiring repair or warning, and the circumstances in which intervention action is to be taken: see s. 41(2)(d)(i) & (ii) of the Act.

**Notes:**

A road authority may determine the type of intervention action that is to be taken: see s. 41(2)(d)(iii) of the Act.

**Notes:**

A road authority may determine the type of intervention action that is to be taken, and the period of time within which it is to be taken: see s. 41(2)(d)(iv) of the Act.

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