



# PITTWATER COUNCIL

Council Policy – No 193	Adopted:	OM: 02.04.2012
	Reviewed:	OM: 24.06.2013
	Amended:	
	Revoked:	

**TITLE:** ROAD RESERVE AND STREETScape MANAGEMENT POLICY

**STRATEGY:** TRANSPORT AND TRAFFIC  
WATER MANAGEMENT  
VEGETATION

**BUSINESS UNIT:** URBAN INFRASTRUCTURE  
RESERVES RECREATION & BUILDING SERVICES

**RELEVANT LEGISLATION:** *Local Government Act 1993*  
*Local Government (General) Regulations 2005 Roads Act 1993*  
*Roads Regulation 2008*

**RELATED POLICIES:**

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## 1. Objective

To manage Council's road reserves (and the public roads contained therein) so that they are functional, safe and convenient, add value to development of the Pittwater Local Government Area (LGA), support the land use functions and activities within the Pittwater LGA, improve the amenity and appearance of the streetscape and maintain and improve the environmental aspects of the streetscape.

## 2. Definitions

The road reserve is the strip of public land between abutting property boundaries, specifically gazetted for the provision of public right of way. It includes the road carriageway, as well as footpaths and verges.

A public road is defined under the *Roads Act 1993* as:

- (a) any road that is opened or dedicated as a public road, whether under this or any other Act or law, and
- (b) any road that is declared to be a public road for the purposes of this Act.

### **3. Policy Statement**

Pittwater Council manages the public roads in the Pittwater local government area in accordance with the *Roads Act 1993*, *Local Government Act 1993*, *Local Government Regulation 1993*, *Environmental Planning & Assessment Act 1979* and *EPA Regulation 2000*.

All works and/or uses within a public road / road reserve are to comply with the following documents: -

1. Pittwater Council's Streetscape Management Guidelines
2. Pittwater Council's Standard Drawings
3. Pittwater Council's design and construction specification, NAT-SPEC

All works and or uses within a public road / road reserve require the written consent of Pittwater Council under Section 139 of the *Roads Act 1993*.

Application fees are to be paid to Pittwater Council for the processing of applications relating to any proposed works and/or uses in the road reserve.

No works and or uses are to be undertaken in the public road / road reserve until the appropriate application forms and fees have been lodged with Pittwater Council AND Pittwater Council has issued a written Section 139 consent.

Pittwater Council will undertake inspections to ensure that the works and or uses are being carried out in accordance with the relevant plans, specifications and conditions of the Section 139 consent.

### **4. Pittwater Streetscape Management Guidelines**

The Pittwater Streetscape Management Guidelines provide guidance for council staff, local residents, and developers for works on the public road reserve and on the public stormwater drainage system.

The Pittwater Streetscape Guidelines are to be used in conjunction with:

- Pittwater Council Standard Drawings
- Pittwater Council Design & Construction Specifications, NAT-SPEC.

The Pittwater Streetscape Guidelines are to be available on Council's internet and website allowing public access.

The Pittwater Streetscape Management Guidelines are a set of documents that may be amended from time to time to reflect changes in expectations and processes. Approval of amendments to the Guidelines is managed through the Senior Management Team and approved by the General Manager.

### **5. Protocol**

#### **5.1 Ethics and Probity**

**General** - The Council's activities are to be performed with integrity and in a manner able to withstand the closest possible scrutiny.

**Conduct of Council Staff** - Council Staff at all times are to conduct business that is ethical and of the highest integrity and are required to:

- treat applicants with equality and fairness
- not seek or receive personal gain
- maintain confidentiality of Commercial in Confidence information
- present the highest standards of professionalism and probity
- deal with applicants in an honest and impartial manner that does not allow conflicts of interest
- be able to account for all decisions and provide feedback on them

**Conflict of Interests** - A conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your public duty.

Council Staff are to avoid or appropriately manage any conflict of interest. The onus is on the Council Staff to identify a conflict of interest and take the appropriate action to manage the conflict in favour of the public duty. Any conflict of interests must be managed to uphold the probity of Council decision making.

**Standards** - The Council's streetscape work activities are to be carried out to professional standards and in compliance with the:

- *Local Government Act 1993*
- Local Government (General) Regulation 2005
- *Roads Act 1993*
- Roads Regulation 2008

## **5.2 Managing Risk**

Risk Management is to be appropriately applied at all stages of the process which must be properly planned and carried out in a manner that will protect and enhance the Council's capacity.