Unsealed Roads Asset Management
Public Consultation
Council Briefing
14 January 2019
Purpose

• Seek Council Consent at the 21 January Council meeting to undertake Public Consultation on:
  o Unsealed Roads Maintenance Plan
    ▪ *Levels of maintenance - number of grades, repair types, inspection frequency and response times*
  o Unsealed Roads Hierarchy
    ▪ *Establishes the desired or planned role for each road and thus establishes the future standard for that road*
Purpose

• Seek Council Consent at the Jan 21 Council meeting to undertake Public Consultation on:
  o Unsealed Roads Register
    ▪ Provide the community with a searchable index of all roads and in turn the service levels they can expect against that asset
  o Unsealed Roads Hierarchy Review Process
    ▪ Process for reviewing a roads classification. Intention is to ensure an avenue for appeal should there be a disagreement on the hierarchy classification
Purpose

• At this stage seeking consent for consultation at the Jan 21 Council meeting, not adoption of documents or processes

• More in depth opportunity for elected body to workshop options and ideas in March before formal adoption
Context/Background

- 403 unsealed roads
- 770km
Condition rating data indicates we are maintaining our unsealed road assets sustainably.

The quality of our unsealed road assets has improved over the last 4 years.

<table>
<thead>
<tr>
<th>Average Sheet Depth</th>
<th>13/14</th>
<th>17/18</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>74.38mm</td>
<td>121.18mm</td>
<td>+46.80mm</td>
</tr>
</tbody>
</table>
Context/Background

- Condition rating data indicates we are maintaining our unsealed road assets sustainably.
- The quality of our unsealed road assets has improved over the last 4 years.

**Average Surface Quality**

<table>
<thead>
<tr>
<th></th>
<th>13/14</th>
<th>17/18</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good</td>
<td>60.25%</td>
<td>70.49%</td>
<td>+10.24%</td>
</tr>
<tr>
<td>Fair</td>
<td>25.38%</td>
<td>25.76%</td>
<td>+0.38%</td>
</tr>
<tr>
<td>Poor</td>
<td>14.37%</td>
<td>3.75%</td>
<td>-10.62%</td>
</tr>
</tbody>
</table>
Average Defect Response Times (days)

- 2014: 18 days
- 2015: 20 days
- 2016: 18 days
- 2017: 16 days
Context/Background

- Council receives a large amount of feedback on Unsealed Roads in comparison to other assets
- Infrastructure Asset Management Plan last updated in 2015
- Unsealed Roads Operational hierarchy has changed since 2015
- Unsealed Roads Maintenance Plan in operation but never consulted on
- As a result of internal review, some minor changes have been made to asset management methods
- Largely a continuation of existing practices / methods
Statutory Responsibilities

• Local Government Act 1999 requires Council to Consult on the Infrastructure Asset Management Plan within two years of a newly elected Council
  o The hierarchy forms a critical part of this plan
Statutory Responsibilities

- International Association for Public Participation (IAP2)
- Best practice community consultation
  - INFORM – we will keep you informed
  - CONSULT – we will listen to and acknowledge your concerns
  - INVOLVE – we will work with you to ensure your concerns and goals are reflected in decisions
  - COLLABORATE – we will look to you for advice and information and incorporate into decisions
  - EMPOWER – we will implement what you decide
Community Engagement

• Undertake MySay Consultation Portal setup and survey
• Write to all adjoining landowners inviting them to contribute
• Place documents on website / MySay for download
• Provide hotline for respondents to call in
• Undertake 3x Q&A sessions at rural locations with Community
• Provide interactive web map for community to click on road information in their area
• Install signage in Council facilities and advertise on Facebook / local newspapers
• Provide FAQ documentation to assist with interpretation of documents
Comparative Analysis

- Infrastructure Asset Management Plan and Hierarchy in line with neighbouring Councils
- Infrastructure Asset Management Plan reviewed independently through Audit Committee
- Few Councils release Maintenance Plans externally so difficult to ascertain differences
Financial and Economic Implications

- Consultation to be undertaken with existing budgets and staff time
- Negligible financial implications of changes with the only additional expense being the grading of 6 upgraded roads as part of Councils routine maintenance.
- Consultation period timed to integrate in with budget review process to allow for adjustments if required
Risks

- Considered low for the consultation
- Residents with pre-existing concerns could bias the data
- Managing expectations of residents for increase in service
- Robustness of data could be questioned if the quantity of responses is too low
- Ensuring the data is truly representational considered a challenge – need to engage with passive road users
Discussion/Options

Maintenance Plan

• Not previously publically available
• Significant internal engagement with stakeholders taken place to design document for release
• Highly operational in nature – describes what we will do and when
• Costed and budgeted for by Assets and Engineering departments
Discussion/Options

Hierarchy

• Simplification of the hierarchy to remove the segregation between Urban and Rural unsealed roads
• Renaming of Collector/Distributor Roads to Unsealed Major
• Addition of Unsealed Minor
• Addition of Unsealed Carpark
• Addition of Unformed Road Reserve
• Significant rewording and simplification
• Creation of Road Hierarchy Review Process
Discussion/Options

Roads

• Adjusted the following road assets hierarchy based on advice from Roads Inspector
## Discussion/Options

<table>
<thead>
<tr>
<th>ROAD</th>
<th>LOCATION</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boundary Road South</td>
<td>Langhorne Creek</td>
<td>Access Track</td>
<td>Local</td>
</tr>
<tr>
<td>West Creek Road</td>
<td>Langhorne Creek</td>
<td>Access Track</td>
<td>Local</td>
</tr>
<tr>
<td>Macallan Road</td>
<td>Red Creek</td>
<td>Access Track</td>
<td>Minor</td>
</tr>
<tr>
<td>Hillview Road</td>
<td>Macclesfield</td>
<td>Access Track</td>
<td>Minor</td>
</tr>
<tr>
<td>Denny Road</td>
<td>Langhorne Creek</td>
<td>Access Track</td>
<td>Local</td>
</tr>
<tr>
<td>Ibis Road</td>
<td>Clayton Bay</td>
<td>Access Track</td>
<td>Local</td>
</tr>
</tbody>
</table>
Next Steps

• Council report at Jan 21 meeting seeking consent to release documents for consultation
• Undertake consultation late Jan early Feb for 4 weeks
• Collate data from consultation and prepare Council briefing / workshop in early March
• Prepare final report with recommendations for March Council meeting

• Final outcome of fully endorsed set of documents and processes
Questions
Planning Delegations
Council Briefing
14 January 2019
Purpose

• As part of a range of process improvements being implemented by Council’s Assessment Manager to improve the customer experience, some minor changes are proposed to Planning delegations to ensure that all applications are processed within the statutory timeframes and to facilitate the transition to the PDI Act 2016.
Context/Background

Last Review of Delegations

• Planning delegations were last reviewed by Council in September 2015

• At that time, some decisions that had historically been delegated to staff, were reassigned and delegated to the former Development Assessment Panel (DAP)

• Most notably, this included the ability to resolve to proceed to an assessment of a non-complying development
Context/Background

Legislative Framework

• The *Planning Development and Infrastructure (PDI) Act 2016* was gazetted on 1 April 2017

• The transition from the *Development Act 1993* to the *PDI Act 2016* has commenced in stages, with the *PDI Act 2016* to take full affect on 1 July 2020

• Both the *Development Act 1993* and the *PDI Act 2016* contain statutory timeframes for relevant authorities to determine Development Applications
Statutory Responsibilities

Under the existing *Development Act 1993* and the associated *Development Regulations 2008*, Councils are required to determine applications within the following timeframes:

- Complying Development – 2 weeks;
- Merit Development – 8 weeks;
- Non-complying Development – 8 weeks.
Development Application Timeframes

- **Non-complying (22 DA's - 2%)**
  - Median days - 2018
  - Statutory Timeframe (days)

- **Merit (1114 DA's - 93%)**
  - Median days - 2018
  - Statutory Timeframe (days)

- **Complying (67 DA's - 5%)**
  - Median days - 2018
  - Statutory Timeframe (days)
Statutory Responsibilities

Commencing in July 2020, under the PDI Act 2016, if an application is not determined by the relevant authority within the statutory timeframe, the APPLICANT can issue the relevant authority with a DEEMED CONSENT NOTICE, which can only be quashed by an application to the Environment, Resources and Development (ERD) Court.
Current CAP Delegations

• Non-complying applications – proceed to assessment;
• Non-complying applications – decisions;
• Category 2 or 3 applications with opposing representations;
• Heritage related applications where the Heritage Advisor or the State Heritage Branch have recommended that the application be refused;
• Land Divisions creating allotments that are smaller than the minimum site area for the Zone or Policy Area;
• Any application where the Minister has declined to be the authority;
• Any ERD Court Appeal compromises where the CAP was the authority;
• Any other application that staff deem should be assessed by the CAP due to its significant, contentious or unusual nature.
## Comparative Analysis

<table>
<thead>
<tr>
<th>Delegation</th>
<th>Alexandrina</th>
<th>Adelaide Hills</th>
<th>Murray Bridge</th>
<th>Onkaparinga</th>
<th>Alexandrina (Proposed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-complying (resolve to proceed)</td>
<td>CAP</td>
<td>Staff</td>
<td>Staff</td>
<td>Staff</td>
<td>Staff</td>
</tr>
<tr>
<td>Non-complying (to determine the DA)</td>
<td>CAP</td>
<td>CAP (if representors wish to be heard)</td>
<td>CAP (other than minor non-complying)</td>
<td>CAP (if representors wish to be heard)</td>
<td>CAP (other than minor non-complying)</td>
</tr>
<tr>
<td>Land Divisions creating allotment/s that are less than the minimum site areas for the Zone</td>
<td>CAP</td>
<td>Staff</td>
<td>Staff</td>
<td>Staff</td>
<td>CAP (unless a minor variation)</td>
</tr>
<tr>
<td>Cat 2 or 3 DAs with opposing representations</td>
<td>CAP</td>
<td>CAP</td>
<td>CAP</td>
<td>CAP</td>
<td>CAP</td>
</tr>
<tr>
<td>Heritage related DAs where Council’s Heritage Advisor or State Heritage do not support the proposal</td>
<td>CAP</td>
<td>Staff</td>
<td>Staff</td>
<td>Staff</td>
<td>CAP</td>
</tr>
<tr>
<td>Council development where the Minister has declined to appoint the SCAP as the relevant authority</td>
<td>CAP</td>
<td>CAP (if representors wish to be heard)</td>
<td>CAP (if representors wish to be heard)</td>
<td>CAP (if representors wish to be heard)</td>
<td>CAP</td>
</tr>
<tr>
<td>ERD Court compromise proposals where the CAP was the relevant authority</td>
<td>CAP</td>
<td>CAP</td>
<td>CAP</td>
<td>CAP</td>
<td>CAP</td>
</tr>
<tr>
<td>Administration determines that circumstances warrant CAP determination</td>
<td>CAP</td>
<td>CAP</td>
<td>CAP</td>
<td>CAP</td>
<td>CAP</td>
</tr>
</tbody>
</table>
Key Changes

• To enable staff to make the administrative decision of whether to proceed with an assessment of a non-complying Development Application (the CAP will continue to determine the application).

• To enable staff to determine Category 1 minor non-complying applications, such as jetties, river bank reinforcements and boundary realignments.

• To enable the CAP’s Assessment Manager and the Manager Planning and Development to determine Land Division applications, which propose allotments that are less than 10% under the minimum allotment size recommended by the relevant Zone/Policy Area.
Discussion

- The CAP has considered 132 DAs over the past 3 years, of which 55 (or 42%) have been administrative resolve to proceed determinations;
- Supports the transition to the PDI Act 2016;
- Ensures Applications will be determined in a timely manner and, importantly, within statutory timeframes.
Advantages

• Ensures that non-complying applications will be determined in a timely manner;
• Supports the transition to the PDI Act 2016;
• Enables staff to deal with minor applications that do not warrant the additional scrutiny of the Panel;
• Elected Members will continue to be kept informed of notable applications through current processes;
• Will promote the Council as a good place to do business by removing administrative ‘red-tape’ for Applicants.

Disadvantages

• None
Community Engagement

• The proposed variations to Planning delegations will not have any impact on the notification of Development Applications

• Representors will still be able to address the Council Assessment Panel
Risks

The Alexandrina Risk Management Policy and Matrix have been considered and the risk of amending the Planning related delegations is considered to be low for the following reasons:

• All development applications would continue to be processed in accordance with (and support the transition between) the *Development Act 1993* and *PDI Act 2016*;

• All representors that wish to be heard by the CAP, will continue to be able to do so; and

• A risk of not amending the delegations prior to the commencement of the PDI Act is the threat of Deemed Consent Notices and ERD Court action.
Financial and Economic Implications

- No direct financial implications;
- Flow-on benefits in the form of time and resource gains;
- The potential loss of land division applications to Private Planning Certifiers could result in a reduction in Land Division application fee income.
Next Steps

A report has been prepared for next week’s Council meeting seeking endorsement of an amended set of CAP and staff delegations.
Questions