



Policy # 4103 LIMITS OF COUNCIL RESPONSIBILITY FOR FORMATION / MAINTENANCE OF ROADS

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POLICY STATEMENTS

There are a substantial number of legal but unformed roads throughout the District. From time to time property owners and/or road users request the Council to form and maintain such roads however the Council has no legal obligation to form and maintain legal roads in its District.

However, with the exception of State Highways, when public roads are formed the Council does have some responsibility in relation to maintenance particularly when and where the public have general access to such roads as it has a general duty not to allow the continuance of a public nuisance.

There is also a substantial length of roading currently being maintained which is not within legally defined road reserve boundaries.

The Council's Policy regarding maintenance of roads shall be as follows:

- 1 The Council will continue to maintain those roads listed in its current road maintenance schedule as the Council may from time to time determine.
- 2 The Council will maintain other formed roads subject to the following criteria being met:
 - 2.1 The road is within a legally defined public road reserve;
 - 2.2 The road connects with a road which is presently being maintained by the Council;
 - 2.3 The road has been or will be formed to a standard appropriate to the planned use of the road to the satisfaction of, and, unless otherwise resolved by Council, at no cost to the Council; and
 - 2.4 There is no alternative access to the properties which the road serves.

Provided that in any case the Council may resolve not to maintain any road which is within a public road reserve but which serves only to provide access for less than five properties, or for any other specific reason.

- 3 Subject to the above conditions being satisfied, Council shall accept responsibility for routine maintenance and repairs of roads, from the point at which it commences i.e. at its first intersection with another road, or the District boundary, to:
 - 3.1 its final intersection with another road;
 - 3.2 the District boundary; OR
 - 3.3 the nearest boundary of the last property served by the road, held in one ownership whichever is the **shorter** distance.
- 4 Where the Council has given consent to a gate being erected across a public road, pursuant to Section 344 of the Local Government Act 1974, it will not be responsible for any road works whatsoever beyond the position of that gate. Furthermore, when such a gate has been erected across a public road and is subsequently removed, Council will assume responsibility for the maintenance of that road beyond the position of the gate, only after the road has been formed or reformed to a standard appropriate to the class of road to the satisfaction of, and at no cost to, the Council.