

ROAD MANAGEMENT PLAN REVIEW

August 2022



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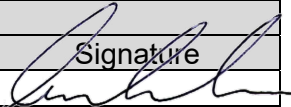
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1. Executive Summary

The City of Greater Bendigo (the City) Road Management Plan (RMP) has been prepared in accordance with the Road Management Act (2004) (the Act) and Road Management (General) Regulations 2016 (the Regulations). The RMP commits the City to inspect, maintain and carry out works to ensure compliance with its community obligations and legal requirements as a Coordinating/Responsible Road Authority.

The RMP:

- defines which public roads will be inspected and maintained
- establishes the frequency and extent of inspection
- sets the standards to which public roads will be maintained (i.e. intervention levels).

Over the past five years the City achieved on average 97.1% compliance against programmed RMP inspections across the road and footpath network (the Network).

During this period, 29,282 defects were rectified throughout the Network. Of these 8,038 were above specified RMP thresholds (defects). On average 83.4% of identified RMP defects were rectified within specified timeframes.

In addition to defect rectification works, the City's annual proactive grading program aims to grade approximately 2,200 km of unsealed roads. On average, over the last five years the City has graded 1,630 km (73% against program) per year.

During 2021-22 a total of 13,233 defects were identified throughout the road and footpath network which includes both mandatory intervention defects under the RMP and general/discretionary defects also identified either through customer complaints or via the proactive inspection program. Approximately 76.5% of these were rectified within specified timeframes with approximately 3600 currently remaining active.

Pursuant to section 54 of the Road Management Act 2004, a review of the RMP has been completed. The review considered the City's recent (five year) RMP compliance performance, as well as assessment of current standards against other comparable municipalities.

Specified asset hierarchies within the RMP are based upon traffic volume and speed limits for road assets, and pedestrian traffic for footpath assets. Whilst unique to the City, it is considered that the current Network hierarchies are adequate and appropriate. No changes to the asset hierarchies are proposed.

The City's inspection frequencies and defect intervention levels are also considered to be appropriate/achievable, comparable to other municipalities and consistent with industry standards/advice. No changes to the inspection regime or defect intervention levels are being recommended.

In consideration of the City's current RMP compliance with defect response timeframes, perceived opportunities for operational improvement and specified defect rectification timeframe targets already being at the higher end of the range, no extension of specified timeframes is being recommended. It is however proposed to improve the specified timeframe for rectification of Regulatory Traffic Sign defects.

Some minor administrative changes and opportunities to provide further clarity on asset management responsibilities were identified from the review. This resulted in including introduction of a new section to provide greater clarity on management responsibilities for vehicle crossovers (driveways).

2. Background

The Victorian State Government enacted the Act in response to the removal of the Non-feasance defence by the High Court (i.e. road authorities guilty of nonfeasance by failing to carry out repair and maintenance were not liable for injuries caused because of this however were liable for misfeasance). The Act specifies that road authorities (including Councils) have a statutory duty to inspect, maintain and repair 'public roads' they are responsible for.

The Act also allows for road authorities to create a Road Management Plan (RMP) that sets the standards for inspection, maintenance and repair of its public roads. Provided the road authority complies with these standards, the RMP provides a defence against compensation claims resulting from an incident that is related to the condition of the road.

The RMP also plays a key role in the safe and efficient management of the road network. In accordance with section 50 of the Act, the purposes of a RMP are to:

- Establish a management system for the road management functions of the Council (as the road authority) which is based on policy, operational objectives and available resources.
- Set the relevant standards in relation to the discharge of duties in the performance of those road management functions.
- Detail the management systems that Council uses to discharge its duty to inspect, maintain and repair public roads for which Council is responsible.

Each quarter an operational review of RMP compliance is undertaken. This review is intended to identify existing or emerging operational risks throughout the road networks, evaluate compliance and consider resource allocation. In addition to the quarterly reviews, an annual performance assessment is undertaken. This assessment provides a summary of the City's performance against their RMP obligations.

The Act also requires that a road authority undertake a complete review of their RMP at the intervals prescribed in Road Management General Regulations 2016 (the Regulations). This is to ensure the inspection and response timeframes and defect definition and intervention levels within the RMP remain relevant.

Formal review of the RMP considers whether:

- Asset hierarchies remain appropriate and effective.
- Specified inspection frequencies remain appropriate and reasonable.
- Specified defect intervention levels remain appropriate and reasonable.
- Specified defect response timeframes remain appropriate and reasonable.
- Risk management objectives are being achieved.
- The RMP content is still compliant with any legislative changes.
- Maintenance budget and resources are adequate to allow compliance with the RMP.

Section 9 of the Regulations requires that a written report summarising the findings and conclusions of the review be made publicly available.

3. Road Management Plan Review:

The current version of the City's RMP (Road Management Plan Version 3.0) was adopted in August 2017. An internal review of City's RMP has been undertaken pursuant to section 54(5) of the Act and section 8(3) of the Regulations.

This review was led by the Engineering department and considered the City's performance over the last five (5) years in complying with RMP targets and current resourcing levels. Referral and input from other business units within the City (e.g. Works and Parks and Open Space) as well as data/standard comparisons with comparable or neighbouring municipalities also formed part of the review process.

The RMP review specifically focused upon asset hierarchies, inspection frequencies, defect intervention levels and defect response times. These are the core elements of the RMP which influence relevant service standards for road inspection/maintenance and ultimately community safety. A general review of other sections in the RMP to identify any requirement for administrative amendments or opportunities for improvement was also conducted.

To date, no Council has had their RMP standards tested in court to determine if they are appropriate. The local government insurer's advice is that the inspection frequencies, intervention levels and response times must pass the test of being considered 'reasonable' by an ordinary person. Apart from being considered 'reasonable' the adopted standards should have a high degree of certainty that they can be achieved (i.e. they should not be aspirational goals).

The RMP is subject to periodic review to ensure it remains reflective of community expectations, financially sustainable and relevant against contemporary standards for defect intervention and response timeframes across the local and state government sector. The review of the RMP aims at balancing financial sustainability against community safety.

Options considered during these reviews aimed and improve compliance rates against targets specified within the RMP include:

- increasing/decreasing inspection frequencies
- increasing/decreasing intervention thresholds and timeframes
- resource demand versus availability for both inspection and maintenance services.

3.1. Comparison of standards with other municipalities

The following mix of Regional Cities, Metro Growth Areas and Neighbouring Rural councils were chosen for comparison purposes:

Table 1: Comparison councils for RMP review

LGA Type	LGA Name	RMP Year	RMP Status
Metro Growth	Casey	2021	Adopted
Metro Growth	Melton	2021	Adopted
Metro Growth	Wyndham	2021	Draft
Regional City	Ballarat	2021	Adopted
Regional City	Geelong	2021	Adopted
Rural Neighbour	Campaspe	2021	Adopted
Rural Neighbour	Mitchell	2021	Draft
Rural Neighbour	Mount Alexander	2021	Draft

A review of the various standards outlined within the City's RMP was undertaken in comparison to those equivalent defects identified within the above municipalities RMP documents. In general it was found that the City's specified inspection and defect intervention and rectification thresholds/response standards were generally consistent or to a higher standard than similar municipalities.

Although some minor variances were observed for specific defects, in general it is considered that the City's RMP is reflective of contemporary industry standards.

3.2. Asset hierarchies:

Adopted asset hierarchies within the RMP are based upon traffic volume and speed limits for road assets, and pedestrian traffic for footpath assets. The asset hierarchy is then used to determine the inspection frequency and defect response timeframes for each asset.

Asset hierarchies within the City's RMP were originally established using a risk-based approach (e.g. likelihood and consequence of an incident being influenced by traffic speed and volume). This approach is still considered appropriate to best differentiate the nature of road and pathway use across the municipality and associated risk of an incident.

None of the road and footpath hierarchies used by comparison municipalities are identical to each other or the City's, however they are structured in a similar manner. Based upon current industry practice, it is believed that the City's hierarchies remain adequate and appropriate. No changes to the RMP asset hierarchies are being recommended.

3.3. Inspection frequencies:

Inspection frequency is the maximum time permitted between physical inspections of a road or footpath. Inspection timeframes have been determined for each of the asset hierarchies using a risk-based approach.

The table below provides a summary of the City's compliance against specified RMP inspection frequency for the past five (5) years.

Table 2: Scheduled Network inspection compliance for period 2017-22

FINANCIAL YEAR	ASSET TYPE	TOTAL SEGMENTS INSPECTED	% INSPECTIONS COMPLETED ON-TIME
2017/2018	Footpath	8,421	99.8%
	Roads Sealed	14,276	93.5%
	Roads Unsealed	2,009	99.7%
	OVERALL TOTAL	24,706	97.6%
2018/2019	Footpath	6,291	99.0%
	Roads Sealed	13,245	97.4%
	Roads Unsealed	2,127	99.9%
	OVERALL TOTAL	21,663	98.8%

FINANCIAL YEAR	ASSET TYPE	TOTAL SEGMENTS INSPECTED	% INSPECTIONS COMPLETED ON-TIME
2019/2020	Footpath	5,867	95.8%
	Roads Sealed	11,976	98.9%
	Roads Unsealed	4,117	99.8%
	OVERALL TOTAL	21,960	98.2%
2020/2021	Footpath	6,912	99.2%
	Roads Sealed	13,035	96.3%
	Roads Unsealed	1,984	95.8%
	OVERALL TOTAL	21,931	97.1%
2021/2022	Footpath	5,487	99.1%
	Roads Sealed	13,232	87.7%
	Roads Unsealed	2,016	94.5%
	OVERALL TOTAL	20,735	93.8%

Over the past five years the City achieved on average 97.1% compliance against programmed RMP inspections across the Network.

The City's inspection frequencies were compared to the other municipalities and found to be very similar. The exception was the City's inspection frequency for the City Centre precinct which was on the 'frequent' end of the scale. City Centre inspection frequencies are however still considered appropriate, given the extent of bluestone paving used in this precinct and observed high volume of pedestrian traffic.

Based upon compliance history and comparisons with similar councils, it is considered that the City's inspection frequencies remain appropriate and achievable and therefore do not require amendment at this time.

3.4. Defect intervention levels:

Intervention levels are a measure of the severity of a defect, for example potholes that are greater than 300mm in diameter or footpath lips greater than 25mm in height.

In comparing the City's defect intervention standards against other municipalities, current thresholds were observed to be very similar. This is believed to largely be attributable to the majority of Victorian Councils having the same insurer who provides advice/guidance on what constitutes a reasonable (defendable) intervention level.

A detailed register of current defect types and associated rectification timeframes (dependant on asset hierarchy) may be found within the RMP. No changes to these defect intervention levels are being proposed.

3.5. Defect intervention response times:

Defect response timeframes are the maximum time allowed to rectify or treat (e.g. temporary safety signage) an identified defect.

In addition to defects which exceed intervention levels within the RMP (RMP defects) the City also identifies and rectifies general defects across the Network. General maintenance defects below RMP intervention levels can be identified through such mechanisms as periodic inspections, councillor requests, asset condition surveys, community/customer requests or internal unit referrals.

Defects below intervention level are not considered hazardous and will only be repaired as resources permit. Council may also repair defects below intervention level when repairing RMP defects in the same area. RMP defects will always have the highest priority.

Table 3 identifies the total number of combined defects (general and RMP defects) completed during the period 2017-2022. Table 4 provides a summary of the City's compliance with RMP defect rectification timeframes for the same period.

Table 3: Combined Network defects completed

FINANCIAL YEAR	COMPLETED
2017-2018	6660
2018-2019	5685
2019-2020	5524
2020-2021	4775
2021-2022	6638

Table 4: RMP defect rectification timeframe compliance 2017-2022

FINANCIAL YEAR	COMPLETED	% ONTIME
2017-2018	1076	77.1%
2018-2019	1684	89.7%
2019-2020	1383	85.6%
2020-2021	1544	85.0%
2021-2022	2351	79.4%

Over the past five years the City achieved on average 83.4% compliance against RMP defect rectification timeframes across the Network.

A review of the City's specified response timeframes for each defect type has identified that there was a reasonably large degree of variation against comparable municipalities, with the City often at the high end of the timeframe allowances.

The City's past performance with rectifying identified defects within the specified RMP hazard response time also varies significantly depending on the asset/defect type. For example, during 2021-22 sealing crews repaired nearly 99% of all RMP road potholes within the allotted time, however RMP footpath defects only achieved approximately 47% compliance. A more detailed breakdown of RMP defect rectification compliance for each defect type during 2021-22 may be seen in Appendix 1.

Current rectification timeframes are consistent with industry practice and current legal/insurance advice. The determination of defect rectification timeframes must take into consideration what would be considered reasonable in the view of the financial sustainability and resource capacity of the City.

It is believed that the most appropriate action to improve compliance rates in the first instance should be to ensure operational efficiencies are maximised before considering modifying current defect rectification timeframes. Such action will also add greater weight to any defence which the City may need to present in the event of a future incident involving challenge to the set timeframes outlined within the RMP.

It is recommended that the City continue to maintain its focus on monitoring compliance against current RMP response timeframes and explore potential operational efficiencies and system improvements to try and uplift compliance rates. No changes to the current defect rectification response timeframes are being recommended other than minor improvement to regulatory traffic sign rectification timeframes on hierarchy four (4) roads.

The only proposed amendment to defect intervention response timeframes identified is the tightening of regulatory traffic sign defect response on Hierarchy 4 roads. It is proposed that this timeframe be improved from 3 months to 2 months (improved service level) in recognition of the potential risk posed to the community due to a lack of or damage to regulatory traffic control signage. This will also bring the response timeframe for this particular defect into line with other comparable municipalities.

3.6. Proactive grading program:

In addition to RMP inspection and defect rectification regimes, the City operates a proactive maintenance grading program aimed at early intervention or prevention of defects escalating beyond RMP tolerances.

Table 5 below provides a summary of the City's performance against this unsealed road maintenance grading program during the 2021-22 financial year.

Table 5: Summary of proactive unsealed road grading program performance 2021-2022

Length of unsealed road programmed maintenance grading completed (km)	Completed within programmed timeframe (km)		Completed but beyond programmed timeframe (km)		Length of roads not completed / outstanding as at 30 June (km)	
2210	916	41%	593	26%	701	31%

There is no set level of compliance for the maintenance grading program in the RMP however a high level of compliance significantly contributes to reducing potential likelihood of defects being identified during proactive inspections as well as reducing ad hoc customer requests.

It is believed that the primary contributor to the lower than anticipated compliance against the proactive program may be attributable to staffing disruptions. It is however acknowledged that operational improvements and efficiencies also exist and will contribute to increased compliance against program. These opportunities have been identified separately within the recent unsealed road service level review.

3.7. Other items:

Review of the RMP identified the opportunity to include a new section clarifying management responsibilities in connection with vehicle crossovers and adjacent nature strip areas.

Some further minor administrative amendments were also required to accommodate the insertion of this new section as well as ensure references to internal positions and external organisations remained consistent with current naming conventions.

4. Financial Sustainability

Currently the City allocates significant resources towards the inspection and maintenance of the Network as part of its annual budget. The biggest resource implications are observed within the City's Works Unit which is continually reviewing and assessing the most appropriate allocation of available resources to achieve RMP compliance as well as delivery of numerous other Council services.

If the City is unable to rely upon its compliance against RMP targets in the course of defending legal claims, it may have serious adverse financial and reputational consequences.

To continue to achieve or improve compliance with inspection and defect response timeframes, some of the following may be required:

- Improving operational efficiency using existing resources and systems (e.g. re-structure of work crews).
- Developing a work culture that focuses upon, and strives to comply with, the RMP targets (e.g. periodic review and discussion of trend data).
- Prioritising maintenance work so that RMP defects are treated as a priority (i.e. completed ahead of general maintenance defects).
- Augmenting current workforce resources with external contractors where appropriate.
- Undertaking a workforce capacity analysis to determine if additional resources may be required.

Reduction in RMP targets may be considered through future review cycles, in response to emerging financial constraints or if the above efficiency initiatives prove unsuccessful.

Maintenance obligations and standard's specified within the RMP must be both reasonable, achievable, and financial sustainable. At present it is considered that the City's current RMP standards reflect this, however ongoing monitoring will occur to ensure a high level of compliance and risk mitigation.

5. Risk Assessment

One of the primary purposes of the RMP is to set out the minimum standards of Network maintenance to mitigate potential risk for the community and the City. Failure to meet standards outlined within the RMP further exposes the City to potential litigation risks.

There is a high likelihood that compensation claims may arise in connection to incidents which occur throughout the road and pathway network, where observable defects are present. This is demonstrated through historical claims made against the city for road and footpath incidents.

Compliance with the timeframes and intervention standards outlined within the RMP provides the City with a degree of protection against such claims, however intervention standards and inspection/rectification timeframes may still be subject to legal challenge on the grounds of reasonableness.

Failure to review and adopt the updated RMP may expose the City to potential legal challenges with respect to the validity of, and associated protections provided by, the current RMP.

Mitigation of the identified risks will be achieved through adoption of the revised RMP, compliance with specified targets and implementation of actions listed within the financial sustainability section above.

Financial and legal risks increase exponentially as RMP compliance rates decrease. As such appropriate asset inspection and maintenance resources and systems are critical in managing the organisations risk exposure.

Compliance performance will continue to be monitored and informs future review of inspection and maintenance resource allocations as well as standards documented within the RMP.

6. Communications/Engagement

As the RMP review has not identified any requirement to reduce service standards, provision of public notice and subsequent opportunity for submissions to be received and heard pursuant to section 223 of the Local Government Act, is not required.

Further, given the legislated requirement to undertake a further review of the RMP within the 12 months following the next scheduled council elections (October 2024), it is recommended that the identified administrative changes be undertaken to the RMP, without conducting any further community consultation or engagement.

Proposed amendment to the RMP is based upon feedback obtained via internal consultation with the City's Works, Parks and Open Space, Engineering and Risk units. The amended draft RMP also remains consistent with previous advice received from the MAV and their legal team.

7. Conclusion

In conducting the review of the RMP the following options were considered:

- Increasing or decreasing defect rectification timeframes
- Increasing or decreasing intervention standards
- Increasing or decreasing inspection frequency
- Changing asset hierarchies
- Introducing additional defect types

Consistent with the findings of the review as outlined above, an amended version of the RMP has been prepared and is attached (Road Management Plan Version 4.0). A summary document highlighting the specific amendments which have been made to the document (transition between version 3.0 and version 4.0) is also attached within Appendix 2 for ease of reference to actual amendments.

The Road Management Plan Version 4.0 reflects the findings of the review and includes the following amendments:

- Insertion of new section (section 2.4) which provides clarification on both the City and adjoining landowner responsibilities with respect to driveway and nature strip maintenance/renewal (including diagram).
- Renumbering of sections to accommodate above.
- Tightening of regulatory traffic sign defect response timeframes on Hierarchy 4 roads - improved from 3 months to 2 months (improved service level).

No further amendments to inspection frequencies, asset hierarchy's, defect intervention levels and defect rectification timeframes are being recommended.

Several minor administrative edits to the Draft RMP Version 4.0 have been made. An additional section clarifying management responsibilities for vehicle crossovers and adjacent nature strip areas has also been included.

Once it is adopted by Council, the amended RMP shall remain in force until the next scheduled formal review cycle (maximum of four years).

Appendix 1: Summary of Defect Rectification Compliance Data 2021-2020

2021-2022 RMP DEFECT RECTIFICATION COMPLIANCE - DEFECT TYPE BREAKDOWN

RMP DEFECT TYPE	COMPLETED	% ONTIME
BRIDGE MAINTENANCE WORKS	11	36.40%
Footpaths - Bridges or Major Culverts : Visible damage likely to affect road user or public safety	3	33.30%
Sealed Roads - Bridges or Major Culverts : Visible damage likely to affect road user or public safety	8	37.50%
FOOTPATH ASPHALT WORKS	132	40.90%
Footpaths - Potholes : Asphalt > 300mm diam AND > 25mm depth	51	68.60%
Footpaths - Lips : Asphalt > 25 mm height	76	23.70%
Footpaths - Depress. / Mounds : Asphalt > 100 mm (under a 1 m straight edge)	5	20.00%
FOOTPATH CONCRETE WORKS	354	46.00%
Footpaths - Lips : Concrete > 25 mm height	349	46.70%
Footpaths - Depress. / Mounds : Concrete > 100 mm (under a 1 m straight edge)	5	0.00%
GUIDE POST & GUARD RAIL WORKS	66	98.50%
Traffic Control - Roadside Safety Barriers : Missing or structurally unsound	1	0.00%
Traffic Control - Guide Posts : > 25% missing at curve OR > 25 % missing at culvert locations	65	100.00%
LINEMARKING	356	92.10%
Traffic Control - Pavement Markings : Statcon linemarking missing or faded so as to render them ineffective	356	92.10%
MINOR MAINTENANCE WORKS	5	20.00%
Unsealed Roads - Loose Material : > 50m length AND > 50mm depth AND in traffic lane	3	0.00%
Sealed Roads - Loose material : > 2m diam AND > 20mm depth AND in traffic lane	2	50.00%
PIT MAINTENANCE WORKS	12	8.30%
Footpaths - Drainage Pits : Missing or structurally unsound drainage pit lids or grates within path	12	8.30%
SEALING GENERAL WORKS	322	93.50%
Sealed Roads - Edge Breaks : > 10m length AND > 150mm width AND in traffic lane	41	70.70%
Sealed Roads - Pavement Rutting : > 100mm depth (under 3m straight edge) AND in traffic lane	8	50.00%
Sealed Roads - Potholes : > 300mm diam AND > 50mm depth AND in traffic lane	247	98.80%
Sealed Roads - Shoulder Dropoff : > 10m length AND > 100mm depth (edge break crew - RMP)	23	91.30%
Sealed Roads - Pavement Shoving : > 100mm depth (under 3m straight edge) AND in traffic lane	3	100.00%
SIGN WORKS	667	96.40%
Traffic Control - Signs : Regulatory or traffic advisory signs missing or illegible	667	96.40%
UNSEALED ROAD WORKS	330	82.10%
Unsealed Roads - Corrugations : > 50m length (continuous) AND > 50mm depth AND in traffic lane	169	84.60%
Unsealed Roads - Ruts, shoves & potholes : > 500mm diam AND > 100mm depth AND in traffic lane	161	79.50%
VEGETATION WORKS	96	36.50%
Traffic Control - Vegetation : Roadside vegetation that's grown to obstruct visibility at intersections or of regulatory & advisory signs	65	16.90%
Footpaths - Vegetation : Roadside vegetation intruding within a 2.5m envelope above a constructed footpath	6	33.30%
Traffic Control - Vegetation : Roadside vegetation intruding within a 4.5m envelope above the traffic lane of a road	25	88.00%
COMBINED TOTAL & AVERAGE	2,351	79.40%

Appendix 2: Road Management Plan Summary of amendments

Summary of Proposed Amendments to the Road Management Plan

A review of the City of Greater Bendigo Road Management Plan (RMP) was undertaken in accordance with the Road Management (General) Regulations 2016. The review considered standards adopted by neighbouring and other similarly sized Councils, as well as the City of Greater Bendigo's past performance in complying with the RMP. Following the review, it was determined that the City's standards with regard to asset hierarchies, inspection frequencies, intervention levels and hazard response times were still appropriate and changes were not required, apart from regulatory traffic sign response times on Hierarchy 4 roads which are proposed to be improved from 3 months to 2 months.

Several administration changes are also proposed to the existing RMP to provide better clarification with regard to vehicle crossovers, including a responsibility diagram.

2.3 Others Responsibility & 2.4 Vehicle Crossovers

Separated the information about vehicle crossovers from the previous section "2.3 Others Responsibility" and created a new section "2.4 Vehicle Crossovers". Also, added a diagram to help explain Council and Landowner responsibilities.

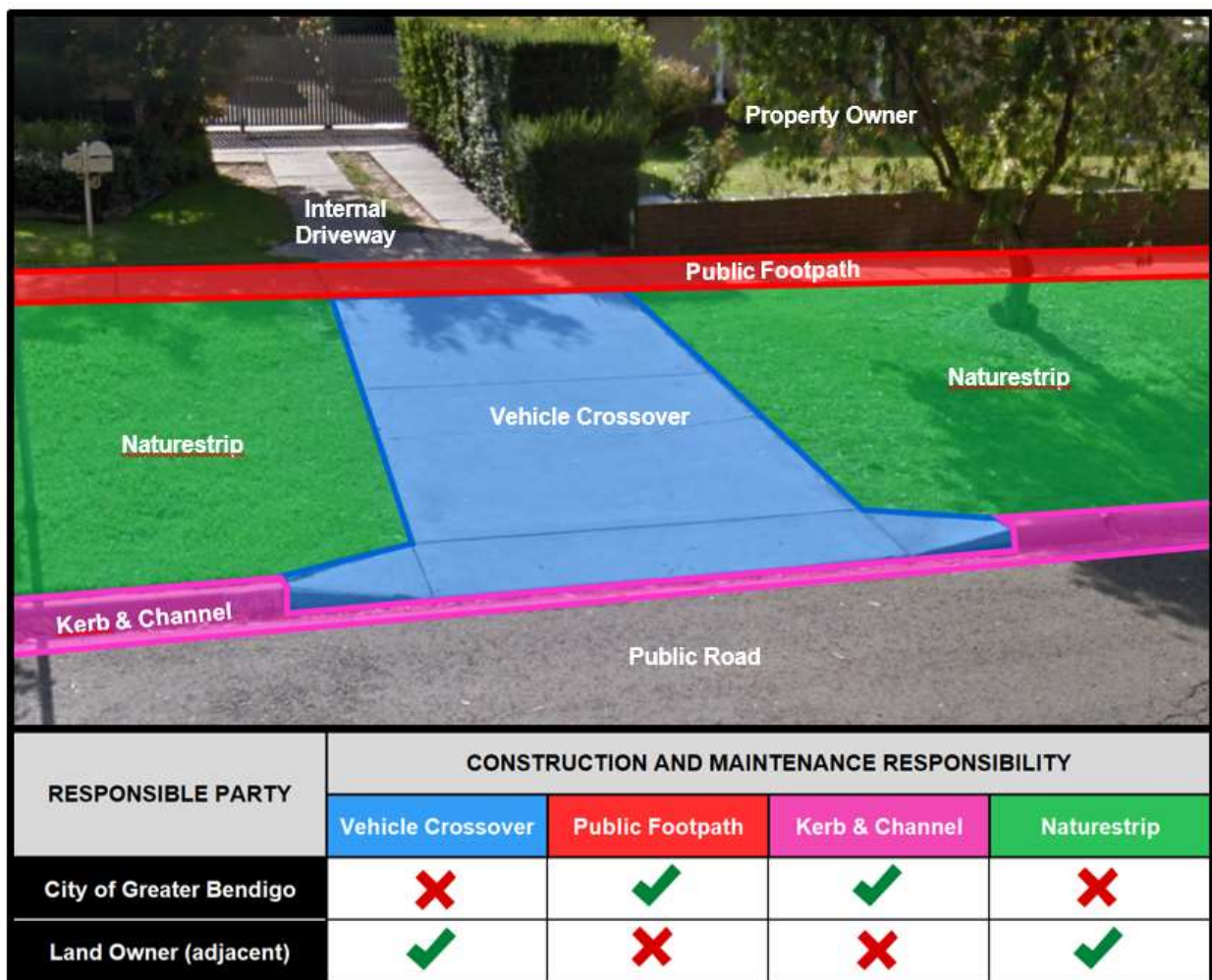


Table 2.4a : Typical Urban Vehicle Crossover