

Council Adopted Policy

Road Maintenance (Manure on Roads) Policy

Responsible Officer	Manager Development & Environmental Services	Policy Number	DE:4
Date Approved:	11 December, 2006	Council Resolution Number	32.4.6
Previous Revision Date:		Date of Next Review	
Applicable Legislation	Local Government Act (1999); Environmental Protection Act		

Introduction

Council is required to ensure that its roads are kept in a safe and trafficable condition at all times.

The conduct of dairying operations in close proximity to public roads often leads to foreign material such as cow manure and mud being deposited on the carriageway. This may create unsafe road conditions especially in wet weather with vehicles losing traction on surfaces made slippery by accumulated foreign materials.

The purpose of this policy is to outline the expectations of Council for road maintenance by dairy farm operators who may be responsible for the deposit of materials on public roadways.

Policy

Council requires that public roadways be kept in a safe and trafficable condition at all times.

Any deposit of materials on a council road is an offence under Section 235 (1) of the Local Government Act 1999.

Council therefore requires that any foreign material deposited on a roadway be removed immediately and that no accumulation of material be allowed to occur.

Foreign materials such as cow manure and mud deposited as a result of dairy cow / stock crossings or other related dairy farming operations must be removed from the roadway, stored and then disposed of in accordance with environmental requirements as set down by the Environment Protection Agency or any other relevant agency.

Council may inspect public roadways at anytime.

Council will ensure appropriate signage is in place to warn drivers of the potential for slippery road conditions in the vicinity of dairy precincts.

Council will, in the first instance, request that a property owner(s) clean materials from a public road on any occasion in which a complaint is received or when upon inspection the road is deemed

to create a road safety risk. This request will be in the form of a letter to property owner(s) and will indicate the methods of clean-up and disposal (or refer them to the appropriate authority) that are acceptable and the timeframe in which compliance is required.

If the road is not cleaned to a sufficient standard within the required timeframe, Council may issue a notice instructing that road cleaning must occur immediately and that Council may at anytime from the date of the letter commence road cleaning itself with all costs associated for the cleaning and disposal of the material being charged to the land owner(s).

Cleaning and disposal costs when undertaken by Council shall be charged at the rate stipulated in Council's Fees and Charges document and shall be payable within 30 days of an invoice being sent to the responsible persons.

In the event that payment for such costs is not made, or in the event that repeated road safety risks are being generated by the same offenders, Council may avail itself of legal proceedings via prosecution of the parties under the provisions of the Local Government Act 1999. Council reserves the right to take such proceedings notwithstanding that previous breaches of this provision may have been addressed through the issuing of road cleaning instructions and / or Council undertaking the cleaning of the roadway on behalf of a property owner(s).

Post Implementation Action

Following approval by the Council the original signed version of this policy will be kept within the Council adopted policy filing cabinet by the Executive Assistance and Governance Officer for referral by any staff member who wishes to do so.

Electronic PDF versions will also be kept on the Rural City of Murray Bridge web site for public to view.

This policy will be reviewed on an annual basis in the month of May and at the first meeting of a Council following a periodic election. Council may revise or review this policy at any time.

Endorsed by Council on 11 December, 2006.