Victoria Government Gazette

No. S 174 Tuesday 30 May 2017
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ROAD MANAGEMENT ACT 2004

CODE OF PRACTICE

OPERATIONAL RESPONSIBILITY FOR PUBLIC ROADS

SPECIAL

Road Management Act 2004

NOTICE OF MAKING OF A CODE OF PRACTICE FOR OPERATIONAL RESPONSIBILITY FOR PUBLIC ROADS

I, Luke Donnellan, Minister for Roads and Road Safety, in accordance with section 29 of the **Road Management Act 2004:**

1. publish the Code of Practice for Operational Responsibility for Public Roads, a copy of which is set out below; and
2. give notice that –
   (a) the date of commencement of the Code of Practice is 30 May 2017; and
   (b) copies of the Code of Practice may be obtained from VicRoads Head Office, 60 Denmark Street, Kew.

This Code of Practice replaces the Code of Practice for Operational Responsibility for Public Roads as published in the Victoria Government Gazette No. S 267 on Friday 17 December 2004.

Dated 8 May 2017

LUKE DONNELLAN
Minister for Roads and Road Safety

Note: A copy of the Code of Practice may be viewed on the VicRoads website at www.vicroads.vic.gov.au

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Road Management Act 2004

CODE OF PRACTICE FOR OPERATIONAL RESPONSIBILITY FOR PUBLIC ROADS

I, Luke Donnellan, Minister for Roads and Road Safety, in accordance with section 28 of the **Road Management Act 2004**, make a Code of Practice for Operational Responsibility for Public Roads.

Dated 8 May 2017

LUKE DONNELLAN
Minister for Roads and Road Safety

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Road Management Act 2004

CODE OF PRACTICE

OPERATIONAL RESPONSIBILITY FOR PUBLIC ROADS

1. Purpose of Code

(1) The purpose of this Code is –

(a) to provide practical guidance by clarifying or determining how the operational responsibility for different parts or elements of a road reserve is to be allocated between road authorities; and

(b) to establish principles giving practical guidance for determining the boundary between a 'roadway', 'pathway' or 'shoulder' in any particular case, and for determining which road authority is responsible for road-related infrastructure.

(2) This Code is intended to –

(a) support responsible road authorities in the performance of their road management functions with respect to the provision of a safe and efficient road network for use by road users and the community; and

(b) recognise that VicRoads, other State road authorities and local government are partners in managing Victoria's road network.

2. Authorising Provisions

(1) This Code of Practice ('this Code') is made by the Minister for Roads and Road Safety ('the Minister') under section 28 of the **Road Management Act 2004** ('the Act').

(2) This Code includes guidelines relating to principles for ascertaining which road authority is responsible where parts of a road which are allocated to different road authorities abut, in accordance with section 37(3) of the Act.

3. Consultation

In accordance with section 28 of the Act, the Minister consulted relevant Ministers, the Minister for Public Transport, the Infrastructure Reference Panel and the Municipal Association of Victoria before this Code was made.

4. Application

(1) This Code applies to all responsible road authorities (within the meaning of section 3 of the Act) with responsibility for operational functions (eg. inspection, maintenance and repair) of roads, whether or not public roads, as determined in accordance with section 37 of the Act.

Note: The Code does not, however, apply to coordinating road authorities, who have responsibility for coordination functions for roads (eg. coordinate the development and use of the road reserve, including the carrying out of works and installation of infrastructure on roads) as determined in accordance with section 36 of the Act.

(2) This Code commences on the date specified by a notice in the Government Gazette in accordance with section 29 of the Act.

(3) This Code is approved to operate from 30 May 2017 and replaces the Code of Practice for Operational Responsibility for Public Roads which commenced operation on 1 January 2005 (refer Victoria Government Gazette No. S 267, Friday 17 December 2004), which is revoked on the commencement of this Code.

5. Interpretation

(1) Unless the context otherwise requires, terms used in this Code that are defined in the Act have the same meaning as in the Act.

(2) In this Code –

'arterial road' includes a non-arterial State road if VicRoads is the responsible road authority for the non-arterial State road;

'bridge' includes all structures, including culverts, on, over or under a road that have a single span or diameter of 1.8 metres or greater, or have a waterway area of 3 m² or greater and includes all structural components (eg. abutments, wing walls, approach slabs, retaining walls, traffic safety barriers), and associated pathways, within the limits of the structure, but excludes approach embankments.

Note: Culverts or like structures under a road that have a single span or diameter of less than 1.8 metres or have a waterway area of less than 3 m² are road infrastructure for which the relevant responsible road authority for the roadway is responsible with the exception as provided in clause 40(1)(f) and subject to clauses 11(3)(a) and 15 of this Code.

'public transport infrastructure' means non-road infrastructure that is leased, maintained or operated by a provider of public transport, bus stop infrastructure, tram stop infrastructure, or is other non-road infrastructure which supports, or is related to, the operation of public transport. Part 5, Tables 1, 2 and 3 of this Code refer.

'rural area' means, in relation to a road, an area that is not an urban area as defined in the Act;

'sign' includes any associated support structure;

'urban area' has the same meaning as in section 3(1) of the Act; and

'State road authority' does not include VicRoads for the purposes of Parts 2 and 3 of this Code unless otherwise stated.

(3) The diagrams included in this Code represent the generic demarcation of responsibilities between road authorities, and may be varied by any specific arrangements entered into between two or more road authorities, or between a road authority and a utility or provider of public transport, under section 15 of the Act.

(4) This Code is to be interpreted in accordance with the **Interpretation of Legislation Act 1984** as if it were a subordinate instrument within the meaning of that Act.

6. Legal Effect of the Code

(1) The legal effect of a Code of Practice is set out in section 24(4) and section 27 of the Act.

(2) A Code of Practice is admissible in evidence in any proceeding to which the Act or section 99A of the **Road Safety Act 1986** applies.

PART 1 – PHYSICAL LIMITS OF RESPONSIBILITY BETWEEN VICROADS AND MUNICIPAL COUNCILS

7. Purpose

The purpose of this Part of this Code is to provide practical guidance in clarifying or determining how operational responsibility for different parts or elements of the road reserve of a freeway or arterial road is to be allocated between VicRoads and municipal councils, whether in an urban area or rural area.

Division 1 – Freeways

8. General

VicRoads is generally the coordinating road authority for freeways (excluding toll roads and freeways operated under State public private partnership arrangements).

8A. Freeways – Between Interchanges

Subject to this Division, VicRoads generally performs the functions of a responsible road authority for the whole of the road reserve of a freeway for which it is the coordinating road authority, including roadways and any pathways and road-related infrastructure within the land declared as freeway.

8B. Freeways – Bridges On or Over a Freeway

(1) **VicRoads performs the functions of a responsible road authority** with respect to the various parts or elements of road bridges on or over a freeway (whether at, or remote from, a freeway interchange), including –

(a) freeway bridges over other roads;

(b) arterial road bridges over a freeway;

(c) municipal road and non-arterial State road bridges over a freeway, generally within the limits shown in Figure 1 and including the substructure (including bridge abutments), superstructure, approach slabs, traffic safety barriers (excluding extended traffic safety barriers along the roadway approaches to the bridge), roadway and pathway pavement within the limits of the bridge abutments or expansion joints (including any kerb and channel), and the roadside of the municipal road approach embankments (also within the limits shown in Figure 1);

(d) pedestrian underpasses that pass under a freeway and are part of the land declared as a freeway. For pedestrian underpasses that are not part of the freeway declaration, the responsible road authority for the various parts or elements of the underpass are generally as set out in clause 14 of this Code; and

(e) pedestrian overpasses that pass over a freeway, other than privately owned pedestrian overpasses that are the responsibility of another party under an arrangement with VicRoads.

(2) **Council performs the functions of a responsible road authority** with respect to the various parts or elements of a municipal road bridge crossing over a freeway, including (subject to sub-clause 8B(1)(c) above), the roadway and pathway approaches to the bridge, extended traffic safety barriers along the roadway approaches to the bridge (subject to sub-clause 8B(1)(c) above), road markings on the municipal road (on the bridge and on the approaches to the bridge) that are directly related to the operation of the municipal road, the municipal road approach embankments (within the limits shown in Figure 1), the roadside of the municipal road approach embankments (also within the limits shown in Figure 1) and the cleaning of roadway and pathway surfaces (on the bridge and on the approaches to the bridge).

(3) **Council performs the functions of a responsible road authority** with respect to the various parts or elements (including the roadway, pathway and road-related infrastructure) of a municipal road passing under a freeway bridge.

(4) **VicRoads and Council perform the functions of the relevant responsible road authority** with respect to –

(a) the **arterial road approaches** to a road bridge **over a freeway**; or

(b) an **arterial road under a freeway**

in accordance with those responsibilities assigned respectively to VicRoads and Council in clause 10, clause 12 and Figure 1 as applicable (if any inconsistency, Figure 1 should prevail).

(5) **A State road authority** (excluding VicRoads) **performs the functions of a responsible road authority** with respect to the various parts or elements of a non-arterial State road bridge over or under a freeway generally in accordance with those responsibilities assigned to a Council in sub-clause 8B(2) and sub-clause 8B(3) above.

8C. Freeways – Interchanges and At-grade Intersections

(1) **For freeway grade separated interchanges, VicRoads performs the functions of a responsible road authority** with respect to the following parts of the freeway, and road infrastructure whether located on land declared as freeway or on the connecting road (whether that road is declared as an arterial road, non-arterial State road or municipal road), including –

(a) freeway entry and exit ramps intersecting with the connecting road generally within the limits of responsibility shown in Figure 1;

(b) traffic or splitter islands generally within the limits of responsibility shown in Figure 1 (refer Notes 1 and 2 below);

(c) road markings (eg. lines, arrows, stripes and chevrons) that relate to the movement of traffic between the entry and exit ramps and connecting road, generally within the limits of responsibility shown in Figure 1 (refer Note 2 below);

(d) traffic signal hardware and signs (refer Note 2 below);

(e) freeway advance direction and electronic traffic condition signs on the connecting road approaches to the interchange or at-grade intersection; and

(f) the roadside of the freeway at the connecting road interface generally in accordance with Figure 1.

Notes:

1. ***Extended splitter island*** – the limit of responsibility at the intersection between an entry / exit ramp and a connecting road with an extended splitter island shall be in accordance with those responsibilities assigned respectively to VicRoads and Council as applicable in clause 9 and clause 11 of this Code.

2. Responsibilities apply whether the road infrastructure items as described are located on the entry and exit ramps or on the connecting road, and are directly related to the operation of a freeway interchange.

(2) **For freeway grade separated interchanges, Council performs the functions of a responsible road authority** with respect to all road infrastructure and roadside of an arterial road or municipal road, whether located on land declared as either a freeway, arterial road or municipal road, within the limits of responsibility shown in Figure 1, except where clause 8B(1) applies.

(3) **For freeway at-grade intersections, VicRoads performs the functions of a responsible road authority** with respect to all road infrastructure that is directly related to the operation of the intersection of the freeway with the connecting road (whether that road is declared as an arterial road, non-arterial State road or municipal road), generally adopting the principles as set out in clauses 11(1), (2) and (3) and Figure 6 of this Code.

(4) **For freeway at-grade intersections, Council performs the functions of a responsible road authority** with respect to the municipal road up to the limits of VicRoads responsibility as provided in clause 8C(3).

(5) **For freeway grade separated interchanges and at-grade intersections with a non-arterial State road, a State road authority** (excluding VicRoads) **performs the functions of a responsible road authority** with respect to the non-arterial State road generally in accordance with the responsibilities assigned to a Council in clauses 8B and 8C.

8D. Private Toll Roads and Freeways operated under State Public Private Partnership Arrangements

For private toll roads and freeways operated under State public private partnership arrangements, the allocation of responsibilities between the toll road / freeway operator and VicRoads (for freeways and arterial roads) or a Council (for municipal roads), whether at an at-grade intersection or grade separated interchange, should generally be determined in accordance with this clause 8 unless otherwise determined by specific project-based legislation, contractual arrangements or any arrangements made under section 15 of the Act.

Figure 1

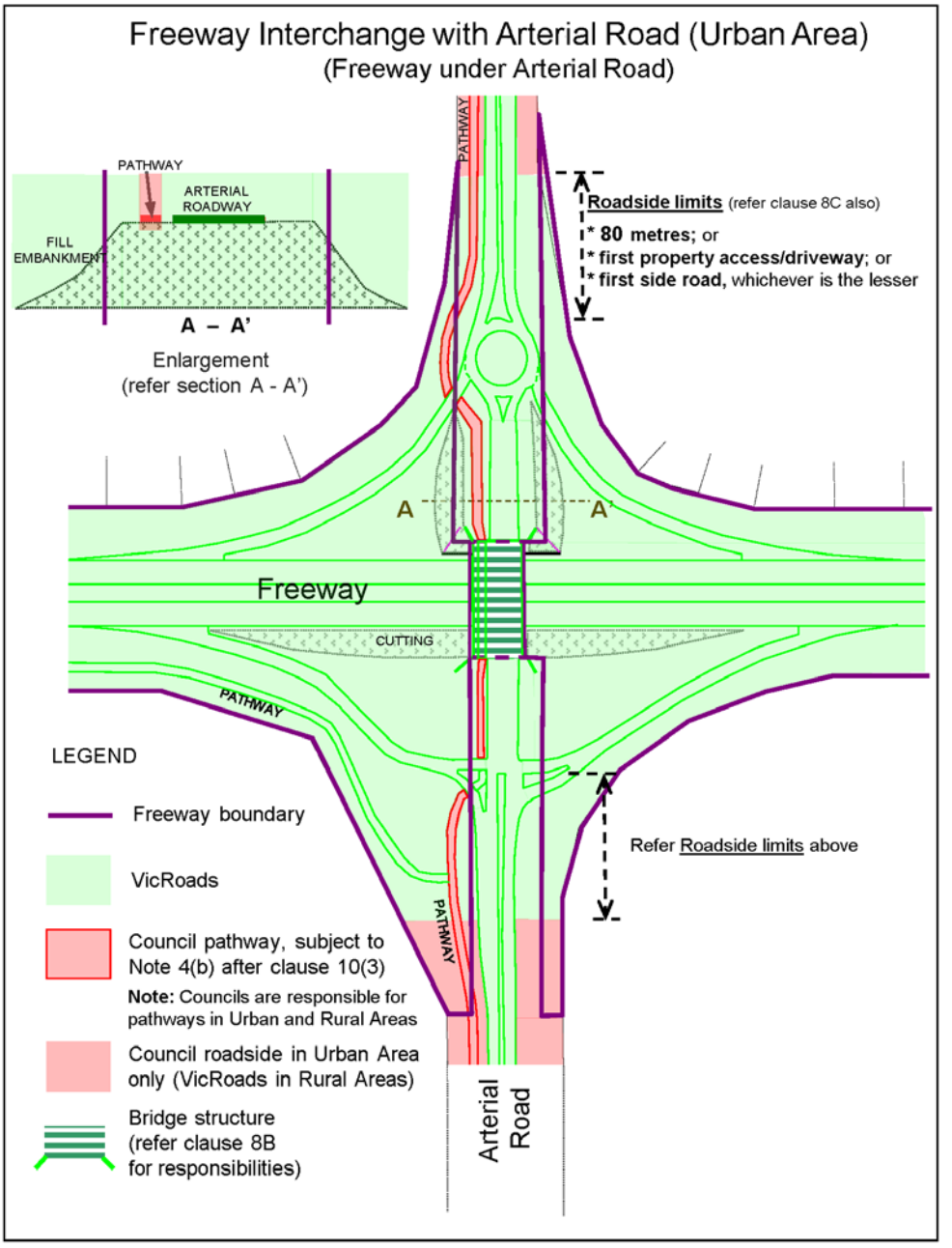

Freeway Interchange with Arterial Road (Urban Area)
(Freeway under Arterial Road)
PATHWAY
ARTERIAL ROADWAY
FILL EMBANKMENT
A – A'
Enlargement
(refer section A - A')
Roadside limits (refer clause 8C also)
* 80 metres; or
* first property access/driveway; or
* first side road, whichever is the lesser
A
A'
Freeway
CUTTING
PATHWAY
PATHWAY
PATHWAY
Refer Roadside limits above
LEGEND
Freeway boundary
VicRoads
Council pathway, subject to Note 4(b) after clause 10(3)
Note: Councils are responsible for pathways in Urban and Rural Areas
Council roadside in Urban Area only (VicRoads in Rural Areas)
Bridge structure (refer clause 8B for responsibilities)
Arterial Road

Figure 1 (continued)

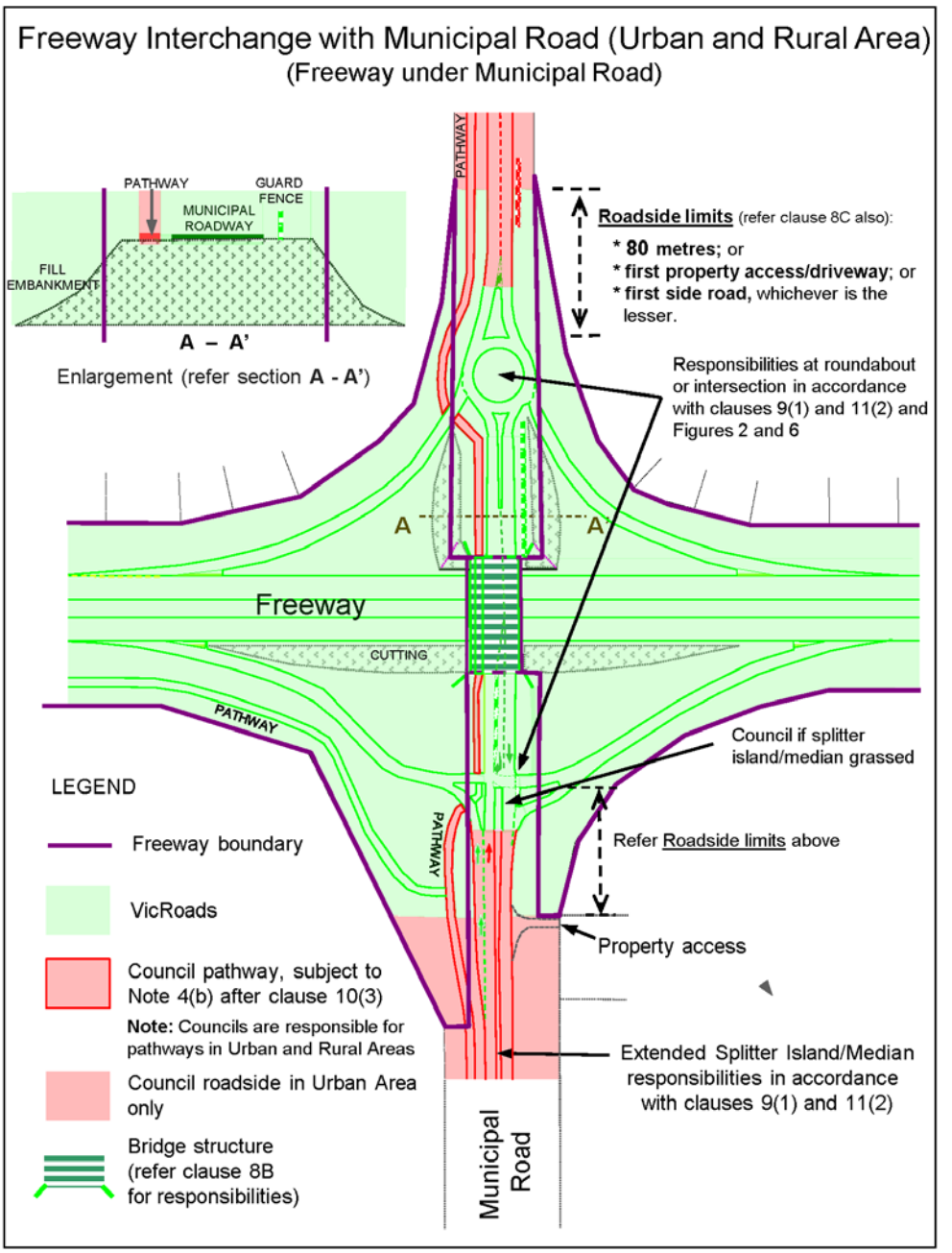
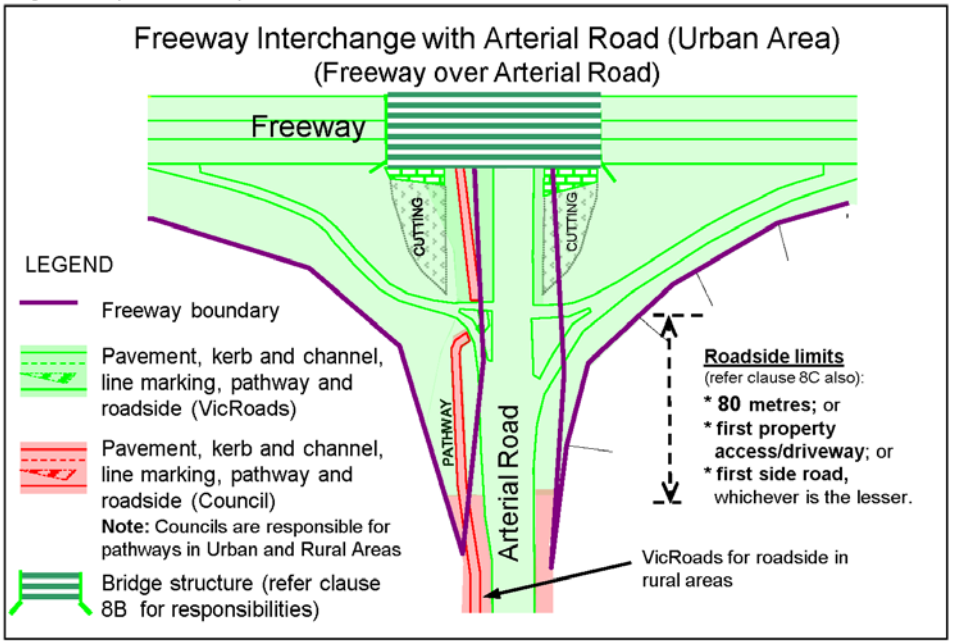


Figure 1 (continued)



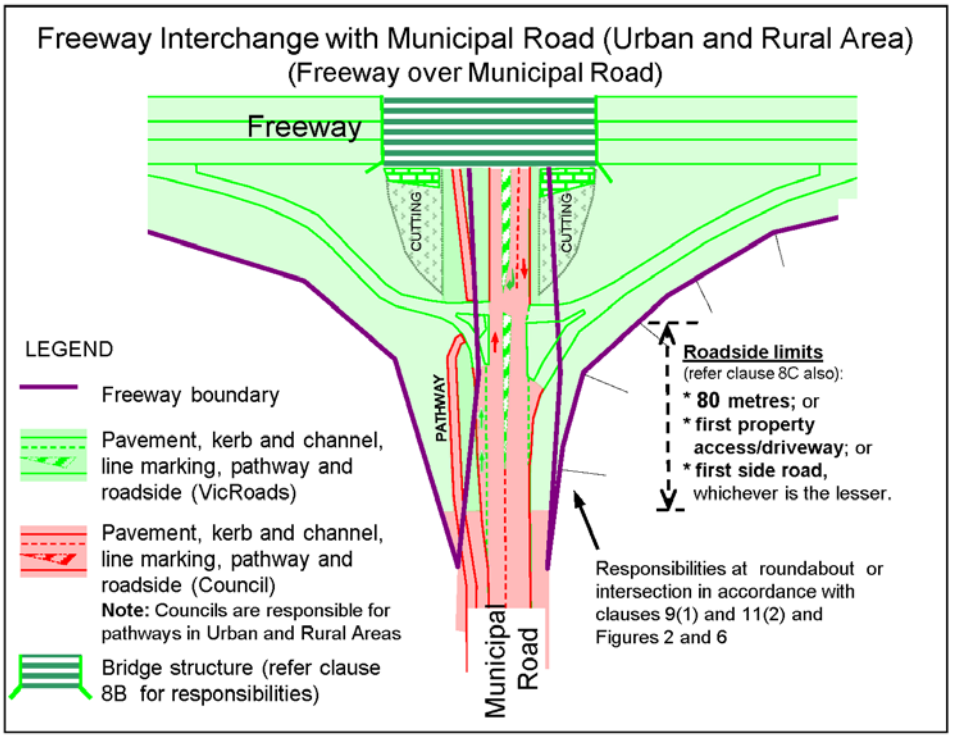
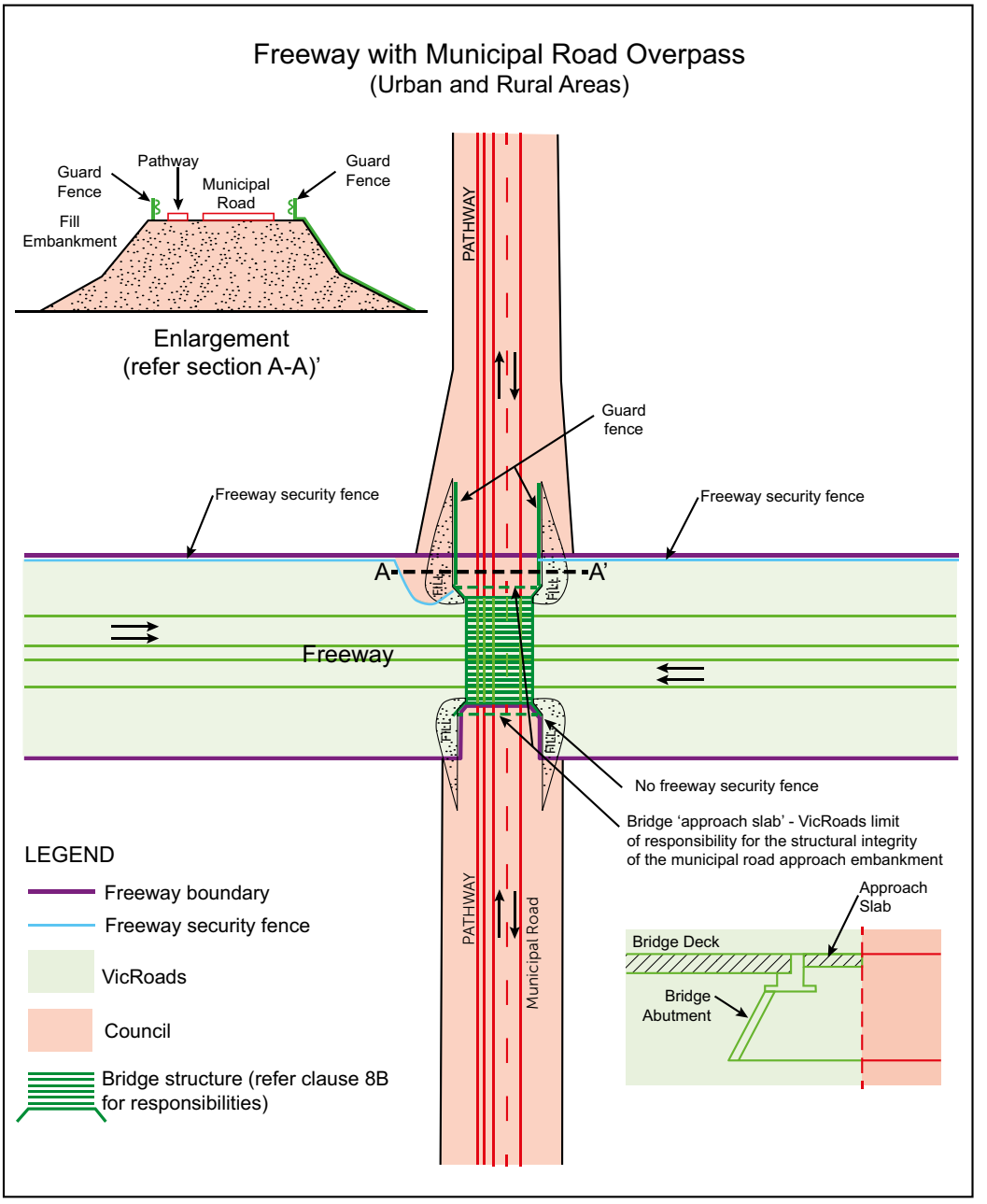


Figure 1 (continued)



Division 2 – Arterial Roads

9. Urban Area – Intersections

(1) **VicRoads performs the functions of a responsible road authority** with respect to the parts of an arterial road intersecting with a municipal road within the limits of responsibility shown in Figure 2 (refer Note 1 below), being –

(a) ***Signalised or Unsignalised Intersections with splitter islands and/or traffic islands*** – being the greater of –

(i) the respective limits of any splitter island (not being an extended splitter island) or traffic island (in relation to the roadway within any left turn lane); or

(ii) a distance of one (1) metre beyond the limits of any detector loops at signalised intersections; or

(iii) in the event of an extended splitter island, the limit shall be, if no detector loops, a distance equivalent to the typical splitter island length as set out in Note 2 below as measured from either the Stop or Give Way line or nose of the splitter island (whichever extends the greater distance along the intersecting municipal road).

(b) ***Roundabouts*** – being the greater of –

(i) the limits of any splitter island (not being an extended splitter island); or

(ii) a distance of one (1) metre beyond the limits of any detector loops at signalised roundabouts; or

(iii) in the event of an extended splitter island, the limit shall be, if no detector loops, a distance equivalent to the typical splitter island length as set out in Note 2 below as measured from either the Stop or Give Way line or nose of the splitter island (whichever extends the greater distance along the intersecting municipal road); or

(iv) if none of the above, the limit shall be a distance of 10 metres measured from the Stop or Give Way line (or from the Stop or Give Way sign if no Stop or Give Way line).

(c) ***Intersections with Stop / Give Way signs and / or Stop / Give Way lines only*** –

(i) if the intersecting municipal road is sealed, a distance of five (5) metres measured from the Stop or Give Way line (or from the Stop or Give Way sign if no Stop or Give Way line); or

(ii) if the intersecting municipal road is unsealed, to the projected line of the shoulder of the arterial road.

(2) **VicRoads performs the functions of a responsible road authority** with respect to all road infrastructure that is provided for the operation of the intersection with the arterial road, including –

(a) all traffic signal hardware, including detector loops in municipal road pavements and pathways (refer Note 3 below);

(b) roadway pavement, slip lanes, acceleration and deceleration lanes, including roadway areas where detector loops are installed, up to the limits shown in Figure 2;

(c) any traffic islands or splitter islands on municipal roads up to the limits shown in Figure 2;

(d) traffic signs (eg. regulatory, warning or direction signs) that relate to the movement of traffic to and from the arterial road, both at the intersection and in advance of the intersection, being located on either the arterial road or intersecting municipal road, including signs that relate to the operation of on-road bicycle lanes, but excluding street name blades, direction signs for pedestrians, direction signs for cyclists on off-road bicycle paths within the roadside, and signs relating to conditions along the intersecting municipal road;

(e) road markings (eg. lines, arrows, stripes and chevrons) that relate to the movement of traffic at the intersection, being located on either the arterial road or the intersecting municipal road, including road markings that relate to the operation of on-road (ie. arterial road) bicycle lanes;

(f) Tactile Ground Surface Indicators (TGSIs) in central medians, and traffic or splitter islands;

(g) all kerb and channel within the defined limits of VicRoads responsibility;

(h) pathways across a central median, traffic or splitter island within the intersection within the 'kerb to kerb' limits of the intersection, including any associated pedestrian fencing; and

(i) traffic safety barriers, including those lengths generally within the limits of VicRoads responsibility for roadway areas along the intersecting municipal road (unless otherwise agreed between VicRoads and a Council).

(3) **Council performs the functions of a responsible road authority** with respect to the municipal road up to the limits of VicRoads responsibility shown in Figure 2, with the exception of the road infrastructure specified in sub-clause (2) above.

Notes:

1. ***Limits of responsibility*** – the extents of the road reserve boundaries at an intersection between an arterial road and municipal road are not the primary factors in determining the limits of responsibility between VicRoads and a Council. The general principle adopted in determining the limits of responsibility as set out in clauses 9 and 11, and Figures 2 and 6 of this Code is that VicRoads is responsible for the roadway areas directly related to the operation of the intersection, while Council is responsible for the municipal road roadway areas approaching or departing the intersection.

   For intersections with non-standard layouts or alignments, and / or large or irregularly shaped property splays, it may be necessary for VicRoads and the Council to establish an operational arrangement or dimensioned drawing (generally in accordance with the principles established in this clause 9) to define their respective limits of responsibility.

   The limits of responsibility are, in general, to be determined by a line square to the entering roadway.

2. ***Extended splitter island*** – is an island for the purpose of separating traffic for an extended length along the intersecting municipal road, and not for the sole purpose of contributing to the operation of the intersection. For the purposes of this Code, an *extended splitter island* is a splitter island that exceeds the typical splitter island length as described in the Austroads *Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections (2010)*, and as set out below –

Municipal Road Approach Speed	Typical Splitter Island Length
≤ 60 km/h	10 metres
≤ 80 km/h	20 metres
≤ 100 km/h	40 metres

3. ***Traffic signals*** – VicRoads responsibility for traffic signals includes –

   (a) traffic signals at the intersection of two municipal roads that are linked to the VicRoads coordinated traffic signals system (SCATS) are maintained by VicRoads at Council cost, unless otherwise agreed between VicRoads and a Council.

(b) all traffic signals within the City of Melbourne under an arrangement with the Council.

(c) active tram priority signals on all roads.

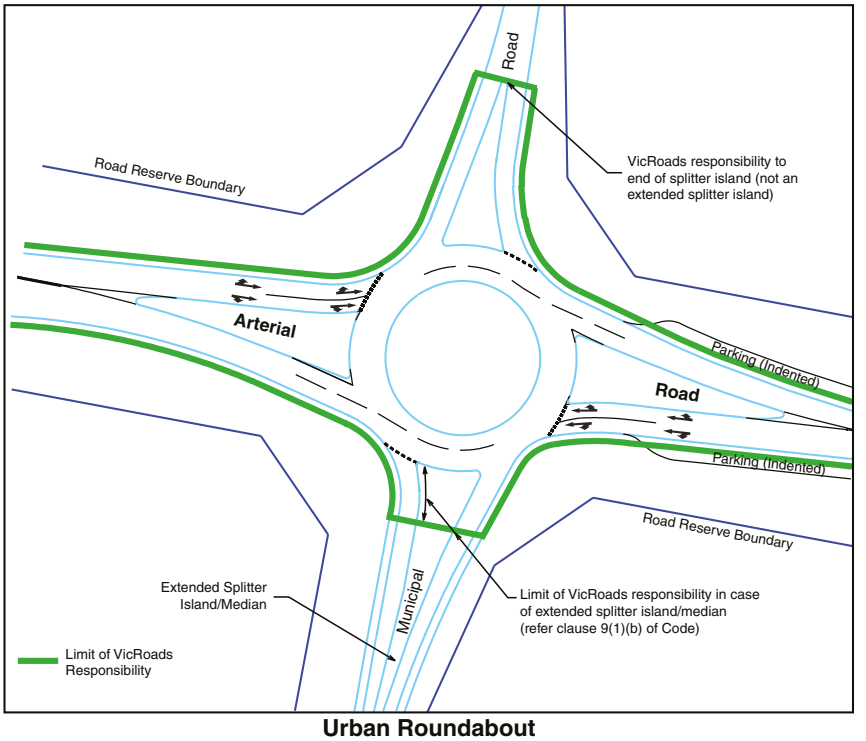
(d) traffic signals on all roads with an active link to a railway level crossing.

4. ***Tourist Attraction Signs and Services Signs*** – tourist attraction signs (white on brown) and services signs (white on blue) erected within the road reserve, whether located in an urban or rural area, are generally the responsibility of the relevant tourist operator, or applicant for the sign, in accordance with the *VicRoads Tourist Signing Guidelines*. Some services and tourist signs, however, may be the responsibility of the relevant road authority, in which case such responsibility will generally be –

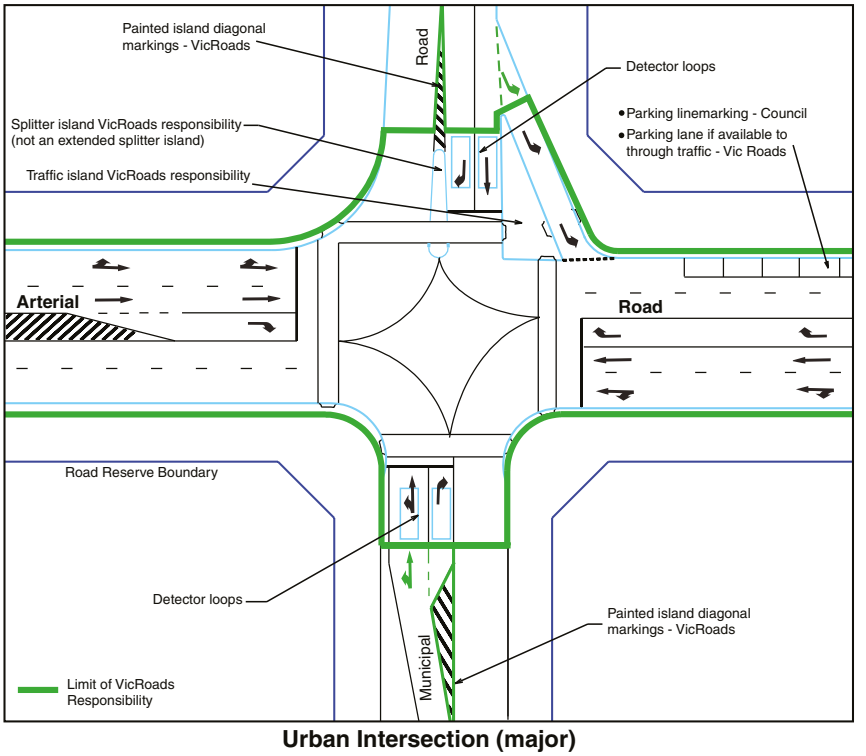
(a) VicRoads for relevant services and tourist signs directing through traffic on the roadway of the arterial road; or

(b) Council for relevant services and tourist signs directing traffic on the service road of an arterial road.

Figure 2

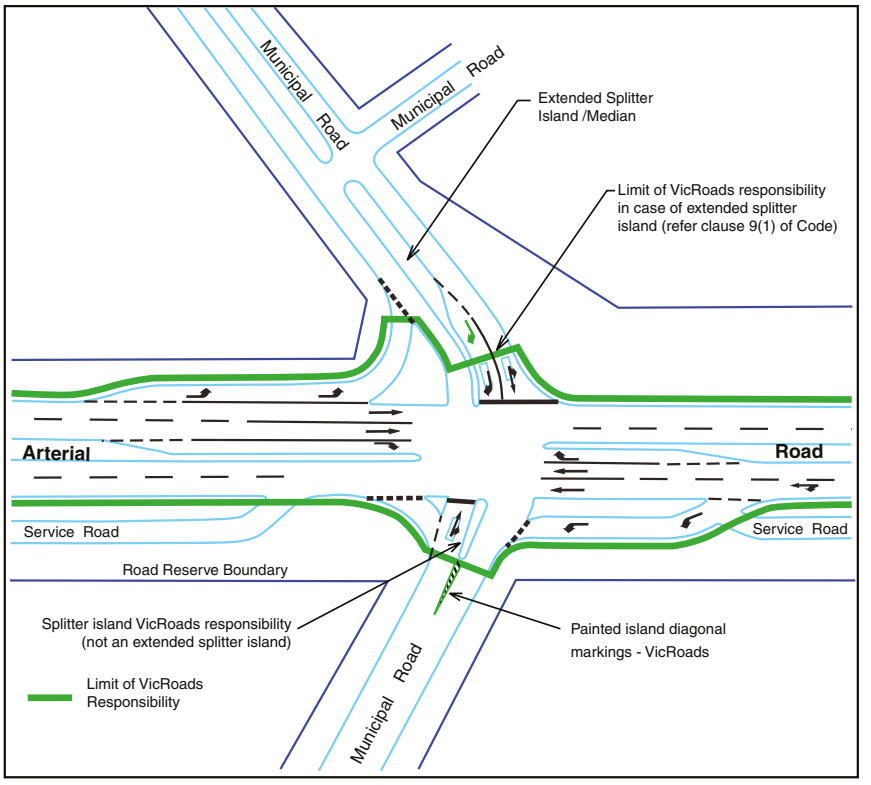


Urban Roundabout

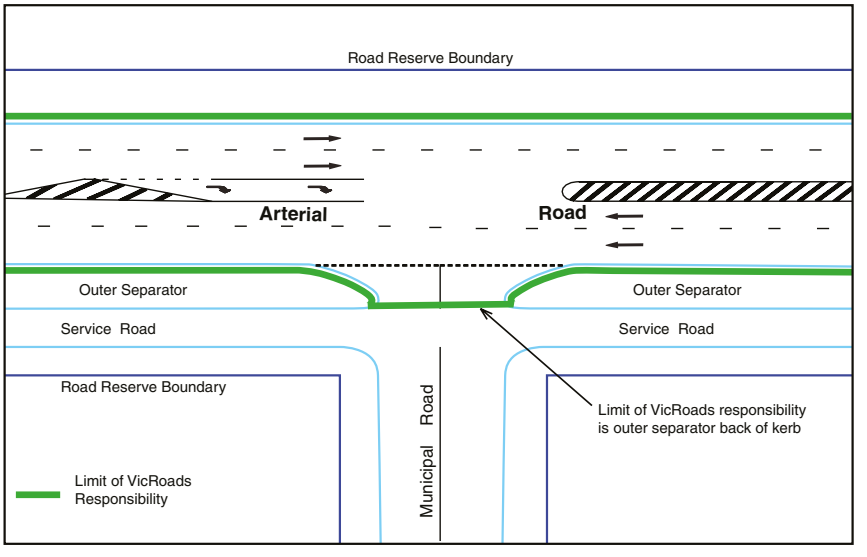


Urban Intersection (major)

Figure 2 (continued)

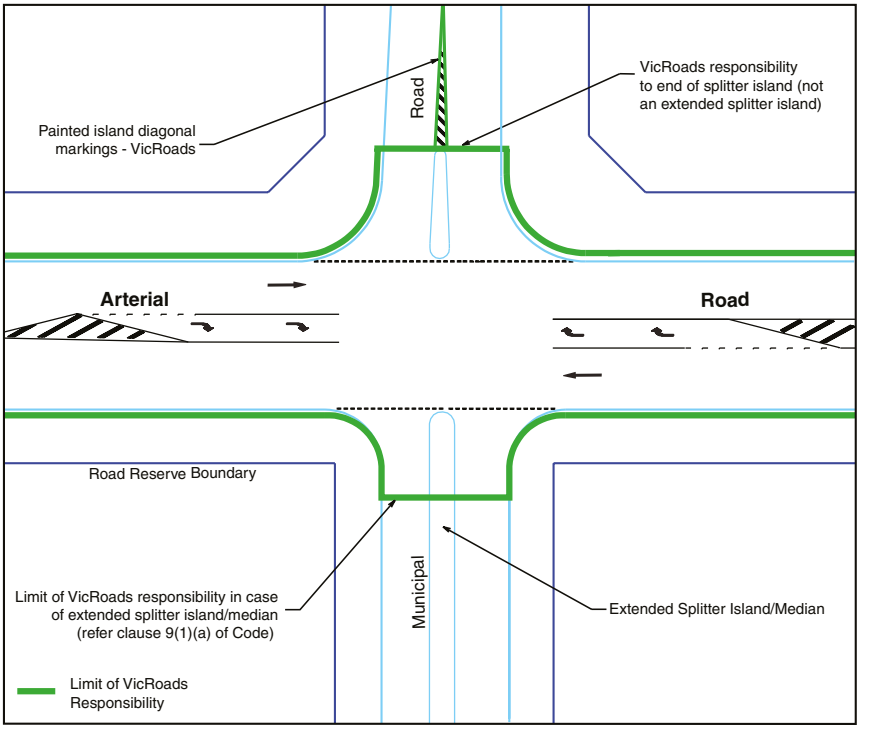


Urban Intersection (major)

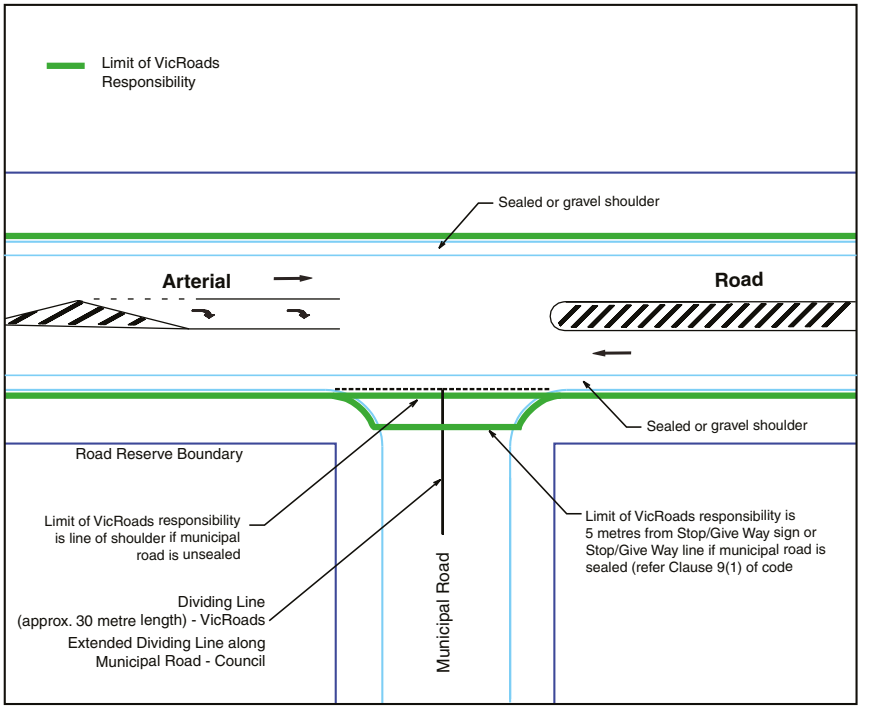


Urban Intersection (minor)

Figure 2 (continued)



Urban Intersection (channelised)



Urban Intersection (unchannelised with shoulder)

10. Urban Area – Between Intersections

(1) **VicRoads performs the functions of a responsible road authority** with respect to all parts of the arterial road and all road infrastructure (wherever located) that is provided for the operation of through traffic on the arterial road, as generally shown in Figures 3, 4 and 5, including –

(a) any part of the roadway located 'kerb to kerb' that could be made available for through traffic (including acceleration and deceleration lanes) (refer Note 1 below);

(b) shoulders (sealed or unsealed) where there is no formal designated parking;

(c) on-road bicycle lanes;

(d) kerb and channel, or table drains, adjacent to any part of the roadway that could be made available for through traffic (refer Note 2 below);

(e) drainage pits and underground drainage collecting runoff from the through roadway and associated junction pits in medians, outer separators and the through roadway (subject to clause 15: Drainage of this Code);

(f) all road markings on the through roadways, including for pedestrian crossings, but excluding parking bays and children's crossings (but including any yellow safety lines within a central median at a children's crossing);

(g) traffic safety barriers where the traffic safety barriers are for the safety and protection of through traffic (subject to clause 47 of this Code as it applies to arterial roads with tramlines);

(h) traffic signs and delineation provided for the control and guidance of traffic travelling along, or entering, the through roadways of the arterial road (whether located in either the central median, outer separator or roadside), including traffic signs and delineation that relate to the operation of on-road bicycle lanes;

(i) standalone Clearway and End Clearway signs and associated tow-away sign plates;

(j) central medians and any VicRoads infrastructure or vegetation thereon, including pedestrian fencing, Tactile Ground Surface Indicators (TGSIs) and pathways across the central median (refer Figure 5);

(k) all traffic signals and electronic traffic signs, including variable speed signs, and other on-road electrical assets for traffic management on the arterial road;

(l) pedestrian crossings;

(m) any ancillary area designated for the arterial road by VicRoads, as the coordinating road authority; and

(n) public transport related infrastructure as detailed in Part 5 of this Code.

(2) **VicRoads does not perform the functions of a responsible road authority** with respect to –

(a) certain safety barrier systems used at tram safety zones and platform tram stops as set out in clause 47 of this Code; and

(b) assets on central medians which are owned by bodies other than VicRoads (eg. community facilities installed thereon by a council).

Note: Further details regarding street lighting and public transport facilities are covered in clauses 16 to 17 and Part 5 respectively of this Code.

(3) **Council performs the functions of a responsible road authority** with respect to the parts of the arterial road, and road infrastructure located in, on, over or under those parts of the arterial road, generally shown in Figures 3, 4 and 5, being –

(a) service road traffic lanes, kerb and channel and shoulders;

(b) pathways outside of the 'kerb to kerb' limits of the through roadway, and longitudinal pathways located along a central median (refer also item (o) below in this clause);

(c) indented parking bays, and any other part of the roadway located 'kerb to kerb' that could not be made available for through traffic (being located either on the side of the road, in the outer separator or in the central median), and adjacent kerb and channel (refer Note 1 below);

(d) drainage pits and underground drainage outside of the through roadway or outer separators and underground drainage that is part of a municipal drainage scheme (refer also to clause 15: Drainage);

(e) off-road bicycle paths within the road reserve;

(f) public transport related infrastructure as detailed in Part 5 of this Code;

(g) road markings for all parking bays, plus road markings on service roads;

(h) outer separators and roadside, including any Council infrastructure or vegetation thereon (refer Notes 2, 3, 4 and 5 below);

(i) nature strips, including vegetation;

(j) street name blades, direction signs for pedestrians and direction signs for cyclists on off-road bicycle paths within the roadside;

(k) parking control signs (as defined in the Road Safety Road Rules 2009), but excluding standalone Clearway and End Clearway signs and associated tow-away sign plates;

(l) pedestrian fencing, excluding where located on central medians;

(m) children's crossings, including advance warning signs and crossing signs, road markings and pedestrian fencing located on the roadside (but excluding the roadway pavement);

(n) Tactile Ground Surface Indicators (TGSIs) in footpaths and kerb ramps (except those TGSIs specified in clause 10(1)(j)); and

(o) infrastructure on central medians that is owned by the Council, including any pathways on central medians that provide access to that infrastructure.

Notes:

1. ***Parking*** – VicRoads responsibility for any part of the roadway located 'kerb to kerb' that could be made available for through traffic includes areas of the roadway used for parking, but excludes isolated parking areas of lengths less than 200 metres located between kerb outstands or other permanent physical obstructions extending onto, or trees or other permanent physical obstructions located within, the roadway (distances less than 200 metres are considered to be of limited use for through traffic). These isolated parts of the roadway (including adjacent kerb and channel, together with associated drainage pits and piped drainage lines in accordance with clause 15 of this Code) not available for through traffic are the responsibility of Council in accordance with section 37(1)(b)(ii) of the Act.

   Council is also responsible for areas of widened roadway that are extended significantly beyond that reasonably required for the operation of through traffic and are used principally for parking purposes (refer Figure 4 – Road Type 3A of this Code).

2. ***Table drains*** –

   (a) where there is no clearly defined table drain adjacent to the roadway within an urban area, the limits of VicRoads responsibility may include either:

      (i) a cleared verge area to a maximum width of 3 metres from:

         - the edge of a constructed shoulder; or
         - the edge of the roadway (eg. seal) where there is no constructed shoulder; or

      (ii) an area up to 3 metres behind any guide posts, or to the edge of any Council owned infrastructure (eg. footpath) or trees if the distance is less than 3 metres.

(b) where a table drain, or kerb and channel, is located remotely from the roadway, the responsible road authority is, in accordance with Figure 4 (Road Type 3C):

(i) where the table drain, or kerb and channel, is located within 10 metres of the edge of a shoulder next to the roadway, VicRoads; or

(ii) where the table drain, or kerb and channel, is located a distance greater than 10 metres from the edge of a shoulder next to the roadway, Council.

Note: The Council is responsible for the area of roadside (including any trees or vegetation located on that area of roadside) located between the roadway / shoulder (including any cleared verge area) and any remote table drain or kerb and channel under the circumstances described in either (i) or (ii) above, and as shown in Figure 4 (Road Type 3C).

3. ***Road embankments, cuttings or retaining walls in urban areas*** –

The responsible road authority for road-related infrastructure is the relevant responsible road authority for the roadway or pathway to which the road-related infrastructure relates (section 37(2) of the Act refers).

(a) VicRoads performs the functions of a responsible road authority for road embankments, cuttings or retaining walls (that are road-related infrastructure) within the roadside or outer separator of an arterial road in an urban area where those road embankments, cuttings or retaining walls are clearly required (as their primary purpose) to:

(i) support or protect the structural integrity; or

(ii) facilitate the operation or use

of the adjacent through roadway or shoulder of the arterial road and where, in the event of structural failure, would result in a significant impact on, and/or cause a greater risk to, the safety of road users and/or operation of the through traffic roadway or shoulder and those impacts and risks would be significantly greater than those on any adjacent service road, pathway or roadside.

Examples where VicRoads is responsible include the relevant road embankments, cuttings or retaining walls as shown in Figure 4 of this Code.

Note: Embankments, cuttings and retaining walls that are:

- less than 1.5 metres in height; and
- have a horizontal to vertical slope of less than 1 in 2

are generally considered to not support or protect the structural integrity, or facilitate the safe operation or use of the adjacent roadway, **unless** in the event of structural failure, the embankment, cutting or retaining wall would have a significant adverse impact on the safety of road users and / or operation of the through traffic roadway.

(b) Council performs the functions of a responsible road authority for road embankments, cuttings or retaining walls as shown in Figure 4 or as follows:

(i) road embankments, cuttings or retaining walls (that are road-related infrastructure) within the roadside (including outer separators) of an arterial road in an urban area where those road embankments, cuttings or retaining walls are clearly required (as their primary purpose) to support or protect the structural integrity, or facilitate the operation or use, of the adjacent pathway, service road, roadside or areas of roadway for which the Council is the responsible road authority within the road reserve of an arterial road.

Note: Council will also perform the functions of a responsible road authority for road embankments, cuttings or retaining walls that are clearly required (as their primary purpose, and consistent with the principles as set out in this Note 3 for urban areas) to support or protect, or facilitate the operation and use of, pathways or service roads located in the roadside (including outer separators) of an arterial road in a rural area.

(ii) subject to Note 3(a) above, road embankments, cuttings and retaining walls that are located on or near the adjoining property boundary, but excluding those for which the adjoining property owner is responsible (being non-road infrastructure).

(iii) road embankments, cuttings and retaining walls that are located between a pathway or service road and the adjoining property boundary (except where Note 3(a) above applies).

(iv) subject to Note 3(a) above, other road embankments, cuttings and retaining walls within the roadside (including outer separators) of an arterial road in an urban area.

(c) Despite Notes 3(a) and 3(b) above, VicRoads and Council may enter into an arrangement for the transfer of responsibility for certain road-related infrastructure (eg. road embankments, cuttings, retaining walls) within the outer separator or roadside.

(d) Roadside embankments, cuttings or retaining walls that are primarily associated with landscaping treatments (eg. earth mounds, rock walls, plantings) are the responsibility of the relevant road authority responsible for that part of the road reserve.

(e) Roadside trees and vegetation are the responsibility of the relevant road authority responsible for that part of the road reserve (eg. roadside, outer separator, central median) on which the trees and vegetation are located, being:

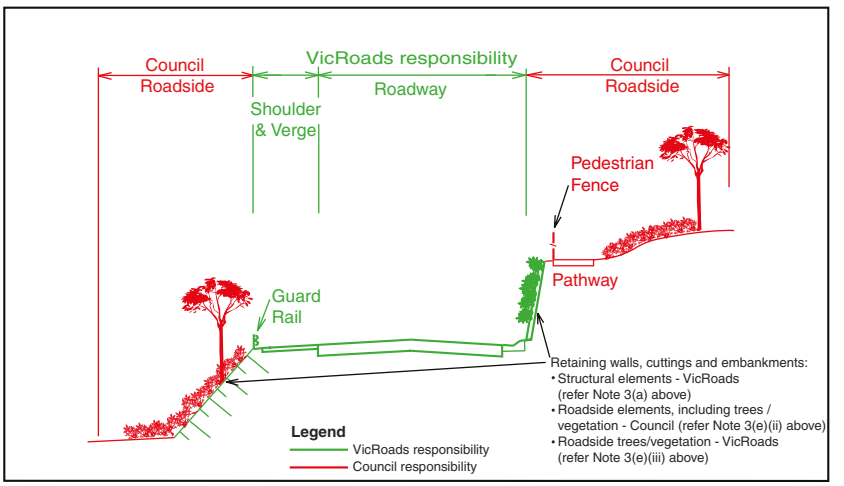
(i) trees and vegetation located in the central median of an arterial road, VicRoads.

(ii) trees and vegetation located in the roadside or outer separator of an arterial road, Council.

Note: This Council responsibility includes trees and vegetation located on any road embankments, cuttings or retaining walls (being road-related infrastructure) for which VicRoads performs the functions of the responsible road authority with respect to the structural integrity of those road embankments, cuttings or retaining walls (refer Figure below).

(iii) despite (ii) above, trees and vegetation on roadway cuttings that comprise structural retaining walls for which VicRoads is responsible in accordance with Note 3(a) above, VicRoads (refer Figure 4 of this Code).

Note: While the Council is responsible for roadside trees and vegetation located along an arterial road, VicRoads (as the relevant coordinating road authority) is responsible for maintaining any parts of such trees or vegetation that overhang the roadway or shoulder to ensure a 'clearance envelope' (eg. as specified in the VicRoads Road Management Plan) sufficient for the safe movement of through traffic on the arterial road (clause 10, Schedule 3 of the Act refers).



Roadside Trees and Vegetation - Urban Area

(f) Section 107 of the Act provides that a responsible road authority does not have a statutory duty or common law duty to perform road management functions in respect of a public highway which is not a public road or to inspect, maintain or repair the roadside of any public highway (whether or not a public road), but it does have a discretionary power to perform such functions. However, where a responsible road authority has been notified of a hazard caused, or likely to be caused, by a roadside tree or vegetation, then it does have a duty to act. It is also noted that a responsible road authority may have duties or obligations in regard to trees and vegetation within the road reserve under other legislation or the common law.

(g) In circumstances where it is uncertain as to whether VicRoads or a Council is responsible for a road embankment, cutting or retaining wall, VicRoads and a Council may document an operational agreement that sets out the agreed responsibilities in regard to the performance of inspection, maintenance and repair functions.

4. ***Roadside*** –

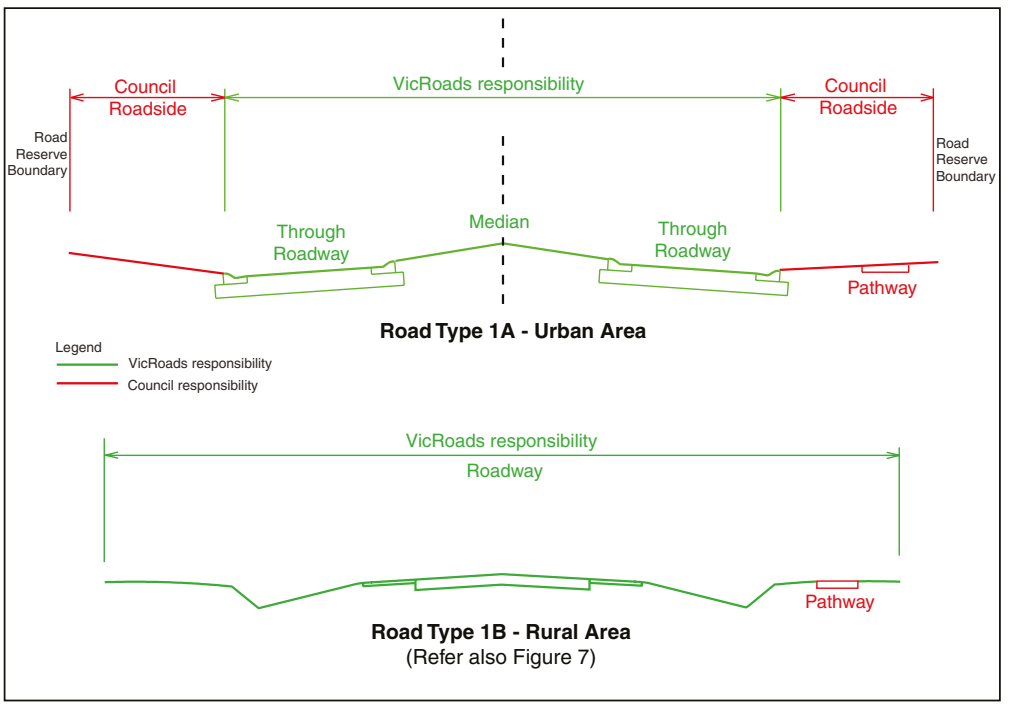
(a) VicRoads may consider requests from Councils for a transfer to VicRoads of road management functions with respect to the roadside of an arterial road within an urban area in circumstances such as where substantial lengths of roadside (eg. continuous lengths of roadside greater than 1 kilometre) have adjacent residential areas that back onto the road (with no direct access) and where it is considered that the roadside principally performs an arterial (rather than a community) function.

(b) Where any roadside trees or vegetation overhang the roadway, shoulder or pathway of a public road, the relevant responsible road authority for that roadway, shoulder or pathway is responsible for maintaining such overhanging trees or vegetation to ensure a 'clearance envelope' sufficient for the safe movement of vehicles on the roadway or shoulder, or pedestrians and cyclists on the pathway (in accordance with a responsible road authority's statutory duty under section 40 of the Act to maintain its roadways and pathways on a public road for use by vehicles and pedestrians / cyclists). This applies to freeways, arterial roads in urban and rural areas, and municipal roads.

5. ***Driveways*** – the Act provides that a road authority is not liable for driveways (being non-road infrastructure, and which includes any associated drainage pipe or culvert under the driveway) located within road reserves that provide access to adjoining land from the roadway. The driveway, including that part located on the adjoining private land, is the responsibility of the owner of that adjoining land. This is consistent with the general principle in the Act that the owner of an asset is responsible for the condition and maintenance of that asset. This does not, however, prevent the Council from imposing conditions on the construction of the driveway.

VicRoads responsibility for the through roadway of an arterial road, in general, includes deceleration lanes constructed to facilitate safe driveway access to major land use developments on adjoining private property (eg. access to a supermarket, retail / activity centre, industrial / commercial / office complex).

Figure 3 – Typical Road Type Cross Section



Typical Road Type Cross Section

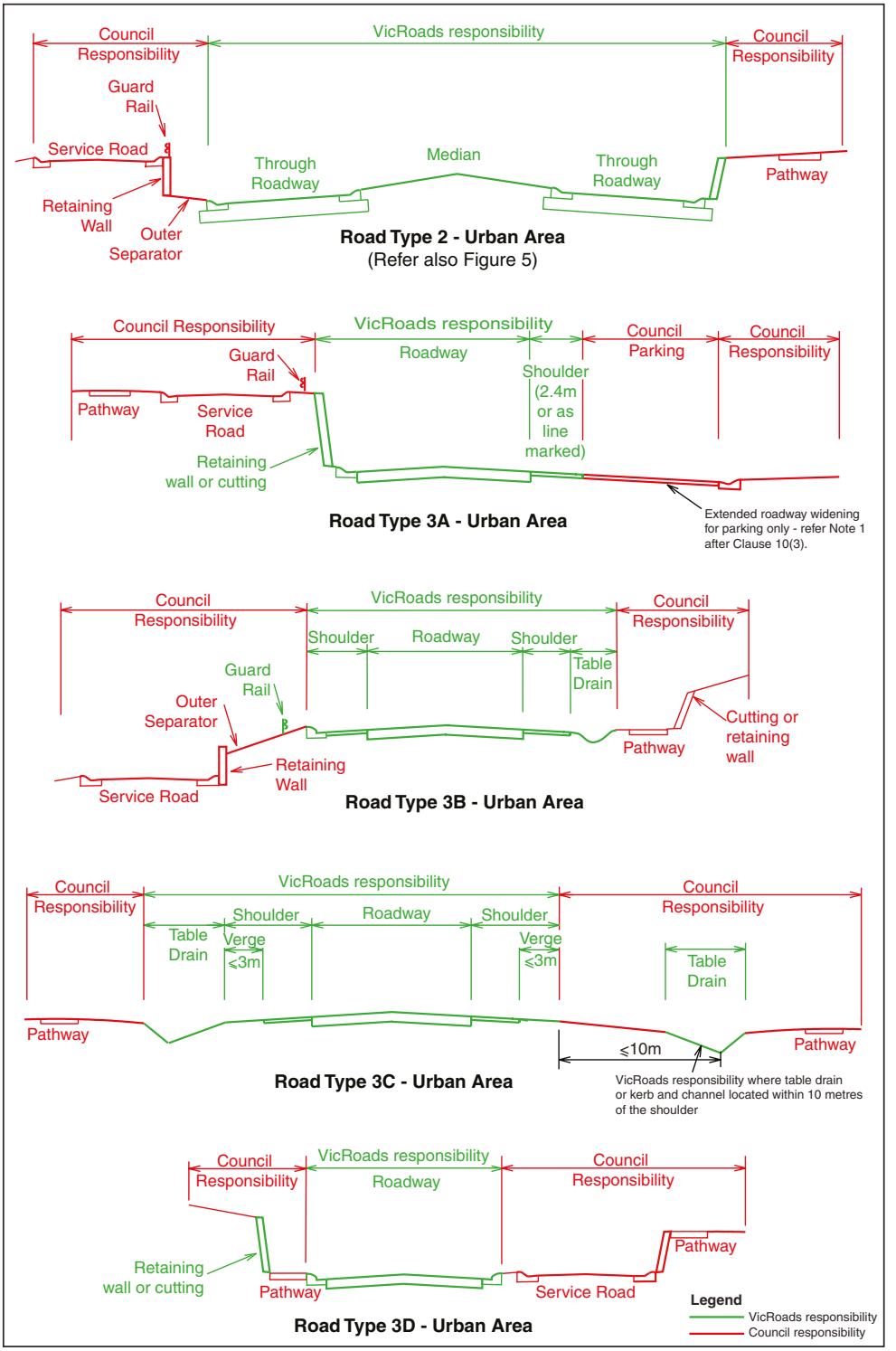


Figure 4 - Typical Road Type Cross Sections

Footnote to Figure 4:

* ***Shoulder*** – for the purposes of an urban area, the shoulder may include a cleared verge area to a maximum width of 3 metres either from the edge of a constructed shoulder or behind any guide posts. The cleared verge area is to be maintained for sight distance, fire hazard and appearance purposes. The Act defines 'shoulder' as 'the cleared area, whether or not constructed or sealed, next to a roadway that provides clearance between the roadway and the roadside but does not include any area that is not in the road reserve'.

* ***Table drain*** – is road-related infrastructure and is the responsibility of the responsible road authority for the roadway or pathway to which the table drain relates.

VicRoads is the responsible road authority with respect to:

(i) *By area* – roadway plus shoulder.

(ii) *By road-related infrastructure* – infrastructure for road-related purposes that facilitates the operation or use of the roadway or pathway, or supports or protects the roadway or pathway, for which VicRoads is the responsible road authority.

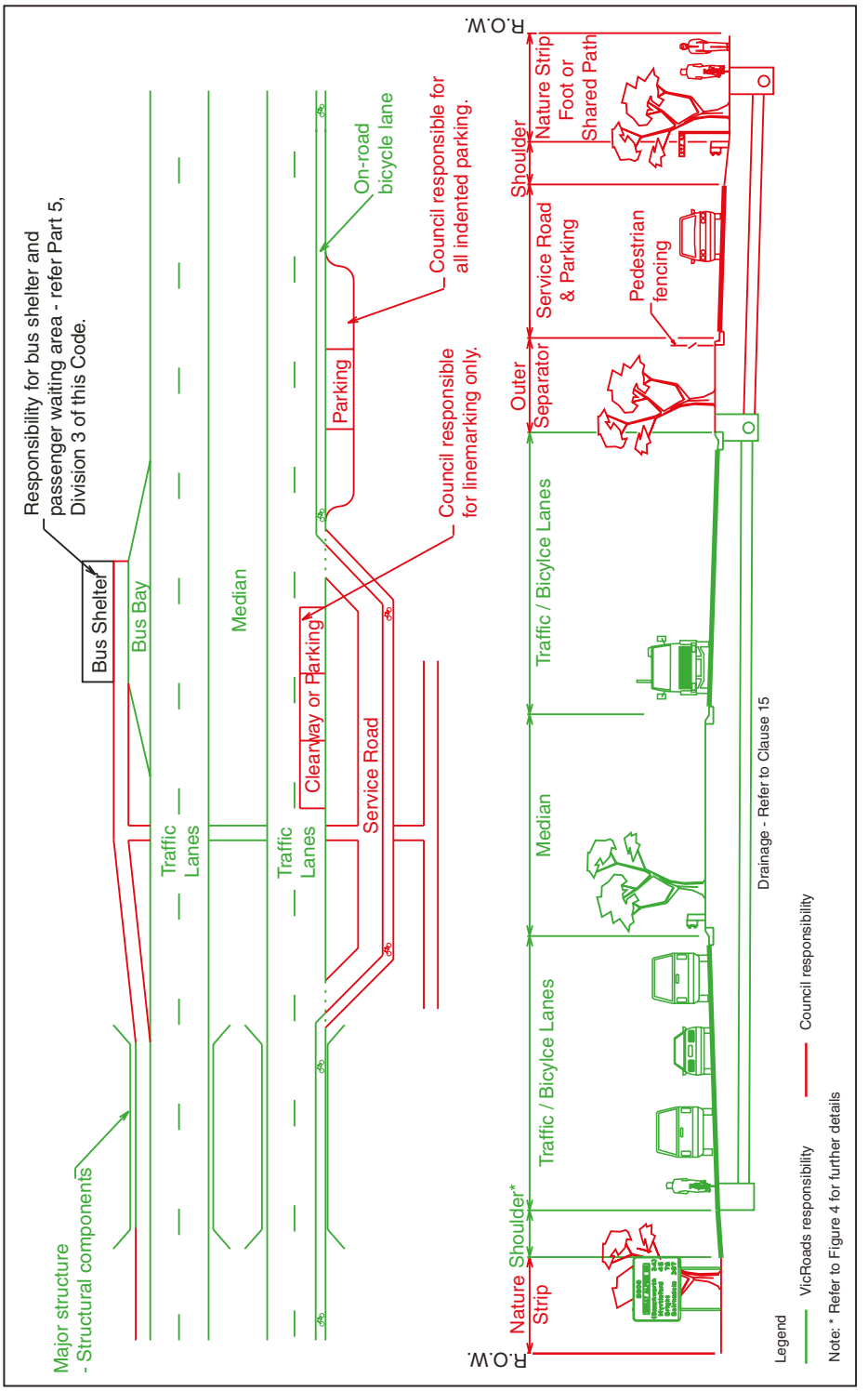
Council is the responsible road authority with respect to:

(i) *By area* – roadside.

(ii) *By road-related infrastructure* – infrastructure for road-related purposes that facilitates the operation or use of the roadway or pathway, or supports or protects the roadway or pathway, for which Council is the responsible road authority.

Non-road infrastructure – is the responsibility of the relevant infrastructure manager.

Figure 5 – Responsibility for Urban Arterial Roads between Intersections



11. Rural Area - Intersections

(1) **VicRoads performs the functions of a responsible road authority** with respect to the intersection of an arterial road with a municipal road within the limits of responsibility shown in Figure 6, generally being the limits of the roadway area that relates directly to the operation of the intersection.

(2) If the limits of responsibility are not able to be determined by reference to Figure 6, those limits shall be a line square to the entering roadway defined as either of –

(a) ***Signalised or Unsignalised Intersections with splitter and/or traffic islands*** – being the greater of –

(i) the respective limits of any splitter island (not being an extended splitter island) or traffic island (in relation to the roadway within the left turn lane); or

(ii) a distance of one (1) metre beyond the limits of any detector loops at signalised intersections; or

(iii) in the event of an extended splitter island, the limit shall be, if no detector loops, a distance equivalent to the typical splitter island length as set out in the Note below as measured from either the Stop or Give Way line or nose of the splitter island (whichever extends the greater distance along the intersecting municipal road).

(b) ***Roundabouts*** – being the greater of –

(i) to the limits of any splitter island (not being an extended splitter island); or

(ii) a distance of one (1) metre beyond to the limits of any detector loops at signalised roundabouts; or

(iii) in the event of an extended splitter island, the limit shall be, if no detector loops, a distance equivalent to the typical splitter island length as set out in the Note below as measured from either the Stop or Give Way line or nose of the splitter island (whichever extends the greater distance along the intersecting municipal road).

(iv) if none of the above, the limit shall be a distance of 10 metres measured from the Stop or Give Way line (or from the Stop or Give Way sign if no Stop or Give Way line).

(c) ***Intersections with Stop / Give Way signs and / or Stop / Give Way lines only*** –

(i) if the intersecting municipal road is sealed, a distance of 10 metres measured from the Stop or Give Way line (or from the Stop or Give Way sign if no Stop or Give Way line); or

(ii) if the intersecting municipal road is unsealed, to the projected line of the shoulder of the arterial road.

Note: ***Extended splitter island*** – is an island for the purpose of separating traffic for an extended length along the intersecting municipal road, and not for the sole purpose of contributing to the operation of the intersection. For the purposes of this Code, an *extended splitter island* is a splitter island that exceeds the typical splitter island length as described in the Austroads *Guide to Road Design – Part 4A: Unsignalised and Signalised Intersections 2010*, and as set out below –

Municipal Road Approach Speed	Typical Splitter Island Length
≤ 60 km/h	10 metres
≤ 80 km/h	20 metres
≤ 100 km/h	40 metres

(3) The intersection includes:

(a) culverts under municipal roads that carry major arterial road through drainage, including upstream and downstream table drains;

(b) road markings (eg. lines, arrows, stripes, chevrons and painted islands) that relate to the movement of traffic at the intersection, being located on either the arterial road or the intersecting municipal road;

(c) all traffic signal hardware, including detector loops in municipal road pavements;

(d) roadway pavement, slip lanes, acceleration and deceleration lanes, including roadway areas where detector loops are installed (generally in accordance with the principles as shown in Figure 2 of this Code);

(e) traffic signs (eg. regulatory, warning or direction signs) that relate to the movement of traffic to and from the arterial road, both at the intersection and in advance of the intersection, being located on either the arterial road or the intersecting municipal road, including signs that relate to the operation of on-road bicycle lanes, but excluding street name blades, direction signs for pedestrians, direction signs for cyclists on off-road pathways within the roadside, and signs relating to conditions along the intersecting municipal road;

(f) all kerb and channel within the defined limits of VicRoads responsibility (including any short lengths of kerb and channel (and associated drainage pits) that form part of the intersection treatment only and terminate beyond those limits of VicRoads responsibility);

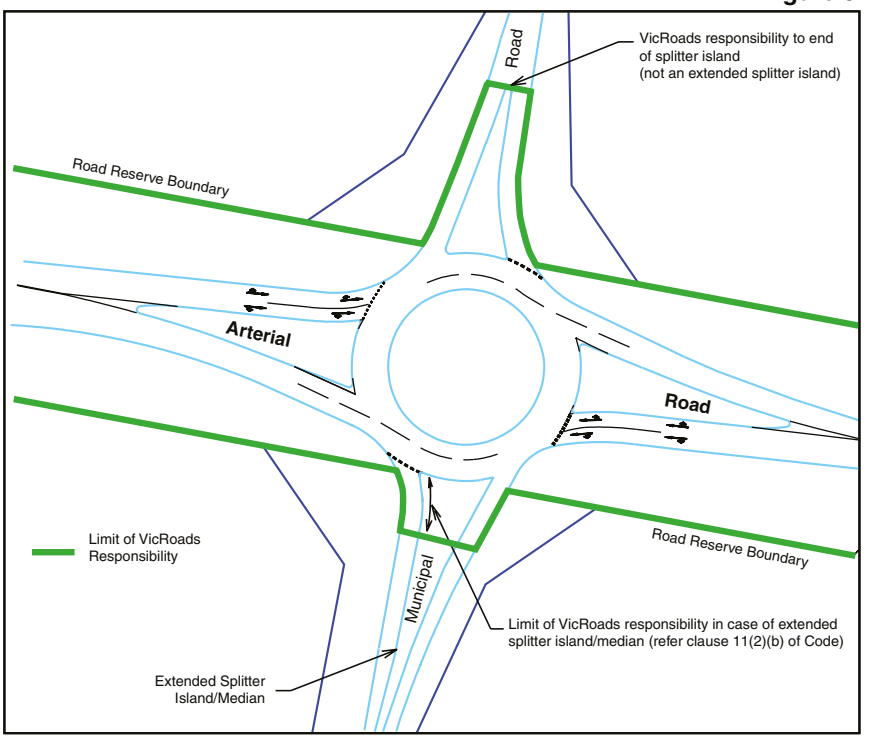
(g) any traffic or splitter islands on municipal roads up to the limits shown in Figure 6 and generally in accordance with the principles as shown in Figure 2 of this Code; and

(h) traffic safety barriers, including those lengths generally within the limits of VicRoads responsibility for roadway areas along the intersecting municipal road (unless otherwise agreed between VicRoads and a Council).

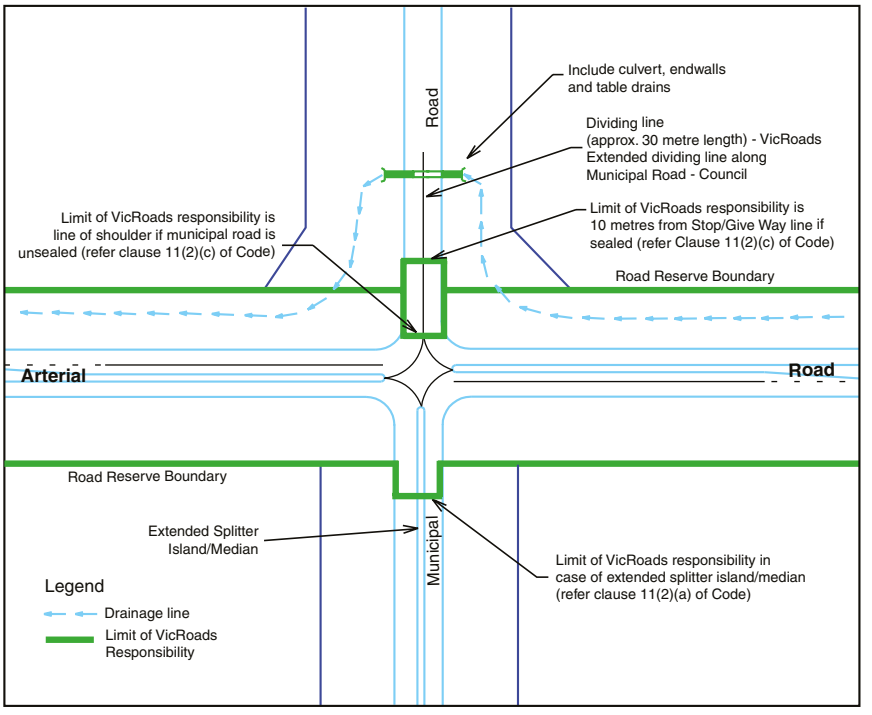
(4) **Council performs the functions of a responsible road authority** with respect to the municipal road up to the limit of VicRoads responsibility shown in Figure 6.

(5) For intersections with non-standard layouts or alignments, and / or large or irregularly shaped property splays, it may be necessary for VicRoads and the Council to establish an operational arrangement or dimensioned drawing (generally in accordance with the principles established in this clause 11) to define their respective limits of responsibility.

Figure 6



Rural Roundabout



Rural Intersection

12. Rural Area – Between Intersections

(1) **VicRoads performs the functions of a responsible road authority** with respect to the –

(a) roadway;

(b) shoulder next to the roadway;

(c) roadside (including any ancillary area designated by VicRoads as the coordinating road authority for the arterial road eg. rest stops, scenic lookouts); and

(d) subject to sub-clause (2), any road-related infrastructure (eg. table drains) for the full width of the road reserve.

(2) **Council performs the functions of a responsible road authority**, as generally shown in Figure 4 (ie. Road Type 4) and Figure 7, with respect to –

(a) service roads (including outer separators);

(b) off-road bicycle paths within the road reserve;

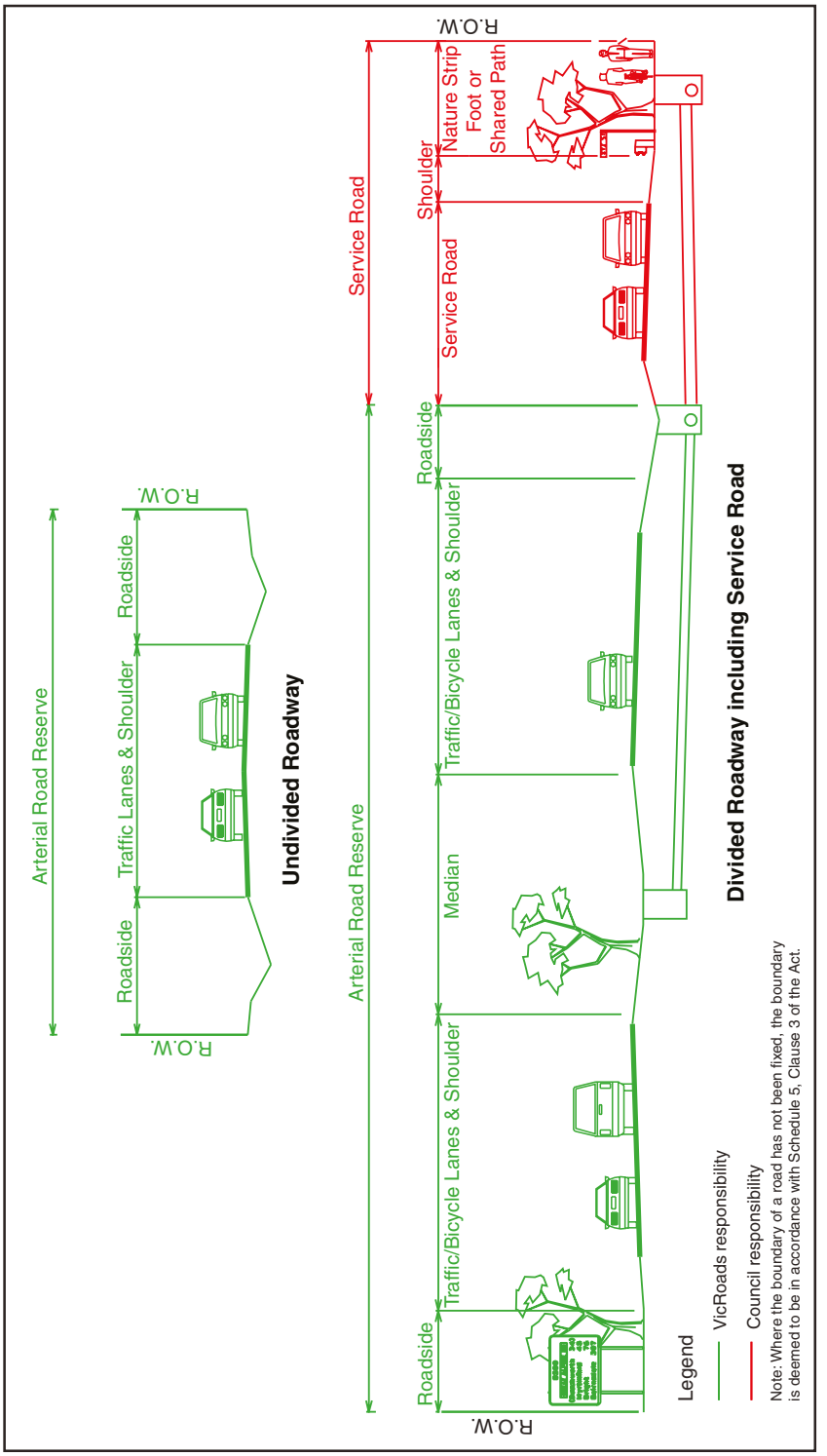
(c) pathways (excluding pathways across a central median);

(d) traffic signs related to (a), (b) and (c) above, together with street name blades and direction signs to local services or attractions;

(e) children's crossings, including advance warning signs and crossing signs, road markings and pedestrian fencing located on the roadside (but excluding the roadway pavement); and

(f) underground drainage that is part of a municipal drainage scheme.

Figure 7 – Responsibility for Rural Arterial Roads between Intersections



Division 3 – Bridges and Pedestrian underpasses

13. Bridges

(1) **VicRoads generally performs the functions of a responsible road authority** with respect to –

(a) arterial road bridges over municipal roads, including pathways, to the extent of the limits of the structure;

(b) subject to clause 13(2)(b), municipal road bridges over arterial roads as agreed and specified in an arrangement between VicRoads and the Council; and

(c) separate pedestrian overpasses where VicRoads has administered government funds to construct these bridges, unless there is an arrangement in place under which VicRoads has transferred the responsibility to the Council.

(2) **Council performs the functions of a responsible road authority** with respect to –

(a) municipal roads that pass under an arterial road bridge;

(b) municipal road bridges over arterial roads, unless otherwise agreed and specified in an arrangement between VicRoads and the Council;

(c) separate pedestrian overpasses if they have been constructed at Council's expense, unless otherwise specified in an arrangement between VicRoads and the Council; and

(d) separate pedestrian footbridges that form part of a pathway constructed longitudinally within the road reserve of an arterial road, unless otherwise specified in an arrangement between VicRoads and the Council.

Notes:

1. A rural water authority, in accordance with paragraph (c) of the definition of 'road infrastructure' in the Act (section 3(1) refers), is responsible (as the relevant infrastructure manager) for any bridge or culvert (other than a bridge or culvert constructed by a road authority) that provides for a road to cross over an irrigation or drainage channel, dam or aqueduct (to the limits of the bridge or culvert). This responsibility includes any traffic safety barriers and safety fences located both on the bridge or culvert and the roadway approaches to the bridge or culvert, subject to the following exceptions –

   (a) the responsible road authority for the road is responsible for the maintenance of the road pavement and roadway surface on all such bridges and culverts, linemarking and other delineation provided for the control and guidance of traffic travelling on the roadway, and permanent traffic regulatory and warning signs either on the bridge or culvert, or along the roadway approaching the bridge or culvert.

   (b) VicRoads is responsible for certain bridges and culverts that provide for arterial roads (and freeways) to cross over rural water authority owned irrigation or drainage channels, dams or aqueducts as specified in an arrangement between VicRoads and the relevant rural water authority.

2. Excludes privately owned or operated bridges over or under a road, and pedestrian overpasses that are the responsibility of another party under an arrangement with the relevant road authority for that road.

14. Pedestrian Underpasses

The responsible road authority for the various parts or elements of pedestrian underpasses that pass under an arterial road is generally –

(a) for the structural components (eg the concrete culvert) of the pedestrian underpass which support and provide the structural integrity for the roadway above as used by the through traffic, including any primary approach retaining walls associated with the underpass structure, VicRoads; and

(b) for the pathway elements through the pedestrian underpass, including the pathway surface (eg concrete, asphalt, decorative paving), lighting, hand rails, pedestrian related signing and line marking, and any wall surfaces (eg tiling), the relevant Council.

Note: Excludes privately owned or operated pedestrian underpasses of arterial roads.

Division 4 – Drainage

15. Responsible road authority

(1) The body that performs the functions of the responsible road authority with respect to drainage within the road reserve of an arterial road depends on the location and primary function of the drainage as shown in Figure 8(a) and Figure 8(b).

Figure 8(a) : Road Drainage – Responsibility Demarcations

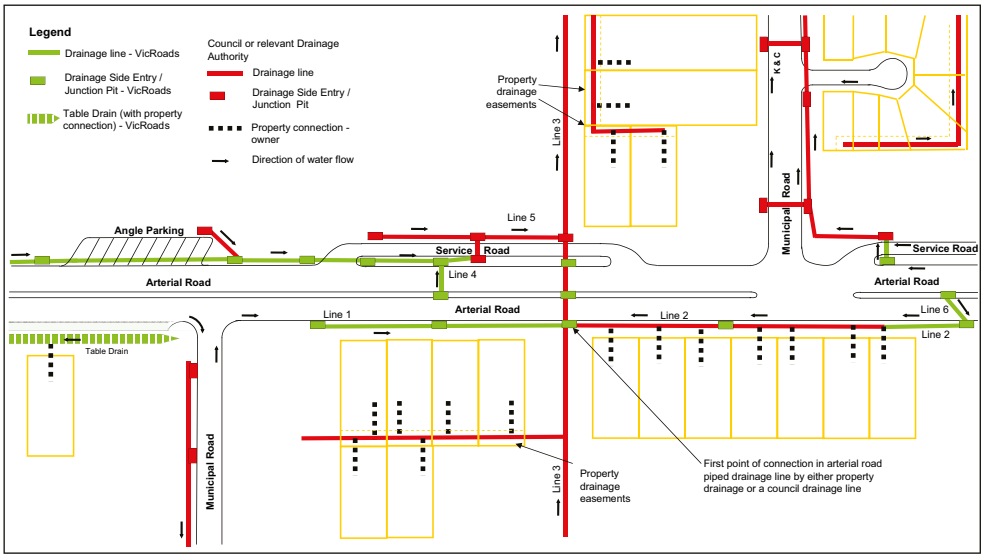
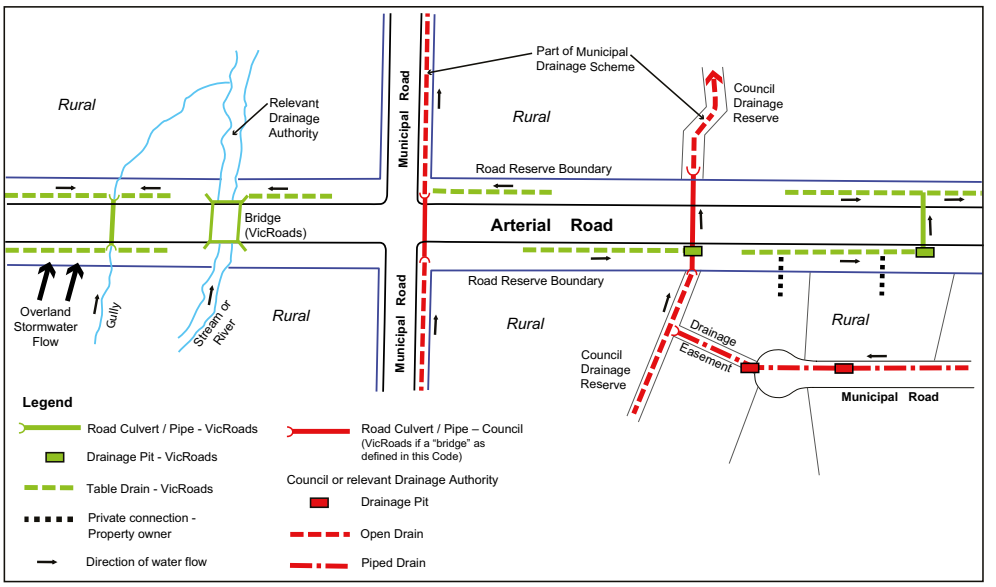


Figure 8(b) : Road Drainage – Responsibility Demarcations



(2) **VicRoads performs the functions of a responsible road authority** for arterial roads with respect to –

(a) the drainage pits collecting surface runoff from the roadway and adjacent kerb and channel of the through roadway (refer Note 1 below);

(b) the piped drainage lines along the through roadway (eg Line 1 in Figure 8(a)) or across the through roadway (eg Line 4 and Line 6 in Figure 8(a)) receiving the surface runoff collected by the drainage pits described in (a) above where these drainage lines are not part of a municipal drainage scheme (refer Note 2 below);

(c) the length of piped drainage lines along the through roadway upstream of the first drainage connection from abutting property or a municipal drain (eg. the length of Line 2 in Figure 8(a) coloured 'green'); and

(d) table drains adjacent to any part of the through roadway, including lengths of table drains into which stormwater runoff from adjoining land is discharged (eg. table drains shown in Figures 8(a) and 8(b)) and lengths of table drains located within 10 metres of the edge of the shoulder as shown in Figure 4 – Road Type 3C).

Notes:

1. The flow of any roadway surface runoff (or associated kerb and channel) from a municipal road to an arterial road (or vice versa) does not affect the responsibility for any drainage infrastructure as determined by this clause 15.

2. A '**municipal drainage scheme**', for the purposes of this Code, is a piped stormwater drainage system serving public and private land within a municipality for which the relevant municipal council or other public body (as the relevant drainage authority in accordance with section 198 of the **Local Government Act 1989**) is responsible (eg. Line 3 in Figure 8(a)), other than those sections of piped drainage on arterial roads that solely (without any piped connection from private property or municipal piped drainage line) serve to collect and discharge stormwater runoff from the through roadway (refer clauses 15(1) and 15(2) of this Code).

3. **Drainage within freeway reservations** – VicRoads is generally responsible for drainage related road infrastructure (eg. bridges, culverts, underground piped drainage lines, drainage pits, table drains) and stormwater drainage within the freeway reservation, excluding:

   (i) maintenance activities associated with the overall hydraulic performance of a waterway (eg. drain, stream or river) within and outside the freeway reservation, including any hydraulic elements attached to waterway related road infrastructure (eg. irrigation flow meter on a bridge or culvert) within the freeway reservation, being the responsibility of the relevant drainage authority; or

   (ii) any underground piped drainage that forms part of a municipal drainage scheme or other drainage scheme that traverses a freeway reservation whether or not any freeway stormwater drainage discharges into that drainage scheme (eg. Line 3 in Figure 8(a) as if the arterial road as shown was a freeway).

(3) **Council performs the functions of a responsible road authority** (except where the relevant drainage infrastructure forms part of a municipal drainage scheme for which the relevant drainage authority is responsible) for arterial roads with respect to –

(a) the drainage pits collecting surface runoff from the roadway and adjacent kerb and channel of any service road (refer Note 1 after clause 15(2) above);

(b) the piped drainage lines across the road reserve (eg. Line 3 in Figure 8(a)) that form part of a municipal drainage scheme (unless it is the responsibility of another drainage authority); and

(c) the length of piped drainage lines along the through roadway downstream of the first drainage connection from abutting property or a municipal drain to its point of discharge or connection to a municipal drainage scheme (eg the length of Line 2 in Figure 8(a) coloured 'red').

Note: **Municipal roads** – Council performs the functions of a responsible road authority with respect to drainage pits, piped drainage lines and table drains that collect stormwater runoff from the roadway of a municipal road, including where piped drainage lines or table drains traverse under the roadway of an arterial road (refer Figure 8(b)).

Division 5 – Lighting

16. VicRoads

(1) **VicRoads performs the functions of a responsible road authority** with respect to lighting infrastructure for freeways, including entry ramps, exit ramps, ramp intersections and those sections of roads over or under freeways located within the freeway reservation, except for lights operated by an electricity distribution business.

(2) **VicRoads performs the functions of a responsible road authority** with respect to lighting infrastructure for arterial roads, except for lights for service roads and except for lights operated by an electricity distribution business.

Note: The limits of responsibility for arterial road lighting (as set out in this clause and clause 17 below) at an arterial road intersection with a municipal road includes any advance lighting on the municipal road that is directly related to the operation of the intersection with the arterial road in accordance with an arrangement between VicRoads and the Council. These limits of responsibility form part of the cost shared funding arrangements for street lighting operating costs as also set out in this clause and clause 17 below.

(3) In accordance with Schedule 7A to the Act, **VicRoads funds** 60% of the operating costs of lighting for arterial roads (with the exception of lighting for service roads).

Notes:

1. Schedule 7A of the Act sets out VicRoads responsibilities for the funding of the installation costs and operating costs (Operating costs include the costs of power consumption, inspection, maintenance, repair and replacement of street lighting on freeways and arterial roads).
2. The majority of lights for arterial roads and a small number of lights for freeways are operated by electricity distribution businesses which are responsible for the inspection, maintenance and repair of this infrastructure (with the inspection, maintenance and repair standards for electricity distribution business operated schemes set out in the Public Lighting Code).
3. The majority of lights for freeways and any VicRoads-owned lighting schemes on arterial roads are operated by VicRoads, which is responsible for the inspection, maintenance and repair of this infrastructure.

17. Councils

(1) **Council performs the functions of a responsible road authority** with respect to lighting infrastructure for service roads on arterial roads, except for lights operated by an electricity distribution business.

(2) **Council performs the functions of a responsible road authority** with respect to lighting infrastructure for pedestrian or bicycle paths along an arterial road reserve, except for lights operated by an electricity distribution business.

(3) Despite clause 16(2) above, Council may initiate the installation of lighting for an arterial road, provided Council funds the installation works.

(4) In accordance with Schedule 7A to the Act, **Council funds** 40% of the operating costs of lighting for arterial roads and 100% of the operating costs of lighting for service roads.

(5) **Council funds** the replacement and maintenance of any non-standard or decorative equipment for lighting for arterial roads, if the decision to use non-standard or decorative equipment was not made by VicRoads or its predecessors.

Notes:

1. Schedule 7A of the Act sets out the Council's responsibilities for the funding of the installation costs and operating costs (Operating costs include the costs of power consumption, inspection, maintenance, repair and replacement of street lighting on freeways and arterial roads).
2. The lighting of pedestrian or bicycle paths along a freeway reserve in accordance with special arrangements as agreed between VicRoads and a Council.

Division 6 – Public Transport Infrastructure

18. General

The allocation of responsibilities between responsible road authorities, providers of public transport and public transport infrastructure managers for any public transport related infrastructure located within the road reserve is detailed in Part 5 of this Code.

PART 2 – PHYSICAL LIMITS OF RESPONSIBILITY BETWEEN VICROADS AND OTHER STATE ROAD AUTHORITIES

19. Purpose

The purpose of Part 2 of this Code is to provide practical guidance in clarifying or determining how the operational responsibility for different parts or elements within the road reserve of a freeway, arterial road or non-arterial State road is to be allocated between VicRoads and other State road authorities.

Division 1 – Freeways

20. VicRoads

VicRoads performs the functions of a responsible road authority with respect to the parts of freeways and road infrastructure to the extent set out in Division 1 of Part 1 of this Code.

Division 2 – Arterial Roads and Non-Arterial State Roads

21. Urban Area – Intersections

(1) **VicRoads performs the functions of a responsible road authority** with respect to the intersection, and all road infrastructure that facilitates the operation of an intersection of an arterial road and a non-arterial State road within the limits of responsibility specified in clauses 9(1) and 9(2) and shown in Figure 2 of this Code.

(2) **The relevant State road authority performs the functions of a responsible road authority** with respect to a non-arterial State road within the limits of responsibility that are the equivalent of the limits of responsibility that apply to a Council for a municipal road as specified in clause 9(3) and shown in Figure 2 of this Code.

(3) **A State road authority does not perform the functions of a responsible road authority** with respect to any VicRoads or Council owned infrastructure within the road reserve.

22. Urban Area – Between Intersections

(1) **VicRoads performs the functions of a responsible road authority** with respect to all parts of the arterial road and road infrastructure (wherever located) that is provided for the operation of the part of the road used by through traffic, within the limits of responsibility specified in clauses 10(1) and 10(2) and Figures 3, 4 and 5 of this Code.

(2) **The relevant State road authority performs the functions of a responsible road authority** with respect to any part of the arterial road not used by through traffic (eg. arterial road within an alpine resort village) within the limits of responsibility that are the equivalent of the limits of responsibility that apply to a Council for a municipal road as specified in clause 10(3) and Figures 3, 4 and 5 of this Code.

(3) **A State road authority does not perform functions of a responsible road authority** with respect to any VicRoads or Council owned infrastructure within the road reserve.

23. Rural Area – Intersection

(1) **VicRoads performs the functions of a responsible road authority** with respect to the intersection, and all road infrastructure that facilitates the operation of an intersection of an arterial road and a non-arterial State road, within the limits of responsibility specified in clauses 11(1), 11(2), 11(3) and 11(5), and Figure 6 of this Code.

(2) **The relevant State road authority performs the functions of a responsible road authority** with respect to the non-arterial State road within the limits of responsibility that are the equivalent of the limits of responsibility that apply to a Council for a municipal road specified in clause 11(4) and 11(5), and Figure 6 of this Code.

(3) **A State road authority does not perform the functions of a responsible road authority** with respect to any VicRoads or Council owned infrastructure within the road reserve.

24. Rural Area – Between Intersections

(1) **VicRoads performs the functions of a responsible road authority** with respect to the –

(a) roadway;

(b) shoulder;

(c) roadside (including any ancillary area designated by VicRoads as the coordinating road authority for the arterial road eg. rest stops, scenic lookouts); and

(d) any road-related infrastructure (eg. table drains) for the full width of the road reserve of the arterial road.

(2) **VicRoads does not perform the functions of a responsible road authority** with respect to –

(a) snow clearing and de-icing of the arterial roads within the alpine resort areas; and

(b) vehicle parking areas, roadside parking, service roads, pathways, chain fitting bays, entry booths and associated lighting and signs in respect of which the relevant Alpine Resort Management Board is the responsible road authority.

(3) **The relevant State road authority performs the functions of a** responsible road authority with respect to –

(a) snow clearing and de-icing of the arterial roads within the alpine resort areas;

(b) any part of an arterial road in an alpine resort area which is not used by through traffic, including vehicle parking areas, roadside parking, service roads, pathways, chain-fitting bays, entry booths and associated lighting and signs, but excluding infrastructure owned by VicRoads;

(c) any part of an arterial road where the State road authority is the primary beneficiary of the road or parts of the road (eg. parking areas supporting a recreational or tourist facility within a national or state park); or

(d) infrastructure located within the road reserve that is owned by the State road authority.

(4) **A State road authority does not perform the functions of a responsible road authority** with respect to any VicRoads or Council owned infrastructure within the road reserve.

Note: The allocation of operational responsibility as they relate to the different parts or elements within the road reserve of alpine resort areas are as defined in a Schedule of Agreed Principles between VicRoads and the respective Alpine Resort Management Boards which formed part of the declaration of the main alpine resort access roads as arterial roads (Victoria Government Gazette No. S 348 Thursday 8 October 2009).

Division 3 – Bridges

25. VicRoads

VicRoads generally performs the functions of a responsible road authority with respect to arterial road bridges (including pathways) over a non-arterial State road, to the extent of the limits of the structure.

26. Relevant State road authority

The relevant State road authority generally performs the functions of a responsible road authority with respect to –

(a) non-arterial State roads that pass under an arterial road bridge; and

(b) non-arterial State road bridges over arterial roads unless otherwise specified in an arrangement between VicRoads and another State road authority.

Notes:

1. Note 1 to clause 13 (but excluding paragraph (b)) of this Code applies to any bridge or culvert that provides for a non-arterial State road to cross over an irrigation or drainage channel, dam or aqueduct.
2. Separate pedestrian overpasses or footbridges – the relevant State road authority performs the functions as generally assigned to the Council in clauses 13(2)(c) and (d) of this Code.

Division 4 – Drainage

27. VicRoads

VicRoads performs the functions of a responsible road authority with respect to roadside table drains (subject to Note 2, clause 10(3) of this Code) and those side entry pits and piped drainage lines that take the surface runoff from the through roadway of the arterial road (excluding any drainage line that is part of a municipal drainage scheme) as generally shown in Figures 8(a) and 8(b) of this Code.

28. Relevant State road authority

The relevant State road authority performs the functions of a responsible road authority with respect to any roadside table drains and those side entry pits and piped drainage lines that take the surface runoff from the roadway of the non-arterial State road (excluding any drainage line (eg. piped drain, open channel) that is the responsibility of a drainage authority or municipal council) as generally shown in Figures 8(a) and 8(b) of this Code.

Division 5 – Lighting

29. General

(1) **VicRoads performs the functions of a responsible road authority** with respect to lighting infrastructure for freeways and arterial roads in accordance with clause 16 of this Code.

(2) **The relevant State road authority performs the functions of a responsible road authority** with respect to lighting infrastructure for non-arterial State roads (with the exception of lighting at an arterial road intersection with a non-arterial State road in which case clause 16(2) of this Code applies).

Division 6 – Public Transport Infrastructure

30. General

The allocation of responsibilities between responsible road authorities, providers of public transport and public transport infrastructure managers for any public transport related infrastructure located within the road reserve is detailed in Part 5 of this Code.

PART 3 – PHYSICAL LIMITS OF RESPONSIBILITY BETWEEN STATE ROAD AUTHORITIES AND MUNICIPAL COUNCILS

31. Purpose of Part

The purpose of this Part is to provide practical guidance in clarifying or determining –

(a) where it cannot be determined with certainty if a road is a non-arterial State road or municipal road, whether a Council or State road authority (other than VicRoads) should perform the functions of the responsible road authority for a length of road (other than freeways and arterial roads); and

(b) the physical limits of operational responsibility between a State road authority (excluding VicRoads) and Council:

(i) for a road that, over its length, is made up of two or more component sections consisting of non-arterial State road (other than non-arterial State roads for which VicRoads is the relevant road authority) and municipal road; and

(ii) at the intersection of a non-arterial State road and municipal road.

32. Arrangements for operational responsibility between road authorities

(1) Where two or more road authorities enter into an arrangement to transfer road management functions for parts of roads or road infrastructure, the details of such a transfer should be documented in an arrangement between the relevant road authorities in accordance with section 15 of the Act.

(2) In determining whether or not to enter into an arrangement under section 15 of the Act to transfer road management functions for different parts or elements of a road reserve or road infrastructure, the relevant road authorities should have regard to the circumstances where it may be mutually beneficial (eg. for operational efficiency, road safety or community benefit reasons) for those road authorities to vary their respective operational responsibilities, including –

(a) where one road authority wishes to construct or needs to maintain a road or part of a road to a higher standard than currently applies; or

(b) where one road authority is in a better position financially, geographically or otherwise to perform certain road management responsibilities.

33. Interpretation

In this Part –

'**major road**' means the non-arterial State road or municipal road that performs the major (or primary) traffic function at the intersection between a non-arterial State road and a municipal road, having regard to the volume and nature of road use.

'**minor road**' means the non-arterial State road or municipal road that performs the minor (or secondary) traffic function at the intersection between a non-arterial State road and a municipal road, having regard to the volume and nature of road use.

34. General principles regarding operational responsibility

(1) In determining whether a Council or a State road authority should perform the functions of the responsible road authority for a road, other than a freeway or arterial road, regard should be had to the practical guidance provided in this Part.

(2) The Act provides that the responsible road authority for a municipal road, being the relevant Council, and a non-arterial State road, being the relevant State road authority, is also the coordinating road authority for that road. As the coordinating road authority, the Council or State road authority may make a decision that the road is reasonably required for general public use (and include that road on its register of public roads – refer section 17 of the Act), and as a consequence, has a statutory duty as the responsible road authority to inspect, maintain and repair that public road (refer section 40 of the Act).

However, if a coordinating road authority decides that a road is not reasonably required for general public use, the road remains the responsibility of that road authority (as the coordinating road authority and responsible road authority) but as the responsible road authority it does not have, subject to section 17 of the Act, a statutory duty to inspect, maintain and repair that road (but it does have a discretionary power to inspect, maintain and repair that road – refer section 40(5) of the Act).

(3) The relevant road authority for a road is, subject to any other responsibility assignments under the Act, primarily determined by the classification of the road (eg. whether the road is a municipal road or a non-arterial State road).

A road that functions and operates from a practical perspective as a single length of road may actually comprise two or more component sections that have differing legal status (eg. municipal road and non-arterial State road) as determined by the relevant legislation. In such cases, the relevant Council and State road authority may agree –

(a) to continue to have separate responsibilities for their respective sections of the road based on the applicable road classifications (as municipal road and non-arterial State road); or

(b) that either the Council or the State road authority will accept responsibility for the entire length of the road (through a transfer of road management functions, either generally or as specified, for the relevant parts of the road under section 15 of the Act); or

(c) that responsibility for the road be allocated based on different criteria and/or over different lengths not determined by the actual road classifications (through a transfer of road management functions, either generally or as specified, for the relevant parts of the road under section 15 of the Act).

(4) In determining appropriate responsibility limits under clause 34(3) (b) or (c), in addition to the considerations in clause 32(2)(a) and (b), a Council and State road authority should also have regard to considerations including –

(a) the primary purpose of the road;

(b) other purposes of the road;

(c) the relative benefits the road provides to the Council (including local businesses and land owners / ratepayers) compared with the benefits the road provides to the relevant State agency Crown land manager (eg. Parks Victoria, Department of Environment, Land, Water and Planning);

(d) the proportion of abutting private and public land through which the road passes;

(e) the extent to which the road provides access to private land and public land;

(f) the type, composition and volume of traffic using the road;

(g) whether the road is, or is not, a through road available to through traffic;

(h) the types of road use that cause deterioration in the condition of the road; and

(i) a combination of some of the above considerations and/or other considerations that the two road authorities consider relevant.

(5) Where two road authorities are unable to determine the classification of a road having regard to the relevant legislation, consideration should be given to the guidance provided in this clause 34. Where agreement is reached on which road authority will have operational responsibility, the agreed position could be formalised by actions including –

(a) declaring the road as a municipal road or non-arterial State road under the Act or other relevant Act; or

(b) having responsibility assigned using other provisions of the Act, such as through the making of regulations under section 37(1)(c) of the Act.

35. Dispute Resolution Process

Where two or more road authorities (other than VicRoads) cannot reach agreement on the limits of their operational responsibility for any road or part of a road in accordance with this Part 4 of the Code, then the dispute resolution process as set out in clause 51 should be adopted.

36. Urban Area – Intersections

(1) Where there is an intersection between two public roads in respect of which there are different responsible road authorities (ie. a State road authority (including VicRoads if the road is a non-arterial State road for which VicRoads is responsible under section 37(1)(d)(i) of the Act) and a Council), the following principles should apply to establish the limits within which each road authority performs the functions of a responsible road authority for the different parts or elements within the intersection –

(a) **Major road** – the responsible road authority for the major road performs the functions as generally assigned to VicRoads (for the arterial road) in clauses 9(1) and 9(2) and as shown in Figure 2 of this Code, in relation to all road infrastructure that provides for the operation of the intersection for the control of the major traffic function.

(b) **Minor road** – the responsible road authority for the minor road performs the functions as generally assigned to the Council for the municipal road in clause 9(3) and as shown in Figure 2 of this Code.

(c) A responsible road authority for either a minor or major road does not perform the functions of a responsible road authority with respect to any road infrastructure that is owned by another road authority.

(2) Traffic signals at the intersection of two public roads under this sub-clause are the responsibility of the responsible road authority for the major road.

(3) Where the traffic signals are linked to the SCATS system, VicRoads is the responsible road authority with respect to these signals.

(4) Funding for maintenance of traffic signals as specified in sub-clause (3) will be provided by the responsible road authority for the major road, unless otherwise agreed between VicRoads and that road authority.

(5) Where a pathway on the major road continues into the minor road at an intersection, the responsible road authority with respect to the pathway on the major road is the responsible road authority within the limits of responsibility as shown in Figure 2 of this Code.

37. Rural Area – Intersections

Where there is an intersection between two public roads in respect of which there are different responsible road authorities (ie. a State road authority (including VicRoads if the road is a non-arterial State road for which VicRoads is responsible under section 37(1)(d)(i) of the Act) and a Council), the following principles should apply to establish the limits within which each road authority performs the functions of a responsible road authority for the different parts or elements within the intersection –

(a) **Major road** – the responsible road authority for the major road performs the functions as generally assigned to VicRoads (for the arterial road) in clauses 11(1), 11(2) and 11(3) and as shown in Figure 6 of this Code, in relation to all road infrastructure that provides for the operation of the intersection for the control of the major traffic function.

(b) **Minor road** – the responsible road authority for the minor road performs the functions as generally assigned to the Council (for the municipal road) in clause 11(4) and as shown in Figure 6 of this Code.

(c) A responsible road authority for either the major or minor road does not perform the functions of a responsible road authority with respect to any road infrastructure that is owned by another road authority.

Note: Where there is an intersection between a public road (the Major road) and a road that is not a public road (the Minor road), the limits of responsibility are to be determined in accordance with this clause. However, the responsible road authority for the minor road, not being a public road, does not have a statutory duty to inspect, maintain and repair that road (but does have a discretionary power to inspect, maintain and repair that road).

38. Change of Responsible Road Authority

(1) Where, in accordance with an arrangement entered into between two or more road authorities (as made under section 15 of the Act), there is a transfer of the functions of the responsible road authority with respect to a part of a public road, being either a non-arterial State road or municipal road (ie. not a freeway or arterial road), the new limit of operational responsibility shall be as defined in the arrangement.

(2) The boundary defining the change in operational responsibilities as established in the arrangement between the two relevant responsible road authorities may be shown by the erection of signs in some appropriate manner to indicate the above change of responsible road authority.

39. Through roads on Crown Reserves

(1) Following agreement with the Committee of Management responsible for land reserved under the **Crown Land (Reserves) Act 1975** ('Crown Reserve'), a Council or State road authority (other than VicRoads) may consider entering into an arrangement under section 15 of the Act to transfer responsibility for a road used by through traffic (ie. a through road) and to include that through road as a public road on its register of public roads.

(2) The limits of operational responsibility between the 'through road' with other internal roads on the Crown Reserve should be in accordance with the same principles as for major and minor roads, with the 'through road' being designated as the major road.

(3) The remaining roads on the Crown Reserve are the responsibility of the responsible road authority for that Crown Reserve and may form part of that road authority's register of public roads.

40. Bridges

(1) Subject to the matters specified in clauses 13 and 14 of this Code, this clause provides general guidance for determining which road authority performs the function of the responsible road authority. The road authority which performs the functions of the responsible road authority with respect to –

(a) a municipal road bridge over a non-arterial State road – is the relevant municipal council unless specified in an arrangement between the municipal council and State road authority;

(b) a non-arterial State road bridge over a municipal road – is the relevant State road authority unless specified in an arrangement between the State road authority and municipal council;

(c) a road bridge over rail – refer clause 48 of this Code;

(d) a rail bridge over road – refer clause 48 of this Code;

(e) a road bridge over watercourses – is the responsible road authority for the road;

(f) a bridge, culvert or like structure that provides for a road to cross over an irrigation or drainage channel, dam or aqueduct – Note 1 to clause 13 (but excluding paragraph (b)) of this Code applies.

Note: For the purposes of this sub-clause (1)(f), 'like structures' include culverts under a road that have a single span or diameter less than 1.8 metres or have a waterway area less than 3 m².

(g) a pedestrian footbridge over a road or waterway – is the responsible road authority in relation to the funding and construction of the footbridge;

(h) a pedestrian crossing either over or under rail – refer clause 48 of this Code;

(i) a pedestrian underpass under a road – is the responsible road authority for the various parts or elements of the pedestrian underpass as generally determined using the principles as set out in clause 14 of this Code.

(2) Special cases for negotiation of an arrangement may exist where a rail corridor has been closed and redeveloped for another purpose.

(3) Where road authorities wish to transfer road management functions with respect to bridges, the details of such variations should be documented in an arrangement between them under section 15 of the Act.

41. Drainage

Responsibility for road drainage, which will in general depend on its function and location within the road reserve, is determined in accordance with the following guidelines –

(a) **Through traffic function** – the responsible road authority with respect to the parts of roads used by through traffic should be the responsible road authority with respect to the side entry pits and drainage lines collecting surface runoff from the roadway and adjacent kerb and channel of the through roadway, as assigned to VicRoads in clause 15 and shown in Figures 8(a) and 8(b) of this Code.

(b) **Local function** – the responsible road authority with respect to the parts of roads not used by through traffic is the responsible road authority with respect to the side entry pits and drainage lines collecting surface runoff from the roadway and adjacent kerb and channel of the through roadway, as assigned to Council in clause 15 and Figures 8(a) and 8(b) of this Code.

(c) A responsible road authority with respect to the parts of roads not used by local traffic does not perform the functions of the responsible road authority with respect to any infrastructure within the road reserve that is owned by another road authority.

42. Lighting

The responsible road authority for lighting infrastructure is the same as the responsible road authority for that part of the road that is lit by the lighting, unless as otherwise documented in an arrangement entered into between the relevant responsible road authorities.

Note: Standard street lighting is generally the responsibility of the electricity distribution business.

43. Public Transport Infrastructure

The allocation of responsibilities between responsible road authorities, providers of public transport and public transport infrastructure managers for any public transport related infrastructure located within the road reserve is detailed in Part 5 of this Code.

PART 4 – PHYSICAL LIMITS OF RESPONSIBILITY BETWEEN MUNICIPAL COUNCILS

44. Purpose

The purpose of this Part is to provide practical guidance in clarifying or determining the physical limits of operational responsibility between Councils with respect to different parts or elements within the road reserve of municipal roads, where such roads define the boundary between two Councils.

45. Operational responsibility for roads forming the boundary between municipalities

(1) Subject to any agreement or understanding to the contrary, where a municipal road defines the boundary between two Councils, each Council should have operational responsibility for that part of the road that lies within its municipal boundary unless the responsible road authorities enter into an arrangement, such as an arrangement under section 15 of the Act, to determine the allocation between them of operational responsibilities in respect of the subject parts of the road.

(2) Any such arrangement should be documented and recorded in the register of public roads of each coordinating road authority.

PART 5 – PHYSICAL LIMITS OF RESPONSIBILITY BETWEEN RESPONSIBLE ROAD AUTHORITIES, PROVIDERS OF PUBLIC TRANSPORT AND PUBLIC TRANSPORT INFRASTRUCTURE MANAGERS

46. Purpose

The purpose of this part of the Code is to provide practical guidance in clarifying or determining how the operational responsibility for different parts or elements within the road reserve of a road, including both road infrastructure and public transport infrastructure, is to be allocated between responsible road authorities, providers of public transport and public transport infrastructure managers.

Division 1 – Roads with Tramlines

47. Operational responsibility

(1) **The relevant responsible road authority performs the functions of a responsible road authority** with respect to the parts of the public road, and road infrastructure located in, on, over or under those parts of the public road with tramlines, generally in accordance with column 2 of Table 1 of this Division.

(2) **The relevant provider of public transport, or its agent, or public transport infrastructure manager, or its agent, performs the functions and exercises the powers of an infrastructure manager** with respect to the parts of any road infrastructure and public transport infrastructure located in, on, over or under a public road with tramlines, generally in accordance with column 3 of Table 1 of this Division.

(3) Responsibility for ongoing maintenance of infrastructure elements associated with tram stops on roads as shown in Table 1 below has been assigned in accordance with the following three principles –

Principle 1 – Road Authority is responsible where an infrastructure element, which has been modified due to the tram stop (eg. raised roadway platform, pavement markings, delineation, traffic signs), still acts as a normal part of the roadway.

Principle 2 – Provider of public transport / public transport infrastructure manager is responsible where an infrastructure element is only required as part of the design requirements of the tram stop (eg. safety barriers / cushions / bollards, DDA, tram signs).

Principle 3 – Provider of public transport / public transport infrastructure manager is responsible where an infrastructure element is primarily required for tram-related purposes or persons accessing trams (eg. TGSIs, tram stop passenger fencing, tram shelters, tram signs).

Note: The allocation of responsibilities as shown in Table 1 establishes the statutory duty of the relevant infrastructure manager to inspect, maintain and repair its respective infrastructure elements in accordance with the Act. These responsibilities may be varied where it is agreed between the relevant infrastructure managers that such a variation will ensure the most effective and efficient use of each parties resources. Such a variation, which in effect amounts to a transfer of a statutory duty, must be implemented by way of an arrangement made in accordance with section 15 of the Act.

Table 1 – Responsibilities for Roads with Tram Lines

Infrastructure Item	Responsible Road Authority	Provider of Public Transport / Public Transport Infrastructure Manager
Part A. Trams operating on a shared roadway without full time functional separation. Includes Part Time Tram Lanes (with solid single yellow lines and associated signing indicating hours of operation) and standard tram track priority (with broken yellow lines).		
Road pavement	Road pavement from the kerb and channel to the edge of the concrete pavement supporting the tram track structure (typically a distance of 0.5 metres from the outside rail of each tram track).	Road pavement between tram tracks, between the rails of each track and from the outside rail of each tram track to the edge of the concrete pavement supporting the tram track structure (typically a distance of 0.5 metres).
Tram tracks		Maintenance – Tram operator.
Signs	• Signs attached to tram poles – for traffic management (including signs for Part Time Tram Operation). • Signs attached to overhead power wires (supporting and providing traction power to the tram system) – for traffic management (including signs for Part Time Tram Operation). • All other regulatory, warning and direction signs for the management and safety of trams, tram passengers, road traffic, cyclists and pedestrians (including signs exempting trams from traffic signals at mid-block locations eg. at pedestrian operated signals).	• Signs attached to tram poles - for tram operations and the information of tram personnel only. • Signs attached to overhead power wires (supporting and providing traction power to the tram system) – for tram operations and the information of tram personnel only. • Automatic point signals indicating track direction for tram personnel. • Signs attached to safety zone prows, including Safety Zone and Keep Left signs. • Signs attached to platform tram stops aimed at tram personnel or tram passengers.
Pavement markings	• Traffic lane lines, edge lines, centre lines, painted traffic islands between tram tracks, stop lines and intersection markings, raised reflective pavement markings (RRPMs – for management of road traffic and pedestrians). (refer **Note 1**) • Solid single yellow lines (for Part Time Tram Lanes) and broken yellow lines (for standard tram track priority). (refer **Note 1**) • Tram clearance lines, including pavement markings to keep road vehicles clear of overhang when trams are turning. (refer **Note 1**) • Pedestrian crossing line marking (continuous across roadway).	Pavement markings provided for the information of tram personnel only, including those marking the position for trams to stop.

Infrastructure Item	Responsible Road Authority	Provider of Public Transport / Public Transport Infrastructure Manager
Traffic signals	Traffic signal hardware, T lights, active infrastructure associated with tram priority (including back-up push buttons, tram detectors and cable linking roadway advanced detector loops to traffic signal controller box / pit) and traffic signal linking – VicRoads, subject to Note 3 following clause 9(3) of this Code.	
Poles	Traffic signal and road lighting poles owned by the responsible road authority. **Note**: Attachments / wall mountings to buildings for tram span wires – municipal council (eg. City of Melbourne) or Building owner.	Tram poles leased to the Tram operator within the road reserve, including overhead power wires supporting and providing traction power to the tram system. **Note**: Other Poles with overhead power wires supporting and providing traction power to the tram system – responsibility of the relevant Pole owner.
Safety zones	• Tram clearance lines within safety zones.	• Safety zone and all safety zone associated infrastructure (includes barriers, handrails, pavement markings, signs, lighting, passenger facilities). • End crash cushions and crashworthy bollards, including safety zone prow. • Longitudinal crash protection barriers (eg. guard rail, concrete barriers). • Roadway, pavement and loading platforms within safety zones.

Infrastructure Item	Responsible Road Authority	Provider of Public Transport / Public Transport Infrastructure Manager
Tram stops	• Shared passenger hard stand / pedestrian pathway area at kerbside tram stops. • Roadside kerb ramps (including TGSIs). • Roadway kerb and channel. • Trafficable raised platforms at 'accessible' tram stops (and related signs, pavement markings) used to access the tram. • Kerb / coping stones at trafficable platforms with platform shared roadway ('accessible' tram stops). • Road infrastructure measures (including new technologies) to improve tram stop visibility (eg. red coloured pavement) and any new markings in relation to lifts accessing trams. • Traffic management measures (eg. advance warning signs, traffic islands, pavement markings). • Bicycle lanes at kerb extension and trafficable platform ('accessible') tram stops. • Street furniture (excluding tram shelters) in high activity commercial shopping precincts.	Includes (but not limited to): • Standalone passenger hard stand area (including where part of an extended pathway, but excluding the pedestrian pathway), including TGSIs, at kerbside tram stops (not 'accessible' tram stops). • Barriers, fences, flexible bollards / guide posts, handrails, passenger facilities, 'accessible' tram stop passenger waiting area (excluding pedestrian pathway), passenger loading platforms, passenger access ramps, TGSIs within limits of tram stop, yellow clearance lines with message 'STAND BEHIND THIS LINE'. • Kerb / coping stones / edge strips at the following 'accessible' tram stops: – kerb extension platforms; and – trafficable platforms with commuter shared roadway. • Poles, tram stop flags and timetables. • Tram-based measures to improve motorist behaviour past stationary trams.
Tram shelters – at kerbside or in safety zones		• Tram shelters owned or leased by Public Transport Victoria – Tram operator. • Other tram shelters – Shelter owner.
Lighting	• Roadway lighting along tram routes (including intersections, service roads, pedestrian crossings, pathways, freeway interchanges). • Tram stop safety zones and tram termini as part of roadway lighting (including locations with lateral displacement for motorists around tram stops). • Refer to clauses 16 and 17 of this Code.	• Safety zones and Tram termini lighting – Tram operator (or electricity distribution business) for any additional lighting to roadway lighting. • Safety zone prow lighting – Tram operator (or electricity distribution business). • Tram shelter lighting: – tram shelters owned or leased by Public Transport Victoria – Tram operator. – other tram shelters – Shelter owner.

Infrastructure Item	Responsible Road Authority	Provider of Public Transport / Public Transport Infrastructure Manager
Part B. Trams operating on a roadway with full time functional separation. Includes Full Time Tram Lanes (with solid yellow lines, RRPMs and associated signing) and Tramways (with solid double yellow lines or separation kerb) (**Note:** Parts B, C and D of this Table only include those Infrastructure Items where the physical limits of responsibility vary from Part A of this Table)		
Road pavement	• ***Functional separation constructed separately from tram tracks*** – Road pavement from the kerb and channel up to the separation kerb or to a distance of 0.5 metres from the outside rail of each tram track if no separation kerb. • ***Functional separation constructed as part of tram track structure*** – Road pavement from the kerb and channel to the outside limits of the functional separation.	• ***Functional separation constructed separately from tram tracks*** – Road pavement between tram tracks, between the rails of each track up to the separation kerb or to a distance of 0.5 metres from the outside rail of each tram track if no separation kerb. • ***Functional separation constructed as part of tram track structure*** – Road pavement within the full width of the dedicated section of roadway isolated from road traffic.
Functional separators	Separation kerb (eg raised rubber or concrete separator kerbing) where constructed separately from the tram tracks. (refer **Note 1**)	Functional separators where constructed as part of the tram tracks structure (eg. raised tram tracks).
Pavement markings	• Traffic lane lines, edge lines and intersection markings. (refer **Note 1**) • Solid single yellow lines (for Full Time Tram Lanes) and solid double yellow lines, including RRPMs, (for Tramways). (refer **Note 1**)	Refer Part A above.
Part C. Trams operating within the median of a road (**Note:** Parts B, C and D of this Table only include those Infrastructure Items where the physical limits of responsibility vary from Part A of this Table)		
Road pavement	• Road pavement from outside the limits of the median. • Road pavement between the edge of traffic lane and face of a longitudinal crash protection barrier or retaining wall. • Kerb and channel of the median abutting the road pavement.	
Tram tracks		Tram tracks within the median, including between the tram tracks, between the rails of each track and the area from the outside rail of each tram track to the edge of the ballast, or concrete slab.
Crash protection barriers	• Longitudinal crash protection barriers required to protect vegetation in the median.	• Longitudinal crash protection barriers at tram stops. • End crash cushions and crashworthy bollards at tram stops / platforms.

Infrastructure Item	Responsible Road Authority	Provider of Public Transport / Public Transport Infrastructure Manager
Tram stops	• TGSIs on pathways within a median for pedestrians to cross the roadway, including for access to a median tram stop (outside the limits of the tram stop). • Kerb ramps in median, including TGSIs (outside the limits of the tram stop).	• Refer Part A above; plus: • Median platform tram stop area and related tram stop infrastructure.
Pedestrian crossings	• Refer Part A above; plus: • Pedestrian pathways within a median for pedestrians to directly cross the road, including for access to a median platform tram stop (outside the limits of the tram stop). • Pedestrian crossing signs.	Pedestrian pathways and access ramps within the limits of the median platform tram stop.
Retaining walls and embankments	Retaining walls and embankments that form part of, or support, the roadway (eg level difference between the roadway and median).	Retaining walls and embankments that form part of, or support, the tram track or median tram platform structure.
Vegetation	Grass, shrubs and trees within the median between the kerb and channel and the edge of the ballast, or concrete slab.	Grass, shrubs and trees within the area between each tram track.
Lighting	Refer Part A above.	• Refer Part A above. • Separate tramway lighting in median – Tram operator (or electricity distribution business).
Part D. Trams operating on an off-road route (eg. light rail line) (**Note:** Parts B, C and D of this Table only include those Infrastructure Items where the physical limits of responsibility vary from Part A of this Table)		
Road pavement (at tramway level crossings)	Road pavement beyond 3.0 metres from the outside rail of each tram track at tramway level crossings.	Road pavement between tram tracks, between the rails of each track and for a distance of 3.0 metres from the outside rail of each tram track at tramway level crossings (Clause 8.1 of the Infrastructure Lease – Trams (IL-T) as amended from time to time (eg. a new Infrastructure Lease or tram franchisee) – refer Public Transport Victoria website).

Infrastructure Item	Responsible Road Authority	Provider of Public Transport / Public Transport Infrastructure Manager
Bridges	• Road-over-tramline bridges listed in Schedule 6 of the IL-T – road surface, pathways and traffic control devices. • Road-over-tramline bridges **except** those listed in Schedule 6 of the IL-T.	• Road-over-tramline bridges listed in Schedule 6 of the IL-T – includes bridge substructure, superstructure and associated structures retaining the road formation (excluding roadway surface). • Tramline-over-road bridges – includes bridge substructure, superstructure and associated structures retaining the track formation. **Note**: Road over tramline bridges listed in Schedule 6 of the IL-T are on the St Kilda line at Dorcas Street (3.362 km), Bank Street (3.493 km) and Park Street (3.624 km).
Pedestrian crossings		• Under-track and over-track pedestrian crossings on the Port Melbourne and St Kilda light rail lines (Clause 8.1 of the IL-T). • Pedestrian pathway crossing tram tracks with or without Cribs not at road level crossings (at-grade) – Cribs (where present), crossing pavement between tram tracks and to a distance of 3.0 metres from the outside rail of each tram track or to the limits of any Cribs where present, and TGSIs located on the crossing pavement. • Pedestrian pathway crossing tram tracks with or without Cribs at road level crossings (at-grade) – Cribs (where present), crossing pavement between tram tracks and to a distance of 3.0 metres from the outside rail of each tram track or to the limits of any Cribs where present, and TGSIs located on the crossing pavement.
Tramway level crossings and Boom barriers	• Boom barriers and flashing lights at level crossings on the Port Melbourne and St Kilda light rail lines (and new sites when required) – VicRoads (including on municipal roads). • Tram detection hardware to trigger boom barriers at road level crossings – VicRoads (including on municipal roads). • Tramway level crossing signs at unsignalised road level crossings.	
Traffic signals	Refer Part A.	

Infrastructure Item	Responsible Road Authority	Provider of Public Transport / Public Transport Infrastructure Manager
Vegetation		Vegetation management within off-road tram reserve to maintain adequate sight distance for motorists and pedestrians.
Lighting		Lighting for off-road tram operations – Tram operator (or electricity distribution business).

Notes:

1. Responsibilities may be in accordance with an agreement entered into between road authorities, or between a road authority and a provider of public transport or public transport infrastructure manager.
2. Parts B, C and D of Table 1 only include those Infrastructure Items where the physical limits of responsibility vary from those described in Part A of Table 1.

Division 2 – Roads at Rail Crossings

48. Operational responsibility

(1) **The relevant responsible road authority performs the functions of a responsible road authority** with respect to the parts of the public road, and road infrastructure located in, on, over or under those parts of the public road with rail crossings, generally in accordance with column 2 of Table 2 of this Division.

(2) **The relevant provider of public transport, or its agent, or public transport infrastructure manager, or its agent, performs the functions and exercises the powers of an infrastructure manager** with respect to the parts of any road infrastructure and public transport infrastructure located in, on, over or under a public road with heavy rail crossings, generally in accordance with column 3 of Table 2 of this Division.

Table 2 – Responsibilities for Roads with Rail Crossings

Infrastructure Item	Responsible Road Authority	Provider of Public Transport / Public Transport Infrastructure Manager
Road pavement	• Road pavement beyond 3.0 metres from the outside rail of the track at level crossings. • Kerb and channel along roadway – beyond 3.0 metres as for the road pavement.	Road pavement which extends 3.0 metres either side from the outside running rail of the track at level crossings together with that part which lies between the outside running rails (applies to the full pavement width crossing the rail track).
Heavy rail tracks and associated infrastructure		Maintenance – Rail operator.

Infrastructure Item	Responsible Road Authority	Provider of Public Transport / Public Transport Infrastructure Manager
Bridges	***Metropolitan Melbourne***: • Road-over-rail bridges **except** those listed in Schedule 6 of the Infrastructure Lease – Train (IL-Train) as amended from time time (eg. a new Infrastructure Lease or train franchisee) – refer Public Transport Victoria website. • Road pavement (wearing surface) and pathways of road-over-rail bridges listed in Schedule 6 of the IL-Train. ***Regional Victoria:*** • Road-over-rail bridges on arterial roads and freeways – VicRoads. • Road-over-rail bridges on municipal roads – relevant Council for new constructed bridges.	***Metropolitan Melbourne***: • All rail-over-road bridges (includes bridge superstructure, substructures and associated structures retaining the track formation), **except** the twin Metropolitan Ring Road tunnels under the Broadmeadows line near Jacana railway station (Clause 8.2 of the IL-Trains). • Road-over-rail bridges listed in Schedule 6 of the IL-Train (includes bridge superstructure, substructures and associated structures retaining the road formation but excludes roadway surface). ***Regional Victoria:*** • Rail-over-road bridges. • Road-over-rail bridges on municipal roads – VicTrack (except new constructed bridges). ***VicTrack***: • Approximately 90 bridges owned by the former PTC, but not leased to the train companies.
Crash protection barriers	• Longitudinal crash protection barriers on road approaches to, and over, road-over-rail bridges (unless otherwise defined in a Safety Interface Agreement). • Longitudinal crash protection barriers (including crash cushions, bollards) on road approaches to at-grade level crossings. • Pier protection barriers installed for rail-over-road bridges (as agreed between the responsible road authority, provider of public transport and public transport infrastructure manager).	• Longitudinal crash protection beams (yellow – on the road) on rail-over-road bridges. • Crash protection barriers within the rail reserve for primary warning devices (eg. chevrons, RX-9 assembly, railway signals). • Pier protection barriers installed for rail-over-road bridges (as agreed between the responsible road authority, provider of public transport and public transport infrastructure manager).
Signs	• Advance warning signs (including electronic signs) advising motorists of level crossings ahead, including level crossings on side roads. • Advance height clearance warning signs for rail-over-road bridges. • Road vehicle height detection equipment and associated warning lights.	• Signs at the level crossing – includes Rail Crossing assemblies RX-1, RX-2, RX-5, RX-6, RX-9 and Keep Tracks Clear (G9-67). • Signs within the railway reserve for the information of railway personnel. • Height clearance signs on rail-over-road bridges.

Infrastructure Item	Responsible Road Authority	Provider of Public Transport / Public Transport Infrastructure Manager
Warning devices	Rumble strips on roadway approaches to level crossings.	Flashing lights and bell warning assemblies at level crossings.
Boom barriers / gates		Boom barriers and gates and associated hardware.
Traffic signals	• Traffic signal hardware on road adjacent to level crossing – VicRoads, subject to Note 2 following clause 9(3) of this Code. • Refer also Communication Links.	
Pavement markings	• Pavement markings and RRPMs on roadway approaches to the level crossing, including Stop and Give Way holding lines. • Pavement markings within the level crossing, including any 'yellow box pavement marking' – for regional Victorian network.	Pavement markings within the level crossing, including any 'yellow box pavement marking' – for Metropolitan Melbourne leased network.
Pedestrian crossings – at grade	Pathways and associated fencing within road reserve on approaches to level crossings up to a distance of 3.0 metres from the outside running rail of the track, or to the limits of any Cribs or other fencing where present.	• Pedestrian crossings – standalone. • Pedestrian crossings (at-grade) at road level crossings – that part of the crossing which extends 3.0 metres either side from the outside running rail of the track or to the limits of any Cribs or other fencing where present, together with the area between the outside running rails, plus any Cribs (where present) or other fencing. • Pedestrian crossings – new crossings for either joining communities or public transport purposes.
Pedestrian crossings – under-track	• Surface condition of a pedestrian underpass located in an area other than at a railway station – relevant Council. • Drainage – Council.	• Pedestrian underpasses at railway stations (subways). • Pedestrian underpasses located in an area other than at a railway station – structural integrity. • Drainage – where operated by an electric pump connected to railway power.
Pedestrian crossings – over-track	Starting from a road or Council land and ending on a road or Council land – Responsible road authority or Council.	***Metropolitan Melbourne***: • Pedestrian bridges over rail lines (except those listed in Clause 8.1(b) of the IL-Trains). ***Regional Victoria:*** • Pedestrian bridges over rail lines – VicTrack.

Infrastructure Item	Responsible Road Authority	Provider of Public Transport / Public Transport Infrastructure Manager
Communication links	• Communication to active advanced warning signs. • Road cabling up to the rail signal control box when traffic signals are linked to the operation of the boom barriers.	• Communication to flashing lights at level crossing (RX-5 assembly) from rail track sensors. • Rail communications – to boom barriers, RX-5 assembly. • Rail control cabling (track circuit) up to the rail signal control box when traffic signals are linked to the operation of the boom barriers. • Train detection equipment up to the rail signal control box.
Lighting	• Street lighting to illuminate level crossing – relevant road authority or electricity distribution business. • Street lighting attached to underside of rail-over-road bridge to illuminate road – relevant road authority or electricity distribution business.	Lighting to illuminate rail track.
Vegetation	Grass, shrubs and trees within road reserves, including clearing to maintain adequate sight distance at level crossings.	Grass, shrubs and trees within railway reserves, including clearing to maintain adequate sight distance at level crossings.
Drainage	Table drains and pipes/culverts along the road reserve, including under the rail line, that serve a predominantly road drainage function or Drainage Authority where applicable.	Table drains and pipes/culverts along the rail reserve, including under the road, that serve a predominantly railway drainage function (or Drainage Authority where applicable).
Utility services (including aerial cabling over rail section of road reserve)	Asset owner.	Asset owner (with VicTrack responsible for access leases and licences).

Note: Further site specific detail of operational responsibilities at level crossing and grade separated interfaces may be set out in a Safety Interface Agreement entered into between the relevant responsible road authority and rail infrastructure manager in accordance with the **Rail Safety Act 2006**.

Division 3 – Roads with Bus Routes

49. Operational responsibility

(1) **The relevant responsible road authority performs the functions of a responsible road authority** with respect to the parts of the public road, and road infrastructure located in, on, over or under those parts of the public road on which a bus service operates, generally in accordance with column 2 of Table 3 of this Division.

(2) **The relevant public transport infrastructure manager, or its agent, performs the functions and exercises the powers of an infrastructure manager** with respect to any public transport infrastructure located in, on, over or under a public road on which a bus service operates, generally in accordance with column 3 of Table 3 of this Division.

Table 3 – Responsibilities for Roads with Bus Routes

Infrastructure Item	Responsible Road Authority	Public Transport Infrastructure Manager
Bus stop flag and pole		• For Public Transport Victoria contracted bus services – Public Transport Victoria. • For Council operated bus services – Council. • For Privately operated bus services (eg Airport bus services) – Private operator.
Bus stop totem		• Installed by Public Transport Victoria (eg SmartBus) – Public Transport Victoria. • Installed by Council – Council
SmartBus real time signs		Public Transport Victoria – whether located on a bus stop totem or other infrastructure.
Bus stop static timetable		Public Transport Victoria.
Passenger waiting area – hard stand / sealed	Non-DDA compliant – Council.	DDA compliant (including TGSIs) – Public Transport Victoria.
Passenger waiting area – unsealed	• On shoulder of road at a Shoulder bus stop. <u>In an urban area</u>: • Behind a table drain or back of shoulder (if no table drain) at a Shoulder bus stop – Council. • Behind back of kerb and channel – Council.	<u>In a non-urban area</u>: • Behind a table drain or back of shoulder (if no table drain) at a Shoulder bus stop: – Public Transport Victoria for Public Transport Victoria contracted bus services. – Council for a Council operated service. • Behind back of kerb and channel: – Public Transport Victoria for Public Transport Victoria contracted bus services. – Council for a Council operated service.
Bus shelters		• Under Public Transport Victoria control – Public Transport Victoria. • Under Council control – Council. • Under Third Party control (eg shelter for a private operator, school bus or Parks Victoria bus service) – Infrastructure owner (third party).
Legislative stickers on bus shelters (eg. No smoking signs)		Bus shelter owner.

Infrastructure Item	Responsible Road Authority	Public Transport Infrastructure Manager
Connecting pathway, including ramps, to bus stop	• DDA compliant connecting pathway (including TGSIs) from roadside footpath accessing a Council passenger hardstand area. • Non-DDA compliant connecting pathway from roadside footpath accessing a passenger hardstand area.	DDA compliant connecting pathway (including TGSIs) from roadside footpath accessing a Public Transport Victoria passenger hardstand area – Public Transport Victoria.
Seating, rubbish bins and other street furniture adjacent to a bus stops (not part of a bus shelter)		Infrastructure owner.
Parking control signs and Bus zone signs at bus stops, including Advance warning signs	Responsible Road Authority for parking.	
Bus stopping area	• Bus stopping area – includes kerbside bus stop, indented bus bay and shoulder bus stop. • Kerb and channel at a kerbside bus stop or indented bus bay. • Bus zone pavement markings.	
Bus lanes	Bus lane signs (including supplementary signs used with a bus lane sign), bus lane pavement markings, bus lane coloured pavement.	
Bus stop in centre road median	Bus stopping area, pavement markings, centre median traffic islands (including kerb and channel, Non-DDA compliant passenger hard stand areas / connecting pathways). **Note**: Responsibility for Shelters and DDA compliant passenger hard stand areas defined elsewhere in Table 3.	• Longitudinal crash protection barriers at centre road bus stops. • End crash cushions or crashworthy bollards at centre road bus stops. • Passenger fencing within bus stop. **Note**: Responsibilities generally in accordance with centre road platform tram stops (refer clause 47(3) and Table 1).
Traffic signals	Traffic signal hardware, including signalised bus priority measures (eg a 'B' traffic signal lantern) and associated bus detection equipment at intersections – VicRoads on arterial roads, and municipal roads where traffic signals are linked to the VicRoads SCATS system (unless otherwise agreed between VicRoads and a Council).	

Division 4 – Disability Standards for Accessible Public Transport

50. Responsibility for Disability Standards

The **Commonwealth Disability Discrimination Act 1992** (DDA) and the Disability Standards for Accessible Public Transport 2002 (the Disability Standards) impose obligations on persons who provide public transport services or make public transport infrastructure (including premises and facilities) available to the public. The Disability Standards apply to the provision of new public transport infrastructure (eg. a new bus stop), the upgrading of existing public transport infrastructure (eg. installation of a new bus shelter at, or a major upgrade of, an existing bus stop) or the retrofitting of existing public transport infrastructure to comply with the milestones under the Disability Standards. The responsibilities as assigned in Table 1, Table 2 and Table 3 of this Part 5 of the Code will, where applicable, generally assign responsibility for ensuring compliance with the DDA requirements and Disability Standards.

PART 6 – DISPUTE RESOLUTION

51. Dispute Resolution

(1) Section 125(1) of the **Road Management Act 2004** states, 'Any dispute arising under this Act between 2 or more road authorities is to be determined by the relevant Minister or his or her nominee or the relevant Ministers or their joint nominees'.

(2) Section 125(3) of the **Road Management Act 2004** states, 'Any dispute arising under this Act between a road authority and a provider of public transport is to be determined by the relevant Minister and the Minister administering the **Transport Integration Act 2010** or their joint nominees'.

(3) From a practical perspective, road authorities and providers of public transport are encouraged to adopt the dispute resolution process as illustrated in Figure 9 of this Code. Disputes should be resolved as quickly as possible, and as a guide, each step of the dispute resolution process should take no more than 10 business days where reasonably practicable. Each party to the dispute should bear its own costs.

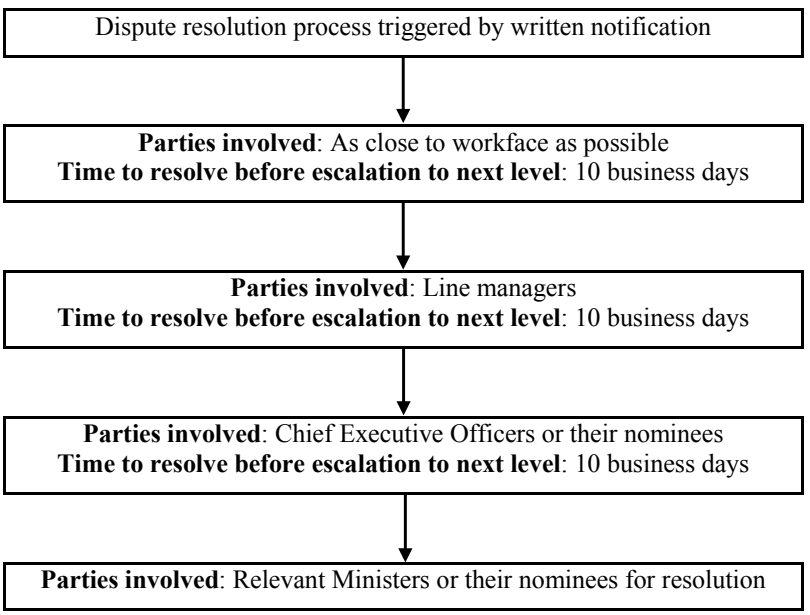


Figure 9: Dispute Resolution Process

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