

Module	<b>QLG – ROADS AND INFRASTRUCTURE MANAGEMENT</b>
Jurisdictions	<b>QLD</b>
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## Module Application

The QUEENSLAND LOCAL GOVERNMENT – ROADS AND INFRASTRUCTURE MANAGEMENT module informs Queensland local governments of their legislated legal obligations. The module also demonstrates effective practical advice and assistance to the Queensland local government to implement procedures and processes that will ensure compliance and regulatory accountability throughout all levels of the local government organisation.

To fulfil its purpose the module focuses on providing practical assistance to the Queensland local government intending to establish and maintain a robust foundational framework that determines;

- › How the organisation will function;
- › Who is the responsible decision maker;
- › What matters are relevant to the decision-making process; and
- › Whether the desired outcome has been achieved.

The Queensland local government, their employees and authorised individuals are all expected to be familiar with the broad landscape of legal obligations to which local governments are subject as well as more specific obligations relevant to the particular sector they are operating in. The QUEENSLAND LOCAL GOVERNMENT – ROADS AND INFRASTRUCTURE MANAGEMENT module should be subscribed by all Queensland local government entities, their employees and authorised individuals. The aim of the module is to equip the subscriber with knowledge of their obligations and the skills they require to establish relevant systems and processes to ensure compliance throughout the organisation.

The obligation of Queensland local government is to manage local government roads and infrastructure in a manner that minimises the occurrence of road-related crashes and incidents and promotes and enhances the amenity, usability and safety of roads within the local government area.

The QUEENSLAND LOCAL GOVERNMENT- ROADS AND INFRASTRUCTURE MANAGEMENT module assists Queensland local governments to navigate legal responsibilities when managing roads and infrastructure within their designated area. It outlines the fundamental requirements that the local government must meet when exercising control over roads and infrastructure, undertaking road safety management, traffic management, the management of road-related infrastructure, reporting and maintaining records and dealing with critical infrastructure assets.

The broad scope of the QUEENSLAND LOCAL GOVERNMENT – ROADS AND INFRASTRUCTURE MANAGEMENT module is to provide the Queensland local government entity with answers to these questions;

- › What are our legal obligations?
- › From where are our legal obligations derived?
- › How can we ensure that we are complying with our legal obligations? and
- › What are the consequences if we are not complying with our legal obligations?

The QUEENSLAND LOCAL GOVERNMENT – ROADS AND INFRASTRUCTURE MANAGEMENT module covers all legislated legal obligations of Queensland local government entities and demonstrates practical assistance and guidance to ensure that these obligations are complied with through the implementation and maintenance of best practice processes throughout the organisation. The module also covers the role of the regulator as well as exemptions to the obligations, if applicable, and how they may or may not apply in particular circumstances.

The module fulfils this objective by comprehensively covering three areas;

- › Legislation;
- › Obligations; and
- › Consequences.

1. The legislative and regulatory landscape from which the primary legal obligations are derived;

- › Civil Liability Act 2003 (QLD);
- › Information Privacy Act 2009 (QLD);
- › Land Act 1994 (QLD);
- › Local Government Act 2009 & Regulation 2012 (QLD);
- › Planning Act 2016 (QLD);
- › Right to Information Act 2009 (QLD);
- › Transport Infrastructure Act 1994 (QLD);
- › Transport Operations (Passenger Transport) Act 1994 (QLD);
- › Transport Operations (Road Use Management) Act 1995 (QLD);
- › Transport Planning and Co-ordination Act 1994 (QLD);
- › Security of Critical Infrastructure Act 2018 & Rules 2018 (Cth);
- › Heavy Vehicle National Law Act 2012 (QLD);
- › Heavy Vehicle National Law (Queensland) (QLD);
- › Heavy Vehicle (Mass, Dimension and Loading) National Regulation 2013 (QLD);
- › Liquid Fuel Supply Act 1984 & Regulation 2016 (QLD);
- › Petroleum and Gas (Production and Safety) Act 2004 (QLD);
- › Survey and Mapping Infrastructure Act 2003 (QLD);
- › Aviation Transport Security Act 2004 & Regulations 2005 (Cth);

- › Civil Aviation Act 1988 & Regulations 1988 (Cth);
- › Civil Aviation (Fees) Regulations 1995 (Cth);
- › Civil Aviation Safety Regulation 1998 (Cth); and
- › Crimes Act 1914 (Cth).

2. The specific areas where roads and infrastructure legal and regulatory obligations apply to the Queensland local government entity;

- › Roads and infrastructure management;
- › Local government plans, roads and laws;
- › Closures and temporary roads;
- › State controlled roads;
- › Acquiring of land for roads;
- › Tollways;
- › Rail transport, light rail and busways;
- › Asset management;
- › Change of management;
- › Works and approvals; and
- › Interface management.
- › Managing heavy vehicles on public roads;
- › Powers of authorised officers; and
- › Investigations and notices.
- › Road safety;
- › Removal of hazardous items;
- › Audits;
- › Safe systems;
- › Community road safety;
- › Rural and remote areas;
- › Crash locations;
- › Roadside advertising; and
- › Heavy vehicle access to local roads.
- › Traffic management;
- › Signage;
- › Parking regulation;
- › Speed limits and management;
- › Schemes; and
- › Road works.
- › Management of road related infrastructure;
- › Inspection and repair;
- › Surveying, naming and numbering of roads;
- › Bikeway and footpath management;
- › Bridges and tunnels;
- › Cycle network grants program;
- › Maintenance of street signs;
- › Amenities;
- › Sewers and drainage;
- › Pedestrians at construction works; and
- › Liquid fuel supply.
- › Reporting and record keeping;
- › Registers;
- › Closed circuit television records; and
- › Management of information.

- Security of critical infrastructure assets.
  - Local government controlled airports and aerodromes;
  - Development of transport security programs;
  - Zoning;
  - Security and screening measures;
  - Licences, certificates and authorities;
  - Security identification and documentation;
  - Reporting and enforcement;
  - Operation and maintenance;
  - Safety inspections;
  - Radio communication services;
  - Rescue, firefighting and emergency management; and
  - Drug and alcohol management.
3. If the Queensland local government has failed to meet its obligations to the community and state it may be required to communicate the failure to affected parties and take every reasonable step to prevent the failure happening again. Failing to uphold the safety, usability, amenity and accessibility of roads and infrastructure may also result in the imposition of significant legal consequences. The penalties that apply to the local government are, in some cases, also applicable to authorised persons of the local government who permitted the offence to occur. Such penalties can include substantial pecuniary penalties as well as criminal penalties resulting in imprisonment. The range of consequences that may be imposed on an offending local government are discussed in detail in the QUEENSLAND LOCAL GOVERNMENT – ROADS AND INFRASTRUCTURE MANAGEMENT module.

The QUEENSLAND LOCAL GOVERNMENT – ROADS AND INFRASTRUCTURE MANAGEMENT module does not cover the rights or entitlements of individuals who have suffered damages or losses due to breaches of obligations by Queensland local governments. The module does not cover the process that an entity or an individual would follow to report or seek compensation for the breach or their loss.

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