



## CONSTRUCTION & MAINTENANCE OF PROPERTY ACCESS FROM COUNCIL ROADS

### Summary:

The purpose of this policy is to provide clear direction for the construction of property access from public roads, and the maintenance of any property accesses.

<b>Policy Number</b>	2.130
<b>File Number</b>	<b>CM/159</b>
<b>Document version</b>	V6.0
<b>Adoption Date</b>	27 October 2021
<b>Approved By</b>	Council
<b>Endorsed By</b>	Council
<b>Minute Number</b>	189/21
<b>Consultation Period</b>	Nil
<b>Review Due Date</b>	October 2024 – 3 years
<b>Department</b>	Engineering / Infrastructure Services
<b>Policy Custodian</b>	Manager Asset & Program Planning
<b>Superseded Documents</b>	Construction & Maintenance of Property Access from Council Roads (Policy 2.130) 23 August 2017 - Minute 168/17
<b>Related Legislation</b>	Nil
<b>Delegations of Authority</b>	Nil

### 1. Overview

This policy sets out Council's position in respect to the property access from public roads, and the maintenance of any property accesses.

### 2. Policy Principles

To provide clear guidance to landowners of the requirements in constructing accesses to public roads.

### **3. Policy Objectives**

This policy aims to ensure access to public roads is safe for all road users of the shire road network.

### **4. Policy Statement**

Construction and maintenance of access crossings in urban and rural areas is the responsibility of the property owner.

All vehicular property accesses to both urban and rural properties require written consent from Council in the form of a Section 138 permit to obtain access from Council's road to the property boundary unless the access existed prior to 27<sup>th</sup> July 2000 (when this policy was first authored).

All property accesses to both urban and rural properties must be maintained to at least the standard of the original permit.

For non-complying accesses, including those constructed prior to 27<sup>th</sup> July 2000, Council requires the property owner to submit a Section 138 application, and subsequently construction a complying access at the property owner's cost in the following circumstances;

- The access adversely affects road or lot drainage;
- The access is unsafe or causes safety issues on the connected road;
- The access causes damage to the connected road or table drain;
- The connected road or road drainage is upgraded necessitating changes in the access;
- A development application is made or dwelling entitlement application submitted.

Maintenance of paved access areas to service stations and other commercial properties, where the access area is extensive and not comparable to access areas of private properties, is the responsibility of the service station or commercial business.

No fee will be levied for permits to carry out maintenance of accesses under section 138 of the Roads Act, 1993, unless an inspection is required. Where an inspection is required, the Section 138 fee will apply.

Council may impose penalties in accordance with the Local Government Act 1993 (Sections 626 & 627) where property owners fail to comply with the requirements of an access permit

#### **Compliance Standards:**

Every access will be individually assessed by Council's staff to evaluate conformance with sight distance, road drainage, road surfacing and traffic obstruction requirements. Upon completion, specific approval conditions will be provided for the access. The following guidelines are only indicative of the minimum standards for accesses and are provided to give property owners an

outline of expected conditions, the actual conditions will be as per the specific requirements designated on the Section 138 permit when granted.

### All driveways

Where possible, accesses are to be constructed at 90 degrees to the centre line of the road;

The access must be constructed of a concrete or gravel pavement, suitable for carrying all traffic likely to use the access from the property boundary to the edge of the existing road;

Accesses connecting to sealed roads must be sealed or concreted.

Any seal must continue from the edge of the sealed road and the property boundary or to 7 metres from the edge of the seal (whichever is the least);

Accesses will generally be single lane with minimum width 4m however, shared accesses, commercial and industrial accesses and high usage accesses may be specified as double lane with a width of at least 6m;

The access must not impede or redirect the stormwater for the road or direct stormwater down the driveway access;

Specific conditions regarding workplace health and safety, work standards and insurances of the person/company undertaking the work will need to be complied with (specified on the permit);

Any gate erected in a rural access shall be indented from the fence line to provide a minimum access length of 18 metres from the centreline of the road. This is to ensure any trucks using the access do not cause a traffic hazard whilst operating the gate;

Rural accesses require a Council standard white guidepost, complete with red & white reflectors, is to be installed at each side of the access at a distance of 6m from the centre of the road.

### Where there is no kerb and gutter

Where an access crosses a table drain other than at the crest of a road, a concrete pipe culvert (FRC or RCP) of minimum internal diameter 375mm is required;

The pipe culvert or equivalent shall be located generally in the existing table drain, no closer than 6.0 (rural) or 5.0 (urban) metres to the centre line of the road and at such a level and grade that stormwater flow in the table drain is not impeded by the culvert;

The pipe will be a minimum 4m long for single accesses and 7m for double accesses.

The pipe must have precast concrete headwalls (or equivalent) at each end.

## Where there is kerb and gutter

A concrete kerb crossing must be installed allowing the passage of vehicles while retaining the flow of water in the kerb/channel.

### **5. Scope**

The policy relates to accesses connecting properties to public roads along the shire road network.

### **6. Accountability, Roles & Responsibility**

#### **Elected Council**

- Council Endorsement

#### **General Manager, Executive and Management Teams**

- Management of policies.

#### **Management Oversight Group**

- Review and Monitoring

#### **Individual Managers**

- Implementation of policy requirements

### **7. Definitions**

Nil

### **8. Related Documents, Standards & Guidelines**

Council's Standard Drawings for Accesses.

### **9. Version Control & Change History**

<b>Version</b>	<b>Date</b>	<b>Modified by</b>	<b>Details</b>
V1.0	27/07/00	Council	Adoption of Original Policy (Res No. 645/00)
V2.0	22/08/12	Council	Review/Amended (Res No. 299/12)
V3.0	27/02/13	Council	Review/Amended (Res No. 24/13)
V4.0	26/02/14	Council	Review/Amended (Res No. 26/14)
V5.0	23/08/17	Council	Review/Amended (Res No. 168/17)
V6.0	27/10/21	Council	Review/Amended (Res No. 189/21)