

Vehicular Access Policy

(Policy Number – L-INFPOL001)

(Policy Type – Council)

1 Aim

The aim of the Vehicular Access Policy is to clearly articulate and define the responsibility for the construction and maintenance of driveways, culverts and crossovers within a Council road reserve.

2 Policy Statement

This Policy will ensure:

- consistency in the construction standards used for vehicular accesses, and
- clarity on who is responsible for any works associated with the construction and/or maintenance of crossovers, culverts and driveways within the road reservation.

3 Policy Detail

Purpose	Description
Definitions	<p>Crossover – the section of concrete kerb (ie ‘gutter’ in the Local Government Highways (1982) Act) that is laid back to allow vehicles to drive from the road into the driveway. Also known as the kerb crossover or layback.</p> <p>Culvert – a pipe and associated end restraints used to convey stormwater underneath a road or driveway.</p> <p>Driveway – the vehicular path that connects the public roadway with a private property. A driveway may be bitumen sealed, gravel, pavers, concrete or other material.</p> <p>Endwall or Headwall – terms for the structure that retains fill at either end of a culvert.</p> <p>Footpath – a pathway for pedestrians, usually parallel to a road. Note that concrete footpaths are constructed to a lesser standard than driveways.</p> <p>Rural – areas that have a table drain at the road edge and require a culvert for the vehicular access. Some urban areas without kerb require rural accesses and shall be considered ‘rural’ for the purpose of this policy.</p>

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	<p>Table Drain – the drain, usually a v-shape that runs parallel to the road typically limited to rural areas.</p> <p>Urban – areas that have concrete kerbing at the sealed road edge. Some urban areas without kerb require rural accesses and shall be considered ‘rural’ for the purpose of this policy.</p> <p>Vehicular Access – A combination of elements including any driveway, crossover, culvert, endwalls and headwalls located in the road reservation for vehicles to move from the roadway to the property.</p>
<p>Ownership and Maintenance</p>	<p>In urban areas, there are up to three distinct parts to a vehicular access:</p> <ol style="list-style-type: none"> 1. Crossover – the vehicle crossing serves two purposes. It allows vehicles to safely access the driveway and also conveys stormwater along the kerb. The vehicle crossover is a Council asset. Council maintains the vehicle crossover to ensure it can effectively convey stormwater. Council may grant approval for the property owner to modify the kerb to suit an approved access. 2. Driveway – the driveway is a private asset, even though it crosses over Council managed land, and the property owner is responsible for its installation and maintenance. 3. Footpath – the section where the driveway crosses the footpath is part of the footpath. This is a Council asset and Council is responsible for its maintenance. Where a driveway crosses a footpath, the footpath shall be reconstructed to the driveway standard by the property owner. <p>In rural areas there are also up to three distinct parts to a vehicular access:</p> <ol style="list-style-type: none"> 1. Driveway Culvert - are private assets required to allow access over a table drain with the property owner responsible for its maintenance. Council will keep clear any culvert complying with the municipal standards but requires the property owner the keep clear or upgrade any non-complying culvert. 2. Endwalls or Headwalls - are private assets required to retain fill at the ends of culverts. The property owner is responsible for installation and maintenance of these items. Council accepts responsibility for maintenance of the table drain, both upstream of headwall and downstream of endwall.

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	<p>3. Driveway - is a private asset and the property owner is responsible for its maintenance and is generally to be sealed to prevent driveway material mobilising to the road, reduce edge breaks on a sealed road and ensure driveway users can accelerate into the flow of traffic.</p>
Responsibility	<p>The <i>Local Government (Highways) Act 1982</i> makes it clear that the responsibility for a vehicular access within the road reservation rests with the property owner.</p> <p>Other than provided for within this Policy, Council requires all property owners to meet the full cost and responsibility of any works relating to vehicular access from the road carriageway to the property boundary.</p> <p>In the event of new subdivisions, the developer will be responsible for providing the vehicular access from kerb or road carriageway to the property boundary.</p> <p>The owner of a property must apply to Council for permission prior to constructing any new or modifying an existing vehicular access. In assessing the application consideration will be given to the proximity of the works to any intersection, the speed zone and available sight distance, any effect on street parking and roadside drainage. Approval, if granted will be in the form of a '<i>Works Within a Road Reserve Permit</i>'. Any access which is approved shall be constructed to the applicable standard for residential, rural, or commercial crossovers.</p> <p>If deemed necessary the property owner may be served with a notice to rectify a deficient vehicular access.</p>
Council Projects	<p>If Council undertakes major construction or rehabilitation works which impacts on the streetscape, it will where appropriate and within budgetary limitations, undertake works to upgrade/improve the vehicular access to properties impacted by those works. In an urban situation this will most typically occur for projects where kerb and channel is being installed and in rural road reconstructions. Council may include the sealing of at least 2m of the access from the edge of sealed carriageway towards the property boundary.</p> <p>If Council undertakes works which change the level of a footpath or road, Council will be responsible to change any components of the driveway necessary to suit the new levels.</p>

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	<p>If a Council project increases water flow to a driveway culvert by the redirection of drainage paths, Council will upgrade the impacted driveway culverts to suit.</p> <p>Any new construction material used will be the greater of the existing materials or the minimum standard required by the Tasmanian Standard Drawings.</p> <p>A property owner may request to further upgrade their driveway(s) at this time, although any additional costs over and above that allowed for within the project budget must be borne by the property owner.</p>
<p>Private Projects Which Affect Vehicle Accesses</p>	<p>Any person wishing to undertake construction or modification works to a vehicular access within the road reserve must obtain a '<i>Works Within a Road Reserve Permit</i>'.</p> <p>All works are to be completed by a suitably qualified and/or experienced contractor and are to be to Council standards. This will ensure any works undertaken are capable of withstanding vehicle loads and also minimise future maintenance and risk to the public.</p> <p>Generally, each property shall have one 3.6m wide vehicular access and any person wishing to widen or construct an additional driveway to a property must demonstrate to the satisfaction of Council that the driveway can be used safely, will not increase risk to the public and will not adversely reduce the availability of on street parking capacity in the local area.</p> <p>All costs for construction of new accesses will be the responsibility of the property owner. This includes replacement of the footpath section and any utility covers to ensure that the area is suitable for vehicle loads.</p>
<p>Reinforced Concrete Vehicle Accesses</p>	<p>A property or subdivision lot requiring a new or upgraded vehicular access, that has its legal frontage onto an area with existing kerb and channelling shall have as a minimum standard, a concrete crossover and driveway from and including the kerb depression to the property boundary.</p> <p>Unless otherwise specifically approved, the surface finish is to be in keeping with the existing streetscape or if there is no consistency, as a minimum plain uncoloured concrete from the road to the property boundary will be required.</p> <p>In the case of a new subdivision or development, the developer shall be required to construct all driveway accesses to the property</p>

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	boundary including kerb depressions for each lot in accordance with conditions included within the Planning Permit issued under the provisions of the <i>Land Use Planning and Approvals Act 1993</i> .
Bitumen Seal Vehicle Access	<p>A property or subdivision lot requiring a new or upgraded crossover, that has its legal access frontage onto a bitumen sealed road with no kerb and channel, shall have as a minimum standard a bitumen vehicular access constructed from the edge of the road carriageway seal to the property boundary.</p> <p>In the case of a new subdivision or development, the developer shall be required to construct all property accesses in accordance with the conditions included in within the Planning Permit issued under the provisions of the <i>Land Use Planning and Approvals Act 1993</i>.</p>
Gravel Vehicle Access	<p>A property or subdivision lot requiring a new or upgraded vehicular access, that has its legal access frontage onto an unsealed road with no kerb and channelling shall have as a minimum standard a crushed rock gravel vehicular access constructed from the edge of the road carriageway to the property boundary.</p> <p>In the case of a new subdivision or development, the developer shall be required to upgrade or construct all vehicle accesses in accordance with the conditions included in within the Planning Permit issued under the provisions of the <i>Land Use Planning and Approvals Act 1993</i>.</p>
Maintenance, Modification and Repair	<p>All property owners are to maintain their vehicular accesses to comply with the municipal standards. Where an existing vehicle access is non-compliant or in a dilapidated condition, the property owner may be given notice by Council to rectify in a specified timeframe. If the required repairs are not undertaken to the Council satisfaction, Council may complete the works with the cost being a charge against the property.</p> <p>Any modification to the shape or alignment of an existing driveway crossover, including kerbs, will be the responsibility of the property owner. The owner of a property must make a '<i>Works Within a Road Reserve Permit</i>' application to Council for permission prior to any works commencing.</p>
Multiple Vehicle Accesses and	Consideration will typically be given to permitting a double width or combined crossover length of 8m in urban areas and configured to allow on street parking to occur adjacent the property. Any vehicular accesses deemed redundant and unable to be justified by the

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Crossover Length	property owner for future utilisation are to be removed at the property owner's expense and the area reinstated to match with the surrounding road reserve.
Shared Vehicle Accesses	Subject to specific circumstances Council will typically consider reimbursing an equal portion of the costs to maintain vehicle accesses within a road reservation that serves more than one property. (ie if the access serves two properties Council will consider 1/3 of the cost). Agreement must be made prior to undertaking the works and will only be considered if the access was approved by Council as a shared access. Contribution does not apply to strata development sites, or where there is an agreement registered on title defining responsibility.
Temporary Vehicle Access	Consideration will be given to approving a temporary, short term or infrequently used vehicular access that does not fully comply with the municipal standards. Such access is likely to be to a farm paddock, logging area, worksite, or a side boundary to an otherwise inaccessible rear yard in an urban area. The works in road reserve application is to detail the proposed works to allow assessment by Council officers when considering conditional approval.

4 Legislative References

4.1 Local Government Act 1993

s.20 Functions and powers

4.2 Other Legislation

Local Government Highways Act 1982 (s.35)

Crossings over footpaths, table-drains, and gutters

- (i) *Where the corporation is of the opinion that works are necessary to be carried out in a highway under local management for the construction or repair of a vehicular crossing over a table-drain, gutter, or footpath at or opposite the entrance to land adjoining the highway, it may serve a written notice on the owner of the land requiring him to carry out those works within the time specified in the notice.*
- (ii) *If the owner of any land does not, within the time specified in a notice served on him under this section, carry out the works to which the notice relates, the corporation may itself carry out those works and recover the expenses reasonably incurred in so doing from the owner of the land.*

Tasmanian Standard Drawings

The Local Government Association of Tasmania Standard Drawings can be found at <https://www.lgat.tas.gov.au/member-services/policy-and-projects/engineering-local-government-standards-and-guidelines>

Council Standards Drawing

ENG1003 LAT v1 and ENG1005 LAT v1.

4.3 Strategic Plan Reference

Program	3	Infrastructure and Assets
Activity	3.1	Roads
Objective	3.1	Provide a safe and well-maintained road network that caters for all road users

APPROVED BY COUNCIL: 10 July 2023 Minute: 12.1

EFFECTIVE DATE: 10 July 2023

ADMINISTERED BY: Manager Infrastructure & Assets

This policy will be reviewed periodically to ensure its relevance in terms of community needs and expectations and Council goals, targets, budget and statutory requirements.