

Driveway Crossing

Purpose

This document provides guidelines on the provision of vehicle crossings to properties within the MidCoast local government area.

The objectives of this Guideline are to:-

1. Require the provision of driveway crossings and to set an appropriate standard for their construction and maintenance.
2. Ensure the construction and maintenance of driveway crossings meet Council's specifications.
3. Allow for temporary crossings to be provided for short term access.
4. Impose conditions which limit Council's liability for non-standard applications when construction and maintenance is carried out by the owner.
5. Remove unauthorised driveway crossings.

Related legislation

All dedicated road reserves within the MidCoast Council Local Government Area fall under Council's authority except the State Highway and Community title land. Section 138 of the Roads Act 1993 requires Council consent to undertake works within a Road Reserve which includes driveway crossings.

Coverage of the guideline

This guideline realigns the driveway crossing processes and provisions for development proposals of the former Gloucester Shire Council, Great Lakes Council and Greater Taree City Council to ensure a consistent approach.

This guideline covers all development types including but not limited to residential and rural housing, subdivision, commercial developments, industrial developments and other proposals identified by Council.

In the event of inconsistency between this guideline and another Council document, whether made before or after this guideline, this Guideline prevails to the extent of the inconsistency. This guideline supersedes all requirements of the former Gloucester Shire Council, Great Lakes Council and Greater Taree City Council.

Guideline content

A driveway crossing must be provided at all access locations from private property to the public road system. Driveway crossings are only permitted in conjunction with the provision of access to an approved garage, carport or parking space. Separate written approval, typically as part of development consent, must be obtained for access driveways to other land or facilities:

1. **Provision of Driveway Crossings** – Vehicle access between the trafficable surface of a road and an allotment is permitted only at a crossing approved by Council. A driveway crossing is required at all access crossings to a property. Existing driveway crossings that do not meet the current standard may require upgrading (see “Unauthorised Crossings” below).
2. **Number of Driveway Crossings** - Applications which propose more than one driveway crossing from a single or multi dwelling residential property from a common boundary will not be approved for reasons of traffic conflict and amenity, except where special circumstances exist.
3. **Minimum Distance from Intersection** - No new driveway crossing on corner allotments shall be located closer than ten (10) metres from the edge of the adjacent intersecting street. This is to avoid a vehicle turning from one street into another and being surprised by a car reversing into the street.
4. **Specification for Driveway Crossing** – A driveway crossing must be constructed and maintained in accordance with Council’s standard drawing and specifications.

The driveway standards have been developed to suit most locations however each site has its unique attributes. It is the responsibility of the applicant to ensure the following:-

- the site specific design prevents stormwater from the road entering private property;
 - the design considers existing road cross-fall and change of gradients to ensure vehicles can suitably access the private property via the driveway crossover; and
 - the driveway layback and crossover are maintained in a safe and suitable state.
5. **Non-Standard Applications** – In cases where Council’s standard driveway crossing specification is not appropriate, eg. crossings over watercourses or large drains, the applicant will be required to submit a specific design for the crossing certified by a registered engineer.
 6. **Temporary Driveway Crossings** – A temporary crossing may be provided for short term access, eg. during construction work. Temporary crossings are to be removed upon completion of the use for which the installation was approved and the road reserve reinstated. Standard of construction and duration of the crossing are to be approved by the MidCoast Council Engineering department.
 7. **Cost of Providing Driveway Crossings** – The full cost of constructing and maintaining a driveway crossing shall be borne by the owner of the property to which the crossing provides access. Excepting that:-
 - a. Council will replace an approved crossing, including any necessary piped culvert, to an existing dwelling when drains are altered and entrances are affected during the course of road and/or drainage construction.
 - b. Ongoing maintenance of the crossing remains the responsibility of the property owner.
 - c. Council will not accept responsibility for restoration of any unauthorised crossing.
 8. **Contractors** – Driveway crossings shall be constructed by suitably licensed and approved contractors. In order to gain acceptance by Council, Contractors shall provide documentary evidence of their Department of Fair Trading licence Number and Public Liability Insurance, to an amount as determined by Council.

The contractor shall, for the duration of the works provide proper fencing, barricades, lighting, signs and such temporary roadways, footways as necessary for the accommodation and protection of pedestrians, motorists and public, in accordance with AS 1742 (Manual of uniform traffic control devices for works on roads) and other relevant Australian Standards. Council reserves the right to refuse the issue of an “approval” for pouring of concrete unless the above is in position.

9. **Unauthorised Driveway Crossings** – Council does not tolerate the obstruction of drains or gutters with any objects used to obtain access to a property. Any structure of this nature is considered unauthorised. Unauthorised crossings may be removed by Council staff after the occupier of the property is given 21 days notice in writing, at the owner's expense.

Unauthorised crossings are those that have either been constructed without prior permission, have not been constructed in accordance with Council's specifications, or are creating an obstruction to a road or stormwater drain.

Development Applications that have the potential to increase use or change use of an existing driveway crossing that does not meet the standards of that time will attract a consent condition to upgrade the driveway crossing.

10. **Materials** – Residential driveway crossings are to be constructed in concrete. Concrete is to be finished with either a broomed or wood float finish. Stamped or textured concrete, pavers of any type and any other potentially slippery surfaces are not permitted. Driveways to commercial or industrial development are to be constructed from concrete with a broomed or wood float finish. Coloured or exposed aggregate concrete, provided it is not slippery, is acceptable however Council will not be responsible for matching the finish or colours in the event that works in the footpath area necessitates removal of all or part of the crossing. Laybacks are to be plain concrete and not to be coloured or patterned in any way.

Rural driveway crossings are to be constructed with a minimum of 150mm compacted road base. If adjoining a sealed road or if the driveway grade is greater than 15%, the driveway crossing must be sealed to the property boundary with a sprayed bitumen/emulsion chip seal, asphalt or concrete.

11. **Location** – The location of all driveways is to comply with the provisions of Australian Standard 2890.1.
12. **Application and Fees** – Driveway standards and application form are available on Council's website. Applications are to be accompanied by the prescribed fee which are revised annually and are available on Council's web page (under Fees and Charges) or by telephoning Council.
13. **Steep Driveway Crossing's**
 - a. Access to the garage or vehicle parking area is to be determined prior to the submission of the development application.
 - b. Sites with garage floor or parking space level greater than 500mm above or below the invert of gutter or edge of bitumen are considered steep and require a driveway design long section to demonstrate that acceptable slopes can be achieved.
 - c. The driveway crossing application demonstrating the design, requires Council approval prior to the issuing of a Construction Certificate.

- d. For properties serviced by a right of way or battle axe access, sufficient turning space shall be provided on site to allow a three point turn so that vehicles can exit the property in a forward direction.
14. **Laybacks** – A standard layback is to be provided for barrier type kerb crossings. A layback is optional where roll top kerb exists across the driveway. All laybacks are to be constructed in accordance with Council’s standards.
15. **Provision for Utility Services** – Consideration should be given to public utilities during the driveway crossing design process, given the individual standards of each of the service providers. Where a proposed driveway crossing will impact on an existing stormwater gully pit, all costs associated with the construction of any new pits, pipes, grates and lintels required to resolve the conflict shall be at the applicants’ expense.
16. **Relocation or Adjustment** of any utility, mains, pits, poles etc must be arranged with the responsible authority by the contractor. Any reduction of a Standard clearance or adjustment of a condition negotiated between any resident and an authority shall be verified in writing and forwarded to Council.
17. **Cross fall of Driveway Crossing** - The driveway crossing cross fall shall follow the longitudinal grade of the street. Driveway crossings shall be constructed perpendicular to the kerb and gutter or road centreline. In special circumstances, including the need to avoid trees, this angle may be varied but any variation will be shown on the driveway crossing design for that site. A splay can be incorporated into a design for improving access to or from busy roads or other situations where assessed as appropriate by Council.
18. **Traffic Control Plan (TCP)** – A TCP is the document detailing the minimum requirements for signage and work procedures required when construction works within the road reserve will impact on vehicular or pedestrian movements. A copy of the TCP shall be kept on site during the course of construction for reference and compliance. The TCP shall be produced in a legible condition if requested by a Council officer. The TCP shall be prepared by an RMS accredited person or company complying with AS 1742 (Manual of uniform traffic control devices for works on roads) and the RMS’s “Traffic Control at Work Sites”
- A TCP shall be submitted to Council for conditioning in a Development Consent or when a temporary roadside (short-term) closure is required and shall address any issues associated with closure of the footpath and the safety and passage of pedestrians.
19. **Limited sight distance** - Council does not supply, install or maintain sight distance improvement devices. If a property owner wishes to supply and install a device, they must demonstrate that it will not negatively impact road safety and seek Council approval prior to installation.
20. **Street Trees** - Street trees have been planted for the benefit of the community and these gain value as they age. If a property owner requests a tree be removed for a driveway crossing, the tree will be assessed by Council's Tree Management Officer.
21. **Width of Driveway Crossing** - The width of a new residential vehicle crossing must be a minimum of 3.1 metres and can be up to a maximum of 6.1 metres. Commercial and industrial driveway widths are to comply with the traffic guidelines applicable to the development and be approved by Council.
22. **Gates** - Gates must not open outward towards the street as it may block pedestrian access contrary to the requirements of the Road Management Act 2004.

23. **Alternative Access Favoured over Driveway Crossing** - where alternative access is available to the property, for example, from a right-of-access, this is favoured to reduce / eliminate the need for a vehicle crossing. Each application must be assessed on merit having due regard to manoeuvrability.
24. Council's Application process is described below:-
- a. The completed application form is received by Council and the prescribed fee paid by the Applicant. The application must include a plan of the proposed driveway and all relevant/required documentation.
 - b. If the contractor is unknown at the stage of submitting the application the applicant is to notify Council five (5) days prior to the commencement of works and provide a copy of the Contractor's current Public Liability Insurance Policy.
 - c. Council's Development Engineering Inspector determines if the application is satisfactory and issues a Design Approval letter. The Inspector may seek further information to assist in determining a satisfactory result.
 - d. Council's Development Engineering Inspector inspects the excavation, site preparation and formwork according to the Design Approval letter prior to providing approval to pour the concrete. It is the landowner's responsibility to have the site properly surveyed to ensure the proposed driveway crossing provides adequate vehicle ground clearance.
 - e. Council reinspects the driveway after completion of the works.
 - f. Council issues a Compliant Driveway letter to the Applicant.
 - g. If at any time a reinspection is necessary, an additional fee will be charged as described in Council's current Fee and Charges at the time of inspection.

General information

The Roads Act 1993 and the Local Government Act 1993 generally require that a person shall not carry out any activity or works on a public road or place without the approval of Council. Also, property owners are liable for all costs associated with the construction, maintenance and repair of a driveway crossing between the road pavement and the property boundary line.

Construction of all driveway crossings require a Driveway Crossing Application to be made to Council and must include a design and all relevant/required information. The application shall be lodged with Council along with the prescribed fee.

Where existing laybacks or crossings are made redundant by the construction of a new layback or crossing in an alternate location:-

- The layback shall be removed and the kerb and gutter restored to the profile of the adjacent kerb and gutter at no cost to and to the satisfaction of Council.
- The old crossing shall be removed, any damaged sections of footpath reconstructed and the area re-grassed to the satisfaction of Council at no cost to Council.

Definitions

List of terminology covered in the guidelines definitions:

Driveway is defined as the vehicular path that connects the public road with a private property. Depending on its location, a driveway may be bitumen sealed, gravel (for rural driveway on a gravel road) or concrete.

Table Drain is defined as the drain, usually a V-Shape, that runs parallel to the road.

Culvert is defined as a pipe to convey stormwater underneath a road or driveway. A Pipe Culvert Access Crossing is a pipe and headwall construction (usually in a table drain) that allows access from the road carriageway to the property.

Footpath is defined as a narrow path designed for use by pedestrians, usually parallel to a road that may be directly beside the kerb, or at the property boundary, or somewhere in between.

Verge is the area between the edge of the road and the property boundary.

References & related documents

Section 138 of the Roads Act 1993

Local Government Act 1993

Attachments

1. MCC SD 0100 Residential Vehicular Driveway
2. MCC SD 0101 Industrial and Commercial Vehicular Driveway
3. MCC SD 0102 Rural Vehicular Driveway

Author and file reference

Manager Projects and Engineering is responsible for the overall administration and implementation of this Guideline.

All Council staff who have responsibilities for compliance as defined by this Guideline are responsible for its implementation, however only staff with appropriate delegations from the General Manager are authorised to undertake investigation and enforcement activities associated with certain legislation.

<p>NOTE: Council's Driveway Crossing Guideline may be updated from time to time. The Guideline current at the time that the Driveway Crossing Application is assessed will apply.</p>
--