



DRIVEWAY POLICY

POLICY TYPE	DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	POLICY ADOPTED	REVIEW DUE
Council	Infrastructure Manager	Deputy CEO	27 October 2025	October 2027
PURPOSE	The purpose of this Policy is to clearly define the ownership and maintenance responsibility for the various components of a driveway.			
SCOPE	This Policy applies to all driveways on Council roads and State Government managed roads where Council has maintenance responsibility in accordance with the <i>Roads and Jetties Act 1935</i> .			
DEFINITIONS	<p>For the purposes of this Policy the following definitions will apply:</p> <p>Driveway - the vehicular path/ crossing/ access that connects the public road carriageway with a property. A driveway may be bitumen sealed, gravel, pavers, concrete or other material.</p> <p>Kerb Crossing - the section of kerb 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>Table drain - the drain, usually a v-shape, that runs parallel to the road.</p> <p>Culvert: a pipe used to convey stormwater underneath a road or driveway.</p> <p>Footpath – a path designed for use by pedestrians or bike riders or mobility scooters, usually parallel to a road that may be located directly beside the kerb or at the property boundary.</p> <p>Urban – Roads that are classified as Urban Streets/ Roads on the Council Transport Map and Asset Register. Typically, areas that have kerb at the road edge.</p> <p>Rural - Roads that area classified as Rural Roads on the Council Transport Map and Asset Register. Typically, areas that have a table drain at the road edge, not a kerb.</p> <p>Endwall (or headwall) - interchangeable terms for the structure that retains fill or pavement at either end of the culvert. Many designs and materials are in use.</p>			
POLICY	<p>1. Ownership and maintenance – urban</p> <p>In urban areas, there are up to three distinct parts to a driveway:</p> <p>1.1. Kerb Crossing (sometimes known as kerb crossover or layback)</p> <p>– The kerb crossing serves two purposes. It allows vehicles to safely access the driveway and conveys stormwater along the kerb. The kerb crossing is a Council asset, the same as the upstream and downstream kerb. Council maintains the kerb crossing so that it can effectively convey stormwater.</p>			

- 1.2. Driveway – The driveway is a private asset and the property owner is responsible for its maintenance.
- 1.3. Footpath (if footpath is present) – 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. If no footpath exists, then the property owner has full responsibility for the driveway.
- 1.4. The property owner is responsible for any debris transferred from the driveway to the road. Debris may be considered a 'nuisance' under the *Local Government Act 1993*.

2. Ownership and maintenance – rural

In rural areas there are up to three distinct parts to a driveway:

- 2.1. Driveway Culvert - Driveway culverts are private assets required to allow vehicular access over the table drain and to ensure waterflow is unimpeded along the drain. The property owner is responsible for its maintenance.
- 2.2. Endwalls - Endwalls are private assets required to retain fill or driveway pavement at the ends of culverts and control erosion. The property owner is responsible for maintenance of these items. Council is responsible for maintenance of the table drain upstream and downstream of the endwalls.
- 2.3. Driveway - The driveway is a private asset and the property owner is responsible for its maintenance.
- 2.4. The property owner is responsible for any debris transferred from the driveway to the road or table drain. Debris may be considered a 'nuisance' under the *Local Government Act 1993*.

3. Council Projects that affect driveways

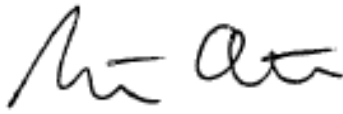
If Council undertakes road works which change the level of the footpath or road, then Council is responsible to change any components of the driveway necessary to suit the new levels. New driveway construction material will match the existing driveway construction or meet the minimum standard required by the Tasmanian Standard Drawings. Decorative patterns and finishes will not be replaced within the road reserve. A property owner can request to upgrade their driveway at this time, although all additional costs must be borne by the property owner.

If a Council project increases flow to a driveway culvert by the redirection of drainage paths, then Council is responsible for upgrading driveway culverts to suit.

4. Private projects that affect driveways


Any person wishing to undertake construction or modification works to a driveway or property access within the road reserve must obtain a Road Reserve Permit. All works must be completed by a suitably qualified and experienced contractor to Council standards,

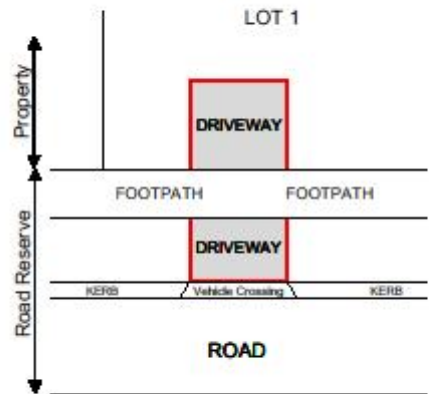
	<p>to ensure that it is capable of withstanding vehicle loads and to minimise future maintenance and risk to the public.</p> <p>Generally, the number of driveways per property will be restricted to one. However, any person wishing to construct an additional driveway to a property must demonstrate to the satisfaction of Council that the driveway can be used safely, will not increase risk to the public and will not adversely impact parking in the local area.</p> <p>All costs for construction of new driveways are to be borne by the property owner. This may include replacement of the footpath section and utility covers to ensure that the area is suitable for vehicle loads. This may also include construction of a new crossover and reinstatement of kerb to replace a redundant crossover.</p> <p>5. Existing driveways</p> <p>Some existing driveways have grades that make access difficult or cause 'scraping', which may be due to a number of factors including the topography, property height relative to the road or the type of vehicle and clearance. Consideration of these issues and making improvements is the responsibility of the property owner. Council approval is required prior to any works in the road reservation.</p> <p>In instances where the road crossfall is excessive, Council may consider the approval for installation of an 'asphalt wedge' or other improvement in accordance with the Tasmanian Standard Drawings.</p> <p>Steel plates or similar devices to "bridge" the kerb crossing will not be approved for use. Council can request that devices that pose a safety risk to road users be removed by the property owner or Council can remove and recover the costs if necessary.</p> <p>Some existing property accesses have limited sight distance. Council does not supply, install or maintain traffic mirrors as a sight distance improvement device, or does not approve the installation of mirrors by others in the road reserve. Council can request that mirrors in the road reserve be removed by the property owner, or Council can remove and recover the costs if necessary.</p>
LEGISLATION AND RELATED DOCUMENTS	<p><i>Local Government Act 1993 – Section 199</i> <i>Local Government (Highways) Act 1982 – Section 35</i> <i>Roads and Jetties Act 1935 – Section 11</i> <i>Tasmanian Standard Drawings (IPWEA/LGAT)</i> Devonport City Council Strategic Plan 2009-2030</p>
ATTACHMENTS (IF APPLICABLE)	<p>Diagrams</p> <ul style="list-style-type: none"> • Urban Driveway, Footpath at Boundary • Urban Driveway, Footpath at Kerb • Rural Driveway
STRATEGIC REFERENCE	<p>5.3 Council looks to employ best practice governance, risk and financial management</p>

MINUTE REFERENCE	25/193		
OFFICE USE ONLY	Update Register	Y	Training/Communication Y
	Advise Document Controller	Y	Advise HR / MCO Y
	Management Sign Off:  Date: 27 October 2025		

URBAN DRIVEWAY, FOOTPATH AT BOUNDARY



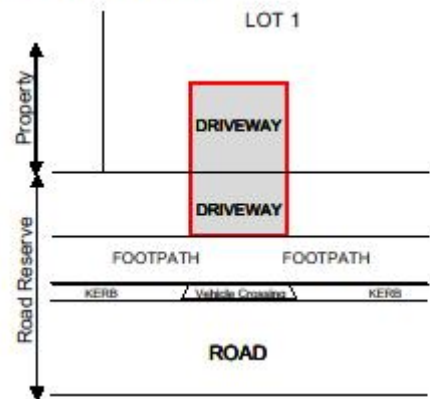
 Private ownership and maintenance



URBAN DRIVEWAY, FOOTPATH AT KERB




 Private ownership and maintenance



RURAL DRIVEWAY



 Private ownership and maintenance

