



## DRIVEWAY POLICY

POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM)
Council	22 July 2019	153/19	D595093
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
City Engineer	Infrastructure & Works Manager	2.1.2 – Provide consistent and responsive development assessment and compliance processes	July 2021
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 roads where Council has maintenance responsibility (refer to <i>Roads and Jetties Act 1935</i> ).		
DEFINITIONS	<p>For the purposes of this policy, the following definitions will apply:</p> <p><b>Driveway:</b> the vehicular path that connects the public road with a private property. A driveway may be bitumen sealed, gravel, pavers, concrete or other material.</p> <p><b>Vehicle Crossing:</b> 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><b>Table drain:</b> the drain, usually a v-shape that runs parallel to the road.</p> <p><b>Culvert:</b> a pipe used to convey stormwater underneath a road or driveway.</p> <p><b>Footpath:</b> 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.</p> <p><b>Urban:</b> areas that have kerb at the road edge.</p> <p><b>Rural:</b> areas that have a table drain at the road edge, not a kerb.</p> <p><b>Endwall (or headwall):</b> interchangeable terms for the structure that retains fill at either end of the culvert. Many designs and materials are in use.</p>		
POLICY	<p><b>1. Ownership and Maintenance – Urban</b></p> <p>In urban areas, there are up to three distinct parts to a driveway:</p> <p>1.1. Vehicle Crossing (sometimes known as kerb crossover or layback) – The vehicle crossing serves two purposes. It allows vehicles to safely access the driveway and conveys stormwater along the kerb. The vehicle crossing is a Council asset, the same as the upstream and downstream kerb. Council maintains the vehicle crossing so that it can effectively convey stormwater.</p> <p>1.2. Driveway – The driveway is a private asset and the property owner is responsible for its maintenance.</p>		

1.3. Footpath (if footpath is present) – The section where the driveway crosses the footpath is considered to be 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.

## **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 access over the table drain. The property owner is responsible for its maintenance.

2.2. Endwalls - Endwalls are private assets required to retain fill at the ends of culverts. 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.

## **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. The new construction material will be the greater of the existing materials or 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, to ensure that it is capable of withstanding vehicle loads and to minimise future maintenance and risk to the public.


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.

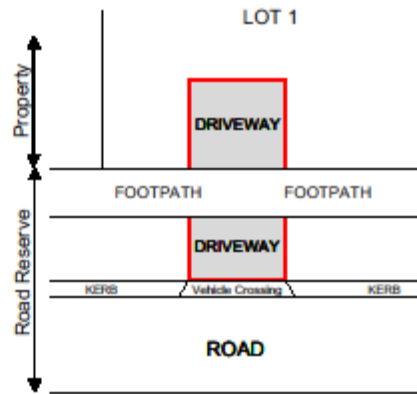
All costs for construction of new driveways are to be borne by the property owner. This may include replacement of the footpath section and utility covers to ensure that the area is suitable for vehicle loads. This may also include construction of a new crossover and reinstatement of kerb to replace a redundant crossover.

	<p><b>5. Existing Driveways</b></p> <p>Some existing driveways have grades that make access difficult or cause 'scraping'. Addressing this issue is the responsibility of the property owner. Council approval is required prior to any works.</p> <p>The only exception is when the road crossfall is greater than 5%. In these cases, Council may install an 'asphalt wedge' or other improvement in accordance with the Tasmanian Standard Drawings, if Council believes it will assist in resolving the reported issue.</p> <p>Steel plates or similar devices will not be approved for use. Devices that pose a safety risk may be removed.</p> <p>Some existing property accesses have limited sight distance. Council does not supply, install or maintain mirrors as a sight distance improvement device and does not approve the installation of mirrors by others in the road reserve.</p>		
<b>LEGISLATION AND RELATED DOCUMENTS</b>	<p><i>Local Government (Highways) Act 1982 – Section 35</i>  <i>Roads and Jetties Act 1935 – Section 11</i>  Tasmanian Standard Drawings (IPWEA/LGAT)</p>		
<b>ATTACHMENTS (IF APPLICABLE)</b>	<p>Diagrams</p> <ul style="list-style-type: none"> <li>• Urban Driveway, Footpath at Boundary</li> <li>• Urban Driveway, Footpath at Kerb</li> <li>• Rural Driveway</li> </ul>		
<b>TRAINING REQUIREMENTS (IF APPLICABLE)</b>	Is training required as result of this Policy	<b>YES</b>	NO
	Training required by:	Councillors	Staff
			<b>Department</b>

### URBAN DRIVEWAY, FOOTPATH AT BOUNDARY




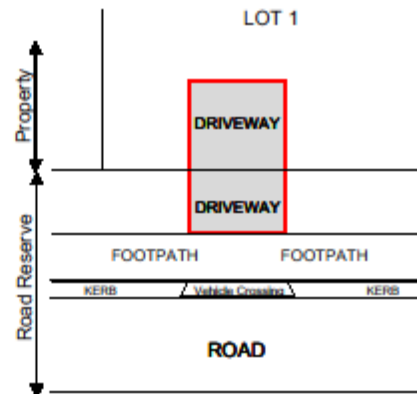
 Private ownership and maintenance



### URBAN DRIVEWAY, FOOTPATH AT KERB




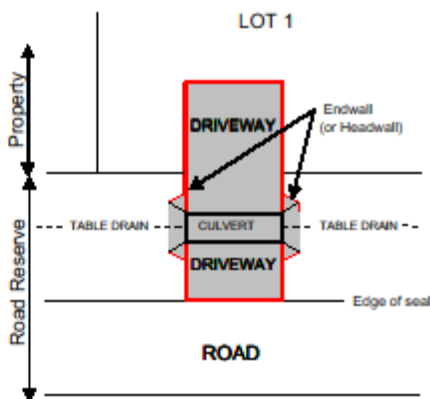
 Private ownership and maintenance



### RURAL DRIVEWAY



 Private ownership and maintenance



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