

DRIVEWAY CONSTRUCTION AND MAINTENANCE POLICY

Approved By: Council
Doc Controller: General Manager
File: 126

Document Code: DVC-POL-014
Version: 2
Approved Date: 22/09/2022
Next Review Date: 22/09/2024

1. PURPOSE

The purpose of this policy is to clearly define the ownership and maintenance responsibility for the various components of a driveway.

The Council also receives requests for the construction and modification of property accesses. This policy will provide a framework for these works in relation to responsibility and construction standards.

2. SCOPE

This policy applies to all driveways on Council roads and State Government roads where Council has maintenance responsibility (refer to *Local Government (Highways) Act 1982*). This policy will be reviewed by the Council at least once every 2 years.

3. LEGISLATION

Local Government Act 1993

Local Government (Highways) Act 1982

4. DEFINITIONS

For the purpose of this policy, the below terms are provided

Term	Definition
Council Road	Means a road for which the Local Government is responsible
Council Standard Drawings	Tasmanian Municipal Standard Drawings (IPWEA/LGAT)
Driveway	The driveway is a private asset and the property owner is responsible for its maintenance
Driveway Culvert	Driveway culverts are private assets required to allow access over the table drain. The property owner is responsible for its maintenance.
Endwalls	Endwalls are private assets required to retain fill at the ends of culverts. The property owner is responsible for maintenance of these items. The Council is responsible for maintenance of the table drain upstream and downstream of the endwalls.
Footpath	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
Local Government	Derwent Valley Council
Road Reserves	The parcel of land between the boundaries facing properties which include roadways, footpaths and nature strips; as well as Council's off-street car parks
Vehicular Crossing	The vehicular 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.

5. POLICY

5.1. GENERAL

Alterations or improvements are not permitted to be constructed or obstructions placed on the road reserve unless approval has been obtained and the work is undertaken in

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accordance with Council's standards and conditions and is to the satisfaction of the General Manager or delegated Council Officer.

The costs of construction of any vehicular crossing or driveway will be borne by the property owner.

5.2. OWNERSHIP AND MAINTENANCE – URBAN AREA

In urban areas, there are up to three distinct parts to a driveway, these include:-

Vehicular Crossing

The vehicular crossing serves two purposes. It allows vehicles to safely access the driveway and conveys stormwater along the kerb. The vehicular crossing is a Council asset, the same as the upstream and downstream kerb. The Council maintains the vehicle crossing so that it can effectively convey stormwater.

Driveway

The driveway is a private asset and the property owner is responsible for its maintenance, replacement and upkeep.

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.

If footpaths are constructed across a driveway crossing then the common section shall be constructed (as best as possible) to the same standard as the driveway and of the same material as the footpath as shown in Tasmanian Municipal Standard Drawings. Council will not be responsible for replacing additional sections of a driveway to match the footpath renewal.

The diagrams below are provided to assist residents understand the responsibilities in relation to footpaths and driveways. These diagrams are not for technical or construction purposes.

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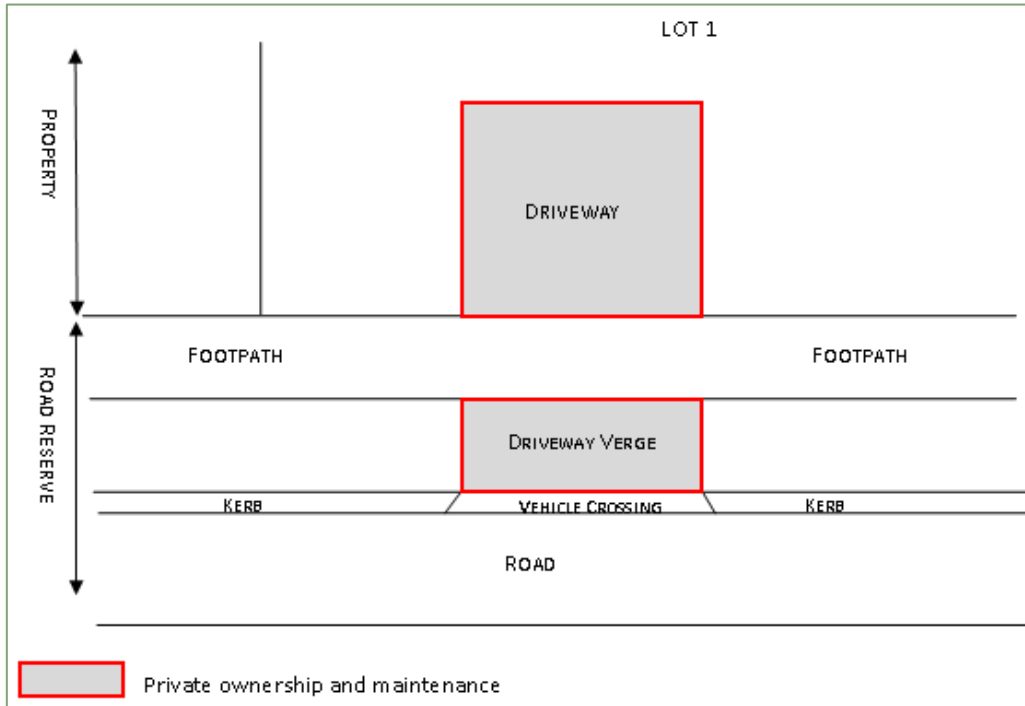


Figure 1 - Urban Driveway, Footpath at Boundary

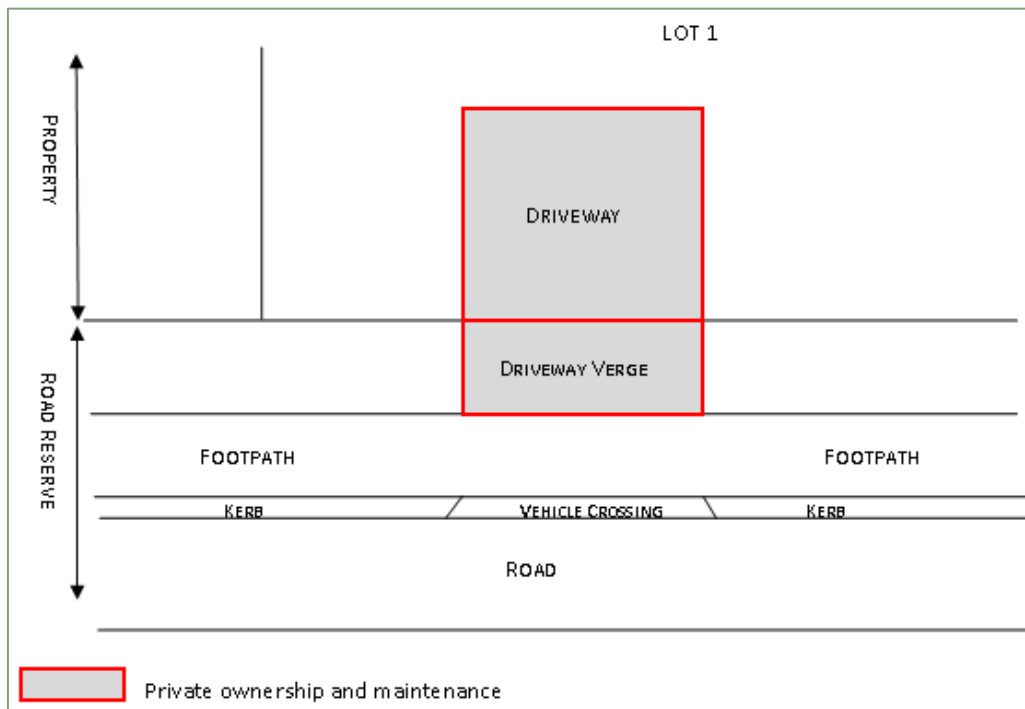


Figure 2 - Urban Driveway, Footpath at Kerb

5.3. OWNERSHIP AND MAINTENANCE – RURAL AREAS

In rural areas there are up to three distinct parts to a driveway, these include:-

Driveway Culvert

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A driveway culvert is a private asset required to allow access over the table drain. The property owner is responsible for its cleaning and maintenance.

Endwalls (or headwalls)

Endwalls are private assets required to retain fill at the ends of culverts. The property owner is responsible for maintenance of these items. The Council is responsible for maintenance of the table drain upstream and downstream of the endwalls.

Driveway

The driveway is a private asset and the property owner is responsible for its maintenance, replacement and upkeep. As per the Tasmanian Municipal Standard Drawings, driveways on sealed roads should adopt the adjacent seal type (i.e asphalt / sprayed seal) while a seal is not required for property accesses off unsealed roads.

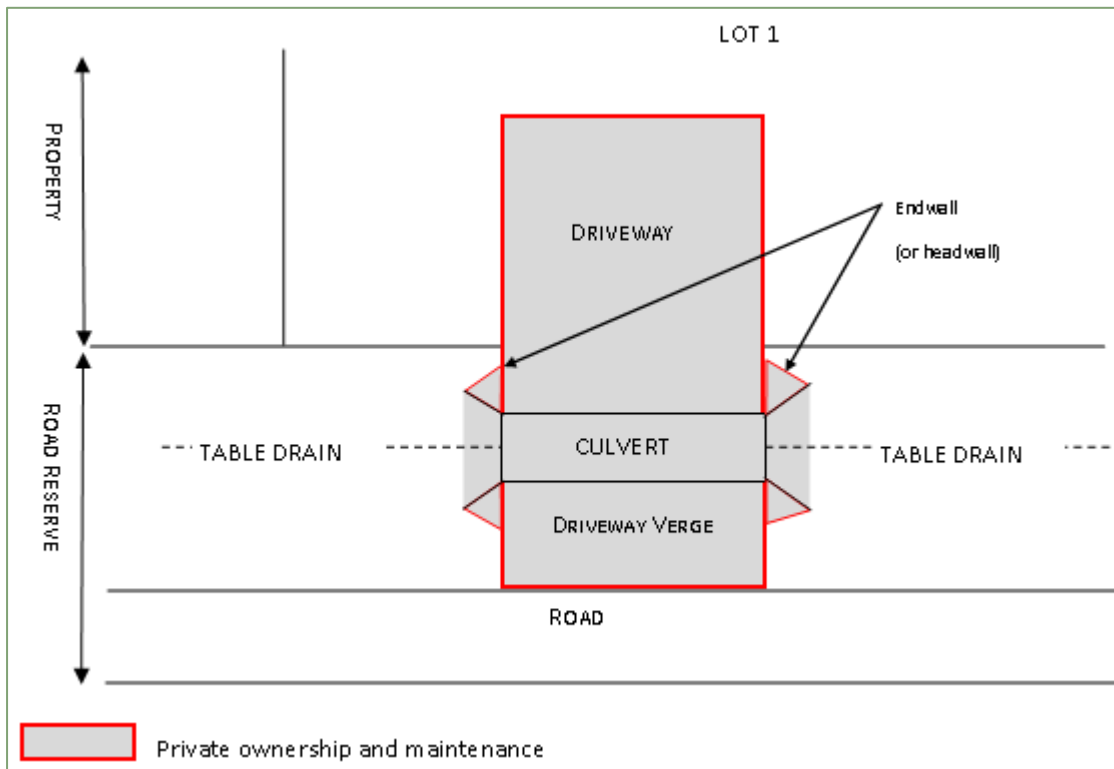


Figure 3 - Rural Driveway

5.4. COUNCIL PROJECTS THAT AFFECT DRIVEWAYS

If the Council undertakes road works which change the level of the footpath or road, then the Council is responsible to change any components of the driveway necessary to suit the new levels. The new construction material will be the minimum standard required by the Tasmanian Municipal Standard Drawings.

A property owner may request to upgrade their driveway at this time, although all additional costs must be borne by the property owner and applications will be determined by the Council on receipt of application. The Council will take no responsibility for the ongoing maintenance of the driveway.

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

5.5. WORKS WITHIN A ROAD RESERVE

Permission from the Council is required for the works listed in section 46 of the *Local Government (Highways) Act 1982* and includes the following works:

- New driveway construction
- Works on nature strips
- Trenching and excavation
- Works affecting pedestrian traffic
- Works affecting vehicular traffic

The purposes of this is to:-

- Ensure that Council assets are protected
- Ensure that impact on the public is managed
- Avoid conflict with other projects, events and activities

Any person wishing to undertake construction or modification works to a driveway or property access within the road reserve must obtain a 'Road Reserve Works Permit Application'. 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.

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.

5.6. STEEP DRIVEWAYS

For proposed driveways with a slope >20%, a longitudinal section shall be provided along the centre line of the driveway between the kerb line and the proposed house site. Unless a variation has been granted the maximum slope shall be:-

- as shown in the Tasmanian Municipal Standard Drawings for urban driveways and
- 25% within the property boundary.

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.

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 Municipal Standard Drawings.

5.7. MULTIPLE DRIVEWAYS

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 the risk to the public and will not adversely impact parking in the local area.

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5.8. INSTALLATION OF MIRRORS

Convex mirrors are not for general use and should only be installed as a traffic safety device as a last resort if there is a severe problem with sight distance and there are no other viable options available (i.e relocation of the driveway or private access, trimming of vegetation or alteration and/or relocation of property fencing etc). They should only be considered where a driveway does not meet the requirements for 'Safer Intersection Sight Distance' (SISD) and 'Minimum Gap Sight Distance' (MGSD) as stated in the Austroads Guide to Road Design Part 4A : Unsignalised and Signalised Intersections.

Ideally convex mirrors should only be used in low- volume, low- speed road environments. For traffic being viewed in the mirror with an 85th percentile speed of more than 60 km/h, the image of a vehicle would be very small at the required sight distance and may give a false sense of how far away it is.

Mirrors are not permitted on Tasnetworks infrastructure.

5.9. DISCHARGE OF CONCENTRATED DRAINAGE ONTO ROADS

As per Section 47 of the Local Government (Highways) Act 1982, unless prior permission is obtained from the Council, property owners should not make any additional alterations to any natural surfaces that would result in a change in the location, concentration, volume, velocity, frequency, duration or intensity of overland stormwater flows that could be directed into the road table drain or neighbouring properties. Permission would only be granted if the owner can demonstrate that the public stormwater system (inc roadside drains) has capacity for the inflows

After all reasonable measures have been made to disperse stormwater within the property itself, any residual concentrated stormwater runoff must be directed to the downstream side of the road table drain as shown in the Tasmanian Municipal Standard Drawings.

To both protect the integrity of the driveway and ensure that an unmanageable volume of water is not accumulated at the upstream side of the driveway crossover culvert, additional culverts should be progressively installed up driveways within the property according to the spacings outlined in the table below.

Driveway Grade (%)	Maximum Culvert Spacing (metres)	Driveway Grade (%)	Maximum Culvert Spacing (metres)
1.75	250	15.75	65
3.5	200	17.5	60
5.25	150	19.25	55
7	125	21	50
8.75	100	22.75	45
10.5	90	25	40
12.25	80		
14	70		

5.10. REQUIREMENT TO UPGRADE

A property access is deemed a nuisance when it causes drains to be blocked or water or gravel to wash over the road or otherwise causes a negative impact on Councils roads, footpaths and/or stormwater system from working effectively.



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Where a property access has been deemed to be a nuisance, Council may issue a Notice requiring the property owner to upgrade the access to the Municipal standard or install preventative measures to prevent such a nuisance to the satisfaction of Council.

All works associated with the upgrade and/or improvements of the access will be at the cost of the property owner (including machinery and labour installation costs).

If remedial works specified on the Notice are not undertaken by the property owner within the specified timeframe, Council may undertake the works to abate the nuisance and subsequently recover the costs from the property owner.

6. RELATED DOCUMENTS

- Tasmanian Municipal Standard Drawings (IPWEA/LGAT)
- Tasmanian Subdivision Guidelines
- Road Reserves Works Permit – Application Form
- Fees and Charges Register