



KENTISH COUNCIL POLICY

DRIVEWAY ENTRANCE POLICY

Policy Number 06:07:2015

POLICY NUMBER	06:07:2015
OBJECTIVE	Guidelines to ensure consistency in construction of driveway entrances
STATUTORY AUTHORITY	Section 35 of the Local Government (Highways) Act 1982
POLICY	Adopted 15 September 2015 Minute 11.3.4

1. Capital projects involving reconstruction of streets typically with kerb and gutter or the installation of concrete footpaths

- (i) When reconstructing streets including the construction of kerb and channel or footpath, the existing driveway entrances shall be re-established by reshaping and forming to the previously established surface condition at Council's cost.
- (ii) Entrances which were asphalted, 2 coat sealed, concreted, paved or gravelled are to be reinstated as near as practical to the pre-works standard unless otherwise agreed to with the property owner.
- (iii) To improve the overall streetscape and conformance with current driveway standards the owner will be provided with the opportunity for one standard width driveway within the road reservation to be 'upgraded' to concrete. Council will complete the works after the signing of a private works quotation and substantially subsidise construction costs to make this attractive to owners by only charging the cost of materials (note that in the 2015/16 financial year, the full construction cost is approximately \$120/m² and the cost of materials \$80/m²). Any further driveway construction or upgrading at the time is at Council officer discretion and is subject to a private works quotation and full cost recovery.
- (iv) If Council has approved a budget to undertake capital works that will result in an offer to the property owner in conformance with Section 1(iii) then the owner's obligation as outlined in Section 2 to construct a driveway can be deferred but must be incorporated within the Council capital work project.
- (v) When the grade of the driveway entrance has substantially changed, Council will seal the entrance at no cost to the property owner to minimise loss of gravel.

- (vi) Entrances to be established to the best possible grade to minimise the chance of a standard vehicle bottoming out when crossing the gutter.
- (vii) When undertaking improvements 'Humes' crossovers should be removed wherever practical, and every effort should be made to provide the flattest grade possible by means of regrading the entrance back into the property (if possible) in consultation with the property owner.
- (viii) In rural road reconstruction projects, Council will install, reposition or renew driveway culverts as required by the new works and two-coat seal any residential driveway adjacent to the new works at no cost to the property owner.

2. New crossovers and entrances where reconstruction works are not being undertaken by Council on the roadway

a) Construction of Crossovers

Section 35 of the Local Government (Highways) Act 1982 makes it clear that the responsibility for a driveway within the road reservation falls on the property owner. It states:

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.*

Other than allowed for within this policy, Council requires all property owners to meet the full cost of providing any identified works relating to vehicular access from the road carriageway to the property boundary. This may only be varied by approval from the General Manager. The request is to be submitted in writing.

In the event of "New Subdivisions", the land developer responsible for the subdivision will also be responsible for providing the driveway crossover from kerb or road carriageway to the property boundary.

The owner of a property must apply to Council for permission prior to constructing a new driveway crossing. Permission is granted in the form of a "Works within Road Reserve Permit". The crossover shall be constructed to the municipal standard for Residential, Rural and Commercial crossovers.

b) Reinforced Concrete Driveway Crossover

A property or subdivision lot requiring a new or upgraded crossover, that has its legal access frontage onto kerb and channel shall have, as a minimum standard, a reinforced concrete driveway crossover, from and including, the kerb depression to the property boundary.

Unless otherwise specifically approved the surface finish is to be plain smooth un-coloured concrete from the road to the property boundary to ensure consistent streetscape is maintained.

In the case of a new subdivision or development, the developer shall be required to construct a reinforced concrete driveway crossover including the kerb depression to the property boundary for each lot.

c) Bitumen Seal Driveway Crossover

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 driveway crossover constructed from the edge of the road carriageway seal to the property boundary.

In the case of a new subdivision or development, the developer shall be required to construct a bitumen sealed crossover from the edge of the road carriageway seal to the property boundary.

d) Gravel Driveway Crossover

A property or subdivision lot requiring a new or upgraded crossover that has its legal access frontage on an unsealed road with no kerb and channel shall have, as a minimum standard, a crushed rock gravel driveway crossover constructed from the edge of the road carriageway to the property boundary.

In the case of a new subdivision or development, the developer shall be required to construct a crushed rock crossover from the edge of the road carriageway seal to the property boundary.

e) Existing Crossovers

Where a subdivision or development includes an existing driveway crossing, the existing crossover shall be upgraded to the current standard as specified above. For example, for a two lot subdivision with an existing dwelling on one lot, the crossover to both lots will be required to be upgraded to the current standard.

f) Maintenance, Modifications and Repair of Crossovers

Council requires all property owners to maintain their driveway crossovers to an acceptable standard. Where an existing driveway is in a dilapidated condition, the property owner will be given notice to rectify and if necessary repairs will be undertaken at the property owner's cost. Any modification to the shape or alignment of an existing driveway crossover, including kerb inverts, is the responsibility of the property owner. The owner/occupier of a property must apply to Council for permission prior to works of this type. Permission is granted in the form of a "Works within Road Reserve Permit".

g) Redundant crossover

Each lot is permitted a single crossover for the purpose of access. Redundant crossovers must be removed at the same time as the construction of any new crossing as part of the development works.

h) Second crossover

If identified within a building or development application or following a request in writing from the property owner a second crossover will be considered on a case-by-case basis. For the request to be considered, the following minimum criteria is required to be met;



- (i) A minimum property width of 16 metres is required for the installation of a second vehicle crossing. A minimum distance of 6 metres is required between crossings servicing one property to accommodate one on street parking space in front of that property.
 - (ii) The minimum width of any crossover is to be 3.6 metres and the maximum 8.0m. In the case of a double width driveway, only one driveway will be permitted.
 - (iii) A secondary crossover and driveway conforming with the above will only be permitted where it is integral to the building works or provides ready access to a parking area typically at least 6.0m long and 3.5m wide within the property or allows vehicular access to the rear yard.
- i) Typical permit conditions for works within road reservation**
- (i) Unless shown otherwise on a site plan approved by Council a single 3.6 metre wide driveway is to be located in the road reservation from the edge of existing roadway to the property boundary in conformance with Council Standards and used as the primary means of accessing the property.
 - (ii) New driveways in existing subdivisions are to be constructed to ensure adequate drainage is maintained, in accordance with:
 - 1. Council Standard Drawing ENG 1003 LAT or TSD-R09 for Urban Roads;or
 - 2. Municipal Standard Drawing TSD-R03 for Rural Roads; and
 - 3. Are to be located to ensure minimum sight distance requirements are met for the relevant speed zone.
 - (iii) Secondary redundant driveways are to be removed and reinstated to suit the surrounding nature strip and kerb & channel formation in conformance with Council Standard Drawing ENG 1005 LAT.
 - (iv) All other works, including any variation to driveway width within the road reservation but with the exception of reshaping and grassing nature strips are subject to separate Council approval.
 - 1. In such an instance a plan of all proposed works including all landscaping, drainage and the planting of suitable trees shall be lodged and approved prior to commencing such works.
 - 2. Such works may require the signing of a licence agreement with Council prior to commencement.
 - (v) At least two weeks prior to commencing intended works within the road reservation an application for such is to be submitted to Council. Works shall not commence until a permit has been issued by Council.

The cost of removal of the existing crossover and the reinstatement of street assets (i.e. footpath, nature strip, kerb and channel and road pavement) is borne by the applicant, and must be in accordance with the relevant Council standards.

A Council 'Works Within Road Reserve Permit' is required for this work.

3. REVIEW

The effectiveness of this Policy will be reviewed annually.