

STRATHFIELD COUNCIL

VEHICLE CROSSING
(DRIVEWAY) AND
ASSOCIATED WORKS POLICY

12 APRIL 2024



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1 Introduction

This policy is titled Vehicle Crossing (Driveway) and Associated Works Policy. This policy was adopted by Council resolution (35/24) after public exhibition from 12 March 2024 to 9 April 2024

1.1 Background and Purpose of Procedure

The purpose of this policy is to provide a framework for the consistent construction, maintenance and management of all vehicle crossings and Council nature strips within the Strathfield Council Local Government Area.

Under the Roads Act, construction and maintenance of vehicle crossings from the lip of the gutter to the garage, or parking areas, and any associated works (such as: footpath and road level adjustments, road restoration works, utility pit level adjustments) are the responsibility of the property owners. You must obtain prior approval from Council to install a vehicle crossing within the road reserve, across the footway or nature strip area.

Council will only make adjustments to the driveway if there are level changes to the road, kerb and gutter and footpath as needed for the completion of Council's works. The extent of the adjustment/ reconstruction will be kept to a minimum.

Typically, vehicle Crossing designs and construction are undertaken in accordance with the CIV-003 Standard Detail Vehicle Crossing (Driveway), which is available on Council's website and Australian Standard 2890 Parking Facilities.

This policy assists Council to meet its commitment to govern quality and well planned developments. Council's design and construction principles will ensure vehicle crossings which provide safe accessibility for motor vehicles and pedestrians.

1.2 Objectives of the Procedure

The objectives of the policy are to:

- Ensure a safe and accessible public domain for pedestrians and members of the public
- Ensure the vehicle crossing is located for the safest entry and exit to the road
- Minimise the risk of damage to standard cars using the vehicle crossing
- Manage stormwater within the roadway and minimise the risk of stormwater entering private property
- Avoid conflict with existing infrastructure such as trees, signs, poles, stormwater drainage, utilities and other road features such as roundabouts and medians
- Ensure the associated works within the vicinity are correctly adjusted and restored to an acceptable standard

1.3 Coverage of the Procedure

This policy is applicable to all proposed or existing vehicle crossings and associated works on the road reserve within the Strathfield Council Local Government Area.

This policy does not relate to the section of a driveway located within private property.

1.4 Definitions

Vehicle Crossing - Refers to the section of the driveway between the property boundary line and the road gutter where a vehicle passes from the road to the property. This policy does not relate to driveway sections within the private property boundary.

Vehicle Crossing Works - Includes other related works within the road reserve including, but not limited to, footpath, kerb and gutter, services adjustment and turf works.

Road Reserve - Public land dedicated under the Roads Act for the purpose of providing the public road. The road reserve includes road pavement and nature strip areas.

Nature Strip - The area of land within the road reserve that is not part of the constructed road pavement, typically the area between the kerb and private property boundary that accommodates, grass, trees, footpaths, vehicle crossings and utilities services.

Footway - That part of a road as is set aside or formed as a pathway for pedestrian traffic.

2 Policy

2.1 Principles

The *Roads Act 1993* (NSW) Section 217 states that the owner of land adjoining a public road is liable to pay all costs associated with constructing or repairing any crossing over a footway in the public road for the traffic of vehicular access across the footway to or from the land.

No works are to be undertaken within the road reserve without approval from Council (refer Roads Act - sections 102, 138 and 218).

Typically, all works for new vehicle crossings, or modifications to existing vehicle crossings, are to be carried out in accordance with the CIV-003 Standard Detail Vehicle Crossing (Driveway) and Australian Standard 2890 Parking Facilities. This process requires a Works Permit Application – Driveway Application form to be submitted to Council along with the payment as specified in Council's Schedule of Fees and Charges. The form can be found on Council's website.

2.2 Vehicle Crossing Design

Vehicle Crossing designs are to be prepared in accordance with the CIV-003 Standard Detail Vehicle Crossing (Driveway) and Australian Standard 2890 Parking Facilities. The designs must satisfy the B85 vehicle ground clearance template in accordance with AS/NZS 2890.1 Off-Street Carpark along both sides of the vehicle crossing.

For commercial buildings and industrial facilities driveways, the applicable design vehicle must be checked and designs must be undertaken in accordance with AS2890.2 Off-Street Commercial Vehicle Facilities.

Applications to change the location of a vehicle crossing will only be considered where prior approval has been granted by Council for any associated works that are required within the property boundary i.e. internal works associated with the relocation of the vehicle crossing may require a separate Development Application.

One (1) vehicle crossing to each single residential dwelling lot is permitted.

Where previously two (2) vehicle crossings existed on a frontage, upon redevelopment, including Complying Development Applications, the applicant will be required to remove one of the vehicle crossings.

Under special circumstances, consideration *may* be given to the provision of a second access to either the same road, or a second road where the property abuts multiple roads. Council will assess each application on its merits based on criteria including; amenity, public safety, street parking and relevant site conditions. The owner must apply in writing to Council, setting out reasons for the necessity of a second access.

For residential vehicle crossings the driveway width at the property boundary must not exceed 3.0 metres (excluding the wings of the layback).

For industrial and commercial driveways, the width will be determined subject to swept path analysis of the applicable design vehicles. The analysis must be prepared by qualified civil or traffic engineers.

All vehicle crossings must have a plain concrete broom finish. Vehicle crossings must not be stamped concrete, coloured concrete or tiled. If Council is required to reconstruct part or all of an existing driveway due to road reconstruction works, the new driveway will be in plain concrete regardless of the existing colour, finishes or surface materials.

All vehicle crossings must be sympathetic in design and levels to the surrounding landscape and environment.

2.3 Redundant Vehicle Crossings

Existing vehicle crossings and/or laybacks which are redundant must be removed and restored with kerb and gutter by the property owner at their own cost.

2.4 Development Applications

All Development Applications that require vehicle crossing works must submit a vehicle crossing design with their development application, which complies with the CIV-003 Standard Detail Vehicle Crossing (Driveway) and Australian Standard 2890 Parking Facilities.

The submitted vehicle crossing profile and/or levels depicted on the applicant's approved Development Application (DA) plans do not represent approved vehicle crossing, footpath, kerb or road levels within the road reserve. The vehicle crossing must go through a separate approval process through the submission of a "Works Permit Application – Driveway Application" under Section 138 of the Roads Act.

Where a vehicle crossing access cannot be built due to inadequate levels or gradients of the vehicle crossing within the private property boundary, the applicant will be provided a boundary level in order to complete internal modifications prior to vehicle crossing approval.

2.5 Stormwater Drainage

The proposed location of a vehicle crossing must take into consideration Council's stormwater infrastructure and avoid as far as possible any impact on the existing stormwater network, including pits and pipes.

If stormwater drainage infrastructure cannot be avoided, all drainage work on Council's road reserve is subject to a separate drainage approval process under Section 68 of the *Local Government Act 1993*. Any proposal to modify Council's stormwater system to accommodate a vehicle crossing will require prior assessment and approval. The applicant will be required to pay all costs associated with the construction of the new infrastructure.

Gutter grates (V-grates) or gutter bridges must not be installed as they create maintenance and cleaning issues. Stormwater drainage grates (strip drains or box drains) are generally not permitted within the road reserve and must be located within the property boundary.

All private drainage lines (e.g. roof water outlets) laid across the nature strip are the responsibility of the property owner to construct, rectify, repair and maintain.

For properties that are lower than the road levels, the vertical profile of the driveway must be elevated to prevent any overland flow overtopping the layback and potentially enter the property, unless adequate drainage is provided within the property to cater for the overland flow from the gutter.

2.6 Trees

Any new vehicle crossing must not require the removal of a street tree. Any new vehicle crossing, including layback, must be installed at a distance greater than two (2) metres (radial measurement, measured from the tree's base) for a street tree.

Should the proposed vehicle crossing location fall within four (4) metres of a street tree (radial measurement, measured from the tree's base), additional tree protection and /or alternative construction methods will be required by Council. These methods include undertaking exploratory root investigations and retaining large roots within a specified sub-base material, or constructing a raised pavement level. If a vacuum truck is used to expose the tree roots, the lowest setting must be used to prevent damage to the tree roots. These additional tree protection and /or alternative construction methods must be addressed within an Arboricultural Impact Assessment Report and Tree Protection Plan.

Where a vehicle crossing impacts on a tree, Council will assess each application on its merits and promote alternatives to ensure on going vitality of the tree.

2.7 Shared and Adjoining Vehicle Crossings

Where possible, adjoining vehicle crossings are to be separated by ramped 'wings' and 150mm of kerb and gutter. Approval to combine laybacks on adjoining vehicle crossings will be determined by Council. In some circumstances, vehicle crossings may be required to splay across the frontage of adjoining properties.

Where a vehicle crossing provides shared access to more than one property, all properties benefitting will be required to contribute a proportional share of the costs. These costs include maintenance, construction and any fees. Where works are required on a shared access as a result of damage due to development activities, the developer will be required to reinstate the vehicle crossing access at their cost.

Adjoining property owners are responsible for resolving any dispute regarding a shared vehicle crossing.

2.8 Brick Kerb

Generally existing brick kerb will be required to be reinstated where it is the predominant style of kerb within the streetscape. Existing brick kerb types are required to be reinstated in all Heritage Conservation Areas and surrounding heritage significant properties. Where concrete kerb is affected by redevelopment within a Heritage Conservation Area it must also be reinstated with brick kerb to match the predominant style of kerb within the streetscape.

2.9 Vehicle Safety Crossing

Where a vehicle crossing falls into a state of disrepair and poses a risk to public safety, Council will direct the property owner to rectify, repair or reconstruct a new vehicle crossing in accordance with this policy. If the required works are not carried out within a reasonable amount of time after the property owner has been formally notified, Council will carry out the works at the owner's expense.

Steel plates, pipes and other non-approved materials used to bridge the kerb and gutter are not permitted as they pose a risk to the public. Council will direct the property owner to remove any such materials.

2.10 Service Authorities

Where a service authority (Telstra, NBN, Sydney Water, Gas etc.) damages an existing Vehicle Crossing, the service authority must undertake a temporary restoration and notify Council upon completion their works.

Council or the service authority will then undertake the permanent restoration work.

2.11 Council Footpath Works

Council undertakes maintenance and renewal works on footpaths. Council will replace the footpath component of the vehicle crossing at no cost to the property owners if the footpath levels are changing.

The *Roads Act 1993* (NSW) states that the owner of a land adjoining a public road is liable to pay all costs associated with constructing or repairing any crossing over a footway in the public road for the traffic of vehicular access across the footway to or from the land. When undertaking footpath works, Council will not replace the footpath component of a private vehicle crossing if it is in good condition and the level is not changing.

Council will only replace the footpath section (footway crossing) of the driveway if Council's engineers determine that the footway crossing is below serviceable conditions (Conditions 4 and 5) or presenting potential hazards to pedestrians, e.g. structural cracking and cracking that may lead to trip hazards.

The footway crossing works will be plain concrete at the same level and Council is not responsible for resolving any pre-existing issues with a private driveway such as vehicle scrapping when entering or exiting the driveway. If adjustments are required to the driveway levels to resolve any existing issues, then the property owner will need to submit a Works Permit Application – Driveway Application form along with the required payment to Council. Once Council receives the application, Council's Engineering Department will assess the application.

Council will not replace the remainder of the vehicle crossing (outside the footway crossing). If the property owner wishes to replace the remainder of the vehicle crossing (apron, layback) concurrently with the footpath works, a quotation may be obtained directly from Council's contractor. Council will not accept any liability for the newly constructed section of the vehicular crossing. There is no obligation to engage Council's contractor, and property owners may seek quotations from other suitable and qualified civil contractors. Prior to works commencing, the property owner must complete and submit Works Permit Application – Driveway Application form along with the required payment (refer to Council's fees and charges on the Council website). If the application is approved, it will be the owner's responsibility to arrange the contractor to undertake the work.