



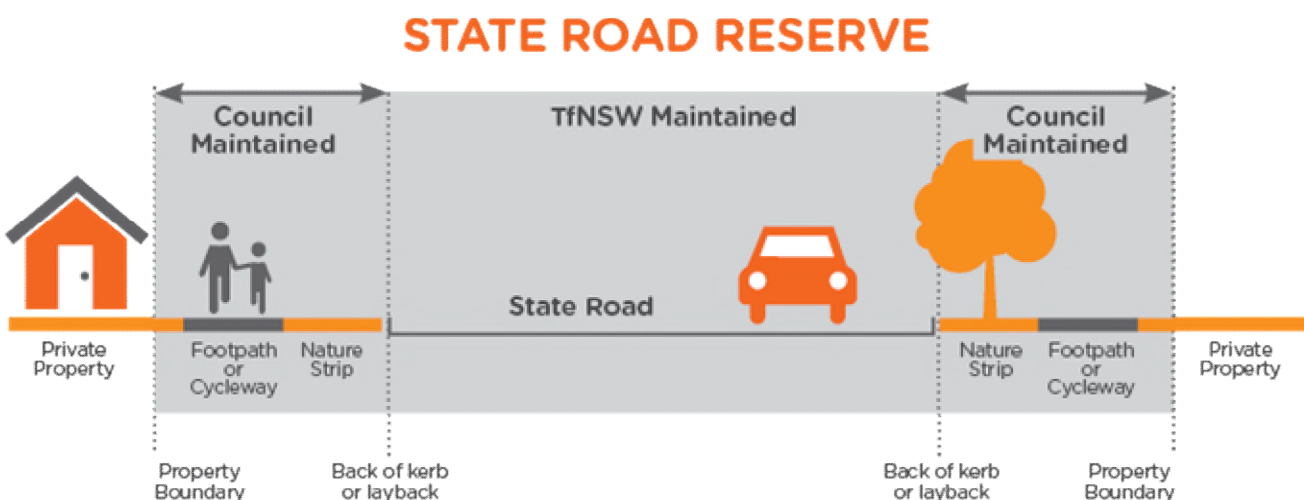
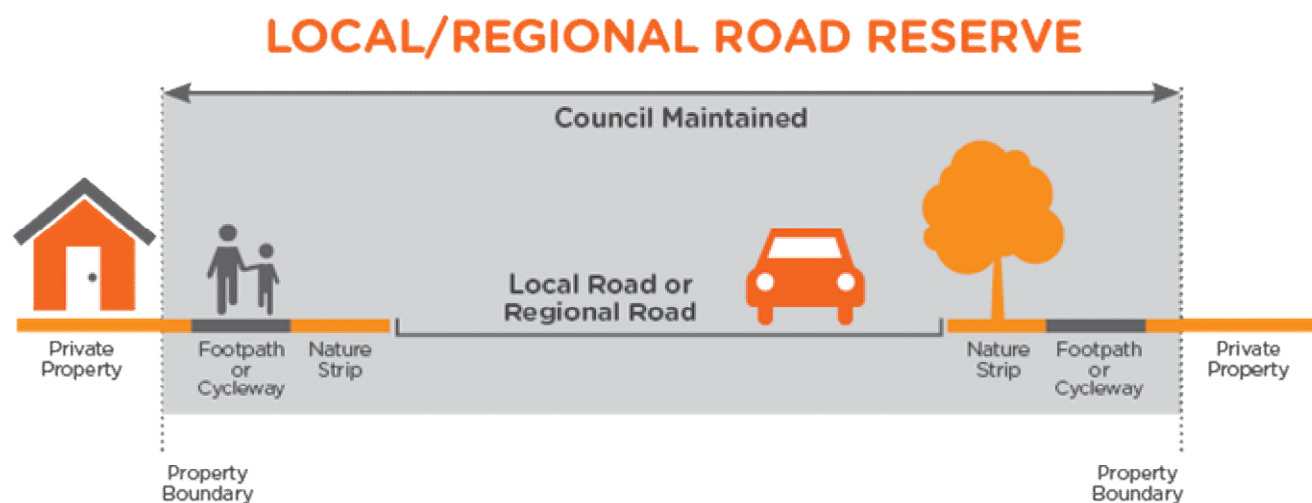
**Driveways/Crossovers
and Council Reserve
Frequently asked
Questions**

What is the Road Reserve?

The road reserve is the Council owned section of land from one property boundary to the opposite property boundary on a road corridor. This may include Council assets such as nature strips, trees, footpaths, kerb and gutters and the road pavement. This may also have the property owner's assets such as a private drainage, footpath connection, and driveway or pipe crossings.

Council's Responsibility

On local roads it is typically Council's responsibility to maintain its road reserve infrastructure from one property boundary to the opposite property boundary on a road corridor.



What is a Driveway?

A driveway is a vehicular access point for a property adjacent to a road or street crossing over a verge, nature strip and/or footpath. In most cases the driveway is formed from the kerb or edge of the carriageway to the property boundary.

Under the Roads Act 1993, an application and Council consent is required for each footpath/gutter crossing or point of vehicular access to a property. All driveways are to be constructed to Council's current specifications.

Councils Aim When Approving Driveway Applications

For all new driveways and alterations to existing driveways Council seeks to:

- Ensure the driveway is located for the safest entry and exit to the road.
- Minimise the risk of damage to standard cars using the driveway – minimise scraping that may occur.
- Ensure that the Council footpath and verge area is not a hazard to members of the public by making sure that it is not too uneven or too steep.
- Manage stormwater within the roadway by using levels that minimise water entering private property from the street via the driveway.
- Ensure the safe movement of pedestrians using the road and footpath.
- Avoid conflict with existing infrastructures, such as signs, poles, drains in the kerb, street trees and other road features such as roundabouts, medians etc.

Do I need to apply for a Driveway Construction?

A driveway application is required to ensure that work in Council's footpath verge complies with the relevant standards and Council's policies and that the safety of all road users, including pedestrians and cyclists, are protected both during and after construction.

Am I able to have an Additional Driveway/s?

- All secondary driveways will require an application and will be assessed by Council's Design and Asset team.
- A secondary driveway will only be considered if the applicant has a frontage greater than 20m in width, and the proposed spacing between driveways is greater than 6m
- Applications for a secondary driveway will need to provide a scaled drawing of the property frontage and meet Council's current Landscaping Ratio control for the front set back area for the resulting private property hardstand area proposed in conjunction with the second driveway works.
- If you are building an approved granny flat that requires direct vehicular access over the road reserve to the road which is separate to the existing driveway, this is classified as an additional driveway and an application is required.
- Multiple driveways on rural properties will need to be applied for and assessed, meeting Council Standards for rural driveways.

What happens if I don't make an application to Council?

- Construction of a driveway without a Council approved design, may result in an infringement notice, and in some cases, the work may need to be demolished and reconstructed at your cost.
- Where the occupant fails to take action to demolish an unauthorised vehicular crossing, Council's officers may reconstruct the unauthorised vehicular crossing to Council's standards and specifications and will recover all cost through legal process

Who pays for the Driveway Construction?

In accordance with the Roads Act 1993, the owner of a property is responsible for the costs relating to provision or maintenance of a driveway crossing.

Can I have a coloured, stencilled or PebbleCrete residential driveway?

- As a general rule, for new development areas, only plain grey concrete driveways shall be constructed over the road reserve.
- Where a new development area already has an existing footpath network, the footpath (full panels) is to be removed where the driveway is to be installed.
- Applications for the construction of pebble Crete driveways are no longer allowed due to varying safety and environmental reasons

What are the measurements for the width of my driveway and the layback?

Residential driveways are a minimum three (3) metres wide and maximum six (6) metres, unless a Development Control Plan (DCP) requirement states otherwise. If a driveway is for a corner block, it should begin at least 6m from the corner. The 6m is measured from the tangent point of the kerb with a layback of 700mm.

Rural driveways are a minimum four (4) metres wide where it adjoins a local or regional road. Where driveways adjoin a state road the minimum width is six (6) metres.

Driveway approval process

After you submit an application:

1. Once Council received your application, Customer Service will setup the application and call the applicant for payment. They will give you an application number, please use this application number as a reference in any future communications with Council regarding the driveway.
2. The Design and Assets team will assess your application, if they require any further information or correspondence they will contact the applicant.
3. Once assessed they will email the applicant with a Notice of Determination (NoD), outlining and specific requirements, attached to the schedule of conditions. At this stage a bond application will be determined if required.

4. When the driveway is ready to pour, you are **required to book an initial inspection** by contacting Council's Design & Assets Department via phone on (02) 4823 4444 **at least 2 business days notice** to the requested inspection date. Please allow sufficient time between the inspection and the pour for any required rectifications.
5. You will then receive the results of the Initial Inspection via email:
 - a. **PASS** – you are permitted to pour concrete following any additional conditions in the report.
 - b. **FAIL** – you are not permitted to pour concrete until all issues have been rectified and another initial inspection booked.
6. Council will automatically book in a final inspection 2 weeks after the initial inspection has been approved.
7. You will then receive the results of the final inspection via email:
 - a. **PASS** – the driveway construction is approved by Council. Other road reserve conditions may be commented on as part of the overall development.
 - b. **FAIL** – the conditions in the initial inspection were not followed or the final driveway does not comply and may need to be reconstructed and an initial inspection required to be booked again.

What are the documents that I need to submit?

(REQUIRED ITEMS) FOR S138 STANDARD DRIVEWAY/CROSSOVER APPLICATION

Proposed Work Design Plans for Approval:

- √ Provide any relevant plans in accordance to Council's Standard Drawings for approval of Council. The applicant is required to provide drawings of works being carried out for which the road reserve is used. The exact location and limits of works in relation to the road reserve should be marked clearly.

Photographic Evidence Prior to Commencement/Application:

- √ Provide photographic evidence of the state of the footway/verge/road surface/kerb and gutter (if applicable) prior to commencement of your works. A minimum of three photos showing a close up of the work area and two long shots from either end of the works are required to be submitted.

During the assessment stage of the application, where applicable council may require following additional information, not limited to;

- **Certificate of Currency for Insurance:** The applicant must provide copy of a valid and current minimum of \$20 million public liability insurance certificate of currency attached with the application. The Certificate of Currency for Insurance must be in the same name as the person or company undertaking the work and/or activity on or in the road reserve;
- **Traffic Control Plan (TCP)** A Traffic Control Plan (TCP) with their associated Traffic Guidance Scheme (TGS) prepared by a qualified person is to be attached with the application. This plan should have all the relevant signage and demonstrate how the pedestrian and vehicular traffic will be managed and controlled during the period the road reserve is occupied for construction and or any other purpose for which the permit has been issued.

Note: Any persons undertaking works/activities within the road reserve has a duty of care to ensure the safety of all affected persons, including motorists and pedestrians. Adequate safety systems, documentation and insurance should be implemented in order to avoid or handle an incident should an injury or property damage occur;

The person undertaking the work/activity needs to be aware of their obligations to minimise the risk to themselves, the general public and Council.

- **'Dial Before You Dig' (DBYD) cover sheet** including the sequence numbers for Telstra & Essential Energy (It is the responsibility of the person undertaking the work to notify Dial Before You Dig of the time and place of work no more than thirty days before the work starts. Lodging an enquiry with 'Dial Before You Dig' is as simple as visiting www.dialbeforeyoudig.com.au, phoning 1100;

- **External Approvals** i.e. TfNSW, NSW Police;
- For contractors working on behalf of utility provider i.e. Essential Energy, Jemena etc. and telecommunication providers i.e. Telstra, NBN etc. Written **authorisation letter** from your respective providers shall be provided;
- **Notification letters** to residents/businesses of proposed works;
- Provide **environmental protection measures**; i.e. a Soil and Water Management Plan shall be submitted in accordance with Council's Design and Construction Specification – AusSpec#1. The plan shall include construction techniques to minimise site disturbance and the potential for soil erosion by wind or water, erosion control on any watercourse on the property, revegetation of disturbed areas and any other matters that are deemed necessary by Council.
- **Risk Assessment Reports** and Safe Work Method Statements SWMS
- **Damage and/or performance bond**, may be required if assessing officer deems a requirement;

Note: Where works are required within a Classified Road, the applicant must obtain concurrence from Transport for New South Wales (TfNSW). Evidence of TfNSW concurrence shall be included in your application to Council for S138 approval. Contact details for TfNSW regarding Works in the Road Reserve are as follow: email at roadaccess.south@transport.nsw.gov.au or phone 13 22 13.

I want my driveway to pass inspection

All driveways are to be constructed to Council's current specifications. These are the some of the main items that may be assessed amongst other things during the inspections:

- Appropriately sized steel reinforcing mesh installed on chairs
- Dowels installed on the existing footpath to tie into the new driveway
- Dowels installed on the driveway-layback joint
- Dowels installed on the existing kerb & gutter to tie in to the new layback
- Full kerb-height stormwater adaptors installed for new stormwater connections (usually built the same time as with the driveway on a new property)
- Nature strip is backfilled, topsoiled and turf flush with the driveway level
- Appropriate driveway width and that the driveway is perpendicular to the kerb line or is widening at equal angles outwards from the property bound
- Driveway gradient is within tolerance limits
- Sawcut and expansion joints where appropriate
- Appropriate driveway width and that the driveway is perpendicular to the kerb line or is widening at equal angles outwards from the property boundary

Damage Bond General

A public infrastructure damage deposit of \$3000 for a single Lot frontage or \$5000 for a corner lot, \$5000 for road opening and footpath may be required to be paid to Council, determining on resolution of the application.

The relevant damage bond value will be imposed as a condition of consent. The payment of the damage bond to Council shall be accompanied by a completed damage bond application form which outline accepted methods of payment.

The damage bond will only be eligible for refund upon satisfactory completion of all works. All costs associated with any reinstatement works required to be carried out by Council to rectify any damage caused by the works, shall be deducted from the damage deposit.

Note: A bond administration fee applies to the lodgement of this bond. Bond values and administration fees are calculated at time of actual lodgement in accordance with Council's adopted Fees and Charges and may differ from the above.

~~All required damage to Council property, however caused by undertaking the works must be reinstated on a like for like basis and in accordance with Council's engineering standards prevailing at the time of the satisfaction of Council as the roads authority and prior to the issue of an Occupation Certificate.~~

Any damage to Council's infrastructure and assets (i.e. road pavement surfaces, street furniture, footpath, kerb and gutter, driveway, roadside drainage, street lighting or underground facilities etc.) caused by undertaking of the works must be reinstated on a like for like basis and in accordance with Council's Standards for Engineering Works" and AUS-SPEC specifications, prevailing at the time of the satisfaction of Council as the roads authority and prior to the issue of an Occupation Certificate.

Damage Bond Refund:

It is the responsibility of the applicant to advise Council that works are completed. The damage bond will be refunded once a written request has been received and a final inspection of the site deems the works complete to a satisfactory condition, as determined by the Director of Operations. The refund payment will be by direct deposit to the original drawer. Council will request the bank details at the time of the refund. If the applicant requires the refund payment to be in another name, a written request must be forwarded to Council prior to refund of the bond.

To allow for a speedy return of the bond, the responsible person/bond payee should also consider supplying a post-construction photos similar to the pre-construction photos, which would enable a comparison between pre commencement and post commencements.

Note: you can write to council at:

**Goulburn Mulwaree Council
Locked bag 22
Goulburn NSW 2580**

Or

Email at: **council@goulburn.nsw.gov.au**

Note: Council will carry out random audits where works are undertaken within the Road Reserve. Failure to comply with the conditions as outlined on the Notice of Determination (NoD) will result in cancellation of s138 permit.