

Policy Title:	VEHICLE CROSSOVER (DRIVEWAY) POLICY
Policy Subject:	Roads
Policy No:	3857102v1 – CP074
Directorate:	Infrastructure Services
Department:	Engineering Services
Section:	Roads
Responsible Officer:	Principal Engineer Roads
Authorised by:	Director Infrastructure Services
Adopted Date:	24/07/2019
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Amended Date:	
Risk Assessment	Medium

OBJECTIVES:

The objectives of this policy are to provide a framework for the management of vehicle crossovers (including temporary crossovers for short term access) that ensures all vehicle crossovers are suitable for their intended use and safe for all road users, whilst minimising impacts on utility infrastructure, street furniture and other assets and to outline the responsibilities for construction, maintenance and upgrades to vehicle crossovers.

Authorities & ResponsibilitiesCouncil's Responsibilities

Council is responsible for assessing applications for any works conducted within a Local Government controlled road reserve.

Council does not construct vehicle crossovers for an allotment, nor does Council carry out maintenance, or repairs, to an existing vehicle crossover.

Council Road Works

Where Council road works require removal or alteration of an existing vehicle crossover that has been constructed to the relevant standards, or in accordance with a design approved by Council permit, Council will replace or reinstate a vehicle crossover to a compliant standard upon completion of the works. Council's obligations are limited to reinstatement to the minimum standard as outlined on the relevant standard drawing at the time of the works (e.g. plain natural broom finish concrete, etc.). The property owner shall be responsible for any additional costs to reinstate the driveway to a higher standard (e.g. stencilled or coloured concrete, etc.).

The responsibility for maintenance of the reinstated vehicle crossover remains with the property owner following a three (3) month maintenance period from date of construction by Council.

Where a vehicle crossover has not been constructed, or is not constructed to Council Standards, Council is under no obligation to construct or replace the existing vehicle crossover.

Property Owner Responsibilities

The owner of a property associated with a vehicle crossover is responsible for:

- Applying for a permit to construct a new vehicle crossover or substantially alter an existing crossover to Council's relevant Standard Drawings and paying the applicable application fee as detailed in Council's Schedule of Fees and Charges (adopted from time to time).
- Ensuring that any vehicle crossover works are completed in accordance with all conditions of the Vehicle Crossover Permit, relevant Local Laws, and all other relevant legislative requirements, such as Work Health and Safety.
- Ensuring that the completed vehicle crossover works are compliant with the relevant Council Standard Drawing applicable to the type of vehicle crossover, as per Local Law 4 Section 11 Compliance notice for vehicle crossovers and stormwater drainage.
- All costs associated with the design and construction of a new vehicle crossover or alterations to an existing vehicle crossover, including, but not limited to, supply of all materials and labour, traffic management, cutting and removal of existing kerb and channel (where required), alteration, relocation or protection of any existing public utility or Council infrastructure that may be affected by the works.
- Reporting any damage that occurs to Council.
- Any damage that they incur to ensure that the vehicle crossover is maintained to the satisfaction of Council to ensure the vehicle crossover does not present a hazard or nuisance to road users (including pedestrians) or neighbouring properties.
- Removal of the vehicle crossover and reinstatement of the road verge (including kerb and channel where applicable) to a condition of approval equal to that before construction of the vehicle crossover commenced should the crossover become redundant due to internal changes to the property layout.

Scope

Ownership

Despite being located within the Council controlled road reserve, Council recognises that a vehicle crossover exists for the sole benefit of the property owner and is an asset aligned with the property. Accordingly, general long term use that results in damage and long term failure is the responsibility of the property owner. The property owner of the allotment serviced by a vehicle crossover is considered by Council to be the asset owner for all components of a vehicle crossover from the edge of the constructed road pavement to the property boundary. Assets may include pavement, sealing, culverts, pipes, headwalls and all other necessary components to provide safe vehicle access from the road to the property and to accommodate roadside drainage as required, all of which are considered to form part of the vehicle crossover.

Construction standards

All new vehicle crossovers, or substantial alterations to existing crossovers, must be compliant with the relevant Standard Drawing as detailed in the table below. The standard drawings outline all requirements for the construction of a vehicle crossover, including material requirements, prohibited locations, permitted grades and levels, treatment of existing infrastructure/utilities, dimensions and number of crossovers permitted per allotment type, and other related standards. This policy and the *Application for Approval to Construct a Vehicle Crossover (driveway)* must be read in conjunction with the relevant standard drawing.

Type of Road Side Environment	Applicable Standard Drawing
Urban residential streets with kerb and channel (single detached dwelling and/or dual occupancy i.e; up to 2 dwelling units-houses)	FC-230-01 (plan 1 of 2) – Vehicle Crossings - Residential Driveway – Requirements
	FC-230-01 (plan 2 of 2) - Vehicle Crossings - Residential Driveway – Construction Details
Multi-residential (>2DU), small scale commercial and industrial vehicle crossovers not in accordance with a Material Change of Use in urban streets	FC-230-02 – Commercial and Industrial Vehicle Crossovers – Heavy Duty standard
Rural/Rural residential streets or roads and urban roads without kerb and channel <i>See note 1 below</i>	FC-230-03 – Rural Vehicle Crossover – Pipe or Box Culvert and Invert Crossovers

Note 1: Calculations for the sizing of pipe or box culverts shall be carried out by a Registered Professional Engineer at the applicant’s expense, and shall be submitted with the application for approval by Council.

Non-Standard Vehicle Crossovers

In cases where Council’s standard vehicle crossover specifications are not achievable due to existing site constraints, the applicant will be required to submit a specific design for the crossover certified by a registered professional engineer of Queensland (RPEQ), e.g. vehicle crossovers -over watercourses or large drains, steep gradients or cross falls.

Council will not assume any responsibility for approval of a standard or non-standard vehicle crossover which proves unsatisfactory, and the applicant accepts full responsibility for determining if the standard crossovers are suitable in the particular circumstances of the proposed vehicle crossover.

Council Discretion

Council has the discretion to remove or modify any vehicle crossovers if they are not constructed or maintained to Council's satisfaction, or if a reasonable objection is raised by a public utility provider or others. In this instance, Council will provide due notice to those responsible for the non-compliant vehicle crossover to be removed or modified to Council’s satisfaction. Should no action be taken within twenty-eight (28) days, Council will have no alternative than to issue a compliance notice. Should there be further non-compliance; a penalty infringement notice can be issued.

To ensure compliance with this policy and other relevant conditions, Council will conduct an audit process to assess a proportion of all vehicle crossover applications that are received. Where the audit identifies constructed driveways that do not comply with all relevant conditions or standards, Council will provide due notice to those responsible for the non-compliant crossover as outlined above. The compliance notice may be issued under Section 11 Compliance notice for vehicle crossovers and stormwater drainage of Local Law 4.

Variances and Exclusions

Any variance from this policy may only be approved by the Chief Executive Officer or a nominated delegate. The Chief Executive Officer or nominated delegate when considering a variance of this policy will assess the following;

- The nature of and reason for the variance.
- That there are such circumstances or conditions that the strict application of the provisions of this policy would clearly be impracticable or unreasonable.

- That the granting of the specified variance will not be detrimental to the public welfare or injurious to other property in the area.
- That such variance will not violate other Council policies or legislative requirements.

A permit or application under this policy cannot authorise work that is;

- An alteration or improvement to a road which is a development condition of a permit issued under the Planning Act 2016.
- The removal of vegetation from a road for which a tree clearing permit under the Land Act 1994 is required.
- Construction of a vehicle crossover on a state controlled road (contact Department of Transport and Main Roads for advice in this instance).

HEAD OF POWER:

Local Government Act 2009

RELATED LEGISLATION:

Land Act 1994

RELATED DOCUMENTS (LOCAL LAWS, POLICIES, DELEGATIONS, ETC):

- *Local Law 1 – Administration*
- *Local Law 4 – Local Government Controlled Areas, Facilities and Roads*
- *Fact Sheet Vehicle Crossovers*

ATTACHMENTS TO POLICY:

- *Form – Application for Approval to Construct Vehicle Crossover (driveway)*
- *FCRC Standard Drawings for Vehicle Crossovers*

DEFINITIONS

Vehicle Crossover – for the purposes of this policy means the area between the edge of the road pavement (or seal) and the property boundary that is used for vehicular access from the roadway into the property, crossing the area known as the nature strip or verge and all related assets, including, but not limited to, culverts, headwalls, delineation and pavement. A vehicle crossover may also be referred to as a crossover, crossing, driveway, and property access or property entrance. *Note the Fraser Coast Regional Council planning scheme also provides definition for access under Schedule 1.4 – Administration terms and definitions.*

Nature strip – as defined in the Transport Operations (Road Use Management—Road Rules) Regulation 1999) - means an area between a road (except a road-related area) and adjacent land, but does not include a bicycle path, footpath or shared path.

Road-related area – as defined in the Transport Operations (Road Use Management—Road Rules) Regulation 1999) – is any of the following, an area that divides a road, a footpath or nature strip adjacent to a road, an area that is not a road and that is open to the public and designated for use by cyclists or animals, an area that is not a road and that is open to, or used by, the public for parking vehicles.

State Controlled road – means a road under the management authority of the State of Queensland – as per the Transport Infrastructure Act 1994.

Damage – what constitutes damage inappropriate use, and or continuous long term wear and tear.

HISTORY:

Amended: N/A