



Policy

Provision of Driveways

2021

Information about this document

Date Adopted by Council	29 March 1994
Resolution No	
Document Owner	Director Sustainable Environment and Economy
Document Development Officer	Manager Sustainable Development
Review Timeframe	4 years
Last Review Date	03 March 2021
Next Scheduled Review Date	03 March 2025

Document History

Doc No.	Date Amended	Details/Comments eg Resolution No.
DM631705		Adopted 29/03/1994
E2021/17663	3 March 2021	Minor updates: Updated template for better accessibility; included relevant legislative context; included text for clarity at cl 2.5. Context of Policy not altered.

Further Document Information and Relationships

Related Legislation	Roads Act 1993 SEPP (Exempt and Complying Development Codes) 2008
Related Policies	
Related Standards, Procedures, Statements, documents	Northern Rivers Local Government Development Design and Construction Manuals: The Handbook for Driveway Access to Property

Note: Any reference to Legislation will be updated in the Policy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.



1. Objectives

- 1.1. To regulate the provision of driveways for access to private property.

2. Policy statement

- 2.1. Driveways shall not be constructed within the road reserve without the prior written approval of Council.
- 2.2. The property owner shall be responsible for the construction and maintenance of driveways to private property between the kerb line or table drain to the property boundary.
- 2.3. Property owners to construct the driveway at their own expense.
- 2.4. Construction of the driveway on public land shall be in accordance with Council's code for the construction of driveways and accesses.
- 2.5. Maintenance of all driveways shall be the responsibility of the property owner. Where driveways are not constructed or maintained to a satisfactory standard, Council may require the property owner to upgrade the driveway.

3. Legislative context

- 3.1. Consent under [Section 138](#) of the NSW Roads Act 1993 is required for any works or activities in a public reserve, public road way or footpath (nature strip). Section 138 of the NSW Roads Act requires that all activities undertaken within Council's road reserve be approved by Council prior to the activities being undertaken.

Concurrence from TfNSW is required for classified roads.

- 3.2. SEPP (Exempt and Complying Development Codes) 2008 [Part 2 Division 1 Subdivision 14](#) provides the development standards.
- 3.3. The [Handbook for Driveway Access to Property](#) is one of a number of manuals within the Northern Rivers Local Government Development Design and Construction Manuals. It has been developed as a resource sharing initiative involving Byron Shire Council, Lismore City Council, Kyogle Council, Richmond Valley Council, Ballina Shire Council and Clarence Valley Council.

The document has been derived from the AusSpec Development Specification series (D1.37 and D1.38) and modified to suit the specific needs of our region. It provides uniform development standards for the region via a clear and comprehensive set of requirements for development infrastructure design and construction.

The development industry is encouraged to utilise these guidelines before planning begins, enabling faster and more effective processing of developments through Council.