

# RURAL PROPERTY ACCESS POLICY

<b>Responsible Department:</b>	Infrastructure Delivery
<b>Responsible Section:</b>	Road Services
<b>Responsible Officer:</b>	Manager Road Services

## Objective

To ensure that vehicular accesses to private property in rural areas are constructed to a uniform, practical and safe standard that will protect road pavements, utility services, pedestrians and motorists, as well as support drainage to prevent erosion.

## Introduction

It is the property owner's responsibility to construct and maintain property accesses. A property access is the section of vehicular access between Narrabri Shire Council's road construction (edge of pavement) and the property boundary.

Narrabri Shire Council requires that the property access be constructed at the frontage of a property, at location(s) approved by Narrabri Shire Council and to standards approved by Narrabri Shire Council in order to address possible road safety and maintenance considerations.

Under Section 107 of the Roads Act 1993, Council may direct any person who causes an obstruction or encroachment on a public road, or the owner of any land that is used, or is able to be used, in connection with the obstruction or encroachment on a public road, to remove the obstruction or encroachment.

## Definitions

- "Policy" means Rural Property Access Policy;
- "Council" means authorised Council Officer from Narrabri Shire Council;
- "Rural" means any property that adjoins a Council road which does not contain kerb and gutter;
- "Driveway" means an all-weather access across a table drain and may include stormwater pipes (culverts);
- "Property Access" means the roadway linking the edge of a Council road to a single private property boundary;
- The Private Property Entrance may traverse a road reserve or stock route;
- "Council Road" means a Council controlled road listed on the Narrabri Shire Council Road Register.

## Policy

### 1.

- 1.1. The construction and maintenance of the driveway, from the edge of the Council formed road to the property boundary, remains the responsibility of the property owner, and must be carried out in accordance with this policy. Any variance from these details must have written approval from Council's Director of Engineering Services before work has commenced. Failure to comply with this document may result in the works being removed at the property owner's expense.
- 1.2. Access to rural properties shall be located in accordance with AS.2890.1 or as approved by the Director of Engineering Services, at a location such as to provide adequate sight distances, so that road users can see vehicles entering or leaving the access in time to brake or take evasive action. Council can provide advice on the location of proposed accesses.
- 1.3. Each Lot must have access onto the property via a property access which is used for the purposes of accessing a single property. Where multiple Lots are created and a 'Right of Carriageway' is used for access to rear Lots, then each Lot shall have a single property access created central to its Right of Carriageway access, or as approved by the Director of Engineering Services.
- 1.4. Accesses are to commence at the outside edge of the road shoulder, and under no circumstances are to impinge onto the road shoulder. The access shall be formed on an alignment that is at right angles (ninety degrees) to the Council road alignment. Under exceptional circumstances where approved by the Director of Engineering Services, the access may be formed on an alignment between seventy to ninety degrees to the Council road alignment.
- 1.5. Accesses are to be properly formed and graded so that stormwater is not channelled by the driveway onto the surface of Council's road.
- 1.6. The design and shape of the property access must be such that Council plant and machinery will be able to traverse it during maintenance operations.
- 1.7. Where the works will affect the flow of traffic on a public road the property owner will need to engage a suitably experienced contractor to carry out the work. The contractor will need to complete the works in accordance with the RMS's Traffic Control at Work Sites manual, be adequately insured against Public Liability and shall be responsible for any claims arising from these works.

### 2. Access Surface

- 2.1. Where a proposed driveway adjoins to a sealed Council road, the driveway shall also be sealed from the road pavement to the property boundary or a length of 8.0m (whichever is the least distance).

- 2.2. Where a proposed driveway adjoins to a gravel surface Council road the driveway shall also have a gravel surface that is of a similar (or better) standard to that of the gravel road, from the road pavement to the property boundary or a length of 20m (whichever is the least distance).

### **3. Type 1 Property Access (not piped)**

- 3.1. If the table drain has inadequate depth and it is impractical to fit a pipe, a non-piped property access may be provided through the table drain in accordance with Council standard drawing SD-102 (Rural Vehicular Crossing – Type 1).
- 3.2. Type 1 Rural Vehicular Crossings will not be appropriate at locations where stormwater from table drains may cause failure of these accesses. Type 1 accesses are generally approved at the tops of road crests where stormwater volumes are low and table drain catchments are minor, as determined by the Director of Engineering.

### **4. Type 2 Property Access (piped-minimum diameter 375mm reinforced concrete pipe RRJ minimum 4.88m long with headwalls)**

- 4.1. Where the access crosses a table drain beside Council's road, a concrete pipe shall be installed in accordance with Council standard drawing SD-102 (Rural Vehicular Crossing – Type 2) so that water in the table drain can flow unimpeded. In some instances, a larger diameter pipe will be required, and this will be as directed by Council's Director of Engineering at the expense of the property owner.
- 4.2. Stormwater pipes must not be located over water mains, sewer mains or other services. The property owner is responsible to check the locations of any services, which might be affected by the access and thus responsible for any costs associated with the relocation or damage of these services.

### **5. Inspections**

- 5.1. The following inspections will be required:
  - Prior to backfilling on pipes (Type 2);
  - Prior to sealing the surface (Type 1 or 2);
  - Prior to importing of gravel (Type 1).
- 5.2. Council requires at least two full working days' notice prior to inspecting the work. Inspections will be carried out during Councils standard operating times (Monday to Friday, 8:35am to 4:30pm).
- 5.3. A fee in accordance with Narrabri Shire Council's Fees & Charges will be required for any inspections where less than two full working days' notice has been given or where an inspection is required outside of Councils standard operating times.

5.4. A 'Request for Rural Access Inspection' forms are available from the Narrabri Council Office.

## 6. Workmanship

6.1. Any vehicle crossing not inspected or constructed in accordance with this policy will be removed by Council after the property owner has been notified of Councils intentions in writing and given 28 days to rectify the matter.

## 7. Adjustments

7.1. Where Council works require an approved vehicle crossing to be modified, Council will undertake such modifications at no cost to the property owner. The property owner will continue to be responsible for the maintenance and upkeep of the modified access.

## References

- Roads Act 1993.

## History

Minute Number	Meeting Date	Description of Change
201/2010	April 20, 2010	Adopted
26/2012	February 21, 2012	Reviewed
210/2013	April 2, 2013	Reviewed
106/2017	August 15, 2017	Reviewed
	August 31, 2021	Rebranded