

Purpose

The purpose of this policy is to establish the processes for dealing with requests relating to the maintenance and construction of driveway accesses to private property off the road pavement and to confirm Council's position in relation to responsibility and cost of construction and maintenance of vehicular and pedestrian accesses to private property from the road pavement.

The maintenance of driveways and property access is important for the following reasons:

1. Provides for safe and appropriate access from the road to individual properties through the public road corridor;
2. improves presentation of an area,
3. removes potential nuisances and hazards, and
4. provides property access.

Scope

This policy is applicable to all areas in the Whitsunday Regional Council area.

Policy Statement

1. All crossings are the responsibility of the adjoining property owner to construct and maintain and all costs associated with these works shall be borne by the property owner.
2. All crossings from the road pavement to property boundaries for the purposes of vehicular or pedestrian access shall be constructed in accordance to the standards set by the Local Government Act 2009.
3. Prior to altering an existing or constructing a new access point, approval must be sought and obtained from Council by the adjoining property owner. Application for Road Work Permit is available on Council's website.
4. Where during a capital project upgrade project Council determines that an existing driveway needs to be reinstated, reconstruction costs shall be borne by Council.
5. The ongoing maintenance of all forms of accesses to private properties shall be the responsibility of the private property owners.

Applicable Legislation

Local Government Act 2009 - section 74 Roads map and register.

Whitsunday Regional Council - Local Law 4

Whitsunday Regional Council - Development Manual

Local Government Act 2009

Planning Act 2016

Property Access Policy

Infrastructure Services - Roads and Drainage

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Definitions

CEO refers to the Chief Executive Officer of the Whitsunday Regional Council appointed in accordance with the *Local Government Act 2009*.

Council refers to the Whitsunday Regional Council

Employee refers to any employee, contractor, volunteer etc. of the Council

Driveway refers to the constructed driveway within the road reserve for property access made from concrete, asphalt, bitumen, pavers, gravel etc.

Road Reserve refers to the area of land between the property boundaries either side of the road, which may contain a pathway and sealed or unsealed road.

Related Documents

Whitsunday Regional Council - Local Law 4

Whitsunday Regional Council - Development Manual

Local Government Act 2009

Planning Act 2016

Human Rights Compatibility Statement

This Policy has been assessed as compatible with the Human Rights protected under the *Human Rights Act 2019*.

COUNCIL POLICY			
Date Adopted by Council	13/08/2019	Council Resolution	
Effective Date		Next Review Date	13/08/2022
Responsible Officer(s)	Engineering Services	Revokes	LSP_ENG_02
Public Consultation: Yes / No			

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