



Glamorgan Spring Bay Council

Driveway Construction and Maintenance Policy

Version 1

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1 Purpose

- This Policy supports Council’s vision and strategic objectives for the appropriate management of infrastructure assets.
- In order to regulate and ensure works in the road reserve are carried out to an appropriate standard and in a safe manner, the Council requires those working within the road reserve to apply for a *Work within Road Reserve Permit*.
- This Policy provides a consistent framework for property owners and contractors to ensure that all vehicle access to Council roads is designed and constructed in accordance with Council’s adopted standards.

2 Scope

- This policy applies to all driveways on Council roads and State Government roads where Council has maintenance responsibility under the *Local Government (Highways) Act 1982*.

3 Definitions

- The following definitions apply to this policy:

Term	Definition
Council Road	Means a road for which the Local Government is responsible
Council Standard Drawings	Tasmanian Municipal Standard Drawings (IPWEA/LGAT)
Driveway	The driveway is the private asset, and the property owner is responsible for its maintenance and/or repair.
Driveway Culvert	Driveway culverts are private assets required to allow access over the table drain. The property owner is responsible for its maintenance and/or repair.
Endwalls, Headwalls or Wingwalls	Endwalls, headwalls or wingwalls are private assets required to retain fill at the end of culverts. The property owner is responsible for maintenance. The Council is responsible for the maintenance of the table drain upstream and downstream of the endwalls.
Local Government	Glamorgan Spring Bay Council
Road Reserve	The parcel of land between the boundaries facing properties which include roadways, footpaths and verge/nature strips.
Verge (Nature Strip)	The portion of the road reserve between the carriageway and the property boundary, which may include footpaths, services, landscaping, and street furniture. The verge is under the care and control of Council unless otherwise specified.
Footpath	A constructed path within the road reserve designated primarily for pedestrian use, which may be paved or unpaved and may also be shared with cyclists where designated.

Vehicular Crossing	The vehicular crossing serves two purposes; it allows vehicles to safely access the driveway and conveys stormwater along the table drain. The vehicular crossing forms part of the driveway access and the property owner is responsible for its maintenance and/or repair.
Urban Area	Land within a town or settlement that is typically serviced by kerb and channel drainage, sealed roads, and formal footpaths, as defined by Council planning schemes or asset classifications.
Rural Area	Land outside defined urban areas, generally characterised by unsealed or sealed roads without kerb and channel, and where stormwater is managed via open table drains, as defined by Council planning schemes or asset classifications.
Work Within Road Reserve Permit	The Permit issued by Council approving work to be undertaken within the road reserve. The Permit may contain conditions that have to be met by the applicant.

4 Policy Review and Update Cycle

- This policy will be reviewed by the Council at least once every 2 years.

5 Policy

5.1 General

- Alterations, improvements, or obstructions must not be constructed within a road reserve without prior approval from Council. All works must comply with Council's adopted standards and be undertaken to the satisfaction of the General Manager or delegated Council Officer.
- All costs associated with the construction of a driveway or vehicular crossing are the responsibility of the property owner.

5.2 Ownership and Maintenance – Urban Area

- In urban areas, these generally consists of three parts to a driveway, these include:

5.2.1 Vehicular Crossing

- **Vehicle Crossing - kerb**
The vehicular crossing serves to provide safe vehicle access and maintain the continuity of kerb and channel drainage. The vehicular crossing forms part of the driveway access, and the property owner is responsible for its maintenance and repair.

- **Vehicular Crossing - open drain**

Driveway Culvert

A driveway culvert is a private asset required to allow access over the table drain. The property owner is responsible for its cleaning and maintenance.

Endwalls (Headwalls)

Endwalls are private assets required to retain fill at the ends of culverts. The property owner is responsible for maintenance of these items. The Council is responsible for maintenance of the table drain upstream and downstream of the endwalls.

- The *Figure 3* below is provided to assist residents understand the responsibilities in relation to table drains and driveways. This diagram is not for technical or construction purposes.

5.2.2 Driveway

The driveway is a private asset and the property owner is responsible for its maintenance, replacement and upkeep.

5.2.3 Footpath

(if footpath is present) Where a driveway crosses an existing footpath, the section of footpath within the driveway is considered part of the driveway crossover, and the property owner is responsible for its construction, maintenance and repair. If Council constructs or upgrades a footpath across an existing driveway, the shared section will be constructed, as far as practicable, to the same structural standard as the driveway and using the same surface material as the footpath, in accordance with the Council Standard Drawings. Council is not responsible for upgrading or reconstructing any additional portions of the driveway outside the footpath area to achieve a consistent appearance.

- The diagrams below are provided to assist residents understand the responsibilities in relation to footpaths and driveways. These diagrams are not for technical or construction purposes.

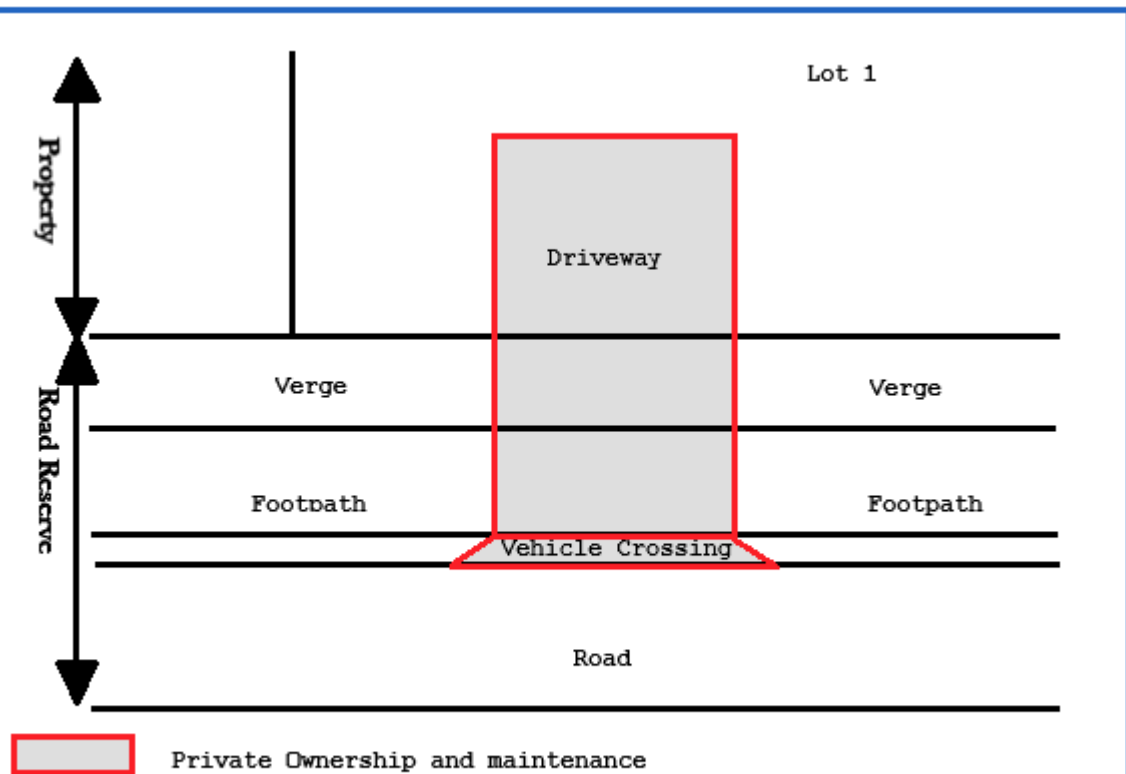


Figure 1: Urban Driveway, Footpath at Kerb

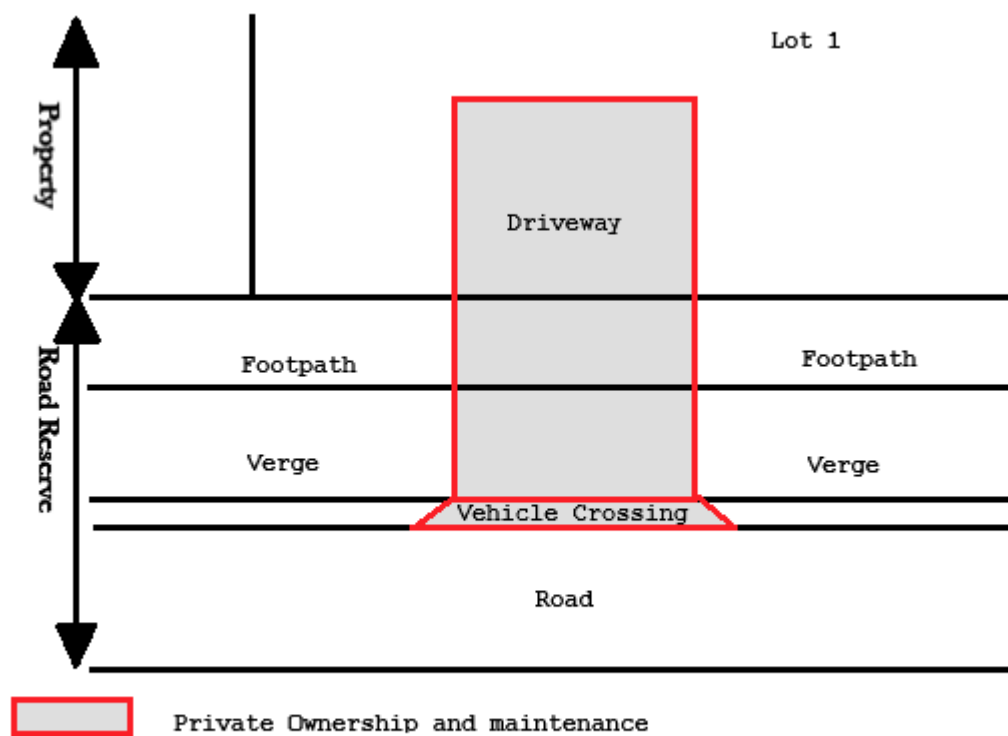


Figure 2: Urban Driveway, Footpath at Boundary

5.3 Ownership and Maintenance – Rural Area

- In Rural areas, these generally consists of three parts to a driveway, these include:

5.3.1 Driveway Culvert

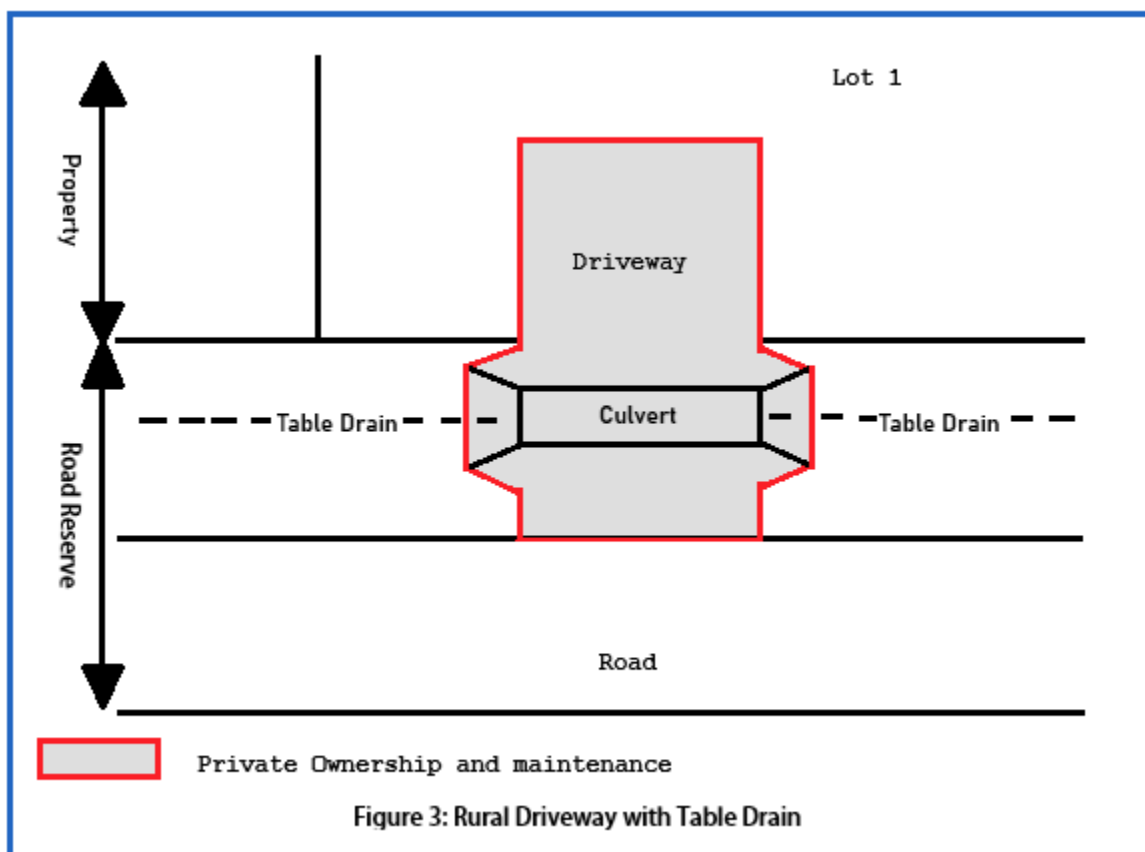
A driveway culvert is a private asset required to allow access over the table drain. The property owner is responsible for its cleaning and maintenance.

5.3.2 Endwalls (Headwalls)

Endwalls are private assets required to retain fill at the ends of culverts. The property owner is responsible for maintenance of these items. The Council is responsible for maintenance of the table drain upstream and downstream of the endwalls.

5.3.3 Driveway

The driveway is a private asset and the property owner is responsible for its maintenance, replacement and upkeep. As per the Council Standard Drawings, driveways on sealed roads should adopt the adjacent seal type (i.e asphalt / sprayed seal) while a seal is not required for property accesses off unsealed roads.



5.4 Council Projects that Affect Driveways

- Where Council undertakes works that alter road or footpath levels, Council will adjust affected driveway components as necessary to match the new levels.
- Any upgraded works will be constructed to the minimum standard specified in the Council Standard Drawings.
- A property owner may request to upgrade their driveway at this time, although all additional costs must be borne by the property owner and applications will be determined by the Council on receipt of application. The Council will take no responsibility for the ongoing maintenance of the driveway.
- If a Council project increases flow to a driveway culvert by the redirection of drainage paths, then the Council is responsible for upgrading driveway culverts to suit.

5.5 Works Within a Road Reserve

- Permission from the Council is required for the works listed in section 46 of the *Local Government (Highways) Act 1982* and includes the following works:
 - New driveway construction
 - Works on nature strips
 - Trenching and excavation
 - Works affecting pedestrian traffic
 - Works affecting vehicular traffic
- The purpose of this requirement is to:
 - Ensure that Council assets are protected
 - Ensure that contractors undertaking works are appropriately qualified and comply with relevant legislation, including the *Work Health and Safety Act 2012* and applicable traffic management requirements.
 - Ensure that impact on the public is managed
 - Avoid conflict with other projects, events and activities
- Any person wishing to undertake construction or modification works to a driveway or property access within the road reserve must obtain a '[Work Within Road Reserve Permit Application](#)'.
- All works must be completed by a suitably qualified and experienced contractor to Council standards, to ensure that it is capable of withstanding vehicle loads and to minimise future maintenance and risk to the public.
- All costs for construction of new or upgrading or repairing driveways are to be borne by the property owner. This may include replacement of the footpath section and utility covers to ensure that the area is suitable for vehicle loads. This may also include construction of a new crossover and reinstatement of kerb to replace a redundant crossover.

5.6 Steep Driveways

- For proposed driveways with a grade exceeding 20%, a longitudinal section must be submitted along the centre line of the driveway between the kerb and the proposed house site. Unless a variation has been granted the maximum slope shall be:
 - as shown in the Council Standard Drawings for urban driveways and
 - 25% within the property boundary.
- Some existing driveways have grades that make access difficult or cause ‘scraping’. Addressing this issue is the responsibility of the property owner. Council approval is required prior to any works.
- The only exception is when the road crossfall is greater than 5%. In these cases, Property owner with Council’s permission may install an ‘asphalt wedge’ or other improvement in accordance with the Council Standard Drawings.

5.7 Multiple Driveways

- Generally, the number of driveways per property will be restricted to one. However, any person wishing to construct an additional driveway to a property may be subject to approval under *Land Use Planning and Approvals Act 1993* must demonstrate to the satisfaction of Council that the driveway can be used safely; will not increase the risk to the public and will not adversely impact parking in the local area.

5.8 Installation of Mirrors

- Convex mirrors are not for general use and should only be installed as a traffic safety device as a last resort if there is a severe problem with sight distance and there are no other viable options available (i.e relocation of the driveway or private access, trimming of vegetation or alteration and/or relocation of property fencing etc).
- They should only be considered where a driveway does not meet the requirements for ‘Safer Intersection Sight Distance’ (SISD) and ‘Minimum Gap Sight Distance’ (MGSD) as stated in the Austroads Guide to Road Design Part 4A : Unsignalised and Signalised Intersections.
- Ideally convex mirrors should only be used in low-volume, low-speed road environments. For traffic being viewed in the mirror with an 85th percentile speed of more than 60 km/h, the image of a vehicle would be very small at the required sight distance and may give a false sense of how far away it is.
- Mirrors are not permitted on TasNetworks infrastructure.
- A *Work Within Road Reserve Permit* must be lodged with council before undertaking any works.

5.9 Discharge of Concentrated Drainage onto Roads

- As per Section 47 of the *Local Government (Highways) Act 1982*, unless prior permission is obtained from the Council, property owners should not make any additional alterations to any natural surfaces that would result in a change in the location, concentration, volume, velocity, frequency, duration or intensity of overland stormwater flows that could be directed into the road table drain or neighbouring properties. Permission would only be granted if the owner can

demonstrate that the public stormwater system (including roadside drains) has capacity for the inflows.

- The management and discharge of stormwater must comply with the Urban Drainage Act 2013, including the obligation for landowners to prevent concentrated runoff from causing impacts beyond the property unless accepted by Council as part of the public stormwater system.
- After all reasonable measures have been implemented to manage stormwater within the property, any residual concentrated runoff must be directed to the downstream side of the table drain in accordance with Council Standard Drawings.
- To both protect the integrity of the driveway and ensure that an unmanageable volume of water is not accumulated at the upstream side of the driveway crossover culvert, additional culverts should be progressively installed up driveways within the property according to the spacings outlined in the table below.

Driveway Grade (%)	Maximum Culvert Spacing (meters)	Driveway Grade (%)	Maximum Culvert Spacing (meters)
≤ 2	250	15 - 16	70
3 - 4	200	17 - 18	65
5 - 6	150	19 - 20	60
7 - 8	125	21 - 22	55
9 - 10	100	23 - 24	50
11 - 12	90	≥ 25	40
13 - 14	80		

Figure 4: Maximum Recommended Culvert Spacing

5.10 Requirement to Upgrade

- A property access may be deemed to constitute a nuisance when it causes drains to be blocked or water or gravel to wash over the road or otherwise causes a negative impact on Councils roads, footpaths and/or stormwater system from working effectively.
- Where a property access has been deemed to be a nuisance, Council may issue a Notice requiring the property owner to upgrade the access to the Council Standard Drawings or install preventative measures to prevent such a nuisance to the satisfaction of Council.
- All works associated with the upgrade and/or improvements of the access will be at the cost of the property owner (including machinery and labour installation costs).
- If remedial works specified on the Notice are not undertaken by the property owner within the specified timeframe, Council may undertake the works to abate the nuisance and subsequently recover the costs from the property owner.

5.11 Liability and Indemnity

- Council accepts no responsibility for the condition or performance of private driveway infrastructure.
- Property owners are responsible for any damage caused to Council assets or third parties arising from the construction, use, or condition of a driveway.

- The property owner indemnifies Council against any claims arising from works undertaken within the road reserve.

6 Subdivision & Development Applications

- 6.1 All new subdivisions, dwellings and other developments that access a sealed Council road must have an individual access constructed to Council Standard Drawings for sealed roads. A *Work Within Road Reserve Permit* must be lodged with Council prior to undertaking work.
- 6.2 All new subdivisions, dwellings and other developments that access an unsealed Council road must have an individual access constructed to Council Standard Drawings for unsealed roads. A *Work Within Road Reserve* must be lodged with Council prior to undertaking work.
- 6.3 In some circumstances, Council may require the access to be sealed for safety or to prevent erosion problems. In these circumstances Council will seek advice from the Municipal Engineer.
- 6.4 Where an existing access is part of a new subdivision/development and that access meets a sealed road, that access will need to be upgraded (if necessary) to Council Standard Drawings and sealed. An application must be lodged with Council prior to undertaking work.
- 6.5 Where an existing access is part of a new subdivision/development and that access meets a gravel road that access will need to be upgraded (if necessary) to Council's adopted standard. In some circumstances Council may require the access to be sealed for safety or to prevent potential erosion problems. In these circumstances the Municipal Engineer will assess and determine accordingly.
- 6.6 In the case of a boundary adjustment where no additional lots are created and such adjustment is considered by Council to be of an insignificant nature (upon advice from the Council Planner) and the property is served by an existing access, Council may, through the General Manager, relax the provisions of Clause 6.1 and 6.2 of this policy.

7 References

- *Local Government Act 1993*
- *Local Government (Highways) Act 1982*
- *Roads and Jetties Act 1935*
- *Traffic Act 1925*
- *Work Health and Safety Act 2012*
- *Land Use Planning and Approvals Act 1993*
- *Tasmanian Planning Scheme*
- *Urban Drainage Act 2013*
- *Council Standard Drawings (IPWEA/LGAT)*
- *Tasmanian Infrastructure Design Guidelines*
- *Work Within Road Reserve Permit – Application Form*