



PROPERTY ACCESS POLICY

Adopted by Council on 9 July 2025

(Resolution No. 2025/420)

Purpose

The purpose of this policy is to clearly define the respective responsibilities of Council and property owners in relation to the construction, maintenance, and modification of property accesses. It provides guidance to ensure all works are carried out to a consistent standard that supports public safety, protects infrastructure, and minimises impacts on Council-managed assets.

Scope

This policy applies to all new, modified, or reconstructed property accesses across Council-controlled roads and footpaths, including urban and rural areas.

Responsibilities

Property owners are responsible for:

- All costs associated with construction and maintenance for property access (including drainage pipes, culverts, headwalls) in accordance with this Policy, unless an exemption applies.
- Crossings over footways between their property and the road.
- Verifications of the location of any services (e.g., telecommunications, water, sewerage) prior to works commencing. Any costs associated with protecting, relocating, or repairing services are the owner's responsibility.
- Ensuring all construction and maintenance work complies with Council standards.
- Arranging inspections before concrete pours (24 hours' notice required).
- Having appropriate Public Risk Liability insurance for any works undertaken.
- Covering the full costs of damage to public utilities or required alterations.
- Completing and submitting relevant documentation (including s138 applications) to Council for approval prior to starting works

Council is responsible for:

- Approving access construction applications under the Roads Act 1993.
- Inspecting excavation and formwork before concrete pouring.
- Designing roadworks to maintain property access where possible.
- Rebuilding accesses at no cost if Council-initiated roadworks necessitate changes (where the access was compliant with this policy).

General Requirements

- All access construction must comply with Council specifications and relevant Australian Standards.
- Any deviation requires prior written Council approval.
- If works proceed without approval, Council may require removal of works at the property owner's cost.

- Fees and charges (e.g. s138 applications) must be paid prior to Council issuing a permit (standard charges are listed in Council's annual Fees and Charges schedule).
- A minimum of one access is required for every residential property.
- All work must be inspected and approved by Council prior to the pouring of concrete or completion of final works. Minimum 24 hours' notice must be provided for inspections.
- The entity completing the work must be in compliance with all aspects of the s138 approval including (but not limited to):
 - Hold valid public liability insurance
 - Hold valid workers compensation
 - Have relevant licences
 - Have a white card
 - Have appropriate traffic control measures
- Access must be designed and constructed to protect public utilities and Council assets. Owners/contractors will be liable for any damage caused.

Inspection

- Prior to pouring concrete, an inspection by Council of formwork and reinforcement is required. Installations conducted without inspections may not be approved and may require removal.
- Contact Council's Engineering Department at least 1 working day prior to inspection (Monday–Friday, 8:30 AM–4:30 PM).

Subdivision, Development, or Building Approvals

- Access construction or reconstruction may be required as a condition of approval.
- If not completed within six (6) months of practical completion or occupation, Council may construct the access at the owner's cost.

Specific Access Guidelines

Urban Accesses (with Kerb and Gutter)

Owners must provide access from the property boundary to the kerb or road edge. The following must be followed for installation of accesses.

- Construction must be in accordance with the relevant standard drawings and meet the following minimum standards:
- Residential: Reinforced concrete, 125mm thick with F72 mesh (central).
- Commercial/Industrial: Reinforced concrete, 200mm thick with F82 mesh.
- Gutter ramps, concrete in-fills, or obstructions are prohibited without prior Council approval.

- For accesses where existing driveways are on poor angle and "scraping" or steep movement is present for vehicles moving between the batter of the road and the driveway, steel plates or rubber kerb ramps can be used, these additions must:
 - be removable by any single person
 - not be a permanent fixture
 - not exceed standard road incline
 - not restrict flow of water along the existing drain lines
 - not enter the flow of traffic
 - not extend greater than 400mm beyond the edge of the existing kerb
- Prior to installation of these devices, the owner must receive approval from Council. Examples of devices approved can be provided by Council upon request.
- Accesses must not be constructed over stormwater pits, utility services, or close to street furniture (poles, signs, trees).
- Barrier kerbs require removal and construction of an invert crossing.
- Driveways must be located:
 - Away from site constraints (gully pits, poles, medians, trees).
 - At least 8 metres from intersections.
 - Road safety and turning space will be assessed for all crossover placements.

Rural Accesses (or Urban Areas without Kerb and Gutter)

- Access must be constructed to prevent extension into or obstruction of the road shoulder.
- Where drainage is required, a minimum 375mm diameter reinforced concrete pipe must be installed under the access, or a box culvert if appropriate.
- Rural accesses must be sealed (e.g., bitumen, concrete) if connecting to a sealed public road.
- Accesses must be constructed to accommodate future kerb and gutter levels, where urbanisation is planned.
- Where a Council road construction or upgrade project affects an existing property access, Council will replace the access at its existing standard unless an upgraded standard is negotiated with the property owner. New accesses provided by Council must include a minimum 100mm compacted gravel sub-base.
- Where a crossing is to be constructed for a single dwelling and no future plans for kerb and gutter are in place for the block, a gravel crossing can be installed as a temporary access measure. The gravel cross over should follow the standard drawings for dimensions and materials. As a minimum a bitumen surface shall be applied.

Conditions for Dual Accesses (Single or Dual Occupancies)

A maximum of two vehicular accesses per allotment is permitted where:

- Each access serves an additional usable parking space behind the 6m building line.
- Access locations avoid existing infrastructure and comply with spacing requirements.

Approvals and Fees

- Property owners must submit a **Section 138 Application** under the *Roads Act 1993* and obtain written approval from Council prior to commencing construction, modification, or removal of any property access.
- Council's Engineering department will assess the application for compliance with relevant standards, safety, drainage, and traffic management considerations.
- Relevant application fees, inspection fees, and security deposits (e.g., footpath deposits) are payable as set out in Council's adopted Fees and Charges schedule.
- Approval is valid for six (6) months from the date of issue. A new application must be lodged if construction does not commence within this period.

Reinstatement of Crossovers

- If development results in an access becoming redundant (e.g., changes to driveway location), the old crossing must be removed and kerb and footpath reinstated to Council standards at the developer's cost.
- Council may permit retention of redundant accesses where it is demonstrated that no adverse amenity or safety impacts will result.

Definitions

Term	Meaning
Driveway	An all-weather surface across a roadside drain, possibly including culverts or pipes.
Crossover	The area between the driveway and the property boundary, including any footpath crossings.
Private Property Entrance	The roadway connecting the Council Road edge to the private property boundary, possibly crossing road reserve or stock route.
Council Road	A road listed in the Narromine Shire Council Road Register.

Legislative Context (Roads Act 1993)

- Section 6: Landowners have a right to access public roads but must comply with restrictions imposed by law.
- Section 92: Council may alter adjacent landforms for road stability (with compensation for loss or damage).
- Section 95: Owners must prevent and remove obstructions like sand or soil washing onto roads.
- Section 218: Council can recover the cost of constructing or repairing special crossings from adjoining landowners.