

Kyogle Council

Property Access and Addressing Management Plan



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1 PURPOSE

Council's document titled **Property Access and Addressing Management Plan** aims to reduce the exposure of the landowner and Council to the possibility of a claim through the management of the risks associated with Property Accesses. This shall be achieved by developing and maintaining a systematic approach to approval, inspection, evaluation, maintenance and repair of all Property Accesses.

2 OBJECTIVES

This management plan aims to:

- Document a transparent system for the approval and construction of Property Accesses.
- Identify standards for the construction of Property Accesses.
- Define maintenance responsibilities for Property Accesses.
- Define registration and recording procedures for Property Accesses.
- Provide a legal framework through which the Property Access and Addressing Policy can be enforced.
- Ensure that the location of Property Accesses does not materially affect the enjoyment of persons or parties wishing to use the Kyogle Council Road Network.

Within the available resources of council's to:

- Provide safe roads for use by road users;
- Provide a system of proactive maintenance;
- Identify areas that require maintenance;

To assist in meeting the Strategic Governance targets outlined in Council's Management Plan;

- To identify and address the needs for the improvement of the Rural Local Road Network and to improve the level of service to the general public and residents of the Council area
- Promote road safety
- To control private structures on roads and road openings and to ensure all works are carried out to adopted standards

3 SCOPE

This document covers all matters relating to the administration and management of Property Accesses on the Kyogle Council Road Network, and the allocation of Property Addresses for all properties within the Kyogle Local Government Area.

4 DISCUSSION

This policy has been developed to ensure the safety and accessibility to residents when entering properties or exiting properties on roads within the Kyogle Council area. It will ensure that all works are carried out to a satisfactory and engineering standard and will encourage satisfactory long term maintenance of property accesses which will assist in the effective and economic maintenance of Council's road network.

This policy is also framed to develop an ongoing surveillance program to ensure that any existing Property Accesses which are below standard are brought up to Council's minimum standard and that they are maintained regularly to this standard.

All forms of Property Access are covered under the "Vehicular Access" application process. This includes, but is not limited to, access for cars, trucks, buses, motor cycles, pedestrians, wheelchairs, motorised carts and bicycles. Any Property Access that involves the erection of a structure within Council's Road Reserve must be approved through the Vehicular Access application process.

All properties must have a legal access for vehicles in accordance with Council's minimum standard requirements. This will apply to Vehicular Accesses which are pre-existing whether or not a permit has been issued previously and for any new crossings for which permits have been issued.

The location of Property Accesses and proposal to construct same must be approved by the Director of Technical Services and a Vehicular Access Permit must be issued prior to any works being carried out.

All costs associated with the construction and maintenance of a Property Access is the responsibility of the owner of the land parcel accessed. The responsibility for the Property Access is also transferred with the sale of the land.

At time of publication Council do not charge an annual fee for Property Access maintenance. Council reserves the right to impose such a charge. Council reserves the right to undertake maintenance or removal of Property Accesses where they are deemed to pose a hazard to the road users.

5 PROPERTY ADDRESSING

The allocation of property addresses is the responsibility of Council. Kyogle Council has implemented a system of property addressing which seamlessly combines Urban Street Numbering and Rural Road Numbering. The system is in accordance with the AS/NZS 4819:2003 Geographic information – Rural and urban addressing.

5.1 Format of Property Addresses

All property addresses should follow the standard format outlined below.

[Property Name] (optional)
[Unit/Street Number or Rural Road Number] [Street or Road Name]
[Suburb]
[State] [Postcode]

for example;

"Dunrobin"	2/2-6 Summerland Way
123 Smiths Creek Road	Kyogle
Smiths Creek	NSW 2474
NSW 2474	

5.2 Suburbs

Suburbs within the Kyogle Local Government Area have been defined by the Geographical Names Board and approved by Council. These boundaries are kept in Council's GIS System, and are used for all official recorded addresses. A list of the suburbs and postcodes used within the Kyogle Local Government Area are shown in Appendix D.

5.3 Urban Street Numbering

In 2004 a system of Urban Street Numbering was implemented for all village areas. These were published in the Kyogle LGA Road and Street Directory and each property owner was notified in writing of the official address for each property.

5.4 Rural Road Numbering

Council has implemented a system of Rural Addressing that identified the property entrance by a distance along the road from the start datum of each road. The start datum used for Rural Road Numbering for each road is stored in Council's Road Register.

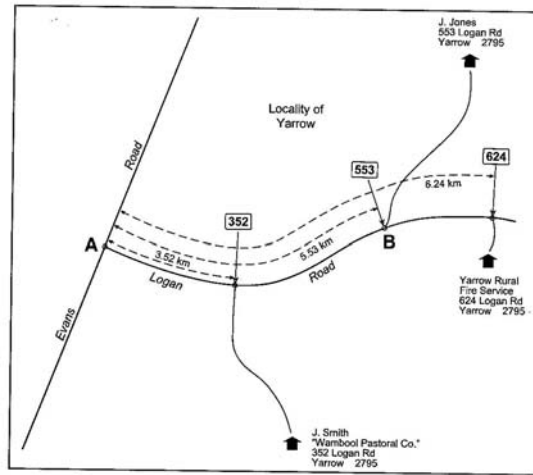


Figure 1: Example of the basic Rural Addressing concept

5.4.1 Allocation of Rural Road Number

The allocation of Rural Road Numbers is done in combination with the Vehicular Access approval and construction process. Upon completion of the construction of a Vehicular Access in a Rural Road Numbering area Council will allocate a Rural Road Number in accordance with AS/NZS 4819. Every Vehicular Access in a Rural Addressing area is to be allocated with a Rural Road Number. For the purposes of addressing, the property will be either allocated a numbering range or one Rural Road Number for the main access km will be used as the primary address.

The Rural Road Number allocated will be based on the distance to the property entrance from the predefined start datum/s for each road. This number is then divided by 10, and numbers allocated in 20m intervals to ensure odd numbers are on the left hand side and even numbers are on the right hand side.

5.4.2 Rural Road Numbering Fees

At present Council charges an additional fee for the allocation and erection of Rural Road Numbers in conjunction with a Vehicular Access application. Applications for a Rural Road Number only will not be considered without the submission of a Vehicular Access application.

5.4.3 Rural Road Number Signs

Signs displaying the Rural Road Number for each property will be supplied and erected by Council. Signage will meet the following requirements;

- Colour – Black numbers on white background
- Size – 75mm numbers on 100mm high background
- Reflectivity – Class 2
- Posts – yellow (if unable to be fixed to boundary fence or gate support structure)

The signs erected displaying the Rural Road Numbers remain Council property. Maintenance and replacement of these signs will be the responsibility of Council. Signs should be erected to maximise visibility from the roadway.

5.5 Recording of Property Addresses

Council uses three systems to record and track the allocation of property addresses. These are;

1. The Fujitsu Property System
2. The Vehicular Access and Rural Road Numbering Register
3. Council's GIS system

5.5.1 The Fujitsu Property System

This is Council's official "Property System" used to record and track details of all current land parcels. The Fujitsu Property System records one official address per land parcel, which may include a number range. During the subdivision or boundary adjustment of a land parcel the official

address recorded in this system must be reviewed and transferred to the appropriate new land parcel.

5.5.2 The Vehicular Access and Rural Road Numbering Register

Records all approved Vehicular Accesses and the Rural Road Numbers allocated to them. This allows for multiple addresses for each land parcel as well as tracking the approval and construction of Vehicular Accesses. This database also holds the GPS co-ordinates of the location of the Rural Road Number sign as recorded in the field. This GPS location is used to generate a GIS layer showing the location of all Rural Road Numbers erected. This database must be updated as per the Fujitsu Property System in the event of a subdivision and/or boundary adjustment to ensure the land parcel recorded is correct.

5.5.3 Council's GIS system

A separate GIS layer is used to define the Urban Street Numbering in a text layer format. This allows for the multiple allocation of street numbers on different roads where a land parcel has more than one road frontage. This layer must be updated when subdivision or boundary adjustments are made to ensure Urban Street Numbers are allocated clearly for each land parcel.

6 APPLICATION FOR VEHICULAR ACCESS PERMIT

6.1 Submitting an Application

To apply for a Vehicular Access Permit the owner of the land to be accessed must complete a Vehicular Access Application form and pay the applicable application fee and construction bond as set down annually in Council's Management Plan.

For further explanation of the procedure to be followed refer to Appendix A – Flowchart for New Applications for a Vehicular Access and Appendix B – Vehicular Access Application Form.

6.2 Site Inspection

An officer of the Technical Services Department shall carry out a site inspection of the proposed works and shall determine the suitability of the site for a Vehicular Access. The proposed location is to be identified on site by the use of a red rag tied to the fence or on a peg at the property boundary.

The relevant engineering requirements such as site distance, the grade or slope of the land and access onto the road, and the erodability of the soil in the area shall be considered in the assessment of the suitability of the site for the Vehicular Access.

6.2.1 Sight Distance

Sight distance for vehicles both entering and leaving a Vehicular Access shall be that distance necessary for the design speed of the road in that location.

Sight distances based on the Austroads "Guide to Traffic Engineering Practice"

*Approach Speed	Desirable (m)	Acceptable (m)	Absolute Minimum (m)
60 km/h	160	115	65
80 km/h	305	175	115
100 km/h	500	250	170

Where the minimum sight distance cannot be achieved at any point on the property frontage, the Vehicular Access may still be approved at the discretion of the Director Technical Services. In these cases signage and/or a convex mirror must be erected on the approach or approaches where the minimum sight distance could not be obtained. The typical concealed access treatment is shown in Appendix I.

6.3 Issue of Approval

Following a satisfactory site inspection a Vehicular Access Permit shall be issued in writing. The permit shall be issued in the name of the applicant and will be valid for the property described thereon with the applicant being responsible for all works carried out.

A new permit must be issued for each individual vehicular crossing but for works in close proximity to the other a reduced fee shall be payable for any subsequent permits taken out with the initial permit provided works are to be carried out at the same time.

6.4 The Period of the Permit

The period of the permit shall be for 12 months from the date of the issue of the vehicular access permit. Any vehicular access permit not acted upon prior to the 12 month period shall be considered void and a new application will have to be made. There will be no refund or credit of previously paid fees.

6.5 Fees and Maintenance Bond

A standard fee payable for a vehicular access permit is set annually as per Council's fees and charges. This fee makes allowance for the initial inspection and the final inspection of the works and any necessary administrative tasks involved.

If more than one permit is required, for example, with a subdivision development, each subsequent permit shall attract a fee per vehicular crossing.

As a guarantee against poor workmanship and substandard reinstatement a maintenance bond is charged at the time of taking out the permit. The maintenance bond will be refunded to the applicant upon written application and following a satisfactory final inspection of the works.

6.6 Post Works Inspection

After the works have been completed the applicant shall apply in writing for a final inspection, which will be carried out within two weeks of notification by an officer of Council. If the works are deemed satisfactory in accordance with this policy the maintenance bond will be refunded to the applicant.

If it is found that works have been carried out in an unsatisfactory nature or below Council's minimum standard, the applicant will be notified in writing and will be given one month from date of notice to rectify the works. If works are not rectified within this period, Council will undertake to carry out remedial works for which the owner or applicant will be liable. The cost of such works shall be deducted from the value of the maintenance bond or if in excess of this amount, shall be charged to the applicant.

6.7 Private Works

Applicants may request Council to carry out works in the construction of a vehicular access to their property. In this case Council will prepare an estimate to carry out the works. If Council undertakes the construction works, the construction bond will be refunded upon final receipt of payment for the works.

On the completion of the work by Council the owner of the property shall become the person responsible for the maintenance of the vehicular crossing from the fence line or property boundary to the road shoulder.

6.8 Application Refused

If an application is refused based on the location of the proposed location of the access and an alternate location cannot be recommended, the construction bond will be refunded and the applicant advised in writing that the application has been rejected.

6.9 Existing Accesses

During the process of implementing Rural Addressing each Vehicular Access was identified and Rural Road Numbers allocated. This process also involved the notification in writing to property owners requesting that if an existing Vehicular Access had not been allocated a Rural Road Number then the owner was to notify Council so one could be issued. This consultation process means that any existing Vehicular Access in a Rural Addressing area that has not been allocated a Rural Road Number is considered to be a non-approved Vehicular Access. As such any Vehicular Access that has not been allocated a Rural Road Number will not be considered for approval without the submission of a Vehicular Access Application and payment of the relevant fees and construction bond. Applications for a Rural Road Number only will not be considered.

6.9.1 Request for Submissions

When non-approved Vehicular Access is brought to Council's attention a standard letter is to be sent to the relevant land owner requesting submissions concerning the removal of the specified structure within a period of 30 days. The letter may also indicate the results of the field inspection which initiated the letter. In conjunction with the issuing of the letter to the responsible parties a notice will be placed on the specific structure. All responses received will be judged on merit and a decision on the future of the Vehicular Access will be made by the Director of Technical Services.

6.9.2 Removal of Non-Approved Vehicular Accesses

If no response is received following a request for submissions Council will take action to remove the structure from the road reserve. The adjoining land owner is to be notified a minimum of 30 days prior to the removal of the structure. The costs of removing the structure are able to be recovered by Council from the land owner.

7 CONSTRUCTION WORKS

7.1 Approval to Conduct Works

Once a Vehicular Access has been approved in writing, the contractor who wishes to construct the Vehicular Access must make application to Council to conduct the construction works in accordance with Council's Road Reserve Policy.

7.2 Production of Approval

The Vehicular Access approval or a copy of the approval is to be held on the job site at all times during the construction period. A copy must be produced for inspection if requested by an officer of the Council and if this cannot be done a stop works order shall be issued and the works will cease until the permit is produced or until the vehicular access is legalized through the normal permit application process.

7.3 Inspection of Construction Works

Upon completion of construction works the contractor or applicant is to advise Council that works have been completed. Council will then conduct a works as executed inspection.

7.3.1 Complying Works

If the Council officer finds all works to be completed in accordance with the approved design and conditions the contractor will be advised verbally if on site. The applicant will then be advised in writing including notification of official address and arrangements shall be made for the refund of the construction bond. In Rural Addressing areas Council will then supply and erect the Rural Road Number at the Vehicular Access location.

7.3.2 Non-Complying Works

If the Vehicular Access is not constructed in accordance with the approved design and conditions the contractor will be advised verbally if on site. If the contractor is not present on site, the applicant will be advised of outstanding works required in writing. Upon completion of outstanding works Council must again be notified to conduct a further works as executed inspection. A fee is applicable for the additional inspection in accordance with Council's fees and charges.

7.3.3 Non-Approved Location

If the Vehicular Access is constructed at a location other than the approved location without the consent of Council, the job site shall be reinstated to its original condition at the cost of the applicant. The costs of any works required to be done by Council in such a case will be recoverable from the owner of the property.

8 CONSTRUCTION STANDARDS

All work is to be carried out in accordance with Council's Road Reserve Management Plan, NSW Occupational Health & Safety requirements, the Roads Act 1993, Roads (General) Regulation 2000, industry standards, and applicable Australian Standards. Council will provide guidance if required. If construction other than the standard Construction Specifications supplied in this document is to be used, the applicant must provide design details for the access and have the design approved by Council.

8.1 Trafficable Width

The trafficable width of Vehicular Access shall be no less than 3.0 meters.

8.2 Sealed Roads

If a Vehicular Access is adjoining a sealed road then it must be sealed from the edge of the existing seal to the property boundary. This may be done in one of the following ways;

- Min 25 MPa Reinforced concrete minimum 100 mm thick to the edge of the bitumen or Kerb and Gutter for the full 3.0m
- Min 25 MPa Reinforced concrete minimum 100 mm thick to the edge of the bitumen or Kerb and Gutter in two strips a minimum 450mm wide.
- 150 mm compacted gravel with 2 coat bitumen seal to the edge of the bitumen.
- 100 mm compacted gravel with 25 mm depth of Class 170 type N 10 mm nominal size asphaltic cement to the edge of the bitumen.

8.3 Access Gates and Grids

Any gate used on a Vehicular Access;

- shall be located within the private property no less than 5m from the shoulder of the road
- must not open outwards into the road reserve

8.4 Gradient of Access

The maximum grade allowable for a Vehicular Access is 1 in 6 (16.7%) however, any grades in access of 1 in 8 (12.5%) must be sealed regardless of whether the access services a gravel or sealed road. This is designed to stop erosion of the driveway onto the road reserve and also ensures that the Vehicular Access is maintained in all weather.

8.5 Erosion Controls

In the design and placement of Vehicular Accesses consideration must be given to the erodability of the soil types. In a situation where erosion is likely to occur in the table drains or on the driveway itself, attention must be paid to the provision of suitable protection devices and careful design. A standard sedimentation control plan will be included if the vehicular access is likely to cause erosion. Any Vehicular Access must be constructed to avoid the flow of water and debris onto the public road.

8.6 Non-Standard or Heavy Vehicle Accesses

Where a non-standard or heavy vehicle access is proposed, the application should be accompanied by a conceptual design of the proposed access including vehicle loading and unloading provisions, and turning areas to be provided. Once the Vehicular Access has been approved subject to conditions, a final design must be submitted for approval to ensure compliance with conditions issued. This must be done prior to any application to conduct construction works.

8.7 Loading Ramps

Loading ramps for stock and goods loading will also require approval by Council through the Vehicular Access application process. Loading ramps or other structures must not encroach onto the public road reserve unless approved by Council. Any loading area must be constructed as to allow for loading and unloading without any part of the vehicle being within the trafficable area of the adjoining road.

8.8 Vehicle Crossing Types

Vehicular Accesses without pipes shall be permitted in the following situations.

- Where kerb and guttering is constructed
- On the Crest of a hill
- Vehicular accesses which slope downwards from the road pavement towards the property boundary where no table drain is constructed
- Vehicular accesses in urban or village areas where the roads drain into shallow grassed table drains.

In all other cases piped Vehicular Access crossings will be required.

8.8.1 Piped Crossings

The minimum standard for a pipe crossing shall be a 375mm diameter reinforced concrete or fibre reinforced concrete pipe of minimum width 3.66 meters and which shall have concrete headwalls either pre-cast or cast insitu on both ends. Rock or stone pitch headwalls are not accepted. The pipes shall be set back 1 meter from the normal line of the table drain and there shall be a minimum of 150 mm cover of good quality crushed rock material over the pipe crossing. Any pipes under the Vehicular Access are to be large enough to take the water from a 5 year intensity storm. The required pipe diameter will be determined by Council and noted in the conditions of approval.

8.8.2 Non-Piped Crossings - Rural Roads

Non-piped crossings in rural roads shall take off from the shoulder of the road and shall be designed to ensure that a standard vehicular does not bottom out when entering or when exiting the Vehicular Access. The access shall have a minimum depth of 150 mm compacted pavement.

Table drains on the Council road where they exist shall be directed down both sides of the Vehicular Access driveway and shall be designed so as to ensure that no erosion or scour occurs and scour protection must be provided by the applicant if this is deemed to be required.

8.8.3 Non-Piped Crossings - Urban Roads

Non-piped crossings shall be permitted on urban roads where the road drainage is through shallow grassed table drain. The Vehicular Access shall exhibit the same cross-section as the swale but must ensure that vehicles do not bottom out on exiting or entering the property, and that the driveway does not block the free passage of water.

8.8.4 Creek and waterway Crossings

Any crossings of creeks and waterways where a bridge or causeway structure is required must first be approved by the Department of Infrastructure Planning and Natural Resources (DIPNR). Council will require confirmation of this approval prior to approving a Vehicular Access. This should include the engineering design of any structures required as certified by a structural engineer.

8.9 Other Crossing Types

All forms of Property Access must be approved by Council when the construction or erection of a structure within the Council controlled Road Reserve is required. In addition to Vehicular Accesses this may include the construction of pedestrian or wheelchair accesses, or access for smaller motorised carts and bicycles. In all cases the design of the structure to be constructed must be approved by Council prior to construction. The property owner is required to obtain approval for any Property Access structure through the Vehicular Access application process, and pay the fees associated with this process.

9 MAINTENANCE STANDARDS

9.1 General

The property owner is responsible to maintain the pavement, wearing surface, drainage, vegetation affecting sight distance, pipe and headwall structures, and signage required for the Property Access with the exclusion of Rural Road Number signs. All maintenance work is to be carried out in accordance with the Kyogle Council Road Reserve Policy, NSW Occupational Health & Safety requirements, the Roads Act 1993, Roads (General) Regulation 2000 and applicable Australian Standards.

All Vehicular Accesses must be maintained to a satisfactory standard which involves;

- ensuring that the trafficable surface is maintained
- ensuring that the surface is cambered so as to shed water to the sides of the driveway and that the water from the driveway is directed into road side drains and not onto the road pavement
- ensuring that any pipes under the Vehicular Access are kept clear of foliage and rubbish
- ensuring vegetation is controlled within the road reserve and the owners property to maintain sight distances
- ensuring footpath or walkway levels adjacent to the Vehicular Access are maintained so as not to create trip or step hazards

9.2 Proactive Inspections

The owner is responsible for carrying out regular inspections to ensure the facilities comply with specified standards. Council staff will also inspect Property Accesses as part of scheduled Road Network inspections. Any identified condition defects will be advised to the property owner in writing for attention.

9.3 Reactive Inspections

Council staff will respond to Customer Action Requests and any defects observed during the course of such inspections will be advised to the owner for attention.

9.4 Failure to Maintain

Failure to ensure that maintenance on Property Accesses is carried out may result in Council removing the structure from the road reserve. Council will order the property owner to conduct repair works prior to taking any such action. If the property owner holder fails to meet the requirements of an Order, then the structure will be removed from the road reserve with all costs to be recovered from the property owner.

9.5 Property Accesses in a Dangerous Condition

Where a Property Access is deemed to be in a dangerous condition and the property owner can not be quickly contacted, the structure will be temporarily made safe by Council at the property owners cost. This will include any steps the Director of Technical Services deems as necessary to make the structure safe for traffic, and may include complete removal of the access. The property owner will be held solely responsible for any damage or injury caused by the structure.

9.6 Penalty for Non-Compliance

If any person fails to carry out their obligations under this management plan following the serving of the various notices and requests from Council officers, the statutory procedures for compliance and the levying of penalties as contained in the Roads Act 1993 will be applied.

10 DEVELOPMENTS

10.1 Subdivision of land

Where a development application for the subdivision of land is received the existence of Property Accesses will be considered as part of the planning process. In all cases the developer will be required to provide a Vehicular Access to each block created during the subdivision or boundary

adjustment. If there are existing Vehicular Accesses the developer will be required to show Council that the existing Vehicular Accesses are constructed to the appropriate standard. This applies to all existing Vehicular Accesses in all areas whether allocated a Rural Road Number or not.

10.2 Other Developments

Any development requiring the property to be accessed by a vehicle will also be required to provide a Vehicular Access to the subject land. This includes any development where construction of any kind is to be undertaken. This includes but is not limited to dwellings, rural sheds, commercial development etc.

10.3 Special Conditions

Where the Development Management Panel deems it necessary the developer may be required to construct a Vehicular Access to meet specific conditions such as the treatments and special provisions outlined in the AUSTRROADS "Guide to Traffic Engineering Practice – Intersections at Grade". This will be at the discretion of Council and does not negate the requirement to lodge a Vehicular Access application for the proposed access.

10.4 Compliance

The developer will not be seen to have complied with the condition to seek approval for and construct a Vehicular Access until the final inspection has been conducted and construction bond refunded. A Linen Plan is not to be signed nor a Certificate of Occupancy to be issued until this has been done.

10.5 Exceptions

Subdivisions in urban areas may be exempted from having to obtain approval for and construct Vehicular Accesses to urban properties where layback kerb and guttering is provided. This is to avoid constructing a Vehicular Access that may not be suited to the subsequent developments on the site. This is to be applied at the discretion of the Development Management Panel.

11 PROPERTY ACCESS AND ADDRESSING RECORDS

The following list provides a guide to Council staff and Public Gate Permit applicants to the documents and information to be tracked and recorded in relation to the issuing of Public Gate Permits.

11.1 Upon Application:

- Application form/s (ensuring all information is completed as required)
- Associated plans
- Details of fees paid and receipt numbers

11.2 Initial Inspection:

- Inspection report
- Photos or drawings made during inspection
- Supporting information in relation to site suitability (eg site distance measurements, road width etc)
- If site found unsuitable and an alternate site cannot be recommended, a record of the written reply and refund of construction bond should be kept.

11.3 Approval of Vehicular Access:

- Written notification to applicant detailing conditions and construction requirements

11.4 Construction Approval:

- All documentation submitted by contractor. As a minimum this must include;
 - Design and layout of proposed structure
 - Construction contractors insurance details
 - Traffic Management Plan

- Notification to contractor for approval of design and Traffic Management Plan, and acknowledgment of receipt of insurance details.

11.5 Construction Inspection/s:

- Inspection report
- Photos or drawings made during inspection
- If construction is found to be below standard or not to specifications;
 - Detailed list of defects identified during inspection
 - Written or verbal notification to applicant or construction contractor
 - Follow-up inspection details

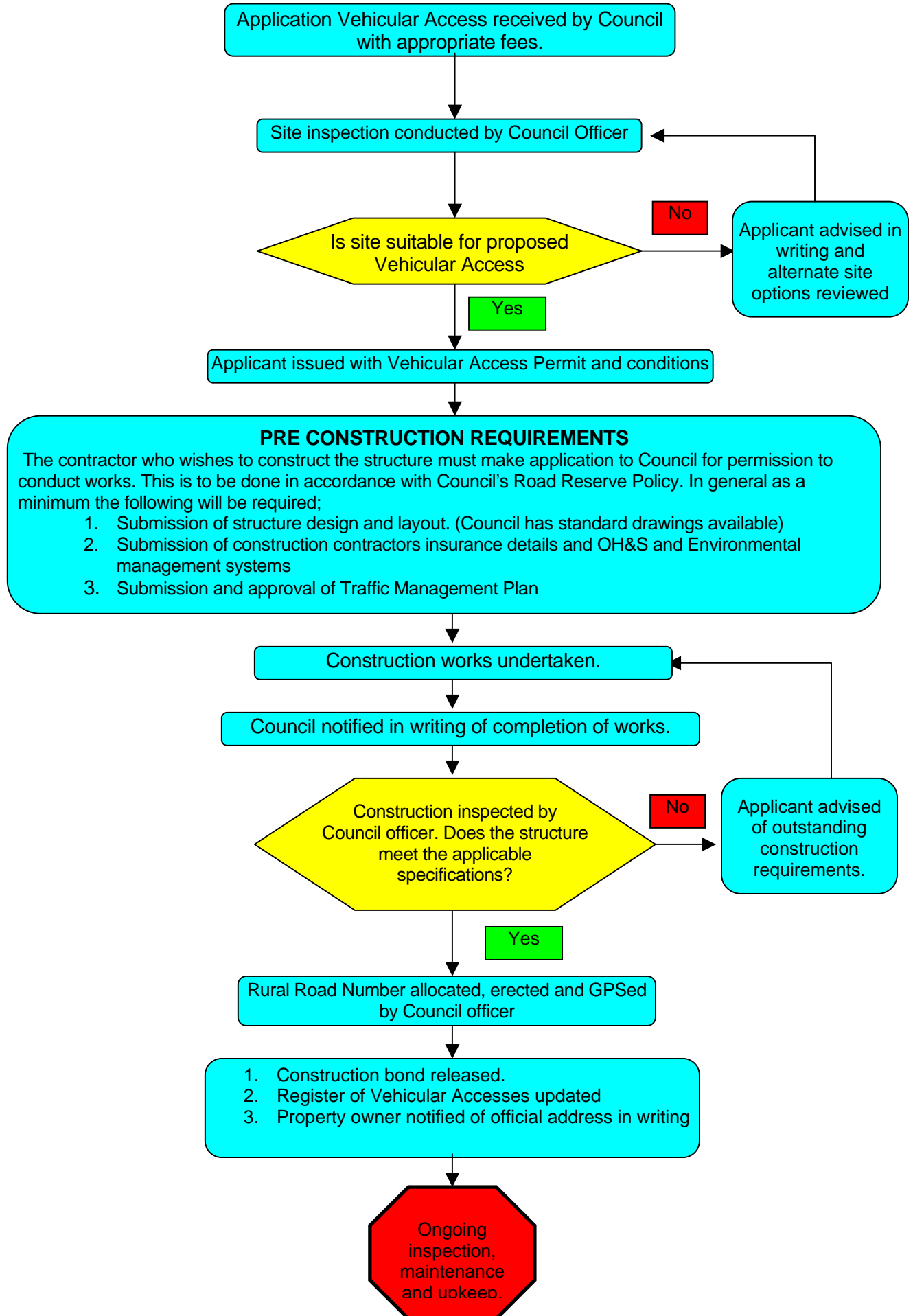
11.6 Final Approval:

- Written notification to applicant including Rural Address if applicable
- Authorisation of release of construction bond
- Update Register of Vehicular Accesses with the following minimum information;
 - Applicants Name
 - Date of Application
 - Date of Determination
 - Construction requirements and special conditions
 - Location of Vehicular Access
 - Road name and chainage from start datum or cross road
 - Rural Road Number
 - Legal description of responsible land parcel (Lot/Section/DP)

11.7 Periodic Inspections:

- Council officer inspection reports
 - Inspection report and photos, drawings etc
 - Written advise to property owner of any defects identified
 - Reference to Customer Action Request if applicable

APPENDIX A – FLOWCHART FOR APPLICATIONS FOR A VEHICULAR ACCESS



APPENDIX B – VEHICULAR ACCESS APPLICATION FORM

All Communications to be addressed to:
The General Manager
Kyogle Council
PO Box 11
Kyogle NSW 2474

Administrative Office:
Stratheden Street
Kyogle NSW 2474
Telephone: 66 320 221
Facsimile: 66 322 632

APPLICATION FOR VEHICULAR ACCESS

Applicant:.....

Address:.....

Phone No:D/A No: (if applicable).....

PROPERTY DETAILS

Lot:.....Portion/Section:.....DP:.....

Parish:.....Assessment No:.....

Owner:.....

Road Name:.....

Number of Access:.....

TWO SKETCH PLANS OF V/A LOCATION (ONE @ A4 SIZE) ATTACHED

RED RAG PLACED AT V/A LOCATION (FOR ON SITE LOCATION)

FAILURE TO COMPLY WILL INCUR ADDITIONAL V/A INSPECTION FEE/S.

NOTE: Include name of road, location details, and mark location X on site plan, and visible red flag at site.

NOTE: Applicant must read the conditions on the reverse of this form and sign for this application to be considered.

FEES:

V/A Application Fee	\$	plus
	\$	each additional access
Restoration Bond	\$	per access
Rural Road Number Fee	\$	each access

cc: Rural Road Number Officer:.....P L M

OFFICE USE ONLY

Vehicular Access (V/A) No: Job No: 11205010

Bond Job No: 13233011

Rural Road Number Job No: 10206050

Assessed Fee:

Date Received:

Receipt No:

I understand that the application and approval (if granted) will be subject to the conditions set out below.

- ❖ Provision of adequate description and sketch for consideration of this application.
- ❖ The applicant indemnifies Council against any Claims made against Council and which arises directly from the acts or omissions of the applicant, its employees, agents, contractors, and/ or invitees on Council's property.
 “**Claims**” means all claims, demands, proceedings, litigation, or other action a party is entitled to bring in relation to all losses (including profits & consequential losses), damages, costs, expenses, fees and charges of any nature whatsoever suffered or incurred by that party.
- ❖ Payment of fees as listed in Council's Management Plan.
- ❖ Following approval;
 - Ensure contractor makes application to Council for approval to conduct construction works
- ❖ During construction the applicant will;
 - Accept responsibility and indemnify Council, as per above, for damage to power lines, water mains, telephone/ communication lines, road surfaces or other services,
 - Undertake all work in compliance with Occupational Health & Safety legislation and Roads Act in force in NSW at the time and Australian Standards for signage.
- ❖ Following construction the applicant agrees to;
 - Maintenance
 - maintain the vehicular access in line with the approved plans and standards.
 - undertake maintenance, or other work, on the vehicular access as directed by Council.
 - The applicant agrees to pay Council for any work done on the vehicular access as a result of the applicant's failure to maintain or undertake work as required/ directed.

If the Applicant fails to pay charges on the due date, the Applicant agrees to pay all legal costs and collection charges incurred in the recovery of the debt. If the Applicant fails to pay charges on the due date Council may also charge the Applicant a commercial rate of interest on any amount owing.

Declaration;

I have read and understand the conditions set out above and wish to proceed with my application under those conditions.

.....
Signature of Applicant

.....
Date

APPENDIX C – RELEVANT LEGISLATION

Extracts from the Roads Act 1993 and Roads General Regulation 2000

98 Roads authority may require alteration of work located in, on or over public roads

- (1) A roads authority may direct the person having control of any work or structure that is situated in, on or over a public road to alter the work or structure or the location of the work or structure.
- (2) The direction may specify:
 - (a) the manner in which or the standard to which, and
 - (b) the period (being at least 28 days) within which, the direction must be complied with.
- (3) If a person fails to comply with a direction under this section, the appropriate roads authority:
 - (a) may make the alteration directed, and
 - (b) must, if it makes the alteration, make any necessary consequential alteration to any connecting branch work.
- (4) In making any such alteration, the roads authority must ensure that it does not do anything that might cause permanent damage to the work or structure concerned or that might prejudicially affect its use.
- (5) The cost of an alteration made by, or at the direction of, the appropriate roads authority must be borne by that authority.
- (6) Subsection (5) is subject to the provisions of:
 - (a) any agreement between the roads authority and the person having control of the work or structure, and
 - (b) any Act or law.

101 Restoration of public road following excavation etc

- (1) A roads authority may direct any person by whom a public road is dug up to restore the road to its previous condition.
- (2) If a public road is damaged as a result of a leakage from, or breaking or bursting of, any object or work placed in, on or over the road, the appropriate roads authority may direct the person:
 - (a) who was responsible for placing the object or work in, on or over the road, or
 - (b) who has the care or control of the object or work, or
 - (c) whose act or omission caused the leakage, breaking or bursting, to restore the road to its previous condition.
- (3) A direction under this section may specify:
 - (a) the manner in which or the standard to which, and
 - (b) the period (being at least 14 days) within which, the direction must be complied with.
- (4) Instead of giving a direction under this section, a roads authority may take such action as is necessary to restore the road to its previous condition.
- (5) The costs incurred by a roads authority in taking action under this section are recoverable from the person referred to in subsection (1) or (2), as a debt, in a court of competent jurisdiction.
- (6) Nothing in this section authorises a roads authority to recover an amount greater than that necessary to restore the road to its previous condition.

102 Liability for damage to public road

- (1) A person who causes damage to a public road, or to any road work on a public road or any traffic control facility on a road or road related area within the meaning

of the *Road Transport (General) Act 1999* (other than a road or road related area that is the subject of a declaration made under section 9 (1) (b) of that Act relating to all of the provisions of that Act), is liable to pay to the appropriate roads authority the cost incurred by that authority in making good the damage.

(2) If damage referred to in this section is caused by a motor vehicle or vessel, the owner and the driver of the motor vehicle or, as the case may be, the owner and the master of the vessel are jointly and severally liable for the damage.

(3) This section does not apply to ordinary wear and tear caused by reasonable use of a public road.

(4) This section applies to tollways and to private roads that are classified roads in the same way as it applies to public roads.

103 Installation etc of fences, lights etc around dangerous premises

(1) A roads authority may direct the owner or occupier of land to erect or install fences, lights or other equipment on or around any premises on the land that are, in the opinion of the roads authority, in a sufficiently dangerous condition to threaten the safety of persons or property on a public road in the vicinity of the premises.

(2) A direction under this section may specify:

- (a) the manner in which or the standard to which, and
- (b) the period within which, the direction must be complied with.

107 Obstructions and encroachments

(1) A roads authority may direct:

- (a) any person who causes an obstruction or encroachment on a public road, or
- (b) the owner of any land that is used, or is able to be used, in connection with an obstruction or encroachment on a public road, to remove the obstruction or encroachment.

(2) A direction under this section may specify the period within which the direction must be complied with.

(3) In the case of an obstruction or encroachment that was created before the alignment of the road, or that is situated on a road that has not been aligned, the period specified in the direction must be at least 60 days.

(4) This section does not apply to an obstruction or encroachment on a public road if its presence on the road is authorised by or under this or any other Act.

(5) However, this section does apply to an obstruction or encroachment on a public road if its presence ceases to be authorised by or under this or any other Act.

138 Works and structures

(1) A person must not:

- (a) erect a structure or carry out a work in, on or over a public road, or
- (b) dig up or disturb the surface of a public road, or
- (c) remove or interfere with a structure, work or tree on a public road, or
- (d) pump water into a public road from any land adjoining the road, or
- (e) connect a road (whether public or private) to a classified road, otherwise than with the consent of the appropriate roads authority.

Maximum penalty: 10 penalty units.

(2) A consent may not be given with respect to a classified road except with the concurrence of the RTA.

(3) If the applicant is a public authority, the roads authority and, in the case of a classified road, the RTA must consult with the applicant before deciding whether or not to grant consent or concurrence.

(4) This section applies to a roads authority and to any employee of a roads authority in the same way as it applies to any other person.

(5) This section applies despite the provisions of any other Act or law to the contrary,

but does not apply to anything done under the provisions of the *Pipelines Act 1967* or under any other provision of an Act that expressly excludes the operation of this section.

139 Nature of consent

(1) A consent under this Division:

- (a) may be granted on the roads authority's initiative or on the application of any person, and
- (b) may be granted generally or for a particular case, and
- (c) may relate to a specific structure, work or tree or to structures, works or trees of a specified class, and
- (c1) in relation to integrated development within the meaning of section 91 of the *Environmental Planning and Assessment Act 1979*, is subject to Division 5 of Part 4 of that Act, and
- (d) may be granted on such conditions as the appropriate roads authority thinks fit.

(2) In particular, a consent under this Division with respect to the construction of a utility service in, on or over a public road may require the service to be located:

- (a) in such position as may be indicated in that regard in a plan of subdivision or other plan registered in the office of the Registrar-General with respect to the road, or
- (b) in such other position as the roads authority may direct.

(3) In particular, a consent under this Division with respect to the erection of a structure may be granted subject to a condition that permits or prohibits the use of the structure for a specified purpose or purposes.

140 Revocation of consents

A roads authority may at any time and for any reason revoke a consent under this Division (other than a street vending consent) by notice in writing served on the holder of the consent.

141 Effect of consent

While a consent under this Division is in force, the taking of action in accordance with the consent is taken not to constitute a public nuisance and does not give rise to an offence against this or any other Act.

142 Maintenance of works and structures

(1) A person who has a right to the control, use or benefit of a structure or work in, on or over a public road:

- (a) must maintain the structure or work in a satisfactory state of repair, and
- (b) in the case of a structure (such as a grating or inspection cover) located on the surface of the road, must ensure that the structure is kept flush with the surrounding road surface and that the structure and surrounding road surface are so maintained as to facilitate the smooth passage of traffic along the road, and the person is, by this section, empowered to do so accordingly.

Maximum penalty: 30 penalty units.

(2) Subsection (1) applies to all structures and works in, on or over a public road, including structures and works for which there is no consent in force under this Division.

(3) Subsection (1) does not apply to a person whose right to the control, use or benefit of a structure or work consists merely of a right of passage that the person has as a member of the public or a right of access that the person has as the owner of adjoining land.

(4) If:

- (a) a roads authority has granted a consent under this Division to the doing of

anything, and

(b) that thing has been or is being done otherwise than in accordance with the consent,

the roads authority may direct the holder of the consent to take specified action to remedy any damage arising from the doing of that thing otherwise than in accordance with the consent.

Roads (General) Regulation 2000

11 Things placed on and use of roads

(1) A person must not:

- (a) place on a road anything that is likely to injure any person or damage any vehicle, or
- (b) place on a road anything that is likely to restrict or endanger the use of a road by the public or interfere with public convenience, or
- (c) load or unload a vehicle on or from the shoulder of a road in a manner that is likely to cause damage to the road, or
- (d) allow to escape onto a road any liquid or any loose or waste material.

Maximum penalty: 20 penalty units.

(2) Subclause (1) does not apply to:

- (a) the placement on a road of a building waste storage container, to the extent to which its placement is authorised by or under the *Local Government Act 1993*, or
- (b) the placement on a road of a garbage bin, bag or other receptacle or of other refuse collectible by the council, to the extent to which its placement is authorised by or under the *Local Government Act 1993*, so long as it is placed:
 - (i) beside the carriageway of the road, and
 - (ii) out of the line of traffic, or
- (c) the doing of anything on a road with the consent of the relevant roads authority, or
- (d) the temporary placement of anything on a road as a result of the breakdown of the vehicle or animal by which it is being carried.

(3) A person who leaves anything on a road because of the breakdown of the vehicle or animal by which it is being carried:

- (a) must place it out of the line of traffic, and
- (b) must ensure that it is adequately guarded to prevent its being a danger to the public, and
- (c) must ensure that it is adequately lit at night, and
- (d) must cause it to be removed from the road as soon as practicable.

Maximum penalty: 20 penalty units.

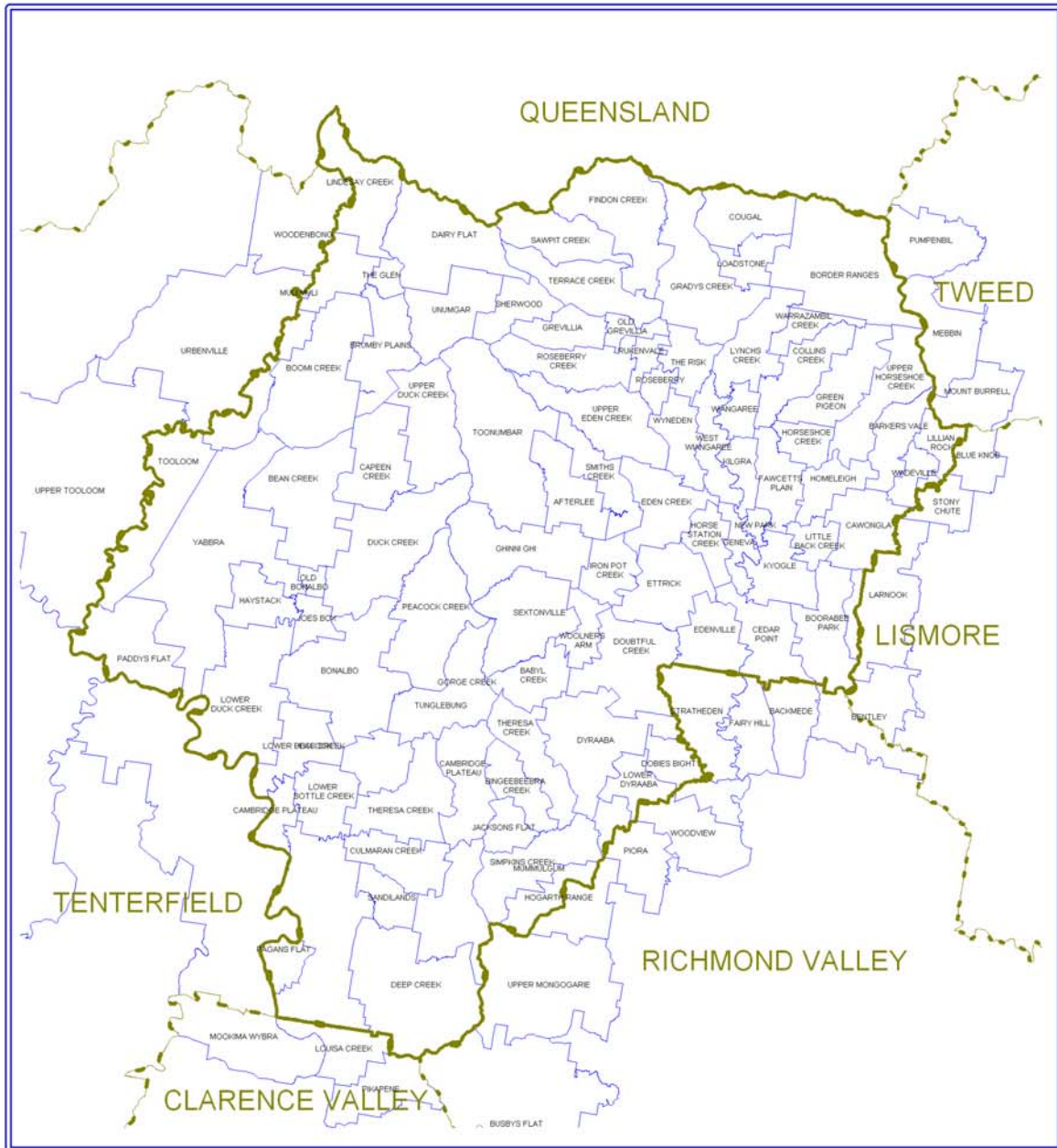
21 Obstruction on footway or road




A person must not erect, maintain or use a door or gate that opens outwards into a road.

Maximum penalty: 10 penalty units.

APPENDIX D – SUBURBS

Kyogle LGA Suburb and LGA Boundaries



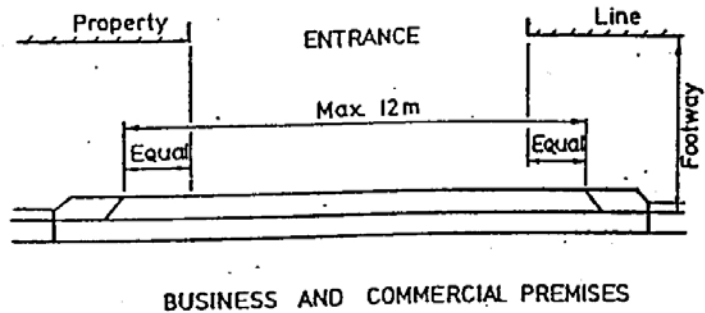
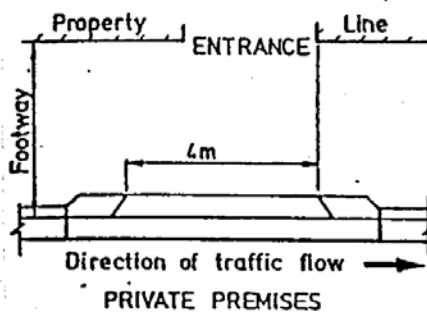
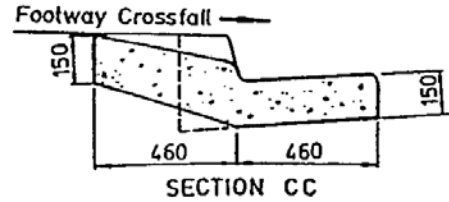
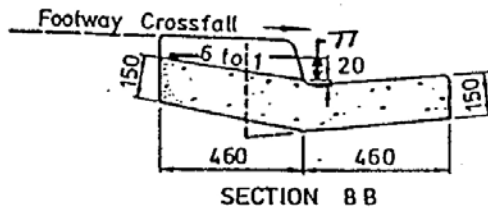
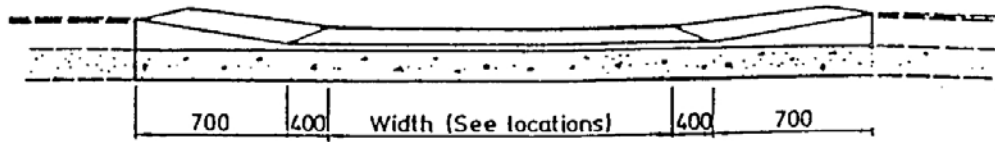
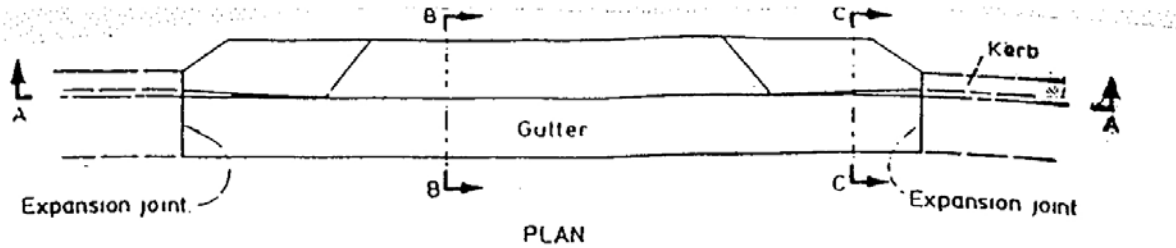
-  KYOGLE LGA Boundary
-  Suburb Boundaries
-  Other LGA Boundaries



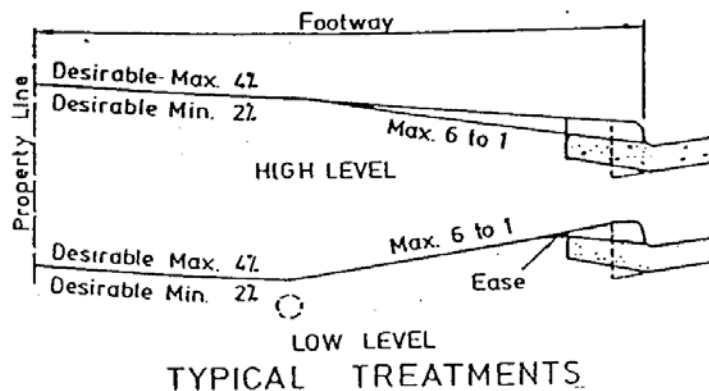
Kyogle Council
 POB 11 Kyogle NSW 2474
 Ph 6632 1611

SUBURB NAME	POSTCODE	SUBURB NAME	POSTCODE
AFTERLEE	2474	LITTLE BACK CREEK	2474
BABYL CREEK	2470	LOADSTONE	2474
BARKERS VALE	2474	LOWER BOTTLE CREEK	2469
BEAN CREEK	2469	LOWER DUCK CREEK	2469
BINGEEBEEBRA CREEK	2469	LOWER DYRAABA	2470
BONALBO	2469	LOWER PEACOCK	2469
BOOMI CREEK	2476	LYNCHS CREEK	2474
BOORABEE PARK	2480	MALLANGANEE	2469
BORDER RANGES	2474	MULI MULI	2476
BOTTLE CREEK	2469	MUMMULGUM	2469
BRUMBY PLAINS	2476	NEW PARK	2474
CAMBRIDGE PLATEAU	2469	OLD BONALBO	2469
CAPEEN CREEK	2469	OLD GREVILLIA	2474
CAWONGLA	2474	PADDYS FLAT	2469
CEDAR POINT	2474	PAGANS FLAT	2469
COLLINS CREEK	2474	PEACOCK CREEK	2469
COUGAL	2474	PIORA	2470
CULMARAN CREEK	2469	ROSEBERRY	2474
DAIRY FLAT	2474	ROSEBERRY CREEK	2474
DEEP CREEK	2469	RUKENVALE	2474
DOBIES BIGHT	2470	SANDILANDS	2469
DOUBTFUL CREEK	2470	SAWPIT CREEK	2474
DUCK CREEK	2469	SEXTONVILLE	2470
DYRAABA	2470	SHERWOOD	2474
EDEN CREEK	2474	SIMPKINS CREEK	2469
EDENVILLE	2474	SMITHS CREEK	2474
ETTRICK	2474	STONY CHUTE	2480
FAWCETTS PLAIN	2474	TABULAM	2469
FINDON CREEK	2474	TERRACE CREEK	2474
GENEVA	2474	THE GLEN	2476
GHINNI GHI	2474	THE RISK	2474
GORGE CREEK	2469	THERESA CREEK	2469
GRADYS CREEK	2474	TOOLOOM	2469
GREEN PIGEON	2474	TOONUMBAR	2474
GREVILLIA	2474	TUNGLEBUNG	2469
HAYSTACK	2469	UNUMGAR	2474
HOGARTH RANGE	2469	UPPER DUCK CREEK	2469
HOMELEIGH	2474	UPPER EDEN CREEK	2474
HORSE STATION CREEK	2474	UPPER HORSESHOE CREEK	2474
HORSESHOE CREEK	2474	URBENVILLE	2476
IRON POT CREEK	2474	WADEVILLE	2474
JACKSONS FLAT	2469	WARRAZAMBIL CREEK	2474
JOES BOX	2469	WEST WIANGAREE	2474
KILGRA	2474	WIANGAREE	2474
KYOGLA	2474	WOODENBONG	2476
LARNOOK	2480	WOOLNERS ARM	2470
LILLIAN ROCK	2480	WYNEDEN	2474
LINDESAY CREEK	2476	YABBRA	2469

APPENDIX E – STANDARD VEHICULAR ACCESS TYPE “A”



TYPICAL LOCATIONS



KYOGLE COUNCIL

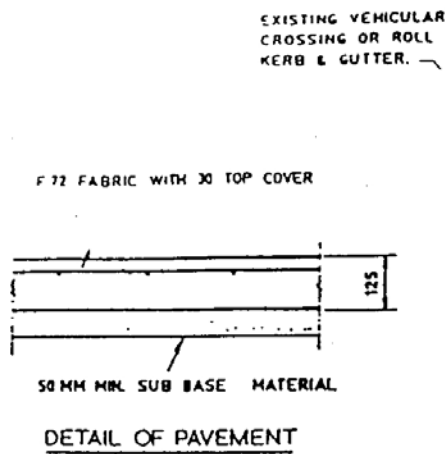
Gateway to the Rainforests

TYPE “A” VEHICULAR ACCESS – Urban kerb and guttering crossing

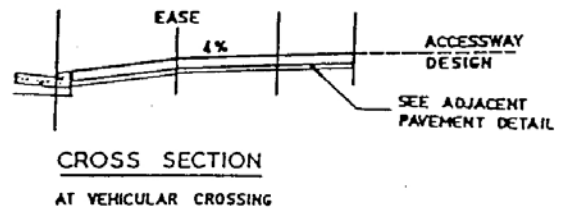
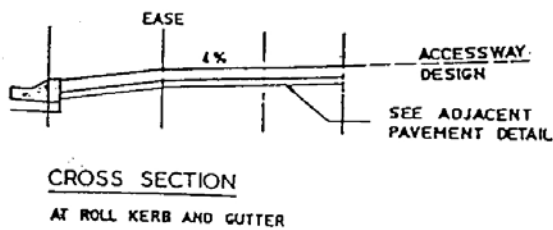
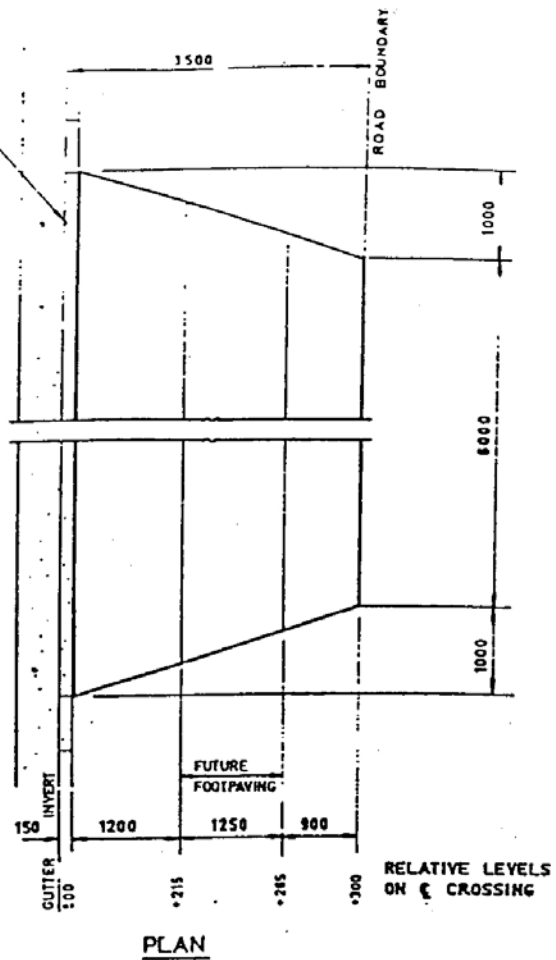
NOTES:

1. Dimensions are in millimeters unless otherwise shown
2. All radii to be 20mm
3. The proposed crossing is to match the existing kerb and gutter grade

Page 1 of 2
NOT TO SCALE



- NOTES
1. CROSSING SHALL BE DIRECTED ACROSS THE FOOTWAY TO THE APPROVAL OF THE SUPERINTENDENT.
 2. ALL EXPOSED EDGES TO BE ROUNDED TO 10MM. RADIUS.
 3. CONCRETE COMPRESSIVE STRENGTH AT 28 DAYS FE 25 MP_a.
 4. APPROVED BITUMEN JOINTING MATERIAL SHALL BE PLACED TO SEPARATE ALL NEW & OLD CONCRETE EDGES



KYOGLE COUNCIL

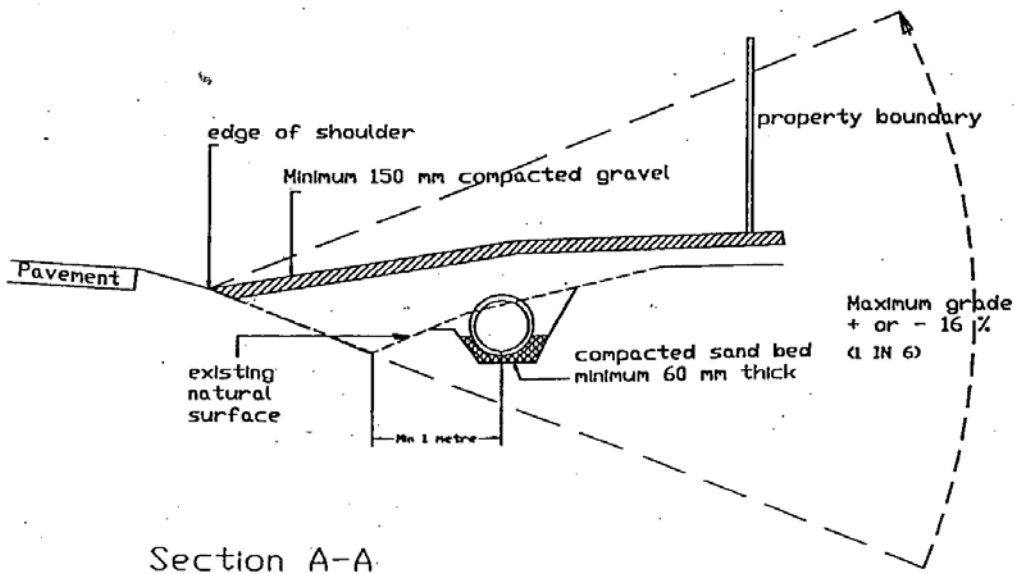
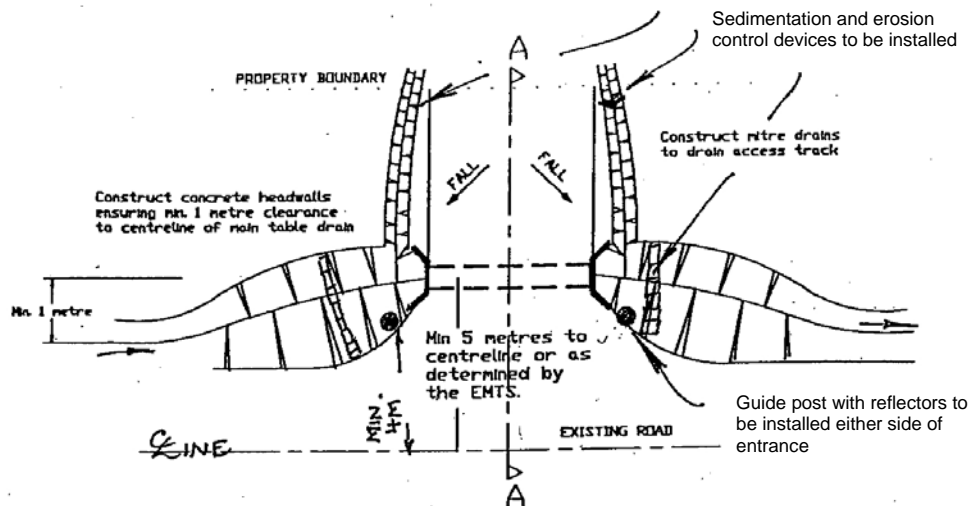
Gateway to the Rainforests

TYPE "A" VEHICULAR ACCESS – Urban kerb and guttering crossing

- NOTES:
1. Dimensions are in millimeters unless otherwise shown
 2. All radii to be 20mm
 3. The proposed crossing is to match the existing kerb and gutter grade

Page 2 of 2
NOT TO SCALE

APPENDIX F – STANDARD VEHICULAR ACCESS TYPE “B”



KYOGLE COUNCIL

Gateway to the Rainforests

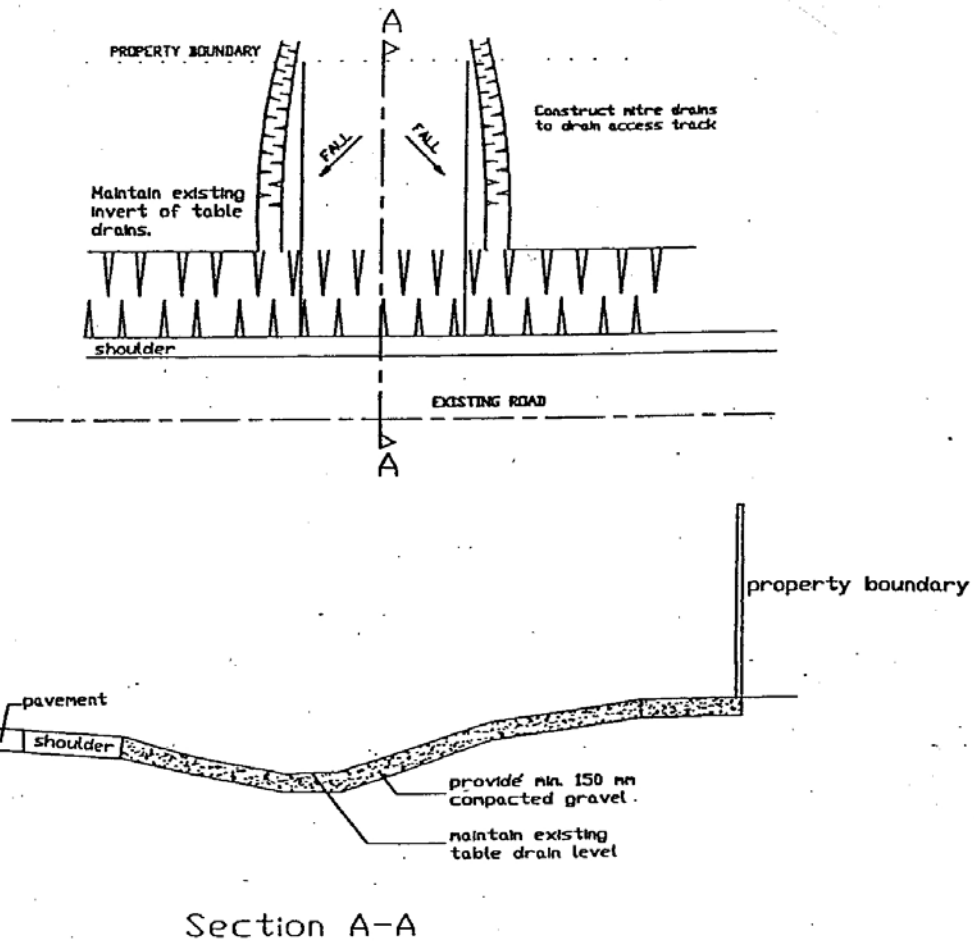
TYPE “B” VEHICULAR ACCESS – Piped access with flexible pavement

NOTES:

1. Gravel fill and pipe in table drain to be a minimum 3.66m wide
2. If access is to a sealed road the access must be sealed to the property boundary
3. Access track must have a 4% crossfall from the center line to mitre drains
4. Invert of pipe to match invert of table drain
5. Works not to encroach onto road shoulder

Page 1 of 1
NOT TO SCALE

APPENDIX G – STANDARD VEHICULAR ACCESS TYPE “C”



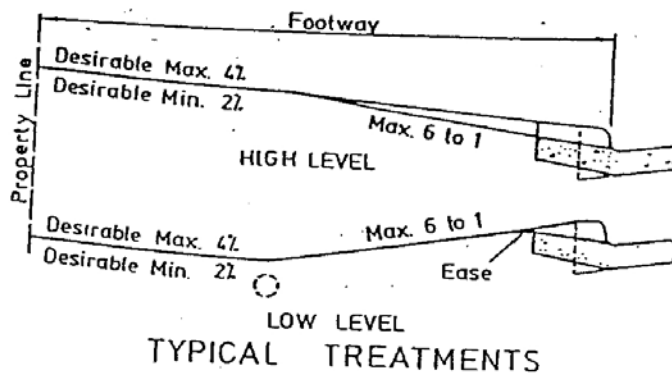
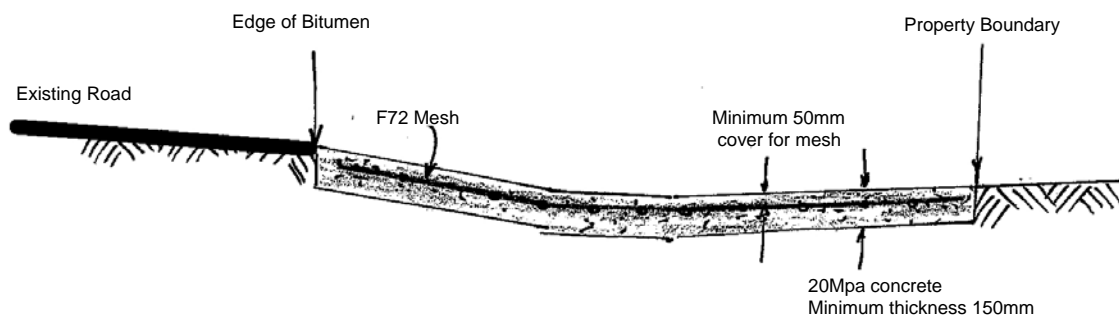
KYOGLE COUNCIL Gateway to the Rainforests

TYPE “C” VEHICULAR ACCESS – Non-piped access with flexible pavement

NOTES:

1. Gravel fill in table drain to be a minimum 3.66m wide
2. If access is to a sealed road the access must be sealed to the property boundary
3. Access track must have a 4% crossfall from the center line to mitre drains
4. Access must maintain existing level of table drain
5. Works not to encroach onto road shoulder

APPENDIX H – STANDARD VEHICULAR ACCESS TYPE “D”



KYOGLE COUNCIL

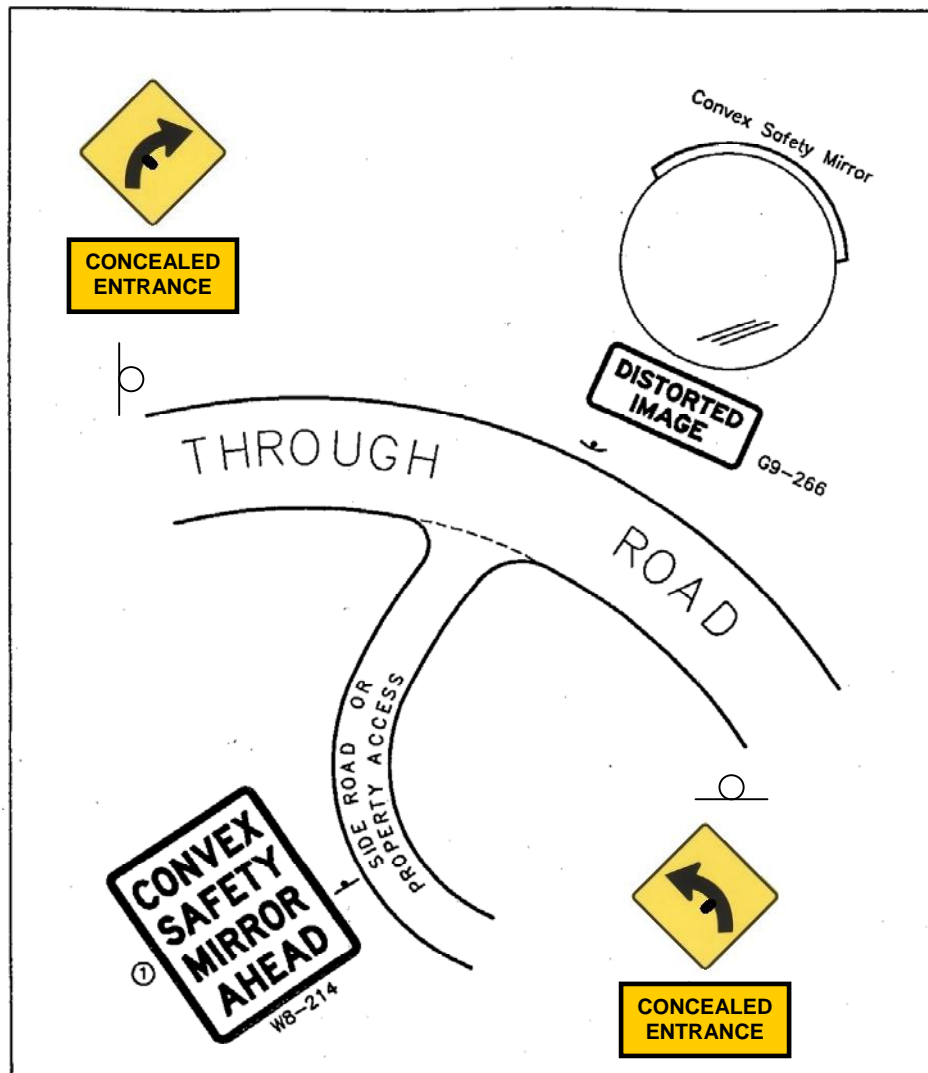
Gateway to the Rainforests

TYPE “D” VEHICULAR ACCESS – Non-piped access with concrete pavement

NOTES:

1. Concrete surface in table drain to be a minimum 3.66m wide
2. Access track must have a 4% crossfall from the center line to mitre drains
3. Access must maintain existing level of table drain
4. Works not to encroach onto road shoulder

APPENDIX I – TYPICAL CONCEALED ENTRANCE TREATMENT



KYOGLE COUNCIL

Gateway to the Rainforests

CONCEALED VEHICULAR ACCESS – Typical Signage Layout

NOTES:

1. A DISTORTED IMAGE (G9-266) must be installed when a convex mirror is used
2. The CONVEX SAFETY MIRROR AHEAD (W8-214) is to be installed when vision on the access track is limited on the approach to the Vehicular Access
3. On relatively high speed bends the CURVE (W1-3) warning sign is to be installed in conjunction with a CONCEALED ENTRANCE sign
5. STOP or GIVE WAY signs may also be required

Page 1 of 1
NOT TO SCALE