

The section of the vehicular accessway requiring Council approval is between the front boundary of your property and the edge of the road. Vehicle crossing requirements can be determined by one of two ways: during the assessment of a Development Application (DA) or by contacting Council for individual assessment outside of the DA assessment.

### **What types of vehicular accessways are available?**

There are 2 components that make up a vehicular accessway:

- Gutter crossing or 'crossing' - the section within the gutter or longitudinal drainage channel on the edge of a street or road
- Driveway apron or 'apron' - the section from your front boundary to the gutter

### **There are four types of gutter crossings available:**

- Layback - integral with kerb and gutter
- Dish - where no kerb and gutter exists
- Pipe - where no kerb and gutter exists and the levels/waterways are such that a dish would not be appropriate (crash compliant head walls are compulsory)
- Rural gravel – only for remote rural areas where there is no table drain or there is minimal catchment draining through table drain

### **There are four types of driveway aprons available:**

- Light duty concrete - general domestic
- Heavy duty concrete - generally commercial, industrial, multiple domestic units
- Rural gravel – only for remote rural areas
- Bitumen or AC sealed driveways – only if specifically approved

Concrete aprons are to be constructed to the full width of your gutter crossing (no concrete strips allowed). Concrete aprons are typically required for all urban developments (residential, commercial, industrial, multiple domestic units etc). Requirements for driveway aprons may vary in extenuating circumstances only.

### **Who can construct a vehicular accessway?**

A vehicular accessway can only be constructed by a licensed contractor of your choice.

Steps to take to obtain a driveway approval:

1. Organise the works with a contractor (if required) prior to making application
2. Submit the completed Section 138 Roads Act application form through the NSW Planning Portal with the required supporting documentation. At minimum the supporting documentation to be supplied includes the site plan clearly showing location and design & the certificate of currency for Public Liability of the contractor undertaking the works.
3. A Council officer will determine the costs required to be paid in accordance with that current year's fees and charges. Following this you will be invoiced for the payment of the fees.

## LINKS

▶ [Richmond Valley Council](#)

▶ [NSW Planning Portal](#)

## CONTACT

council@richmondvalley.nsw.gov.au  
02 6660 0300

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4. Once fees have been paid by the applicant, the application made will be assessed by Council. When approved, you will receive a conditioned approval letter via the Planning Portal. All conditions confined within the driveway approval is to be followed.

### **Specification for construction of vehicular accessways:**

Refer to Council's 'Specification for the Construction of Vehicular Accessways' for detailed information before proceeding with an application. It is the responsibility of the applicant to ensure that any contractor engaged to carry out any work within the road reserve is conversant with and carries out the works in accordance with Council's 'Specification for the Construction of Vehicular Accessways'. The following summary sets out the responsibilities of contractors constructing vehicular accessways within Council's road reserve area.

### **Works & structures - Section 138, Roads Act 1993:**

Approval must be sought from the road authority (Richmond Valley Council) prior to any works being carried out in the road reserve.

### **Maintenance of works & structures - Section 142, Roads Act 1993:**

A person who has the 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.

(b) In the case of a structure (such as a grate 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 the surrounding road surface are maintained so as to facilitate the smooth passage of traffic along the road.

### **Authority may recover cost of constructing or repairing - Section 218, Roads Act 1993:**

1. "The owner of land adjoining a public road is liable to pay to the appropriate roads authority the cost incurred by the roads authority in constructing or repairing any special crossing over a footway in the public road for the traffic of vehicles across the footway to or from the land."

2. "If the crossing has been constructed or repaired at the request of the occupier of the land concerned, any amount paid to the roads authority by the owner of the land may be recovered by the owner from the occupier."

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