

Driveway Access to Property Guide

This is a guide only of the process that must be followed to gain approval to construct a vehicular driveway access in Tweed Shire.

Council's *Driveway Access to Property Design Specification and Construction Specification* is supplied with the application form. **These Specifications must be retained and will be required by you or your contractor when constructing the driveway after Council Approval has been issued.**

Once the application is approved you will be provided with a *Notice of Approval to Construct a Driveway Access on a Public Road* and any other conditions or requirements that are relevant to your driveway.

The documents:

- "Driveway Access to Property Design Specification",
- "Driveway Access to Property Construction Specification"; and
- "Driveway Access to Property Application Form"

are available on Council's internet site at:

<https://www.tweed.nsw.gov.au/council/customer-service/forms-applications>

Hard copy versions of the forms can also be picked up at Council's offices in Tweed Heads or Murwillumbah.

It is important to note that the provision and maintenance of a vehicular access is the responsibility of the benefitting property owner. However, any work undertaken by private owners on Council roads (which includes the naturestrip) requires written approval.

Section 138 of the Roads Act 1993 requires Council consent for works within the road reserve (local roads), which includes driveways, modifying of kerb and gutter, footpaths, gardens or any other works, ie stormwater, sewer, power, hoardings, ground anchors, etc.

This process is necessary to ensure such works comply with the many Australian Standards and Policies that enable works to be safe and practicable for all road users, including pedestrians and cyclists.

Driveways and other works placed in the road reserve without Council approval may need to be removed if deemed to be a safety or public liability risk.

How to Proceed

1. Obtain the correct form: ***Driveway Access to Property Application Form*** by:
 - Calling in at Council's offices at Tweed Heads Civic Centre or Murwillumbah Civic Centre; or
 - Downloading a copy from Council's website at <https://www.tweed.nsw.gov.au/council/customer-service/forms-applications>; or
 - Calling Council on (02) 6670 2400 for a copy to be posted.
2. Read the form carefully and prepare the information requested. If in doubt, call Council on (02) 6670 2400.
3. Download the relevant Owner's Consent form by clicking on the hyperlink in the Note section of the "A3. Owners Consent" section in the form.

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4. You will now be able to lodge your application:
 - Online via Council's website
 - Email to existing EDA email
 - Post
 - In person at Murwillumbah - either electronic version or hard copy (scanning fee applies)
5. Council staff may contact you after inspecting the site and reviewing your plans. They may request more information or amendments. Submit these promptly. Do not start work as no approval has been granted.
6. Once formal approval (Notice of Approval to Construct a Driveway Access on a Public Road or other works as approved) is received by you, implement the devices and precautions you nominated in your Work Safety Plan and Erosion & Sedimentation Control Plan. Make sure all public utilities are adequately located and protected and then commence site excavation or filling. Ensure that you maintain site management controls as you progress.
7. Prepare the driveway in accordance with "Council's Construction Specification" which is provided with the Approval in (5) above. When you are at least 24 hours away from pouring concrete, and prior to ordering the concrete delivery, contact Council and request an inspection of the formwork and reinforcing steel you have placed.
8. Council's inspector, on arrival, will check your work for compliance and may require you to alter the formwork and steel you have placed, or advise you to proceed with the concrete pour and issue a Building Inspection Report.
9. After a satisfactory Building Inspection Report is issued, complete the driveway construction work, restore the footpath to its prior condition, and remove all surplus materials, barriers, and waste from the site. Council's inspector may make a final inspection to ensure compliant completion.