



## POLICY STATEMENT

# PROVISION OF PIPES FOR VEHICULAR CROSSINGS

**POLICY ADOPTED:** 15 September 2015

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### **Policy Objective:**

To outline the conditions of application for a vehicular crossing and terms of provision of table drain pipes by Bland Shire Council.

### **Background:**

"Roads Act 1993 as amended.

Clause 6: (1) The owner of land adjoining a public road is entitled, as of right, to access (whether on foot, in a vehicle or otherwise) across the boundary between the land and the public road.

Clause 138: (1) A person must not (a) erect a structure or carry out work in, on or over a public road, or (b) dig up or disturb the surface of a public road, or ----- otherwise than with the consent of the appropriate road authority."

Therefore:

- A) Council is only obliged to approve of one access to a property, which is usually the primary access to the dwelling lived in by the property owners or other approved residents;
- B) The applicant wishing to have the access must apply to the Council (except State Roads) for the access;
- C) Bland Shire Council is entitled to charge a processing fee for the application;
- D) If approved, the applicant must abide by the conditions of approval;
- E) The applicant bears all costs regarding the construction;
- F) The applicant bears all maintenance costs to maintain access to Council requirements;
- G) Non-approved accesses are illegal and the owner can be fined and required to remove or re-construct them.

Bland Shire Council has been helping facilitate draining the table drains by providing pipes for primary accesses to applicants. This policy addresses the boundaries of this practice.

### **Policy Statement:**

Bland Shire Council will supply two lengths (2.4 metres per length) of pipes, free of cost, at the Council's depot, to aid the table drain flow under a new primary access vehicular crossing if Bland Shire Council believes that it is warranted to continue the drainage under the vehicular crossing.

### **Note:**

The supply of these pipes applies only to new primary access crossings and all future adjustments, maintenance and material supply for existing vehicular crossings, including pipes, is the owner's responsibility at their cost. In addition, construction, maintenance and material supply for new and existing approved non-primary vehicular crossings, including pipes, is the owner's responsibility at their cost.

### **Definitions:**

**Vehicular Crossing** – Vehicular connection between any private lands, from the property boundary, to the formed public road, which is constructed at 90 degrees to the formed road, unless otherwise approved by Bland Shire Council.

**Primary Access** – An access that leads to a dwelling lived in by the property owners or other approved residents.

**Authorisation:**

<b>Status</b>	<b>Committee</b>	Yes	
	<b>Manex</b>	Yes	
<b>Owner</b>	<b>Director Asset and Engineering Services</b>		
<b>EDRMS Doc. ID</b>	525367		
<b>Superseded Policy</b>	Provision of Access Pipes for Property Access		
<b>Date of Adoption/ Amendment</b>	<b>Revision Number</b>	<b>Minute Number</b>	<b>Review Date</b>
16 May 1995	0	11/5/95	
July 2014	1 (reviewed – no changes)		July 2019
15 September 2015	2		December 2020
<b>Related Council Policy / Procedure</b>			