


|  <p>Mackay REGIONAL COUNCIL</p> | COUNCIL POLICY | |
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| | Provision of Driveways and Property Accesses during the Course of Council's Road Reconstruction or Construction Projects | |
| | POLICY NO | 023 |
| | DEPARTMENT | ENGINEERING & COMMERCIAL INFRASTRUCTURE |
| | PROGRAM PLANNING | TRANSPORT & DRAINAGE INFRASTRUCTURE |
| ENDORSED BY COUNCIL 23 September 2020 | | Resolution: ORD-2020-251 |

1.0 Scope

To set defined guidelines in relation to the size, number, location, standards and responsibility for construction costs in relation to both urban and rural property accesses where adjacent road construction activities are being undertaken by MRC.

2.0 Purpose

To put in place a system where during the course of road construction/reconstruction activities MRC affords neighbouring property owners, both urban and rural, the opportunity to construct driveways/property accesses to MRC's standards in conjunction with Council restoring existing accesses damaged to defined standards. The purpose of the Policy is to set out guidelines for these works in relation to both construction standards and cost divisions.

3.0 Reference

- Standard Drawings Standard Drawings A3-773, A3-8252 & A3-8323 as Amended

4.0 Definitions

Council shall mean the Mayor and Councillors of Mackay Regional Council.

Human Rights Complaint shall mean a complaint about an alleged contravention of section 58-1 by a public entity in relation to an act or decision of the public entity.

Longitudinal drainage is drainage contained within the road reserve running parallel to the centre line of the road formation via piped or open drainage systems.

MRC shall mean Mackay Regional Council.

5.0 Background

To define guidelines in relation to the construction of driveways and property accesses in association with MRC's road construction and reconstruction projects for both restoration of existing accesses damaged during construction activities and for neighbouring property owners to construct driveways/property accesses to MRC standards.

6.0 Policy Statement

To define guidelines in relation to the construction of driveways and property accesses in association with Council's road construction and reconstruction projects.

6.1 Principal Guidelines

Guidelines in relation to construction of urban driveway accesses and non-urban property accesses where adjacent MRC road construction activities are being undertaken are: -

(a) Urban Areas

- (i) Where concrete tracks and concrete driveways exist to the extent of the proposed kerblines, MRC will provide a full concrete driveway, at no cost to the property owner, from the kerb to the property line for that property at a width consistent with the existing access to a maximum width of that equivalent to the MRC standard.
- (ii) Where no concrete track or driveway exist, MRC, upon agreement with the property owners, will provide a full concrete driveway from the kerb to the property line on a 50% Resident/50% MRC shared cost basis subject to one (1) access only per property being provided under this arrangement and it being constructed to a width to a maximum equivalent to the MRC standard.
- (iii) Construction is to conform with the requirements of MRC's Standard Drawing A3-773.

(b) Non-Urban Areas

- (i) In the situation where no access exists, or the existing access is not piped, if a new property access is required across the road table drain and a culvert is needed to handle the normal table drain flow, then, Council will provide and install the nominated culverts of the appropriate diameter and structural grade.. Crossing as detailed on Drawing No. A3-8252 & A3-8323 will be

provided to each parcel of land. Should additional crossings be required then the property owner will be responsible for the full cost of such crossings.

- (ii) For a property, which has an existing piped access and the planned road construction requires the relocation of an existing property access then all works will be undertaken as part of the roadworks scheme and at no cost to the property owner. In situations where the roadworks involves major longitudinal drainage and where a property access existed at the time of road construction, then a single standard property access will be provided by MRC as part of the roadworks scheme to each property. Major longitudinal drainage is deemed to occur only when the waterway of the required culvert would be greater than 0.65 square metres.
- (iii) A maximum of two (2) such accesses will be provided to each property. Should additional crossings be required then the property owner will be responsible for the full cost of such crossings.
- (iv) In all cases (i) to (iii) accesses referenced where Council will bear the cost of reconstruction relate only to property accesses which have been approved by Council via Minor Works permits and constructed in accordance with the standards at the time of construction. Where accesses exist which have been constructed without approval and/or constructed to standards below the required level, Council shall bear the cost of upgrading of two(2) such accesses per property to the required standard ,however, the property owner will be required to bear the full cost of relocation and reconstruction together with undertaking the necessary application and approval process to have the access receive the required statutory approval for any additional accesses.

6.2 Complaints

Any complaints in relation to this service will be assessed and managed in accordance with MRC's Administrative Action Complaints Policy, a copy of which can be found on MRC's website.

Complaints may be made as follows:

In writing to

Chief Executive Officer
Mackay Regional Council
PO Box 41
MACKAY QLD 4740

Via Email: complaints@mackay.qld.gov.au

In person to 73 Gordon Street, Mackay.

6.3 Human Rights Complaints

When an individual feels that they are the subject of MRC's failure to act compatibly with human rights, they can make a complaint directly to MRC. These complaints will be assessed against the *Human Rights Act 2019*.

7.0 Review of Policy

This policy will be reviewed when any of the following occur:

1. The related documents are amended or replaced.
2. Other circumstances as determined from time to time by a resolution of Council.

Notwithstanding the above, this policy is to be reviewed at intervals of no more than three (3) years.

Version Control:

| Version | Reason / Trigger | Change | Endorsed / Reviewed | Date |
|---------|-----------------------------|--|---------------------|----------|
| 2 | Modified Template | Nil | | |
| 3 | Reference Plan modification | Plan number changes | Council | 23.08.17 |
| 4 | Policy Review Period | Minor Program name and linked reference updating | Council | 23.09.20 |