

Vehicle Access Crossing (driveway) FAQ's

This fact sheet provides information for any person or organisation wanting to undertake driveway works within the public road reserve. It explains the standards Maitland City Council requires for driveway construction or modification and outlines the responsibilities of property owners.

Do I need a permit to construct my driveway?

Yes, construction and maintenance of driveways from road to garage is the responsibility of the property owner. You must obtain permission to install a driveway across the footway (from the kerb to your boundary) by getting a driveway access approval from council. Failure to do this may result in an issue of non-compliance and, in some cases, the work may need to be removed and reconstructed at your cost.

Why do I need a permit?

The *NSW Roads Act (1993)* requires council consent to be obtained for works within the road reserve, to ensure it complies with Australian standards and council policies. Council must ensure new driveways and alterations are safe for both vehicles and pedestrians, do not conflict with existing infrastructure such as signs, poles and street trees, adequately manage stormwater and do not create any hazard on the council footway or verge area.

How do I obtain a permit?

A formal application must be made to council using the application for vehicle access crossing (driveway) application form. This can be accessed online at www.maitland.nsw.gov.au or you can also pick up a copy of the form from the Maitland Administration Centre at 263 High Street, Maitland. Council's infrastructure operation assets section will undertake the approval process with the details provided in the application form. You can then obtain quotes from a contractor to perform the work.

How long does it take to obtain council approval?

A straightforward application will usually be processed within 14 to 21 working days. If the driveway is more complex and requires a site-specific design, allow 28 working days. This will apply in cases where the driveway is steep, contains multiple levels or may be affected by future road or footpath works. A letter will be posted or emailed for you to provide to your contractor to start creating the formwork.

My development approval already has driveway conditions; do I still need a driveway permit?

Yes, you must still obtain a permit from council before constructing your driveway.

What if the access road is not owned by council?

If the access road to your property is a crown road, you must first obtain and submit written approval from the appropriate state government authority. Council will not approve access to a property via a public reserve. In some instances, council will need to refer applications to other authorities such as Services NSW. The approval of Services NSW is required if the driveway or works is adjacent to the New England Highway or some other classified roads.

What are my responsibilities?

As the property owner, you are responsible for the cost and standard of construction and maintenance of your driveway, including any modification to the kerb and gutter. It is also your responsibility to ensure that any work done on your driveway crossover complies with council standards, and any contractor you use is aware of the requirements. Council recommends the contractor be adequately insured and appropriately licensed to undertake the proposed works. Driveway approval does not override any conditions set out in an associated development application. It is your responsibility to contact 'dial before you dig' by calling 1100 to check for any utilities and services, such as water, gas or electrical, that may be affected by your excavations. Council will not accept liability for injury or property damage caused by work carried out privately on your driveway crossover, or for accidents caused by badly constructed or unauthorised driveways. The authority that has caused the damage will reinstate damage caused by council or other public authorities undertaking works.

How many driveways can I have?

Residential developments are generally allowed one driveway for vehicle access. An additional crossing may be allowed under the following circumstances:

1. The property has access to two or more street frontages.
2. The property is a commercial/ industrial development with separate entry and exit points or two or more entry levels or multiple ramps.
3. The property is a duplex without a shared driveway. Driveway allowances for medium-density residential and larger developments are assessed on merit.

Existing concrete footpath

Where your proposed driveway crosses an existing concrete footpath, the footpath is **NOT TO BE REMOVED**.

What if the existing concrete footpath is damaged?

If the existing footpath is damaged the path is to be removed and replaced at existing levels and in a plain concrete colour

Redundant crossings

If you wish to move your existing driveway, concrete laybacks must be replaced with kerb and gutter and all pipe crossings and in-situ drains must be removed and the ground reinstated.

Driveway widths:

- **Residential:** minimum of 2.7m and maximum of 6m at kerb (excluding 600mm wings)
- **Commercial:** usually 10m at the kerb but can be increased at council's discretion.

Drainage:

Minimum 600mm clear of existing stormwater inlet pits. Removal or reduction of the pit lintel or grating is not allowed, however relocation of the pit may be permitted, at owner or applicant's expense and subject to approval by council.

Tree removal:

Minimum two metres from the outer trunk of an existing street tree. Seek council advice if construction or excavation is to take place within the street tree canopy drip line.

Gradients

Maximum longitudinal gradients:

- 4% across council footway for 3.2m (if no footpath is present)

Refer to Maitland City Council's current standard driveway profiles SD007 & SD008.

Any profile exceeding any of these maximum slopes will require council approval. Where an access driveway is proposed within an older developed area and where a large difference in level between the existing roadway and the property boundary occurs, a site- specific design may be required, which may include lowering of existing footpath. These are non-standard treatments and will require design by a suitably qualified professional at the cost of the applicant