
Common Vehicular Access to Multiple Properties

1. The purpose of this policy is

to define the responsibilities of Council and property owners in respect to construction and maintenance of Common Vehicular Access to Multiple Properties.

2. Policy statement

The Common Vehicular Access to Multiple Properties (CVAMPS) policy applies to a single or dual lane driveway which is contained wholly within the public road reserve. Separate to the major carriageway, it begins at the edge of the carriageway and provides access for more than one property.

The Roads Act 1993 gives owners of adjoining land the right of access to public roads and allows the Roads Authority to recover the costs of repairing or constructing a special crossing.

This policy is to be carried out in accordance with the principles summarised in *section 8 - Principles of the Community Health and Safety Manual*.

3. Principles

The Common Vehicular Access to Multiple Properties (CVAMP) policy is to be conducted according to the following guidelines:

- no work is to be carried out on any CVAMP which does not conform with this policy
- The owners of properties served by CVAMP meet the full cost of construction, reconstruction, repairs and maintenance in accordance with Council's standard requirements and any necessary approvals, consents or permissions required for the carrying out of such works.
- Where CVAMPS are regularly used by garbage, sullage and/or general delivery vehicles, and have been identified by Council as being regularly used by Council, Council may meet part of the cost of maintenance as distinct from capital replacement or work of a capital nature.

- Where community roads or other private roads are constructed on private property as distinct from the public roadway, it shall not be Council responsibility to meet any part of the cost of maintenance of such community roads or private roads.
- Where Council enters an agreement with landowners for Council or its contractors to carry out works on CVAMPS at landowners' cost, a plain English legally enforceable agreement unique to the affected CVAMP between Council and affected CVAMP landowners is to be prepared by Council's solicitors bearing in mind the terms and the conditions covering the project in hand and executed prior to work commencing. No work is to be carried out without the prior written agreement of landowners to meet the incurred costs of such work.
- Where urgent reconstruction or maintenance work is required in the interests of public use, health, safety or convenience, and where there is no practical possibility of Council obtaining landowners' agreement to costs prior to work commencing, consent to proceed with rectification work shall be obtained by a special resolution of Council. Until such consent is obtained, the area is to be either barricaded to prevent access or made safe to the public.

4. Amendments

The Common Vehicular Access to Multiple Properties policy supersedes Policy Number 4.2.06.

This policy was last amended on 7 August 2006.

5. Authorisation

The Common Vehicular Access to Multiple Properties policy was authorised by Council on 27/4/93.

6. Who is responsible for implementing this policy?

Team Leader Development Engineering, Manager Project Services

7. Document owner

Director Planning and Assessment Services.

8. File number

320.003.002

9. Legislation and references

Roads Act 1993, Sections 6 and 218.

9.1 Definitions

A Common Vehicular Access to Multiple Properties is defined as:

“A single or dual lane driveway, contained wholly within the public road reserve, separate to the major carriageway, commencing from the edge of the carriageway, providing access for more than one property.”