

7.2 Crossovers Subsidy

Policy Owner:	Chief Executive Officer
Person Responsible:	Executive Manager Technical Services Works Manager Technical Officer Engineering
Date of Approval:	November 2005
Amended:	

Objectives	The purpose of this policy is to provide a subsidy towards the construction of a vehicle crossover to a private property.
Statement	To clarify the Shire's requirements for the construction of a vehicle crossing to a private property in order to receive a subsidy from the Shire.
Scope	The policy applies to all property owners.
Background	<p>Under the Local Government Act 1995 regulation 15 Contribution to cost of crossing-Schedule 9.1 cl 7(4),</p> <p>(1) <i>Where-</i></p> <ul style="list-style-type: none"> (a) <i>a local government-</i> <ul style="list-style-type: none"> (i) <i>under regulation 12 constructs or approves the construction of; or</i> (ii) <i>under regulation 13(1) requires the construction of, a crossing giving access from a public thoroughfare to private land or a private thoroughfare serving the land;</i> (b) <i>the crossing is the first crossing in respect of the land; and</i> (c) <i>the crossing is a standard crossing or is of a type that is superior to a standard crossing,</i> <p><i>the local government is obliged to bear 50% of the cost, as estimated by the local government, of a standard crossing, but otherwise the local government is not obliged to bear, nor prevented from bearing, any of the cost.</i></p> <p>(2) <i>In subregulation (1) -</i></p> <p><i>“first crossing” in respect of land, means the first crossing to the land or a private thoroughfare serving the land constructed under regulation 12 or section 358 2 of the Local Government Act 1960 as in force at any time before 1 July 1996;</i></p> <p><i>“standard crossing” means, subject to any local law as to what is or is not a standard crossing, a crossing of a kind that the local government, by resolution, decides is a standard crossing.</i></p>

Crossover Subsidy

- 1) All crossovers shall be constructed and approved by the Executive Manager Technical Services. The Owner/agent shall arrange for construction.
- 2) The crossover shall be paved utilising sprayed bitumen, bituminous concrete, in-situ concrete, paving bricks or blocks.
- 3) The Shire will contribute 50% towards the cost of only one standard residential crossover, subject to the crossover being deemed to conform to the Shire specifications.
- 4) The subsidy shall apply to industrial, commercial and grouped dwellings as well as single residential. In the case of strata titles, a subsidy shall apply to each crossover up to the number of dwellings.
- 5) Crossovers, eligible for subsidy, may be claimed for at the subsidy rate that applies in the financial year construction is completed. Crossovers in excess of six months old shall have a reduced subsidy based on straight line depreciation, for age and type, as per the following: (Crossovers in excess of their life shall not be eligible).

Crossover Type	Maximum Life of Crossover
Gravel	10 years
2 Coat Seal	10 years
Asphalt	15 years
Brick/Block	20 years
Concrete	25 years

- 6) Reconstruction of one crossover to a property shall attract a second subsidy where that crossover has exceeded its expected life (taken as 20 years) as determined by the Shire's Executive Manager Technical Services.
- 7) The reference a "standard crossover" shall mean a sealed or paved construction to a size conforming to the Shire's Executive Manager Technical Services area standard widths, referred to in specifications.
- 8) Where Council undertakes road works affecting existing crossovers Council will bear the cost of replacement.

Crossover Maintenance

The crossover is that section of driveway that extends from the road kerb or edge of road seal to the front or side property boundary line, across the verge. The property owner is responsible for the cost of construction and all future maintenance and repairs to the crossover, including any damage resulting from the roots of street trees and water run off from private property.

The Shire will not undertake any maintenance or repairs to the crossover or accept any liability as a result of poorly constructed or maintained crossovers.

Existing Vehicle Crossover

The Shire will not provide any subsidy to replace or repair any existing crossover. It is the property's owners' responsibility to ensure the crossover complies with the Shire's minimum requirements. Crossover repairs must be undertaken if it is considered unsafe.

Administration

To apply for a subsidy, the applicant must complete the ***Application for Subsidy or Construction of a Crossing***. On receipt of the application the Technical Services Department may investigate and provide a quotation (if requested) to the owner/builder.

If the Shire's subsidy is to be claimed, then on receipt of the Application the crossing will be inspected. A subsidy will be processed on completion of the construction of the crossover and once an inspection has been carried out by an officer from the Technical Services Department, to ensure that the crossover conforms to the Shire of Chittering crossover specifications.

Note: This process will normally take a maximum of four working weeks

Bonds

- i) Bonds for the construction or reconstruction of crossovers shall be required to be paid at time of issue of the building licence. The amount of the bond will be set by the Shire's Executive Manager Technical Services
- ii) Crossover construction or reconstruction shall be required as a condition of subdivision, development and/or as a condition of issue of building licence where it is deemed by the Shire's Executive Manager Technical Services that the construction is necessary.

- iii) Construction/reconstruction of a crossover as a condition of the building licence shall not be required if the value of the licence is less than \$5,000 or the building work involve only minor works (e.g., pergola, shed, pool, patio, toilet) but shall apply to all building licences for structures accessible to vehicles.
- iv) Council may construct the crossover in concrete if not constructed by the owner/agent within 6 months of practical completion or occupation of the building, where payment of a crossover bond has been made.

Building Licence

The Building Licence is for building construction inside the property boundary and does not include approval for the construction of the crossover. Hence, a separate application is required for the construction of a crossover within the road verge, which is vested with the Shire of Chittering.

The position, width, and construction of the crossover shall be in accordance with this crossover specification.

Protection of Existing Services, Street Trees and the Public

- 1) Existing services within the vicinity of the proposed crossover shall be protected at all times. The owner or authorised representative may be contacted to provide advice in relation to the protection of services;
- 2) Where damage is caused to the Shire's infrastructure (i.e. kerb, pathway, road etc) as a result of the construction of the crossover, the infrastructure shall be repaired to the satisfaction of the Executive Manager Technical Services;
- 3) Conflicting public utility services shall be adjusted or relocated at the applicant's expense, subject to formal approval of the relevant authority;
- 4) The Shire's existing drainage structures (i.e. pits drains or culverts) that conflict with the location of the proposed crossover are to be adjusted by the Shire's Technical Services Department and all costs associated with this work shall be borne by the Applicant;
- 5) The removal, adjustment, or reinstatement of reticulation is the responsibility of the Applicant;
- 6) Street trees shall not be removed without the prior approval of the Shire's Executive Manager Technical Services. Crossovers shall be located a minimum of 2 metres from a tree and removal will only be undertaken where it can be demonstrated that this is the only option available. All costs associated with the removal of the street tree shall be borne by the Applicant;

- 7) The Applicant shall be responsible for the protection of the public at all times. Signage, lighting, barricades, and/or any other protection measure deemed necessary shall be provided by the applicant to ensure that the public are protected during the execution of the works;
- 8) Safe access for pedestrians on the verge shall be maintained at all times. The Shire will not permit pedestrians being forced to walk on the road pavement unless appropriate measures are put in place for the protection of pedestrians; and
- 9) Vehicle crossings abutting major roads shall be subject to the approval of MRWA in conjunction with the Shire of Chittering.

Definitions

“Applicant”

means the person who makes application to the Shire to construct a crossover

“Shire”

means the Shire of Chittering

“Contractor”

means the person or company who will be responsible for construction of the crossover

“Crossing”

has the same meaning as Crossover

“Crossover”

means that section of the “drive in” to a property that replaces the verge and footpath or will ultimately form part of the future footpath

“Footpath”

means the paved or made portion of a thoroughfare used or intended for use by pedestrians and cyclists

“Local Government”

means the local government of the Shire of Chittering

“Local Government Act”

means the Western Australian *Local Government Act 1995*

“Subsidy”

means the contribution that the Shire is prepared to make towards the cost of an approved crossover as set by Council each year in the fees and charges

“Superintendent”

means the Executive Manager Technical Services or his/her nominated representative

“Verge”

means that portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property boundary but does not include a footpath.

References

Shire of Chittering Specification for Vehicular Crossing