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| POLICY NO:-  |
| <b>CP029 – PERMIT RELATING TO VERGE/CROSSOVER INCIDENTAL TO BUILDING WORKS</b> |

| GOVERNANCE INFORMATION |    |                             |    |
|------------------------|----|-----------------------------|----|
| Procedure Link:        | NA | Administrative Policy Link: | NA |

| ADMINISTRATION INFORMATION |   |       |               |             |  |
|----------------------------|---|-------|---------------|-------------|--|
| History:                   |   | ENG24 | OCM: 20/04/11 | Res: 96/11  | Synopsis: Policy created.                  |
| Version:                   | 1 | CP029 | OCM: 06/04/16 | Res: 51/16  | Synopsis: Policy created to replace ENG24. |
| Version:                   | 2 |       | SCM 26/07/18  | Res: 251-18 | Synopsis: Reviewed and Adopted by Council  |

## 1. RESPONSIBLE DIRECTORATE

Engineering & Development Services

## 2. PURPOSE OR OBJECTIVE

- 2.1 To ensure that road thoroughfares, including road verges are adequately protected, reinstated and repaired of any damage resulting from building works and demolition works, in accordance with the Shire of Dardanup Activities in Thoroughfares and Public Places and Trading Local Law 2007.
- 2.2 Provide guidance on the implementation of a permit system and associated fees which is in addition to the Shire's building permit system.

## 3. REFERENCE DOCUMENTS

- 3.1 Shire of Dardanup Activities in Thoroughfares and Public Places and Trading Local Law 2007.
- 3.2 Application for Permit Relating to Verge/Crossover Incidental to Building Works form.
- 3.3 Permit Relating to Verge/Crossover Incidental to Building Works form.
- 3.4 Advice: Verge Damage, 11 November 2015, McLeods Barristers & Solicitors

## 4. POLICY

- 4.1 An Application for Permit Relating to Verge/Crossover Incidental to Building Works form is to be submitted for all building works valued at greater than \$50,000 (inclusive of GST) and demolition works valued at greater than \$5,000 (inclusive of GST), and applies to properties falling under the following zones as set out in the Shire of Dardanup Town Planning Scheme No. 3:
  - Residential (single and multiple dwellings);
  - Small Holdings;
  - Light Industry;
  - Commercial;
  - Additional Uses; and
  - General Industry.
- 4.2 An Application for Permit Relating to Verge/Crossover Incidental to Building Works form is to be submitted by the applicant at the time of Building Permit Application or Demolition Permit Application.
- 4.3 A one-off application fee per property subject to building works or demolition works is payable as described in the Shire's fees and charges adopted as part of the Shire's annual budget process. This fee is for the purpose of recouping costs for staff time and administration associated with inspections and detailed record keeping required to effectively determine compliance with the requirements of the Shire of Dardanup Activities in Thoroughfares and Public Places and Trading Local Law 2007.

- 4.4 The Chief Executive Officer shall determine an application for permit by no later than the day the building permit or demolition permit is issued. A permit may be granted with conditions; granted with variations and conditions; or refused.
- 4.5 The following conditions are applicable to all permits granted as a minimum, and may include variations depending on circumstances:
- The holder of a permit is responsible to ensure that any damage to the verge(s) or crossover(s) is repaired and made good to a condition equivalent to or better than prior to any building or demolition activities or activities incidental to or preparatory to building or demolition commenced on the ~~building~~ site;
  - The holder of a permit is to ensure that any temporary crossover is removed no later than the completion of building or demolition activities, and the verge portion occupied by or affected by the temporary crossover is removed and made good to a condition equivalent to or better than prior to any building or demolition activities or activities incidental to or preparatory to building or demolition commenced on the ~~building~~ site; and
  - By acting upon the permit or permitting the permit to be acted upon, the grantee of the permit shall be taken to have agreed to indemnify the Shire of Dardanup in respect of any costs associated with the repair or making good of the verge(s) and crossover(s) of the building or demolition site arising in connection with the building or demolition works, in the extent and to the extent that the permit holder does not repair and make good any such damage to the Shire's satisfaction.