



APPLICATION FORM CONSTRUCTION OF CROSSOVER

FORM 81

Date stamp

Part 1 Details of Crossover Location

Property Owner(s) Name

Business Name

Property Address

Postal Address

Telephone

Mobile

Fax

Email

Part 2 Details of Person / Contractor to Construct Crossover

Name

Business Name

Postal Address

Telephone

Mobile

Fax

Email

Part 3 Requirements

1. Crossovers must meet the requirements of Council Policy ENG10 (attached). Applications which do not meet the policy and are deemed unsatisfactory will be rejected.
2. Applicants are required to submit with their application a drawing which clearly indicates the location, positioning, dimensions, material types and suppliers, surface finishes and any other features.
3. No works are to commence until the application is approved and the applicant is notified by Council.
4. Following approval (with or without conditions) the applicant must notify Council staff to carry out inspections and approval of works at the following hold points:

HOLD POINT

1

2

3

AFTER COMPLETING

Boxout, subgrade preparation, formwork setout

Subbase layer, basecourse layer

Final surfacing and overall completion

BEFORE COMMENCING

Subbase, basecourse, concrete pouring.

Spray sealing, asphalt laying, brick paver laying

5. Works completed at each hold point must be approved before proceeding to the next step. Non-conforming works shall be rectified until approved.

Part 4 Checklist for Applicant

All information required on the form has been completed

Plans of the proposed crossover are attached to this application

All conditions are understood and addressed in the plans submitted

Part 5 Declaration has been signed

Part 5 Declaration by Applicant

I hereby declare that I understand the requirements for the construction of crossovers and make application for the permission to construct a crossover.

Signature of Applicant

Date

Applicant Name

Please return this form complete with drawings attached to Shire of Dardanup

1 Council Drive (PO Box 7016) EATON WA 6232

Phone: (08) 9724 0000

Fax: (08) 9724 0091

Email: records@dardanup.wa.gov.au

LEGISLATIVE EXTRACTS FOR THE PROVISION OF CROSSOVERS

Schedule 9.1—Certain matters for which Governor may make regulations

(section 9.60(2))

7. Crossing from public thoroughfare to private land or private thoroughfare

(1) In this clause:

private land means land that is neither vacant Crown land nor local government land.

private thoroughfare means a thoroughfare that is principally used for access to private land that abuts the thoroughfare and, for the purposes of this clause, that land is land served by the thoroughfare.

(2) Regulations may be made about crossings from public thoroughfares to private land or to private thoroughfares.

(3) Regulations may authorise a local government to require a person to make or repair a crossing from a public thoroughfare to:

(a) private land that the person owns or occupies; or

(b) a private thoroughfare serving private land that the person owns or occupies; and, if the person fails to do so, to do so itself and recover 50% of the cost as a debt due from the person.

(4) Regulations may provide for the local government to bear some of the cost of making a crossing in certain circumstances.

(5) Regulations may make provision about the proportion in which the cost is attributable to each of several parcels of land that are served by a private thoroughfare.

8. Private works on, over, or under public places

(1) Regulations may be made to prohibit or control the construction of anything on, over, or under a public thoroughfare or other public place that is local government property.

(2) Subclause (1) does not apply to the construction of things by or on behalf of the Crown or under the authority of an Act.

(3) Regulations cannot authorise permanent or unreasonable obstruction of the ordinary and reasonable use of the public thoroughfare or other public place for the purpose to which it is dedicated.

(4) Section 3.25 applies as if anything constructed as mentioned in this clause were land owned by the person who constructed it and occupied by the persons entitled to use it.

(5) Regulations may require anything constructed in accordance with regulations to be maintained and may require the person who constructs it to insure against any liability that the local government may incur in connection with its construction, maintenance, or use.

Local Government Act 1995

Local Government (Uniform Local Provisions) Regulations 1996

12. Crossing from public thoroughfare to private land or private thoroughfare — Sch. 9.1 cl. 7(2)

(1) Upon the application of the sole owner, or a majority of the owners, of private land the local government may, in writing and subject to regulation 14(2) —

(a) approve the construction, under the supervision of, and to the satisfaction of, the local government, of a crossing giving access from a public thoroughfare to —

(i) the land; or

(ii) a private thoroughfare serving the land;

or

(b) agree to construct for the applicant a crossing giving access from a public thoroughfare to —

(i) the land; or

(ii) a private thoroughfare serving the land.

(2) A person is not to construct a crossing for vehicles from a public thoroughfare that is a Government road to —

(a) land on which premises have been or are about to be constructed; or

(b) a private thoroughfare serving the land,

unless the construction of the crossing has been approved by the local government under subregulation (1) and the crossing is constructed in accordance with the approval.

Penalty: a fine of \$5 000.

Note: This regulation is of a kind prescribed in the *Local Government Act 1995* Schedule 3.1 Division 2 item 2A(a). This means that an offender might be given a notice under section 3.25(1)(b) of the Act and if the notice is not complied with the local government may, under section 3.26, itself do what the notice required and recover the cost from the offender.

[Regulation 12 amended in Gazette 1 Feb 2013 p. 429-30.]

13. Requirement to construct or repair crossing — Sch. 9.1 cl. 7(3)

- (1) A local government may, subject to regulation 14(2), give a person who is the owner or occupier of private land a notice in writing requiring the person to construct or repair a crossing from a public thoroughfare to the land or a private thoroughfare serving the land.
- (2) If the person fails to comply with the notice, the local government may construct or repair the crossing as the notice required and recover 50% of the cost of doing so as a debt due from the person.
- (3) A person given a notice under subregulation (1) must comply with the notice.

Penalty: a fine of \$5 000.

[Regulation 13 amended in Gazette 1 Feb 2013 p. 430.]

14. Role of Commissioner of Main Roads in some cases — Sch. 9.1 cl. 7(2)

- (1) This regulation applies to a crossing for vehicles from a public thoroughfare that is a Government road to —
 - (a) land on which premises have been or are about to be constructed; or
 - (b) a private thoroughfare serving the land.

- (2) A local government cannot —
 - (a) under regulation 12 construct or approve the construction of; or
 - (b) under regulation 13(1) require the construction of,

a crossing to which this regulation applies unless the local government has consulted with the Commissioner and the Commissioner has approved in writing the construction of the crossing.

- (3) If a person —
 - (a) constructs a crossing to which this regulation applies other than in accordance with approval given by the Commissioner under this regulation; or
 - (b) modifies a crossing to which this regulation applies in such a way that it is not in accordance with approval given by the Commissioner under this regulation,

the Commissioner may, by notice in writing, require the person to bring the crossing into accordance with the approval, if approval was given, or remove the crossing and restore the place where the crossing was to its former condition.

- (4) If the person fails to comply with the notice, the Commissioner may do anything required by the notice to be done and recover the cost of doing it as a debt due from the person.
- (5) A person given a notice under subregulation (3) must comply with the notice.

Penalty: a fine of \$5 000.

[(6) deleted]

- (7) In this regulation —

Commissioner means the Commissioner of Main Roads.

Note: This regulation is of a kind prescribed in the *Local Government Act 1995* Schedule 3.1 Division 2 item 2A(b). This means that an offender might be given a notice under section 3.25(1)(b) of the Act and if the notice is not complied with the local government may, under section 3.26, itself do what the notice required and recover the cost from the offender.

[Regulation 14 amended in Gazette 1 Feb 2013 p. 430-1.]

15. Contribution to cost of crossing — Sch. 9.1 cl. 7(4)

- (1) Where —
 - (a) a local government —
 - (i) under regulation 12 constructs or approves the construction of; or
 - (ii) 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; and
 - (b) the crossing is the first crossing in respect of the land; and
 - (c) the crossing is a standard crossing or is of a type that is superior to a standard crossing,

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.

(2) In subregulation (1) —

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 358² of the *Local Government Act 1960*³ as in force at any time before 1 July 1996;

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.

[16. Deleted in Gazette 1 Feb 2013 p. 431.]

17. Private works on, over, or under public places — Sch. 9.1 cl. 8

(1) A person must not, without lawful authority, construct anything on, over, or under a public thoroughfare or other public place that is local government property.

Penalty: a fine of \$5 000.

(2) Subregulation (1) does not apply to the construction of things by or on behalf of the Crown.

(3) A person may apply to the local government for permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property.

(4) Permission granted by the local government under this regulation —

- (a) must be in writing; and
- (b) must specify the period for which it is granted; and
- (c) must specify each condition imposed under subregulation (5); and
- (d) may be renewed from time to time; and
- (e) may be cancelled by giving written notice to the person to whom the permission was granted.

(5) The local government may impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, any of the following —

- (a) a condition imposing a charge for any damage to the public thoroughfare or public place resulting from the construction;
- (b) a condition requiring the applicant to deposit with the local government a sum sufficient in the opinion of the CEO of the local government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the construction, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant.

(6) It is a condition of the permission granted under this regulation that —

- (a) the ordinary and reasonable use of the public thoroughfare or public place for the purpose to which it is dedicated is not to be permanently or unreasonably obstructed; and
- (b) the person carrying out the construction work ensures that a footpath of a public thoroughfare or other public place that is local government property is covered during the period specified in writing by the local government so as to —
 - (i) prevent damage to the footpath; or
 - (ii) prevent inconvenience to the public or danger from falling materials;and
- (c) damage to the public thoroughfare or public place resulting from the construction is repaired to the satisfaction of the CEO of the local government.

(7) A person granted permission under this regulation must comply with each condition of the permission.

Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.

(8) A person who constructs anything in accordance with permission granted under this regulation must —

- (a) maintain it; and
- (b) obtain from an insurance company approved by the local government an insurance policy, in the joint names of the local government and the person, indemnifying the local government against any claim for damages which may arise in, or out of, its construction, maintenance or use.

Penalty: a fine of \$5 000.

(9) For the purposes of section 3.37 of the Act, a contravention of subregulation (1) or (7) is a contravention that can lead to impounding of goods comprising a thing constructed on, over, or under a public thoroughfare or other public place that is local government property.

DEPARTMENT	ENGINEERING SERVICES DIRECTORATE
POLICY REFERENCE	ENG10
DESCRIPTION	CROSSOVERS IN TOWNSITES AND RURAL AREAS
COUNCIL RESOLUTION	96/11
DATE	20/04/2011

PREAMBLE: : To control the construction of crossovers in urban and rural areas within the Shire.

OBJECTIVE : To ensure that any constructed crossovers are built to Council's standards.

POLICY : A crossover is defined as a crossing that is constructed to give access to private land from a public thoroughfare. Generally, the crossing is situated on a road verge between the edge of a sealed road and the adjoining property boundary.

An application form is to be completed and submitted for every proposed crossover by or on behalf of the current property owner. No crossover is to be commenced until Shire approval (with or without conditions) is granted. An application form is not required when the crossover forms part of a subdivision/development application that requires the preparation of engineering drawings which includes the provision of crossovers.

Layout

Dimensions of crossovers are to be in accordance with the specifications provided within this policy and variations to the specifications may be approved by the Director Engineering Services.

The proposed location for a crossover must be approved by the Shire of Dardanup. Shire staff shall assess the location in terms of its suitability, visibility and sightlines, safety, services and other infrastructure.

All crossovers must be linked to a driveway access within the property. Standalone crossovers for the purpose of only parking vehicles on the verge shall not be approved under the requirements of this policy. However, parking bays on residential property verges may be considered under Policy E6.9 – Residential Road Verge Policy.

Crossovers should be constructed such that any ramping within the longitudinal profile allows the clear movement of a standard vehicle. In areas of steep grades, the Council may request a longitudinal profile to be provided to confirm that the crossover does not exceed maximum grades and that any changes in longitudinal grades are within an acceptable range.

It is a requirement in built-up areas that a minimum of 2.5 metres from the kerb line is constructed at a gradient of 2% to accommodate any future pathways within the road verge. This requirement may be relaxed under certain circumstances (e.g. due to restrictive site conditions) and may only occur with the approval of Council.

Specifications and Requirements

The following specifications are the minimum standard required and Shire Technical Staff may stipulate further requirements depending on the site conditions, the nature and purpose of the proposed crossover, and any other conditions which may require attention.

RESIDENTIAL (IN BUILT UP AREAS) CROSSOVER – STANDARD SPECIFICATION	
Dimensions	Width – standard 3m, min. 3m, max. 6m Winged at the kerb line – 1.5m wide Dimensions may be varied subject to approval.
Construction/ Materials	Any of the following surface types are acceptable: Concrete (including decorative and exposed aggregate concrete, excluding poured limestone) – min. 100mm thick, reinforced (F62 mesh) concrete (min. 25MPa), on compacted bedding sand on a suitable subgrade (90% MDD or 7 blows PSP). Poured Limestone – min. 125mm thick, reinforced (F62 galvanised mesh) limestone concrete (min. 15MPa), on compacted bedding sand on a suitable subgrade (90% MDD or 7 blows PSP). Bitumen Spray Seal – min. 150mm thick compacted gravel base course (92% MDD) on a suitable subgrade (90% MDD or 7 blows PSP), two-coat bitumen emulsion spray seal with 10mm and 7mm aggregate ("double/double seal") Note: although acceptable, this type of surface is not recommended for areas of high vehicle stresses (i.e. heavy turning) Asphalt - min. 150mm thick compacted gravel base course (92% MDD) on a suitable

	<p>subgrade (90% MDD or 7 blows PSP), with 25mm thick of AC5 or AC7 asphalt (basalt aggregate) or 30mm thick of gravel-pave (laterite aggregate) asphalt.</p> <p>Brick Paved – 150mm compacted sub base of limestone or crushed rock base (90% MDD), 30mm compacted screeding sand with min. 60mm thick clay or concrete pavers. Rectangular pavers to be laid in herringbone pattern at 45 degrees to the direction of vehicle movement. Square pavers to be staggered where laid perpendicular to direction of vehicle movement otherwise at 45 degrees to the direction of vehicle movement. All pavers shall be laid with a header course along all edges, compacted and joint filled with sand. All free edges are to be restrained by means of a mortar or concrete edge restraint.</p>
Other	<p>Flush concrete edge beams are required on all free edges of bituminous and asphalt crossovers. This is required to prevent edge breakages.</p> <p>It is recommended that exposed aggregate concrete and poured limestone crossovers are sealed using a supplier recommended sealing product.</p> <p>Exposed aggregate crossover min. thickness of 100mm is measured as the finished thickness following aggregate exposure. It is recommended that formwork be set at 110mm to achieve a final thickness of 100mm.</p>
Standard Drawings	Standard drawings are available to assist in the preparation of designs for crossovers and depict the above minimum requirements.

INDUSTRIAL / COMMERCIAL CROSSOVER – STANDARD SPECIFICATION

Dimensions	<p>Width – min. 6m, max. 12m (subject to vehicle size and manoeuvrability)</p> <p>Suitable radius at the kerb line – to be designed to accommodate the largest anticipated vehicle configuration to enter and exit site.</p> <p>Dimensions may be varied subject to approval.</p>
Construction/ Materials	<p>Any of the following surface types are acceptable:</p> <p>Concrete– min. 125mm thick, reinforced (F72 mesh) concrete (min. 25MPa), on compacted bedding sand on a suitable subgrade (90% MDD or 7 blows PSP). (Note: Poured limestone, and exposed aggregate concrete is not accepted)</p> <p>Asphalt - min. 200mm thick compacted gravel base course (96% MDD) on a suitable subgrade (92% MDD or 7 blows PSP), with 25mm thick of AC7 or AC10 asphalt (basalt aggregate).</p> <p>Brick Paved – 150mm compacted limestone sub base (90% MDD), 30mm compacted screeding sand with min. 76mm thick clay or concrete pavers. Pavers to be laid in herringbone pattern with a header course along all edges, compacted and joint filled with sand. All free edges are to be restrained by means of a mortar or concrete edge restraint. (Note: Brick paving is not accepted on industrial crossovers with truck movements)</p>
Other	Flush concrete edge beams are required on all free edges of bituminous and asphalt crossovers. This is required to prevent edge breakages.
Standard Drawings	Due to the large scope of businesses and environments standard drawings are not available. Each crossover must be designed and assessed on a case-by-case basis.

RURAL CROSSOVER (OUTSIDE BUILT UP AREAS) – STANDARD SPECIFICATION (this does not include industrial or commercial properties)

Dimensions	<p>Width – standard 3.5m, min. 3.5m, max. 6m</p> <p>Min. 3m radius at the road edge</p> <p>Dimensions may be varied subject to approval.</p>
Construction/ Materials	<p>Culvert – a suitably sized culvert must be provided on all crossovers (min. 375mm diameter).</p> <p>Any of the following surface types are acceptable:</p> <p>Gravel – min. 150mm thick compacted gravel</p> <p>Bitumen Spray Seal – min. 150mm thick compacted gravel base course (95% MDD) on a suitable subgrade (90% MDD or 7 blows PSP), two-coat bitumen emulsion spray seal with 10mm and 7mm aggregate ("double/double seal") Note: although acceptable, this type of surface is not recommended for areas of high vehicle stresses (i.e. heavy turning)</p> <p>Asphalt - min. 150mm thick compacted gravel base course (95% MDD) on a suitable subgrade (90% MDD or 7 blows PSP), with 25mm thick of AC5 or AC7 asphalt (basalt aggregate)</p>

	aggregate) or 30mm thick of gravel-pave (laterite aggregate) asphalt.
Other	Flush concrete edge beams are recommended on all free edges of bituminous and asphalt crossovers. This is required to prevent edge breakages.
Standard Drawings	Standard drawings are available to assist in the preparation of designs for crossovers and depict the above minimum requirements.

Other Requirements

Where a concrete pathway exists on the verge, the pathway must remain in place and shall not be removed unless it requires repair. Crossovers must be installed to butt up to the pathway and the surface should be finished flush with the pathway surface with no trip hazards.

Where a kerb is not a mountable type and requires modification, and is adjacent to a residential property, the Council will saw cut and remove the section immediately adjacent to the crossover location, at no cost to the property owner. The property owner will be responsible for the cost of installing a mountable kerb or a ramp to the satisfaction of the Council. The property owner may request the Council to organise the new kerbing; however, all costs associated with this shall be borne by the property owner. In all other areas not designated as residential, the cost of removing and replacing kerbing is the responsibility of the property owner and to the satisfaction of the Council.

Where a crossover installation requires modification of other Council infrastructure (e.g. storm water gullies etc) then such modification shall be carried out by Council or Council approved contractor at the cost of the property owner. All other infrastructure within close proximity to the crossover should be protected and any damage shall be rectified at the property owners expense.

The owner of the crossover shall ensure that the crossover is adequately drained. Council may stipulate requirements for the drainage of the crossover and shall not accept any responsibility for any drainage problems as a result of the installation of the crossover. The property owner shall ensure that the surrounding verge and/or neighbouring properties are not adversely affected by the crossover.

The owner of the crossover shall ensure that the verge is left tidy at the completion of works and that any spoil, surplus materials and waste are disposed of correctly.

Property owners and contractors are to ensure that sand, silt, fines, residues, slurry, dust or any other contaminant do not spill over onto the road and/or are not washed into the roadside drainage as a result of the construction of a crossover. This includes any slurry or washed concrete from exposed aggregate finishes. Such materials have the potential of reducing the infiltration properties of Council drainage basins by "clogging" the sands within these basins. Property owners and contractors must ensure that appropriate measures are in place to contain any contaminants prior to commencing any works.

Ongoing Maintenance

The ongoing maintenance and upkeep of crossovers is the responsibility of the property owner and at their own cost. The Council does not accept any costs associated with any repairs, unless the repairs are required as a direct result of the action by Council and any of its contractors.

Subsidy

The Shire of Dardanup is bound by the Local Government Act 1995 and Local Government Regulations 1996 which state that the local government is obliged to bear 50% of the cost of a standard crossover if:

1. It is the first crossover to the property;
2. the crossover is a standard crossing or is a type that is superior to a standard crossing; and
3. the crossover is approved by the local government.

For residential crossovers, the subsidy payable (by cheque) is calculated as 50% of the estimated cost to construct a standard crossover. The subsidy is calculated as:

$$\text{Subsidy Payable (ex. GST)} = \$\text{Rate per metre} \times \text{Length of Crossover.}$$

The "\$Rate per metre" is the rate adopted annually by Council in the Fees & Charges section of the Budget.

The "Length of Crossover" is measured along the centreline of the crossover from the back of kerb to the property boundary, or where no kerb exists, from the edge of seal to the property boundary.

For rural crossovers, Council subsidy provided is the supply of a culvert pipe and matching precast headwalls only to a maximum size of 375mm diameter. Where a pipe size greater than 375mm diameter is deemed necessary, then the property will reimburse Council for the additional expenditure required over and above the cost of a 375mm diameter pipe and matching precast headwalls. It is the applicant's responsibility to construct the crossover and install the culvert to the levels, specifications and satisfaction of Council.

The subsidy will only be provided on a one-off basis and for one (1) crossover per property.

Additional crossovers per property may be approved but the subsidy is not applicable. Such additional crossovers must comply with the requirements of this policy.

The subsidy will not be paid retrospectively and will be payable upon completion of the crossover, inspection and approval by Shire staff.

PROCESS

- : 1. All property owners (or their agents) proposing to construct a crossover(s) must complete and lodge an "Application to Construct a Crossover" form.
- 2. The Director Engineering Services is to assess the application to construct a crossover(s) and advise the applicant on whether the application has been approved, approved subject to conditions or rejected. No works are to commence unless approval (with or without conditions) is granted. Rural crossovers eligible for the supply of a culvert are to be notified and culvert supplied.
- 3. Following approval (with or without conditions) the applicant must notify Council staff to carry out inspections and approval of works at the following hold points:

HOLD POINT	AFTER COMPLETING	BEFORE COMMENCING
1	Boxout, subgrade preparation, formwork setout	Sub base, base course, concrete pouring.
2	Sub base layer, base course layer	Spray sealing, asphalt laying, brick paver laying
3	Final surfacing and overall completion	

Works completed at each hold point must be approved before proceeding to the next step. Non-conforming works shall be rectified until approved.

- 4. On completion and final approval of residential, industrial and commercial crossovers which are eligible for a subsidy, the Director Engineering Services shall determine the amount to be subsidised and authorise the payment to the property owner.

HEAD OF POWER

: Local Government Act 1995

DATE REVIEWED

: Ordinary Meeting of Council held – 10/05/2012