

## Introduction

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A crossover is a crossing 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.

The *Local Government Act 1995 (schedule 9.1 section 7(4))* provides for: 'the local government to bear some of the cost of Crossovers meeting the criteria.'

This policy addresses those circumstances.

## Purpose

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1. Control the construction of crossovers in residential and special rural areas within the Shire of Capel.
2. Ensure that any constructed crossovers are built to Council's standards.
3. Identify the Council's responsibilities and requirements in regards to crossover subsidies and reimbursements.

## Policy statement

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This Policy addresses Crossover application, approval, specifications, and subsidy.

1. Approval  
An application 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 is granted. Crossovers construction through subdivision/development engineering drawing approval do not require approval under this policy. Such crossovers do qualify for subsidy.  
In addition to Shire of Capel approval, crossovers for properties that abut a State Government Road also require Main Roads WA approval. Any applicable reimbursement costs remains the responsibility of the Shire of Capel.  
Penalties for non-compliance are applicable under the *Local Government Act 1995 (schedule 9.1, clause 7)* and clause 7.3 of the Town Planning Scheme No. 7 provides Council with the authority to determine the location of crossovers.  
The Shire of Capel adopts the WALGA Guidelines and Specifications for Residential Crossovers. Crossovers shall be constructed in accordance with the standard drawings and specifications provided by the Shire, unless approval is otherwise granted by the Director of Infrastructure and Development.
2. Ongoing maintenance  
Ongoing maintenance and upkeep of crossovers is the responsibility of the property owner and at their cost. Council does not accept any costs associated with repairs unless the repairs are required as a direct result of action by Council and/or any of its contractors.

### 3. Subsidy

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

- It is the first crossover to the property
- The crossover is a standard crossing or is a type that is superior to a standard crossing
- The crossover is approved by the local Government

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

### 4. Post construction inspection

A post construction inspection of all new crossovers will be undertaken by the Shire.

In accordance with the *Local Government Act 1995 (schedule 9.1, section 7(3))* the property owner is liable to reconstruct, repair or modify the crossover if it has not been constructed in accordance with the Shire's requirements.

## Application

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The policy is applicable to all residential and special rural properties within the Shire of Capel. It is not applicable to industrial or commercial properties.

## Procedure

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<b>Department:</b>	Engineering & Development Services	<b>Next review:</b>	July 2023
<b>Reviewer:</b>	Director Infrastructure & Development	<b>Legislation:</b>	Local Government Act 1995, s9.1, c7 Local Government
<b>Adopted:</b>	Minute SC0122, 19.01.99	<b>Delegation:</b>	
<b>Amended:</b>	Minute OC0208, 19.02.14 Minute OC0113, 27.01.16 Minute OC159/2021 28.07.21	<b>Other:</b>	Austrroads Guide to Road Design (GRD) Part 3: Geometric Design (2009). MRWA Supplements to Austrroads Guide to Road Design (GRD) Part 3 (Doc ID D11#308695) 2021.07.28: 2. It be acknowledged that across the South West certain advantages may apply to ratepayers, residents and businesses should crossovers be standardised wherever possible and therefore future reviews of the Council crossover policy should mandate such standardisation.
		<b>Risk:</b>	
<b>Policy ref #:</b>	<b>7.2</b>	<b>Version:</b>	<b>2</b>