

Light Vehicle Crossover Policy

Reference Number:	Section 8 No. 6
Responsible Department:	Infrastructure & Environment
Related Policy/Procedure:	8.2 Tree Management Policy
Date of Adoption:	20 September 2005
Current Review Date:	27 April 2021
Minute Reference:	IC10.4.5/2021
Version Number:	Amendment No. 4
Applicable Legislation:	Development Act 1993 Local Government Act 1999 Native Vegetation Act 1991
Next Review Date:	April 2024
Review Frequency:	Triennially

1. Purpose

To provide guidance and to document the approach in respect to applications for access crossover places, to and from private property, across public road verge, such that the convenience, comfort and safety of members of Council's community and road users are protected.

2. Scope

The scope of this Policy applies to:

- properties where one (1), or more, Light Vehicle crossover places are required to be constructed to gain access from a constructed road carriageway to the property boundary of an allotment;
- the process for obtaining formal Council approval to modify the construction of an existing approved access point, or to apply for a new crossover place; and
- the construction, maintenance and responsibilities associated with crossovers.

3. Policy Aim

The aim of this policy is to define Light Regional Council's principles and procedures for the approval of Light Vehicle Crossover Places and associated infrastructure from a constructed road carriageway, across the road reserve (verge), to a property access point.

This policy is subject to all relevant legislation, including, but not limited to, that referred to in section 4 of the policy and defines the responsibilities for the construction, removal or repair of crossovers, other than those works undertaken directly by Council employees.

Council's construction specifications are in accordance with standards as set out in Light Regional Council's construction standards that apply from time to time.

4. Definitions

"Light Vehicle" means a vehicle weighing less than 3,500 kilograms.

"Owner" of land means that as defined within the Local Government Act 1999 (as amended).

"Property access / crossover" means, the area of road reserve that acts as the point of access to a property between the constructed road carriageway and the property boundary.

"Rural" means those areas of land located within the Council district outside of Townships

"Specifications" means those specifications contained within Council's construction standards that apply from time to time(available at www.light.sa.gov.au).

"Township" means that as defined within the Local Government Act 1999 (as amended).

5. Policy Details

5.1 Request for Approval of New or Modified Crossover

- 5.1.1 All applications for the provision and approval of crossovers will be in writing and forwarded by the property owner to Council, utilising the Application Form – Alteration of a Council Road.
- 5.1.2 Applications for additional property crossovers will be considered taking into account the width of road, allotment width and proximity to other crossovers
- 5.1.3 Assessment of all applications will be undertaken within 21 days from date of receipt at Council and applicants will be advised in writing of the decision of Council.
- 5.1.4 An exemption to this clause will apply for all crossovers which are approved as part of a development authorisation under the Development Act 1993.

5.2 Approval

- 5.2.1 Nominated Council Officers are authorised to assess applications for new crossover places and for variations to existing crossover places under delegation and in doing so officers will have regard to matters of obstruction, interference and road safety, (as required by Section 221 (4) of the Local Government Act 1999) and in addition will also consider stormwater drainage and footpath interface relationships prior to application determination.

5.3 Property Owner Responsibility

- 5.3.1 The property owner is required to carry out any crossover place works in accordance with Council's specifications and shall be responsible for all costs associated with such works
- 5.3.2 The Council may require a property owner to carry out specified work to construct, remove, or repair a crossover place from the road to the land, in accordance with Section 218 of the Local Government Act 1999.

5.3.3 The property owner is required to maintain the crossover place to ensure conformance with Council's Specifications. This shall include but not be limited to clearing debris from headwalls, replacement of damaged or broken pipes/culverts etc at the property owner's expense.

5.3.4 The applicant may seek a quotation from Council to undertake the required works in accordance with any approval and the applicant upon accepting any such quotation must make payment to Council, in full, prior to the work commencing.

5.4 Council responsibilities

5.4.1 Where Council undertakes maintenance, removal or construction of a crossover and causes damage to private property it will remediate, at its own cost, any agreed damage.

5.4.2 In accordance with Section 213 (2) of the Local Government Act 1999, if the Council undertakes road works to repair damage caused by others to a road, (including a crossover place), the Council may recover the cost of carrying out those works, as a debt, from the person who caused the damage.

5.4.3 Council may request the property owner to carry out specified work pursuant to Section 218 of the Local Government Act 1999 and in the event that the work is not carried out within a reasonable time Council may itself have the work carried out and recover the costs incurred as a debt against the property owner.

5.5 Construction Materials & Requirements

5.5.1 The design and construction of all crossover places shall be in accordance with Council's Specifications.

5.5.2 The placement of a crossover place must not affect or impede the flow of stormwater or the formation and ride-ability of the carriageway, road shoulder or footpath. The positioning of the crossover place shall be such as to minimise public risk, inclusive of those risks associated with passing traffic, pedestrian traffic and vehicle access and departure to and from the road carriageway.

6. References

- Development Act 1993
- Local Government Act 1999
- Native Vegetation Act 1991
- Light Regional Council's construction standards that apply from time to time.

Application Form –Alteration of a Council Road

7. Review and Re-evaluation

- 7.1 The effectiveness of the above described process will be continuously evaluated in conjunction with organisational daily works, so as to ensure its effectiveness.
- 7.2 The Council will formerly review this policy triennially as a part of its Policy Review Program.

8. History of Policy Amendment

Policy Adopted 20 September 2005 see Council Minutes Reference 9.2.5, Page 2005/400.

- 1. Policy amendment 1 adopted by Council on Tuesday, 20 June 2006, Minute Reference 9.2.7, Page 2006/128*
- 2. Policy amendment 2 adopted by Council on 26 May 2015, Minute Reference IC9.5.5/2015, Page 2015/165.*
- 3. Policy amendment 3 adopted by Council on Tuesday 27 March 2018, Minute Reference 12.4.4 Page 2018/121.*
- 4. Amendment No. 4 adopted by Council on 27 April 2021, Minute Reference IC10.4.5/2021, Page Reference 2021/83*