

Vehicular Crossings Policy for Individual Residential Property Titles

*Council's practices and guidelines for the construction, alteration and installation of
vehicular crossings for residential properties*

**City Works
City of Boroondara**

Adopted by Council
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BOROONDARA
City of Harmony

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1. Key Policy Statement – Crossings Policy

The Policy aims to provide consistent, transparent, equitable and efficient guidelines for the installation or alteration of vehicular crossings. Factors which must be considered include streetscape, visual amenity, the site of the crossing, the impact on significant vegetation and services, the effect on traffic conditions and on-street parking.

It is designed to guide members of Council staff and the community in the administration of clause 8.1 of Local Law 1B ('Caretaking Community Resources'). That sub-clause requires a permit (or licence) to be obtained before a person causes any change to 'Council – controlled land' or anything on such land.

2. Corporate Framework

Vision and Values

The policy aligns with Council's vision to foster:

- A safe and attractive city that looks after its built and natural assets, now and for future generations.
- An evolving city, proud of its diverse heritage and committed to environmental sustainability – a city in which to live, learn and work.

The values of Council most relevant to this policy are:

- Transparency and accountability
- Alignment and consistency of decision-making with Council policy and direction
- Listening and responding to our community, and sharing information with our community
- Sustainable and solution focused outcomes

Mission and Goals

The policy is directly supportive of Council's mission to achieve social, environmental and economic well-being for the City.

This policy supports the following Council Goals:

Goal 2 – Protecting Our Environment, through strategic planning and appropriate development, we will protect and improve our built and natural environment and foster local economic activities.
Goal 3 – Maintaining Our City, where we will provide sustainable care of the civic environment, assets and infrastructure.

3. Strategy

Strategic Objective 1

Applicant to undertake a Site Evaluation

- Action 1.1*** Identify Council's objectives (statutory, streetscape, visual amenity and traffic impacts) in the particular area, as set out in the Council Plan and relevant policies.
- Action 1.2*** Carry out a site inspection, noting existing vegetation, services and local traffic factors.
- Action 1.3*** Review Council's parameters relevant to the specific site.

Strategic Objective 2

Applicant to evaluate the community benefits of the proposal.

- Action 2.1*** Estimate full cost of the proposal to the community and Council.
- Action 2.2*** Quantify the level of service use by all user groups.

Strategic Objective 3

Council to Review Policy and/or Parameters

- Action 3.1*** Consider community special needs.
- Action 3.2*** Regularly review parameters.
- Action 3.3*** To consider community feedback on the application of this policy.
- Action 3.4*** Monitor compliance of policy.
- Action 3.5*** Review policy every three years.

4. Application Process and Parameters

The applicant (i.e., the owner or the owner's representative) must lodge with Council a formal application for a permit to construct, reconstruct or otherwise alter a vehicle crossing. The applicant must, as part of the permit application, submit a site plan, showing the proposed location / alteration / reconstruction of the crossing and all existing street assets (naturestrip trees, Council assets, public authority assets etc).

An on-site assessment will then be conducted by Council's Works Permits Team to help determine the merits of the application.

A decision will then be made on whether a permit will be granted under clause 8.1 of the Local Law.

The applicant will be advised of the outcome by letter and telephone and (if approval is granted) be provided with the appropriate specifications for construction.

The applicant may arrange for a competent concreting/asphalting contractor to carry out the works which must be in accordance with Council's standards. A permit (which will only be issued upon payment of a non-refundable fee) must be obtained prior to the works commencing.

The applicant/contractor must arrange an inspection time with Council (24 hours' notice is required) to ensure that the works comply with the appropriate Council standards and policies and for advice of any required adjustments.

The physical construction of a new vehicular crossing, or an alteration, reinstatement or addition to an existing vehicle crossing must be done in accordance with Council's standards and to the satisfaction of the Team Leader – Works Permits.

On completion of the works, the Works Permits Team will conduct a supplementary inspection to check that the works comply with Council's standards.

Details of the application process are shown in the form of a flow chart (refer **Attachment 2**).

4.1 Minimum parameters for provision of a single vehicular crossing for dwellings

4.1.1 Minimum clearances to be maintained from existing street assets for all crossings are as follows:

2.00 metres clearance – naturestrip trees, or at the professional discretion of Council's Arborist, a shorter distance will be considered if there is no negative impact on the longevity of the tree's life;

1.00 metre clearance – electricity power poles, pillars or hydrants. Alternatively, at the applicant's cost, separate arrangements could be made with the appropriate authority or utility for the alteration or relocation of these assets.

- 4.1.2 Wherever possible, crossings are to be constructed 1.00 metre from the property side boundary, to provide opportunities for landscaping between the crossing and the boundary fence. A naturestrip island is to be maintained between any new crossing and an existing crossing to an abutting property, to provide a pedestrian refuge between the driveways of both properties (Diagram 2).
- 4.1.3 A crossing on a corner property is to be no closer than 10.00 metres from the kerb line of the front street, as per the Victorian Road Regulations and also to be consistent with the above parameters (Diagram 3).

4.2 Minimum parameters for provision of a second vehicular crossing for dwellings

- 4.2.1 A minimum property width of 21.20 metres is to be required for the installation of a second vehicle crossing. A minimum distance of 10.80 metres is to be required between crossings servicing one property, to accommodate two (2) on-street parking spaces in front of that property (Diagram 1).
- 4.2.2 To preserve the garden character of a neighbourhood, the crossings (including radials) should not dominate a development or street frontage.
- 4.2.3 It is considered that the visual intrusion of two crossings of 6 metres in total width of property frontage of less than 21.20 metres would dominate the street frontage and would lead to a significantly detrimental effect on the streetscape. The minimum width of any crossing is to be 3.00 metres (Diagram 1).
- 4.2.4 Wherever possible, crossings are to be constructed 1.00 metre from the property side boundary, to provide opportunities for landscaping between the crossing and the boundary fence (Diagram 1). A naturestrip island is to be maintained between any new crossing and an existing crossing to an abutting property, to provide a pedestrian refuge between the driveways of both properties (Diagram 2).
- 4.2.5 Minimum clearances are to be maintained from existing street assets for crossings - refer to Clause 4.1.1 above.
- 4.2.6 No more than two (2) crossings will be permitted for any individual property title for dwellings.

NOTE: Approval of a vehicle crossing application does not constitute approval for the construction of garages or carports, nor is it a Building Permit.

4.3 Construction of Crossings

In general, a vehicle crossing must be constructed in a material which is consistent with the prevailing crossing construction material in the street.

Property owners are fully responsible for the provision and cost of the construction of crossings to their property.

The applicant will be required to meet the full cost of reinstatement of Council assets damaged as a result of demolition and/or building or construction works.

4.4 Crossing widths

The minimum standard crossing width is 3.00 metres, to accommodate the movement of a standard family vehicle to and from a property. This width may be increased in accordance with Council's standards if the other minimum parameters set out in section 4.1 are met.

5. Relevant Act(s) and Local Law(s)

5.1 Local Government Act 1989

Schedule 10 – Powers of Council over Roads

Section 12 (20.712) – (Powers concerning crossings over footpaths and channels). This section of the Act empowers Council to grant approval for a vehicle crossing.

5.2 Council's Local Law 1B

Part C – Public property and assets – Preventing or making good damage or loss.

Clause 8 – Actions Affecting Council-controlled Land and Assets (8.1). This **clause** indicates that works on Council-controlled land require a (Council) permit or licence.

6. Redundant vehicular crossings

Redundant vehicular crossing(s) must be removed at the same time as the construction of any new crossing(s), prior to the completion of development works, and where access to a property has been altered or prohibited by changes to the property. The cost of removal of the existing crossing(s) and the reinstatement of street assets (i.e., footpath, naturestrip and kerb and channel) is to be borne by the applicant, and must be in accordance with the relevant Council standards. A Council Supervision Permit is required for this work.

Council may require the removal of a redundant vehicular crossing in accordance with:

Local Government Act 1989, Part 11 – General

Section 225 (20.225) – When Council or other person can carry out the required work.

This section sets out actions that can be taken if a person fails to carry out any work, which a Council has required the person to do under any Act, regulation or Local Law. It is supported by:

Council's Local Law 1B, Part C - Public property and assets - Preventing or making good damage or loss.

Section 8 – Actions affecting Council-controlled land and assets (8.3).

7. Maintenance of vehicular crossings

Under the Local Government Act 1989, Schedule 10 – Powers of Council Over Roads, Clause 12 (20.712) (Powers concerning crossings over footpaths and channels) and Local Law 1B Part C, Council has the authority to require a property owner to maintain the vehicle crossings.

Where damage to the asset (crossing) has been caused by Council or public authority or utility works, reinstatement works may be carried out by Council, the public authority or utility and/or approved contractor, under Council supervision.

8. Special consideration

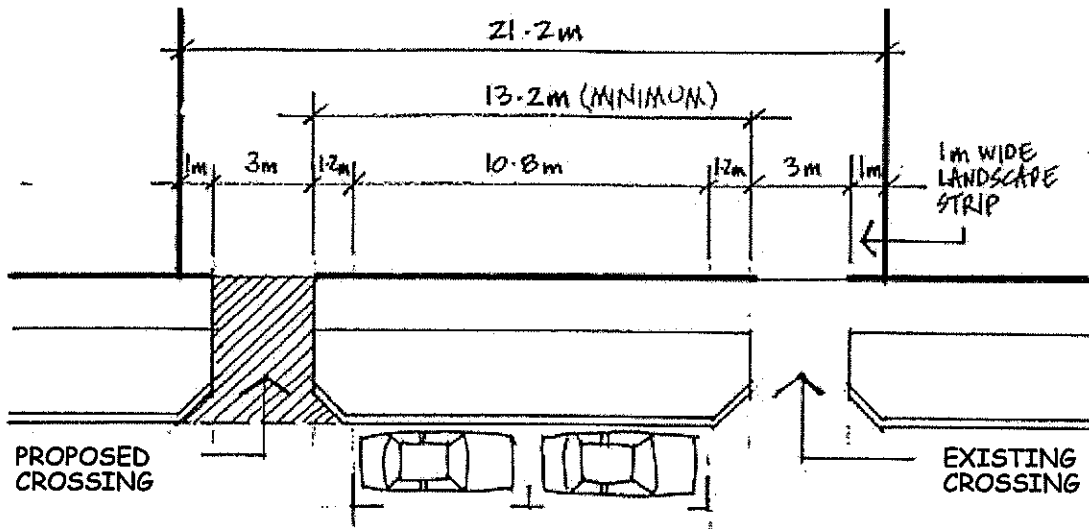
The Chief Executive Officer or his or her delegate may give special consideration to applicants wishing to make arrangements for people with medically-certified debilitating physical conditions, or with certified limited mobility necessitating a wheelchair. Such approvals will be on a temporary basis, with applicability up to a maximum of five years. At the end of the stipulated period the property owner will be required to remove the second crossing, unless a further application is made and granted.

If in the opinion of the Chief Executive Officer or his or her delegate there is a significant community benefit that could be derived by the introduction of a second crossing and where the proposal does not meet the policy parameters then a report can be prepared for Council to consider the proposal.

9. Land adjacent to State roads

VicRoads approval is required for any new crossing(s) or alterations or additions to existing vehicle crossing(s) abutting a State road (within the meaning of the Road Management Act 2004). The applicant is required to provide copies of these written approvals to Council's Works Permits Team.

In addition, a Planning Permit may be required for works abutting a State road.



TO RETAIN THE IMPORTANCE OF THE GARDEN CITY STREETSCAPE CHARACTER BY ENSURING THAT WHERE POSSIBLE THE MINIMUM DISTANCE BETWEEN TWO CROSSINGS ON THE ALLOTMENT OF 13.2 METRES IS MAINTAINED

DIAGRAM 1

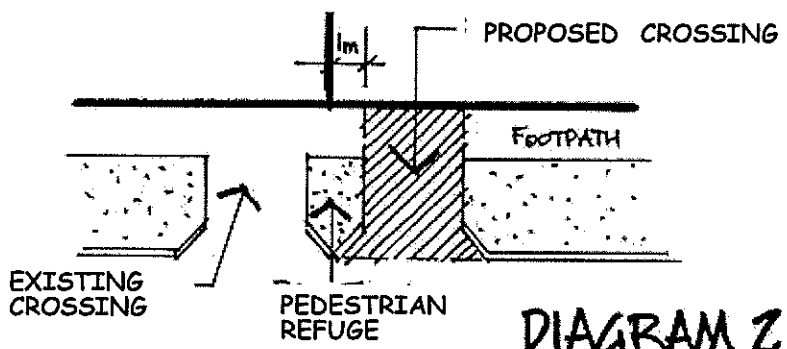


DIAGRAM 2

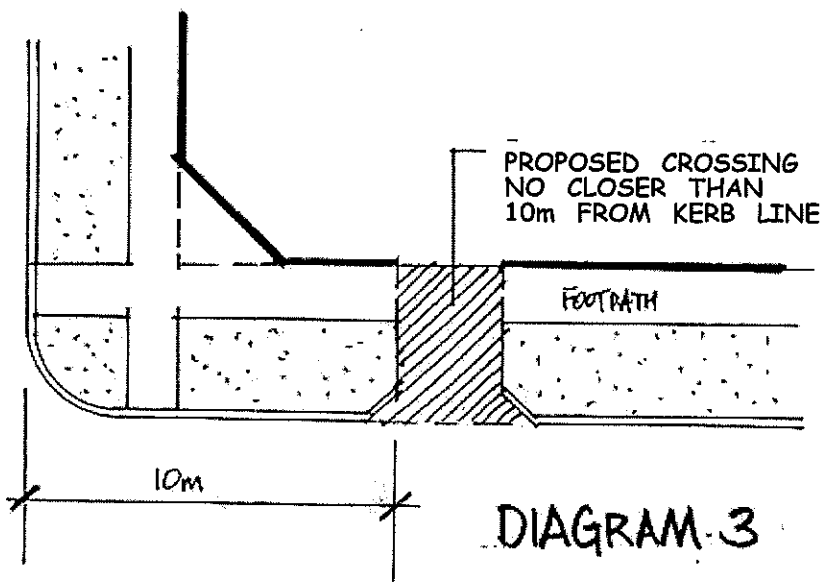
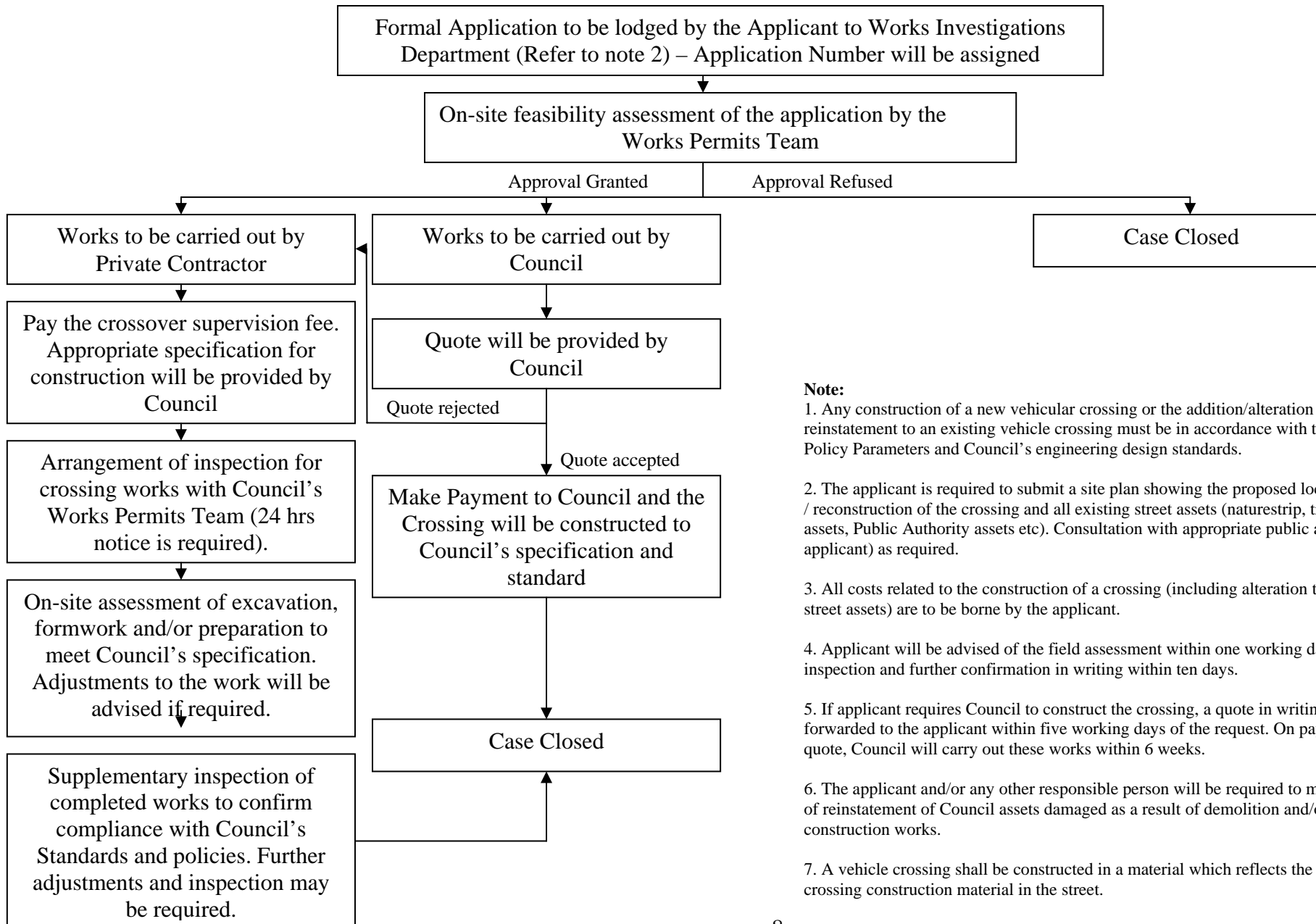


DIAGRAM 3

APPLICATION PROCEDURES VEHICULAR CROSSINGS FOR INDIVIDUAL RESIDENTIAL PROPERTY TITLES



Note:

1. Any construction of a new vehicular crossing or the addition/alteration and/or reinstatement to an existing vehicle crossing must be in accordance with the adopted Policy Parameters and Council's engineering design standards.
2. The applicant is required to submit a site plan showing the proposed location / alteration / reconstruction of the crossing and all existing street assets (naturestrip, trees, Council assets, Public Authority assets etc). Consultation with appropriate public authorities (by applicant) as required.
3. All costs related to the construction of a crossing (including alteration to any and all street assets) are to be borne by the applicant.
4. Applicant will be advised of the field assessment within one working day of site inspection and further confirmation in writing within ten days.
5. If applicant requires Council to construct the crossing, a quote in writing will be forwarded to the applicant within five working days of the request. On payment of this quote, Council will carry out these works within 6 weeks.
6. The applicant and/or any other responsible person will be required to meet the full cost of reinstatement of Council assets damaged as a result of demolition and/or building or construction works.
7. A vehicle crossing shall be constructed in a material which reflects the prevailing crossing construction material in the street.