

Purpose	The purpose of this Policy is to outline Council's position on the requirements and management of crossovers as they relate to road infrastructure, drainage and access to land.
Department	Works and Services
File No.	ASM/0400
Council Meeting Date	30 October 2024
Minute Number	248.10.2024
Next Review Date	New

1 Definitions

Associated landowner	The owner of the land that is serviced by the crossover.
Council	Flinders Council
Crossover	That part of land as utilised to form access from a road to a title boundary.
Culvert	A stormwater piped used, either singularly or amongst others, as is required to ensure the travelling of water is maintained underneath a crossover.
Date of this Policy	18 November 2024
Driveway	The land used for the travelling of vehicles, from the crossover, wholly inside the property boundary.
Installation standards	Crossover standards as issued by Institute of Public Works Engineering Australasia (IPWEA) or Local Government Association of Tasmania.
Policy inception date	Enter date of Policy
Road reserve	The area of Crown Land reserved to contain the road surface and subsequent land either side for drainage or other related purposes.

Urban Drainage Act 2013

connection point	means – (a) the point at which a property's private stormwater system connects with the public stormwater system; or
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	(b) such other point as may be prescribed by regulations as the connection point
private stormwater system	means an installation on a property, that – (a) is not part of the public stormwater system; and (b) is used for collecting or disposing of stormwater; and (c) comprises any or all of the following: (i) roof gutters and downpipes; (ii) rainwater tanks; (iii) surface channels; (iv) kerbs and gutters; (v) subsoil drains and stormwater drains; (vi) any inlet pits which are used, or intended to be used, for the conveyance of stormwater to a disposal system
public stormwater system	means – (a) the whole, or part, of a waterway; and (b) any infrastructure used for – (i) the collection or storage of stormwater, including connection points; or (ii) the conveyance or reticulation of stormwater; or (iii) the treatment or disposal of stormwater, including any outfall pipe or other work that stores or conveys water leaving the infrastructure that is used for the treatment and or the disposal of stormwater – but does not include – (c) any private stormwater system, including any pipe, fitting or apparatus that is situated upstream of a connection point to a public stormwater system; or (d) infrastructure situated entirely within one property and not connected to any other infrastructure situated within another property
stormwater	means run-off water that has been concentrated by means of a drain, surface channel, subsoil drain or formed surface

Local Government (Highways) Act 1982

Notation (2) of interpretation - reference in this Act to the carrying out of works in a highway shall be read as including a reference to the carrying out of works on, under, or over the highway or in, on, or under a bridge, embankment, or other work carrying the highway or necessary for its convenient use

bridge	includes a culvert and includes the abutments and any other part of a bridge, but does not include the approaches, or the causeway, or other works giving access, to a bridge
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Roads and Jetties Act 1935

road	means a public highway and includes – (a) a road sign; (b) traffic control equipment; (c) street lighting equipment; (d) a vehicular ferry; (e) a bridge or tunnel, including a bridge or tunnel for the use of pedestrians; (f) a path for the use of persons riding bicycles; (g) a ramp to facilitate the launching of boats; (h) vehicular access from a road to a ramp referred to in paragraph (g) , being vehicular access; (i) a fence erected, at the cost of the Crown or a council, for the protection of traffic, being a fence; (j) a culvert; (k) a kilometre post; and (l) a milestone – that is associated with such a highway;
road authority	used in relation to a State highway or subsidiary road, means the Minister; and, used in relation to any other road, means the council having the control of such road.

2 Objective

To outline the authority of Council to maintain efficient stormwater systems for the purpose of road pavement management and to provide direction to landowners regarding responsibilities around crossover installation and management.

3 Scope

This policy applies to Council and landowners subject to installation or maintenance of crossovers that service their land.

4 Policy

It is policy that:

- Council uphold the installation standards as provided by IPWEA/LGAT with regard to the installation of new crossovers.

- Installation of any new or upgraded crossover, as required by a planning application, is the responsibility of the landowner and must be completed to the satisfaction of the Council. Conditions relating to the standards for installation, upgrades and requirements for inspection will form part of the planning permit conditions.
- Landowners may make application to Council for a new crossover at any time. Any cost for works associated with installation and/or maintenance of a crossover is to be borne by the associated landowner.
- In accordance with s35 of the *Local Government (Highways) Act 1982*, Council may issue instructions to landowners regarding upgrades to crossovers. Works required must address IPWEA/LGAT standards and be inspected by Council. Costs are to be borne by the associated landowner.

5 Legislation

Local Government Act 1993

Local Government (Highways) Act 1982

s35 - Crossings over footpaths, table-drains, and gutters

(1) Where the corporation is of the opinion that works are necessary to be carried out in a highway under local management for the construction or repair of a vehicular crossing over a table-drain, gutter, or footpath at or opposite the entrance to land adjoining the highway, it may serve a written notice on the owner of the land requiring him to carry out those works within the time specified in the notice.

(2) If the owner of any land does not, within the time specified in a notice served on him under this section, carry out the works to which the notice relates, the corporation may itself carry out those works and recover the expenses reasonably incurred in so doing from the owner of the land.

Roads and Jetties Act 1935

Urban Drainage Act 2013

6 Related Policies and Procedures

- Crossover procedure

7 Responsibility

The General Manager has delegated power under this Policy to implement decisions of Council relating to 22.1 of the *Local Government Act*.

The General Manager may sub-delegate such powers and functions in accordance with section 64(b) of the *Local Government Act*. This means that the General Manager or sub-delegate has the authority to make any decisions relating to the event.