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# **CITY Works Guide**

## **Public Realm (Roads)**

**Version 1.0  
(July 2018)**



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## 1 Overview

The purpose of the *City Works Guide* (*“the Guide”*) – *Public Realm* is to provide a framework for authorising certain activities/alterations within the public realm (road, including the footpath), throughout City of Prospect (“Council”).

Pursuant to the Local Government Act (“the Act”), Council is provided with various powers and duties. The following sections of the Act apply to roads and associated infrastructure:

### 208 - Ownership of public roads

*(1) All public roads in the area of a council are vested in the council in fee simple under the Real Property Act 1886 (and any land so vested that has not been previously brought under that Act is automatically brought under that Act without further application).*

### 209 - Ownership of fixtures and equipment installed on public roads

*(1) Fixtures and equipment (including pipes, wires, cables, fittings and other objects) installed in, on, across, under or over a public road by the provider of public infrastructure remain the property of the provider of that infrastructure.*

*(2) Fixtures and equipment (including pipes, wires, cables, fittings and other objects) installed in, on, across, under or over a public road under an authorisation or permit from the council remain, subject to the conditions of the authorisation or permit, the property of the holder of the authorisation or permit.*

Council has a legal obligation to regulate activity on a road and to ensure a safe and accessible environment for all users of its roads within the City. Further, Council must ensure that any damage created to Council infrastructure is repaired and returned to its original functioning state for the benefit and safety of residents and visitors to the City. For road infrastructure, **Section 229** of the Act states:

#### Road to be made good

*A person who breaks up, or damages, a road under an authorisation conferred by this Act or another Act must restore the road at least to the condition that existed immediately before the action was taken.*

*Maximum penalty: \$5 000.*

This Guide should be read in conjunction with the **Business Use of a Road Guide**, which provides Council's position in relation to permitting business activities on a road and the **Development and Public Realm Compliance Policy**, providing information relating to development adjacent to the public realm.

## 2 General Principle

Council recognises the importance of development and construction to add vibrancy and economic prosperity across the City.

Council has a role to regulate commercial and non-commercial activities which may impact Council's public realm and specifically a **road** (which includes the footpath area).

The Guide sets out protocols when 3<sup>rd</sup> parties impact or *encroach* onto the public realm with regards to:

- Proposed alterations to a (Council) Road;
- Adjacent developments & encroachment and/or occupation on the road (& footpath) area;
- Traffic Management;
- Public Safety provision in the vicinity of significant development;
- Management of third party fixtures (temporary or otherwise) that have been placed on (or under) a road;
- Relationship with relevant and key Council Community Safety & Development Policies and Procedures.

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The Guide also sets out the legislative requirements related to managing a road and any relevant powers to regulate community safety and any activity that results in damage to the road and/or associated infrastructure.

**Note 1: A road extends from property boundary to property boundary and includes the carriageway, footpaths & verges.**

**Note 2: If an Application also requires Business Use consent (pursuant to Section 222 of the Local Government Act), the applicant must also seek permission from the Council.**

Allowing any activity or alteration to a road does not grant a person with exclusive rights to a road and in the majority of instances, cannot exclude the general public from permanently accessing the area in the long term.

This Guide will refer to – **Appendix 1**, the general **City Works Permit** (“the Permit”), and associated Conditions, for applying to undertake certain activities/alterations to a road.

Each application is assessed on merit with regard to site characteristics, as determined through legislative requirements, risk assessment and profiling.

Council’s Community Safety Development & Associated Public Realm (Enforcement) Policy ensures compliance with Development Approvals within the Urban Corridor

### **3 Application & Scope**

#### **3.1 Impacts (Alteration/Encroachment &/or occupation) to a Road**

The Council aims to ensure that any (unreasonable) impact to roads and footpaths is minimised. This Guide assists in providing information and protocols for specific activities to be undertaken in a safe and consistent manner. The Guide is to be utilised by Contractors, Business Owners, Developers and Residents who may impact the public realm (roads) due to works and/or other specified activities.

The following fall within Scope of this Guide:

- Works, disruptions and/or alterations occurring on/under a road environment;
- Activities that require a permit pursuant to Section 221 of the Local Government Act;
- Proposed (and relevant) Work, Health & Safety (WHS) provisions;
- Traffic Management requirements as a result Permit Conditions;
- Management of impacts to Council infrastructure, created by third parties.

A Permit will be required to authorise an alteration and/or activity on a road and will be assessed against the relevant legislative requirements and Council Conditions. A localised assessment may be undertaken from a risk and traffic management perspective. Pursuant to the Act, Council utilises its powers to allow (and permit) certain activities so that there is no compromise to safety, accessibility or amenity to the general community.

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### 3.2 Relevant Activities

Activities (which impact the public realm) outlined in this Guide include:

- Demolition and scaffolding requirements – road occupation;
- Significant development (multi-story), use of Elevated Work Platforms and Hoardings;
- Excavation/trenching and pouring;
- Traffic Management protocols (as a result of an encroachment);
- Vehicle/Crossovers & Stormwater construction;
- Underground cabling provisions;
- Verge alterations, including vegetation/trees;
- Other alterations/activities (eg placement of mini-skips).

### 3.3 Legislative Powers & Requirements

Any party developing on private land is responsible for acquiring the relevant (planning and development) consents and approvals. Activities that impact the public realm (road) must obtain a Permit and/or Authorisation.

The Act and the Development Act 1993 provide Council with specific and broad powers to allow and manage development and any activities/alterations on a public road.

The following may also require consideration:

- Council By-Laws;
- The National Code of Construction (NCC);
- Work Health & Safety Act & Regulations, including Work Zone Traffic Management;
- Road Traffic Act & Australian Road Rules;
- Local Nuisance and Litter Control Act;
- Requirements and powers of other (Public) Utilities;
- Relevant Codes of Practice and Australian Standards;
- Safe work SA requirements.

#### Local Government Act 1999

##### Section 221—Alteration of road

*(1) A person (other than the council or a person acting under some other statutory authority) must not make an alteration to a public road unless authorised to do so by the council.*

**Maximum penalty: \$5 000.**

*(2) A person makes an alteration to a public road if the person -*

*(a) alters the construction or arrangement of the road to permit or facilitate access from an adjacent property; or*

*(b) erects or installs a structure (including pipes, wires, cables, fixtures, fittings and other objects) in, on, across, under or over the road; or*

*(c) changes or interferes with the construction, arrangement or materials of the road; or*

*(d) changes, interferes with or removes a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the road; or*

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*(e) plants a tree or other vegetation on the road, interferes with vegetation on the road, or removes vegetation from the road.*

## 4 Definitions

### Activity

Works/construction or other specific activity that impacts the public realm (road)

- Short Term – less than 24 hours
- Long Term – greater than 24 hours

### Alteration to a Road

- Alters the construction or arrangement of the road to permit or facilitate access from an adjacent property;
- Erects or installs a structure (including pipes, wires, cables, fixtures, fittings and other objects) in, on, across, under or over the road;
- Changes or interferes with the construction, arrangement or materials of the road;
- Changes, interferes with or removes a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the road;
- Plants a tree or other vegetation on the road, interferes with vegetation on the road, or removes vegetation from the road.

A Permit is required for the above functions. Temporary impacts such as placing a significant structure on a road (e.g. mini skip) and other work related occupancy also requires Council permission.

### Council

City of Prospect

### Dilapidation Report

Information providing proof of the condition of property and/or infrastructure at a given point in time (pre-works commencing), by recording any existing damage and the state of specific infrastructure that could be affected by construction work, excavation or demolition.

### Permit

City Works Permit ("the Permit") authorising someone to alter a road (includes the placement of a structure on a road or the provision of temporary safety measures).

### Public Realm

Location around, between and within buildings that are publicly accessible, including roads (footpaths), and Community Land under the care control and management of Council.

### Road (*Local Government Act 1999*)

A public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes:

- (a) a bridge, viaduct or subway; or
- (b) an alley, laneway or walkway.

## 5 Permitting Function & Public Safety

Any activity or process in the public realm (road) should consider:

- Legislative obligations;
- Local impacts on accessibility;
- Public Safety & WHS requirements;

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- Environmental & Waste Management provisions;
  - Nuisance factors;
  - Permit (General & Special) Conditions and requirements.

Permit activities include (but not limited to):

- Road alteration &/or activity due to –
  - Demolition and scaffolding requirements;
  - Significant development (multi-story) – Elevated Work Platforms and Hoardings;
  - Excavation / trenching and pouring;
  - Pedestrian Walkways / Traffic controls.
- Vehicle/Crossovers & Stormwater construction;
- Underground cabling provisions;
- Verge alterations, including vegetation/trees;
- Other activity (eg placement of mini-skips, trader alterations).

## 5.1 Granting a Permit

Council requires a Permit to allow a number certain activities to occur on a road (*see 3.2 – Relevant Activities*).

No work or alteration to a road must take place without Council approval and the granting of a relevant Permit.

The Permit process invokes a fee. Please refer to the *Fees and charges Register* for financial provisions.

To be granted a Permit, applicants must complete and sign the City Works Permit (Application Form – see **Appendix 1**), which includes a number of General Conditions. Special Conditions will be applied dependant on localised and/or specific requirements.

Non-compliance with the Conditions of the Permit may result in the cancellation, suspension or amendment of the Permit.

Permit Application Forms and Administrative requirements are available at [www.prospect.sa.gov.au](http://www.prospect.sa.gov.au)

A breach in the Permit Conditions and the Local Government Act may attract a penalty of up to \$ 5,000.

Council reserves the right to *not* grant a Permit to an applicant where safety, accessibility or amenity issues are negatively impacted.

Council also reserves the right to *cancel, suspend or amend* a permit where activities are found to subsequently negatively impact on the wider community, workers and/or detract from, or be detrimental to, the safety and amenity of an area after the Permit is granted.

## 5.2 Consultation with Adjoining Residents/Businesses

Consultation with adjoining land owners may be required, depending on:

- Impacts to the local environment;
- Impacts due to a local Traffic Management Plan (including closure of a road);
- Legislative requirements relating to Development and public consultation;
- Legislative requirements relating to nuisance &/or environmental impacts to the public realm;
- Impacts to other business/residential access/egress;
- Other relevant activity required by Council.

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## 6 Permit Activities - Specific Considerations

### 6.1 Hoardings (including Occupancy of Roads/Footpaths)

The requirements for hoarding at specific sites will be assessed on merit, scale of the adjacent development and the level of encroachment on the adjacent road/land.

There are a range of hoarding types (general fencing, overhead protection) utilised to separate and protect the development site from the general public. Generally, hoarding must be securely placed and free of (external) hazards.

Any Hoarding requirement (**Type A, B C**) will be assessed and determined in consultation with Council Officers.

### 6.2 Access / Egress & Public Movement around Work Sites - Walkways

Safe access around the vicinity of the work site must be considered and assessed. This includes obligations relating to people with disabilities.

An effective method to allow safe access around a significant development is the addition of separation barriers to delineate (and separate) the work zone from pedestrian areas.

Pedestrian Walkways may require implementation, depending on the impact from the adjacent development. To ensure an appropriate safety zone is applied, impact barriers should be used. The addition of barriers must be in accordance with the relevant Australian Standard (AS 1742). Once the requirement for a walkway is determined, Council will approve and permit the activity.

### 6.3 Traffic Management

Any prolonged impact to normal traffic conditions adjacent to development (works) will require the design and implementation of a relevant Traffic Management Plan. The contents of the Traffic Management Plan will be approved by Council Staff.

The management of traffic around any obstruction must be in accordance with relevant legislative requirements and Australian Standards (eg signage - AS 1742.3). Accredited persons must undertake the erection and display of (temporary) road traffic signage. A Traffic Management Plan must include details of the estimated timeframe of impacts to the community.

### 6.4 Demolition Works

Any demolition must be given Development Approval by Council. The Builder/Developer/Contractor has a responsibility to take precautions to ensure the safety of persons at the site or in its direct vicinity.

A Builder is required to give at least one clear working days' notice before the start of demolition work to Council's Development Officer.

#### ***Section 60 of the Development Act - Notification of Adjoining Owner***

*Where a building owner proposes to carry out building work of a prescribed nature that is, in accordance with the regulations, to be treated for the purposes of this section as building work that affects the stability of other land or premises, the following provisions apply:*

*(a) the building owner must, at least 28 days before the building work is commenced, cause to be served on the owner of the affected land or premises a notice of intention to perform the building work and the nature of that work; and*

*(b) the building owner must (in addition to complying with any condition imposed by a relevant authority at the time of approval) take such precautions as may be prescribed to protect the affected land or premises and must, at the request of the owner of the affected land or premises, carry out such other building work in relation to that land or premises as that adjoining owner is authorised by the regulations to require; and*

*(c) nothing in this section relieves the building owner from liability for injury resulting from the performance of any building work*



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Any (demolition) activity and/or requirements impacting the public realm requires pre-approval and a Permit by Council.

## 6.5 Excavation & Trenching

Excavation and trenching works must be undertaken in accordance with:

- Development Act.
- Work Health & Safety Act and Regulations (including shoring and stability requirements).

It is the responsibility of the Builder/Developer that works do not *unreasonably* affect adjoining properties and/or the public realm.

## 6.6 Requirements when Excavating in the Public Realm

Council must be formally notified when excavation or trenching work needs to take place in the public realm (road).

Any occupation of a road (including the footpath) will require a permit from Council. Works and processes must be in accordance with the General (and/or Special) Conditions of the Permit.

As a matter of public safety, any work site on a road must be delineated and separated from the general public (hoarding/walkways). Any pedestrian obstruction must be managed to ensure the provision of movement around the works in a safe and orderly manner.

Any required Traffic Management Plan must be provided to Council prior to the commencement of works.

## 6.7 Scaffolding

Any need for scaffolding requirements must be communicated to Council.

Scaffolding should:

- Be erected along the required section of the structure or building;
- Erected before the start of building work;
- Kept in reasonable condition during the development;
- Be enclosed with mesh.

## 6.8 Elevated Work Platforms

Elevated Work Platforms (EWP) will only be permitted on a road if it is not practicable for the activity to occur within private property boundaries.

The following requirements will apply for EWP's:

- Adherence to Permit Conditions;
- Notification of hours an EWP will operate;
- Traffic & pedestrian management in accordance with Council requirements and AS 1742.3;
- Damage to road infrastructure in connection with EWP's must be repaired to Council specification and within an agreed time frame;
- All WHS and Safework SA requirements must be met.

## 6.9 Cranes

Mobile Cranes will only be permitted on a road if it is not practicable for the activity to occur within private property boundaries.

The following requirements will apply for Cranes:

- Adherence to Permit Conditions;
- Notification of hours (or timeframe) a crane will operate;
- Traffic & pedestrian management in accordance with Council requirements, including a Traffic Management Plan, and AS 1742.3;





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- Damage to road infrastructure in connection with cranes must be repaired to Council specification and within an agreed time frame;
  - All WHS and Safework SA requirements must be met.

## **6.10 Vehicular Crossovers/Stormwater Infrastructure**

The requirements for Vehicular Crossovers at specific sites will be assessed on merit, existing traffic conditions, surrounding infrastructure and other civil (Council) requirements.

Permit Holders must design and construct to Council pre-determined Conditions.

The requirements for underground stormwater infrastructure will be assessed on merit, impacts to surrounding infrastructure and any specific civil requirements.

## **7 Dilapidation Report**

Any work considered significant or having the capacity to cause damage to surrounding Council owned infrastructure may require a Dilapidation Report to record the condition of adjoining structures within the Public Realm. Council will request Permit Holders if a Dilapidation Report is required at the time of the application.

The Report may include the condition of road items such as footpaths, kerb and gutters and side entry pits. Photographic evidence may be required as evidence of an item's condition prior to any activity taking place in the public realm.

A copy of the Dilapidation Report must be submitted to Council prior to any work being undertaken.

## **8 Community Safety**

An identified non-compliance of Council's Permit and/or legislative requirements may result in an expiation or attract a penalty pursuant to the relevant legislation. Council is able to act on any safety issue that arises due to works/activities impacting the road.

## **9 Permitting Protocols**

### **Administration**

Applicants must complete the (City Works Permit) Application Form and include any relevant Specifications/Plans, considering the intended activity and/or encroachment.

Permit Holders are required to comply with all General and the relevant Special Conditions of the Permit.

### **Fees and Charges**

The scheduled fees are available on the Fees and Charges Register.

### **Breach of Permit**

A breach of the Conditions of Permit may result in a cancellation of the Permit (fees and administration costs may also apply).

Authorised Officers (of Council) will monitor permitted areas and Permit Holders are required to comply with any lawful direction provided by an Authorised Officer.

It will be at Council's discretion to cancel, suspend, amend or reinstate a City Works Permit.

**If applicants have any questions, please ask an Authorised Officer or contact City of Prospect, Civic Centre on 8269 5355.**

### **Public Liability Insurance**

It is a Condition that Permit Holders hold a current public and products liability insurance policy to the minimum value of **TWENTY MILLION DOLLARS** (\$20,000,000 AUD), or other as determined from time to time, to cover actions arising out of the activity carried out pursuant to the Permit.

A copy of the "Certificate of Currency" must accompany the application or renewal of a Permit.

## **10 Applying for a Permit**

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**Step 1** Obtain an application for a *City Works Permit* (Application Form) from the Council's Civic Centre reception or download the form from Council's website [www.prospect.sa.gov.au](http://www.prospect.sa.gov.au).

***Please consult with the Development Services regarding any adjacent development requirements on private property.***

**Step 2** Submit the completed Application Form, including the activity being undertaken and any required attachments (eg Traffic Management Plan, Dilapidation Report), with proof of the relevant Public Liability Insurance.

**Step 3** A Council Authorised Officer will assess the application and may require a site inspection to validate the proposed activity and/or encroachment.

**Step 4** Once Council has assessed the application and associated Fees, the Permit will be immediately made available.

**Step 5** Once the Permit is issued, the activity may then commence alteration/activity on the road (footpath) in accordance with the Conditions of the Permit.



**Appendix 1**  
**City Works Permit - Application Form**  
*Pursuant to Section 221 of the Local Government Act 1999*

*A Permit is required for all defined activities/alterations on a road. The Permit Holder is liable for any breach of requirements set out in the Permit and within the Guide. Please allow at least **5 Business days** to assess an application.*

GENERAL INFORMATION			
Applicant's Name			
Company Name			
Contact Person			
Address of Business		Business Phone	
Email Address		Mobile Phone	
Site Address of proposed activity/alteration			
Date and Time			
PROPOSED ACTIVITY/IES * (tick one or more)			
Driveway Crossover APPENDIX 2A <input type="checkbox"/>	Stormwater APPENDIX 2B <input type="checkbox"/>	Nature Strip APPENDIX 2C <input type="checkbox"/>	
Cranes APPENDIX 2D <input type="checkbox"/>	Elevated Work Platforms APPENDIX 2E <input type="checkbox"/>	Hoarding (Scaffolding) APPENDIX 2F <input type="checkbox"/>	
Pedestrian Walkway/Footpath Encroachment APPENDIX 2G <input type="checkbox"/>	Temporary Road Closure APPENDIX 2H <input type="checkbox"/>	Electrical/Underground cabling APPENDIX 2I <input type="checkbox"/>	
Mini Skip APPENDIX 2J <input type="checkbox"/>	Other <input type="checkbox"/>		
* <i>Have you considered if a Development Application is required? Please consult Development Services regarding Development requirements on private property</i>			
REQUIREMENTS (dependent on the proposed activity)			
<input type="checkbox"/> Valid copy of Public Liability Insurance (Certificate of Currency) for the amount of \$20,000,000			
<input type="checkbox"/> Site plan to relevant scale of proposed occupation, alteration &/or encroachment to the footpath/road			
<input type="checkbox"/> A relevant Traffic Management Plan relating directly to the activity <b>(if applicable)</b>			
<input type="checkbox"/> A copy of a Dilapidation Report as per Council's request <b>(if applicable)</b>			
<input type="checkbox"/> Payment of the relevant Fee			

**THE ISSUING OF THIS PERMIT IS SUBJECT TO:**

- a. The Applicant agreeing to the **General Conditions** of Permit as contained herein;
- b. The Applicant agreeing to any/all **Special Provisions** that the Council may determine relating to the proposed activity and attached to this Permit.

**GENERAL CONDITIONS OF PERMIT**

1. For the term of the Permit, to comply with all relevant Legislation, applicable industry standards, health or safety standards, current standards of Standards Australia or any applicable Codes of Practice.
2. To ensure that all works carried out are undertaken to the highest standard and are carried out promptly and with all due care, skill and diligence.
3. To ensure that any alteration/encroachment to the road does not interfere with or cause damage to or in any way affect the property of any other person.
4. To comply with any direction given by any statutory authority or Council to remove, maintain or otherwise modify the alteration to the road subject to this Permit.
5. That all fixtures and equipment erected or installed in, on, across, under or over the road remain the property of the Applicant pursuant to Section 209 of the Local Government Act, 1999.
6. For the term of the Permit, to maintain all (temporary or otherwise) fixtures and equipment erected or installed, or vegetation planted, in good condition and to recognised standards.
7. **To indemnify the Council, its servants and/or agents against all actions, costs, claims and demands for injury, loss or damage arising out of any negligent act or omission of the Applicant in relation to the alteration/encroachment to the road, the granting of this Permit and the General Conditions and Special Provisions contained herein and such indemnity shall be in addition to any statutory immunity in favour of the Council.**
8. **For the term of the Permit, to take out and keep current a Public Liability Policy of insurance to a pre-determined level of cover (per claim) in respect of any negligent act or omission of the Applicant in relation to any alteration/encroachment/occupancy to the road or any activity arising out of or from any activity granted under this Permit.**
9. To not assign or otherwise transfer this Permit without first obtaining the consent of Council in writing.
10. In the event that the Applicant has failed to comply with any of the conditions/provisions of Permit or for any other justifiable circumstance, including reinstatement, maintenance, repair or removal, the Council may revoke the Permit.
11. At the expiration or earlier termination of this Permit to remove, if so directed by the Council, any structure or object erected or installed on the road and to reinstate the road to the satisfaction of the Council.
12. This Permit does not confer on the Applicant any exclusive right, entitlement or interest in the road (unless specifically provided pursuant to Section 223 of the Local Government Act, 1999) and does not derogate from the Council's powers arising under the Local Government Act.
13. A copy of the Permit must be able to be produced on site when requested by a Council Officer
14. This Permit will not come into operation until proof of all requested insurances has been provided to the Council and a copy of this document, signed by the Council has been returned to you.



In making this application, I/we acknowledge that I/we have read, understand and agree to be bound to the Conditions (and Special Provisions) of the Authorisation and declare that the particulars provided by me/us with regard to the proposed Activity, Alteration/Encroachment are true and accurate.

I, \_\_\_\_\_, acknowledge that I have read and understand the above information and agree to abide by and be bound by them.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTES**

**Note 1: A road extends from property boundary to property boundary and includes the carriageway, footpaths & verges.**

**Note 2: If an Application also requires Business Use consent (pursuant to Section 222 (of the Local Government Act 1999), the applicant must also seek permission from the Council.**

**Note 3: The Application Fee is independent of road closure/hoarding and other traffic management activities which attract a separate cost. Please refer to the Fees and Charges Register for further information.**

**Note 4: An allowance of least 5 business days is required for the application to be assessed.**

OFFICE USE ONLY (Council Authorisation)	
Application Fee Received \$	Date of Payment:
Permit Number Issued: Date:	<i>Authorised Officer</i> Name: Signature:

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## **APPENDIX 2A - Driveway Crossover**

### **Council - Special (Permit) Provisions**

#### **Special Conditions for this Permitted activity:**

1. The Permit Holder abides by the General Conditions and Specifications of Permit
2. Cost of construction of driveway is the responsibility of the applicant;
3. The Construction is carried out in accordance with any attached Specifications (any variations which may be necessary must be approved in writing by Council);
4. The Crossover is constructed out of materials to match existing footpath;
5. The applicant shall ensure that the position of all underground services in the vicinity of the work are located and protected throughout the construction period as directed by the responsible authority. These should include, but not be limited to, SAPN, Telstra, GAS and SA Water.
6. No tree or shrub shall be removed without the authority of the Council. The utmost care shall be taken by the applicant to avoid any damage whatsoever to any tree or shrub.
7. If the installation of a stormwater pipe is planned as part of the work, separate applications for a permit to place a pipe across the footpath for stormwater disposal shall be submitted by the applicant prior to the construction of the crossover.
8. The applicant shall ensure that all necessary barriers, bollards etc, as may be necessary are supplied, erected and maintained so as to avoid the possibility of damage or mishap to property, persons or vehicles using the area where construction is proceeding. Should the Council decide that protection provided is inadequate; the applicant may be required to provide additional protection to be installed at the applicant's cost.
9. The work-site should be left in a clean, tidy and safe condition so as not to create a hazard to persons or vehicles using the area. The applicant shall ensure that no building materials, spoils, etc enter the Stormwater network or are left in the roadway, verge area, kerb and gutter, etc. Should the Council decide that the applicant (or their contractor) has not adhered to this, the applicant will be required to clear the area at the applicants cost. Fines may also be issued by Council.
10. The applicant shall give the Council at least one full day's notice (not counting Saturday or Sunday) of intention to commence work.
11. Construction shall be commenced within six months of the permit being issued, and shall be completed within seven (7) days of commencement.
12. On completion of the construction, any reinstatement of the surrounding footpath will be undertaken by the applicant in accordance with Council's Specifications.
13. The Council may require the applicant, at the applicant's cost, to repair or remove a crossing place which does not comply with the Specification.
14. Note: Council will not accept crossover inverts that have a lip or step in line with the kerb face.
15. The applicant shall be responsible for removing any unused cross-overs (driveways) and for replacing any unused crossover inverts with kerb or kerb and gutter. [as appropriate]
16. The applicant shall be responsible for any damage that may be caused by the applicant or the applicant's employees, servants, agents or contractors or for any damage, loss or injury resulting from the work until the work is completed and has been approved by Council.

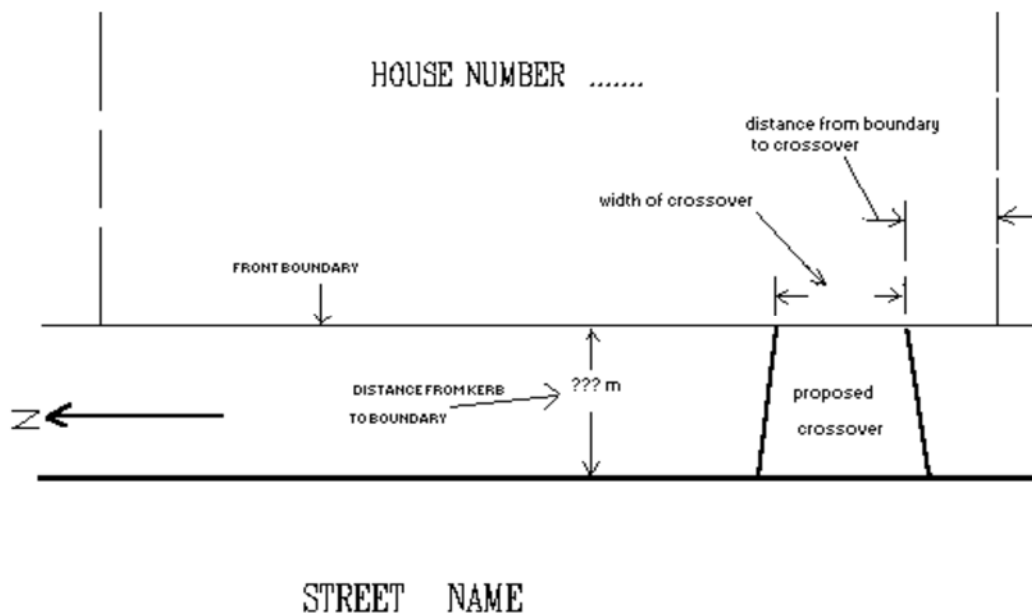
17. In the event that the applicant has failed to comply with the Conditions and/or the Provisions of the permit or for any other justifiable circumstance, the Council may revoke the permit and complete the work and recover the costs from the applicant.

A **Drawing Sketch** is required to be submitted;

The following information is required within the sketch:

- Arrow showing North direction;
- Street Name and number;
- Proposed location of access in relation to existing roadway and property boundary;
- Distance and location of any existing trees;
- Any trees proposed for removal
- Distance to Corner (if it a corner block or next to a corner block);
- Distance to intersection if a corner block.

The **Drawing Sketch** should be similar to the example below:



**Note:**

- The edge of the crossover must be 2 metres from the nearest tree.
- The edge of the crossover must be 6 metres from the tangent point on the nearest intersection.

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## **APPENDIX 2B - Stormwater Council - Special (Permit) Provisions**

### **Special Conditions for this Permitted activity:**

1. The construction is carried out in accordance with the attached Specifications (Please note that any variation to the specification which may be necessary must be approved in writing by Council before the work is started)
2. The applicant shall ensure that the position of all underground services in the vicinity of the work are located and protected throughout the construction period as directed by the responsible authority. These should include, but not be limited to, SAPN, Telstra, Gas and SA Water.
3. No tree or shrub shall be removed without the authority of the Council. The utmost care shall be taken by the applicant to avoid any damage whatsoever to any tree or shrub.
4. If a new crossover is planned as part of the work, separate applications for a permit to construct a vehicular crossover shall be submitted by the applicant prior to construction.
5. The applicant shall ensure that all necessary barriers, bollards etc, as may be necessary are supplied, erected and maintained so as to avoid the possibility of damage or mishap to property, persons or vehicles using the area where construction is proceeding. Should the Council decide that protection provided is inadequate, the applicant may be required to provide additional protection to be installed at the applicant's cost.
6. The work-site should be left in a clean, tidy and safe condition so as not to create a hazard to persons or vehicles using the area.
7. The applicant shall give the Council at least one full day's notice (not counting Saturday or Sunday) of intention to commence work.
8. Construction shall commence within six months of the permit being issued, and shall be completed within seven (7) days of commencement.
9. On completion of the construction, any reinstatement of the surrounding footpath will be undertaken by the applicant in accordance with Council's Specifications, or at the discretion of the Council, by the Council at the expense of the applicant.
10. The Council may require the applicant, at the applicant's cost, to repair or remove a stormwater pipe which does not comply with the Specification.
11. The applicant shall be responsible for removing any unused stormwater pipes [as appropriate].
12. The applicant shall be responsible for any damage that may be caused by the applicant or the applicant's employees, servants, agents or contractors or for any damage, loss or injury resulting from the work until the work is completed and has been approved by Council.
13. In the event that the applicant has failed to comply with the conditions of the permit or for any other justifiable circumstance, the Council may revoke the permit and complete the work and recover the costs from the applicant.

### **Notes:**

- The installation of the Pipe is to be carried out by the Applicant or a Plumber;
- Reinstatement of the footpath or any kerb repairs is the responsibility of the applicant;
- Underground services should be located prior to commencing excavations.



## Stormwater Pipe Laying Information

The following specifications for stormwater drainage must be met to gain approval.

### 1. Size of Drain

The drain shall be a minimum of 80mm internal diameter and shall be larger than this if necessary to conduct the stormwater effectively.

### 2. Type of Drain

- (a) Heavy duty P.V.C. pipe. (pipe with a wall thickness of at least three millimetres). Sewer grade (yellow) PVC which is not ultraviolet light stabilised, and stormwater grade pipe which is too thin, are not permitted.
- (b) Steel pipe or steel box channel. (Box channel shall be 80mmx80mm minimum internal measurement).

All box channel installations shall incorporate a welded top which must be flush with the top of kerb and flush with the footpath surface.

### 3. Footpath and Kerb Repair or Reinstatement

All concrete footpaths and kerbs shall be saw-cut prior to excavation.

- (a) The footpath and kerb shall be reinstated to the condition that existed prior to the drain being laid.
- (b) Any work not done to the satisfaction of the Council or its representative shall be removed and replaced at the cost of the applicant.

### 4. Kerb Connection

Where the drain is connected through the kerb, the kerb should be cut out cleanly and after the drain has been laid, shall be repaired with concrete to a finish of similar quality to the adjacent kerbing

### 5. Cleaning Up

All surplus material must be removed from the site of the work and the footpath and nature strip must be left in a clean and tidy state.

### 6. Protection

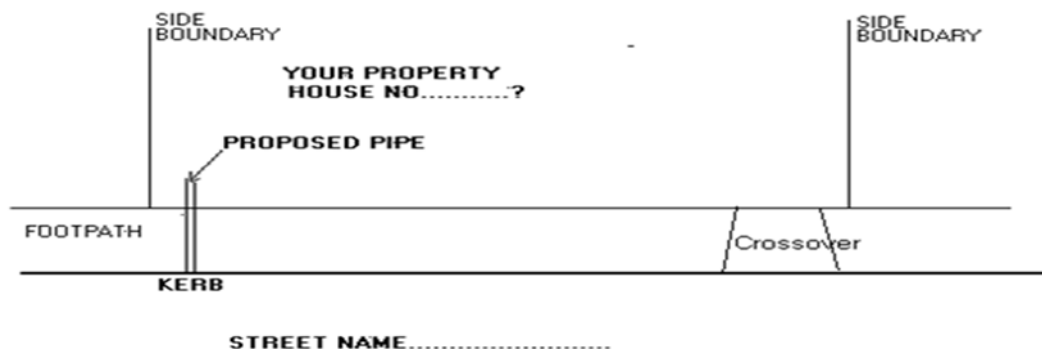
The person or people carrying out the work shall be responsible for protecting the public by providing adequate barricades and lights to the satisfaction of Council or its authorised representative.

A **Drawing Sketch** is required to be submitted;

The following information is required within the sketch:

- Distance from the property boundary to the proposed drain pipe;
- Distance from nearest Street Tree;
- Position of the crossover (only required if pipe is near crossover):
- Street name and number

The **Drawing Sketch** should be similar to the example below



**Note:** The stormwater pipe must be a minimum of 2m from the nearest street tree

## APPENDIX 2C - Nature Strip Council - Special (Permit) Provisions

### Special Conditions for this Permitted activity:

The applicant agrees to the following:

1. To pay 50% of the total cost of backfilling the nature strip with either loam or dolomite (50% to be contributed by Council) and 100% of the cost of the plants.

After Council contribution, the cost involved for the applicant is \$14m<sup>2</sup> where the nature strip is more than 20m<sup>2</sup> or \$16m<sup>2</sup> where the nature strip is less than 20m<sup>2</sup>. The final amount will be determined by Council and invoiced to the applicant.

This fee includes but is not limited to:

- Excavation to 100mm depth
  - Dumping fee of material removed
  - Spreading/Backfilling of loam or dolomite as requested
2. To ensure that plantings do not cause interference to or cause loss of view to:
    - pedestrians using the footpath
    - motorists entering streets from private property or adjoining streets and intersections
  3. Plants having a mature height exceeding 500 mm (2'6") and plants having spines or thorns are not permitted
  4. To accept full responsibility for the maintenance of the nature strip. In the event the nature strip is not maintained to the satisfaction of Council, to pay for costs associated with the nature strip removal.

### Weed Spraying

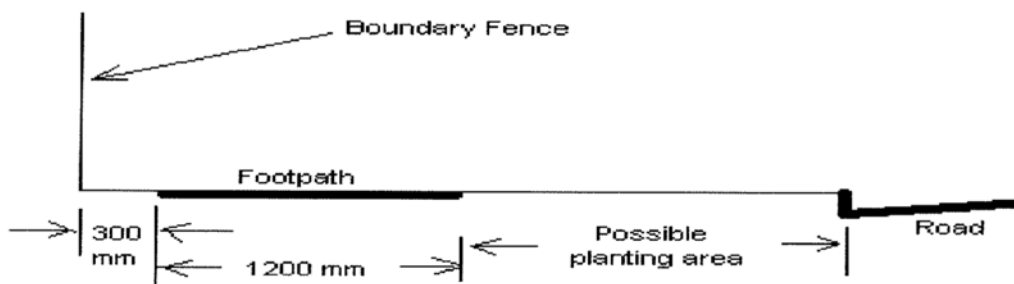
To ensure that the re-developed nature strip is not sprayed during the Weed Spraying Program a green line can be painted along the kerb to indicate that maintenance of this section of nature strip is the responsibility of the resident.

Please mark my property with a green line to ensure the nature strip is not included in the Weed Spraying Program

Council relies on the goodwill of the resident to maintenance the nature strip. If the home owner does not maintain the nature strip of long grass, when the height is over 300mm, Council will apply a treatment necessary to ensure pedestrian safety. In the first instance this will mean spraying of the tall grass.

Works will proceed providing a minimum footpath width of 1.2 metres is retained (refer to **diagram** below).

### FOOTPATH CROSS SECTION



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## APPENDIX 2D - Crane (Mobile) Council - Special (Permit) Provisions

### Special Conditions for this Permitted activity:

1. A Traffic Management Plan must be submitted for all crane operations. The appropriate traffic and pedestrian management procedures will be in accordance with AS 1742.3 and maintained whilst working within the public realm.
2. The approval of a crane (eg mobile crane) on a road will only be provided where it is not practicable for the works to be carried out within the property boundaries.
3. The Applicant will supply a **Drawing Sketch** covering the area of road space that will be encroached/occupied, including any impacts to vehicular and pedestrian traffic.
4. The Applicant shall supply the hours of work associated with crane operations.
5. The Council shall not accept responsibility for any damage or claims resulting from EWP operations, including damage to third party infrastructure.
6. Cranes on a road will be subject to occupancy fees.
7. Larger (vehicle) cranes that cause disruption to traffic may require further clearance from DPTI.



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## APPENDIX 2E - Elevated Work Platform (EWP)

### Council - Special (Permit) Provisions

#### Special Conditions for this Permitted activity:

1. A Traffic Management Plan must be submitted for all EWP operations. The appropriate traffic and pedestrian management procedures will be in accordance with AS 1742.3 and maintained whilst working within the public realm.
2. The approval of an EWP (eg truck mounted EWP) on a road will only be provided where it is not practicable for the works to be carried out within the property boundaries.
3. The Applicant will supply a **Drawing Sketch** covering the area of road space that will be encroached/occupied.
4. The Applicant shall supply the hours of work associated with the EWP.
5. The Council shall not accept responsibility for any damage or claims resulting from EWP operations, including damage to third party infrastructure.
6. EWP's will be subject to occupancy fees.

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## APPENDIX 2F - Hoarding (Scaffolding)

### Council - Special (Permit) Provisions

#### Special Conditions for this Permitted activity:

The applicant agrees to provide the following:

1. Details of the proposed works
2. Exact **Location** where the Hoarding, Scaffolding or equipment will be placed
3. Equipment or machinery to be used
4. Description of Hoarding, Scaffolding or equipment, including:
  - Material
  - Total Length
  - Total Width
  - Total Height
5. Duration of Hoarding, Scaffolding or equipment placement (commencement and completion date & time), and
  - Information if the Hoarding, Scaffolding or equipment will remain overnight.

#### Notes:

6. Approval will only be granted in an area approved and specified by Council.
7. A minimum footpath width of 1.2 metres must be provided for pedestrian traffic – in accordance with AS 1742.3.
8. If requested, a Traffic Management Plan must accompany the Application, to provide information should traffic flow or pedestrian movement be interrupted.
9. The Applicant accepts responsibility for any damage caused to the road (or footpath) or any loss to a third party, as a result of erecting, placing, or removal of Hoarding, Scaffolding or equipment.
10. Unless clearly specified (with consent), Hoarding, Scaffolding or equipment will be removed from the site **each night** and the location made safe for all road users. Should there be a requirement for Hoarding, Scaffolding or equipment to remain overnight, warning devices must be installed in accordance with AS 1742.3.
11. Hoarding will be subject to occupancy fees.

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## APPENDIX 2G - Pedestrian Walkway/Footpath Encroachment Council - Special (Permit) Provisions

### Special Conditions for this Permitted activity:

1. A Traffic Management Plan must be submitted for pedestrian walkways or footpath encroachments. The appropriate traffic and pedestrian management procedures will be in accordance with AS 1742.3 and maintained whilst occupying the public realm.
2. The approval of a walkway (or physical footpath encroachment) will only be permitted where it is not practicable for any works to be carried out within the property boundaries.
3. The Applicant will supply a **Drawing Sketch** covering the area of road (footpath) space that will be encroached/occupied, highlighting impacts to vehicular and pedestrian traffic.
4. The Applicant shall supply the hours of work associated with the encroachment.
5. Unless permitted by Council, barriers etc will be removed from the site **each night** and the location made safe for all road/footpath users.
6. Walkways/encroachment will be subject to occupancy fees
7. The Council shall not accept responsibility for any damage or claims resulting from the walkways/encroachment, including damage to third party infrastructure.
8. Any disruption to traffic (on main roads) may require further clearance from DPTI.

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## APPENDIX 2H - Road Closure Council - Special (Permit) Provisions

### Special Conditions for this Permitted activity:

1. Road Closure process is dependent on a number of legislative requirements.
2. A Traffic Management Plan must be submitted for permitted road closures. The appropriate traffic (and any pedestrian management) procedures will be in accordance with AS 1742.3 and maintained whilst occupying the public realm.
3. The approval of a road closure will only be permitted where it is not practicable for any works to be carried out within the property boundaries.
4. The Applicant will supply a **Drawing Sketch** with the Traffic Management Plan covering the area of road (or footpath) space that will be encroached/occupied, highlighting traffic controls.
5. The Applicant shall supply the hours of work associated with the Closure.
6. Unless permitted by Council, traffic controls etc. will be removed from the site **each night** and the location made safe for all road/footpath users.
7. Road Closures will be subject to occupancy fees
8. The Council shall not accept responsibility for any damage or claims resulting from the road closure, including damage to third party infrastructure.
9. Any disruption to traffic (on main roads) may require further clearance from DPTI.

## APPENDIX 2I - Electrical/Underground Cabling Council - Special (Permit) Provisions

### Special Conditions for this Permitted activity:

The applicant agrees to provide the following:

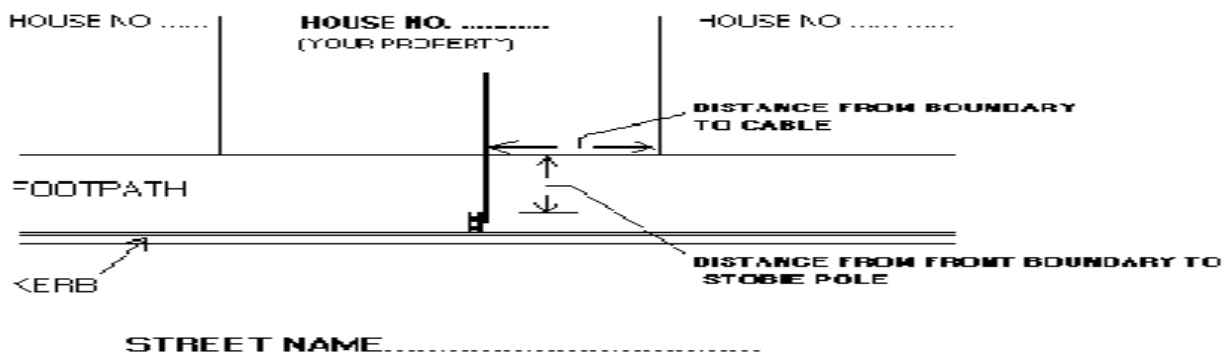
1. Further details regarding proposed work and location of the underground connection is required:

House No:		Street:
Lot No:		
Owner Name:		
Telephone Contact:		
Email:		

2. A **Drawing Sketch/Plan** is required to be submitted, as per examples below:

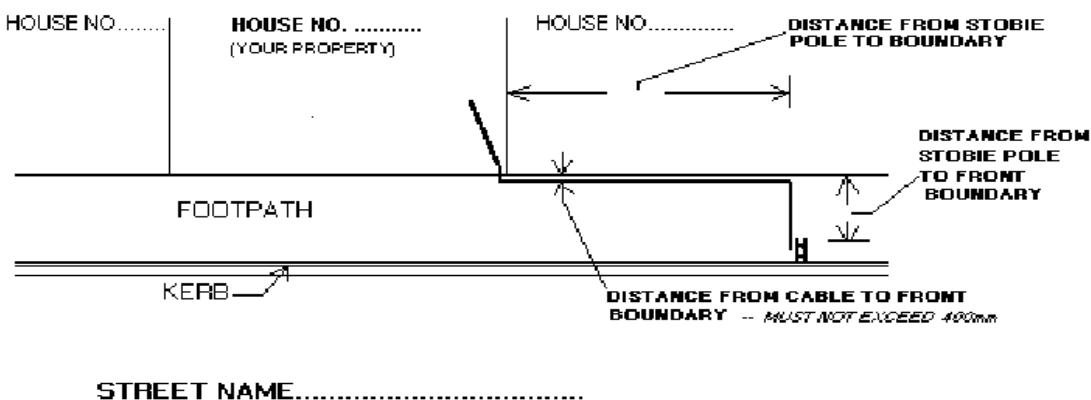
#### example 1

##### Where the Stobie Pole is in front of your property



#### example 2

##### Where stobie pole is not in front of your property





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A plan at a scale of 1 in 500 shall be drawn (as per examples), showing:

- (a) Location of the property in relation to the street alignment;
- (b) Position of ETSA pole; and
- (c) Precise location of cable showing measurements.

**Notes:**

- 3. The underground cable is to be laid at a minimum depth of 0.6 m below the present or future surface, whichever is the lower.
- 4. The underground cables shall be laid from the SAPN pole to the building alignment of the property, at 90 degrees to the kerb line.
- 5. Cables shall be laid in accordance with the Australian Standard Specification SAA Wiring Rules AS3000 - 1981, and the SAPN service requirements.
- 6. The electrical contractor shall erect signs, barricades and lights as per relevant Standards.
- 7. The Council shall not accept responsibility for any damage or claims resulting from the laying of the service, including damage to third party infrastructure.
- 8. No responsibility will be accepted by the Council for any damage to services from any activity whatsoever.



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## **APPENDIX 2J - Mini Skip**

### **Council - Special (Permit) Provisions**

#### **Special Conditions for this Permitted activity:**

##### **PREAMBLE**

City of Prospect is committed to providing a safe environment for all residents. Mini-skips and containers may potentially cause a safety risk to the public if they are placed incorrectly.

All commercial bin companies require residents to gain approval from the Council prior to the bin being placed on public property. Public property may include roads, nature strips, paths, and open space.

The skip on most occasions when being placed on public space must be no more than three (3) cubic meters in size. Some bins may vary in size, depending on the company you choose to hire it from. It is your responsibility to ensure the size of the container is suitable for the desired location.

Council may give special approval for larger bins if the area is deemed safe by an Authorised Officer.

##### **Council requirement:**

1. The company placing the bin has current 'Public Liability Insurance' to the value of minimum 10 Million Dollars
2. The container is to be placed parallel to and as near as practicable to the left hand kerb of any street or road.
3. The container to be lit at night with two (2) flashing amber lights; one mounted each end corner of the container on the side nearest to the carriageway.
4. All items to be placed in the skip/container remain entirely within that skip/container.
5. The placement of the container opposite another resident's driveway entrance is to be avoided, unless it is not possible to place it elsewhere.
6. The container is to be placed immediately adjacent to the applicant's premises unless it is not possible to place it elsewhere. In this case, written permission must be obtained from the neighbour indicating no objection to the container being placed in front of, or adjacent to, their premises.
7. The container is not to be placed in a prohibited parking area.
8. The container may be placed in a time limit area without penalty.
9. The container is to be placed at least 10 metres from an intersection or junction (corner), 1.8 metres from any neighbour's driveway entrance and 1 metre from a fire hydrant or fire plug.
10. The applicant to be responsible for reimbursing Council for any costs incurred by Council in repairing damage to the street or road pavement during delivery, removal or use of the rubbish container.
11. Authorisation will apply for four (4) days after which a further application is required (Extension of time needs further approval)

**APPENDIX 3**  
**FEES & CHARGES as at 1 JULY 2018**

ACTIVITY	APPLICATION FEES (inc GST)
<b>CITY WORKS PERMIT (ROADS)</b>	
<b>Driveway Crossover</b>	<b>\$ 60</b>
<b>Stormwater</b>	<b>\$ 60</b>
<b>Nature Strip</b>	<b>\$ -</b>
<b>Electrical/Underground Connection</b>	<b>\$ 60</b>
<b>Cranes</b>	<b>\$ 60</b>
<i>Road/footpath fee occupancy (per m2 per week)</i>	<i>\$ 6</i>
<b>Elevated Work Platform</b>	<b>\$ 60</b>
<i>Road/footpath fee occupancy (per m2 per week)</i>	<i>\$ 6</i>
<b>Scaffolding</b>	<b>\$ 60</b>
<i>Road/footpath fee occupancy (per m2 per week)</i>	<i>\$ 6</i>
<b>Pedestrian Walkway/Footpath Encroachment</b>	<b>\$ 60</b>
<i>Road/footpath fee occupancy (per m2 per week)</i>	<i>\$ 6</i>
<b>Road Closures</b>	<b>\$ 60</b>
<i>Road/footpath fee occupancy (per m2 per week)</i>	<i>\$ 6</i>
<b>Mini skip (4 days per authorisation)</b>	<b>\$ 60</b>
<b>Traffic Management Plan (Assessment Fee)</b>	<b>\$100</b>