ALTERATION OF ROAD OR FOOTPATH

Section 221 of the Local Government Act 1999 - A person (other than Council or a person acting under some other statutory authority) must not make alteration to a public road or footpath unless authorised to do so by the Council.

Work is to be carried out pursuant to Section 228 of the Local Government Act (1999).
The road is made good as per Section 229 of the Local Government Act (1999)

CONDITIONS

1. LODGEMENT OF APPLICATION

Applications must be submitted at least 14 days prior to commencement of work to allow Council adequate time to assess and approve the application. If applications are not received 14 days prior, approval of the application prior to the proposed start date cannot be guaranteed.

2. COMMENCEMENT OF PERMIT

Approval must be obtained prior to the commencement of any works.

No equipment is to be placed in the defined area nor can any works commence until approval has been granted. Failure to obtain approval prior to commencement of any works may result in a fine.

3. PROOF OF PERMIT

Proof of permit which has been signed and approved by the relevant Council Officer must be produced if requested to do so by relevant authorities.

4. SERVICES

The applicant must obtain relevant service location details from Before You Dig Australia www.byda.com.au and is responsible for ensuring that no damage is caused to underground services during the execution of the work and that provision is made where necessary for the requirements of these utilities to be met and relevant approvals in place.

5. NOISE

The applicant is responsible for ensuring that the hours of operation comply with EPA noise regulations so that any noise emanating from the proposed works is not causing a public nuisance and is within EPA regulations Construction noise information sheet.

6. REMOVAL OF VEGETATION

No trees or bushes on Council land can be removed without permission from Council.

7. ALTERATIONS TO PERMIT

Once approval is granted, no alteration to the location, type or duration of works will be permitted, unless approval is obtained prior to commencement of the alteration. All changes must be communicated to Council in writing via the original application.

8. PUBLIC LIABILITY INSURANCE

The applicant must provide a Certificate of Currency for public liability insurance which covers the life of this permit, insuring for a minimum sum of twenty million dollars ($20 million) to indemnify Council.

If the applicant is not a registered business owner and is conducting the work themselves at their residence, a current home insurance policy covering public liability insuring for a minimum sum of twenty million dollars ($20 million) can be provided..

9. INDEMNIFICATION OF COUNCIL

The applicant must accept all responsibility and must agree to indemnify and keep indemnified the Council, its servants and agents from all actions, costs, claims, charges, expenses and damages whatsoever which may be brought or made or claimed against them arising out of or in relation to the granting of such permit and the establishment and operation of the said works.

CONDITIONS (Cont'd)

10. SAFETY MEASURES

It is the applicant's responsibility to ensure that all safety and protective measures are applied throughout the duration of the work so that the safety of pedestrians, vehicles and other road users is not endangered and no damage to public infrastructure is caused during the execution of works.

The applicant shall ensure that all signage and devices comply with Standard **AS1742** at all times.

11. EQUIPMENT

Council does not lend out any equipment that may be required for the duration of the works. All signage, safety barriers, bollards, bunting etc must be acquired by the applicant from a source other than Council.

12. AREA TO BE KEPT CLEAN

The applicant shall be responsible for keeping clean the defined area where the location of works is carried out, as well as keeping the footpath and roadway in the vicinity of the described works clear of waste materials and free from all potential hazards.

13. PUBLIC ACCESS

Throughout the duration of the works, the applicant must provide adequate footway access for pedestrians which is no less than **1.5 metres** wide. It must be shown on the submitted site plan how pedestrians will be safely diverted around the worksite and what safety measures they will have in place to accommodate this diversion.

14. NOTIFICATION TO SURROUNDING PROPERTIES

The applicant is advised to notify surrounding properties of the proposed work so that they are aware of any disruptions that may occur and can arrange alternative measures if required. It is advised to have a record of evidence that such notification has been provided.

15. CLOSING ROADS

If at any time the road needs to be temporarily closed to traffic, a separate Section 222 Permit must be obtained from Council prior to the closure. The applicant must notify emergency services of the proposed closure prior to doing so as well as when the road is re-opened.

Only persons with current Workzone Traffic Management (WZTM) qualifications can set up the closure and all signage displayed must comply with WZTM requirements.

All closures are to be lodged with traffic.sa.gov.au

16. COMPLETION OF WORKS

Upon completion of the works, the area as defined within this application must be reinstated to a satisfactory condition as it was prior to commencement of the work. All costs associated with reinstatement to prior condition is to be covered by the applicant.

The applicant must notify Council once the work has been completed so the defined area can be inspected to ensure it has been reinstated to a condition deemed satisfactory to Council.

17. APPLICANT TO PAY REPAIRS

The applicant is responsible for all repairs relating to the works conducted, within the defined area of the works including the area immediately adjacent, which in the opinion of Council have been caused by the activities of the works as defined within this application.

If Council or its nominated person/s is required to carry out repair work, the full cost of said repair work will be the responsibility of the applicant.

18. FUTURE MAINTENANCE

If the work conducted was a concrete/paved/sealed driveway or footway or installation of a grassed footpath, the applicant is responsible for all maintenance that may arise relating to the installed grass or concrete/paved/sealed area.

CONDITIONS (Cont'd)

19. COMPLIANCE

If at any time Council deems the applicant has breached any of the said conditions, Council has the right to request immediate rectification to the defined area or any aspect of the proposed works that does not meet Council's requirement. If the applicant refuses to comply, termination of the permit may occur and the applicant is responsible for any costs associated in order to meet compliance and may also be liable to pay a fine for this non-compliance.

20. SPECIFICATIONS

Where applicable, the following documents must be referred to in conjunction with the conditions:-

- Appendix A – Footways/Driveways
- Appendix B – Underground Electrical Services
- Appendix C – Underground Pipeline
- Infrastructure Guidelines SA – Kerbs & Crossovers
- Local Government Act 1999 – General Provisions Regulating Authorised Work

21. TERMINATION OF PERMIT

The Council has authority to terminate this permit or vary the conditions at any time, by providing the applicant written documentation advising of the termination or variation at least 24 hours prior to such termination or variation.