



POLICY NO	CP/OPS-3651	
POLICY	Private Works and Developments on Road Verges and Shire Managed Land	
RESPONSIBLE DIRECTORATE	Infrastructure	
RESPONSIBLE OFFICER	Director of Infrastructure	
COUNCIL ADOPTION	Date: 16/12/2014	Resolution No: 10705
REVIEWED/MODIFIED	Date: 28/4/2015	Resolution No: 10899
	Date: 20/12/2016	Resolution No: 20/12/2016-11575
REVIEW DUE	28/4/2019	
LEGISLATION	<i>Local Government Act 1995, Section 3.1, Section 3.53 and Section 3.54</i>	
RELATED POLICIES	CP/OPS-3650 - Private Works, CP/OPS-3652 Cattle Grids, CP/OPS-3653 Vehicle Cross Over Subsidy	
RELATED ORGANISATIONAL DIRECTIVES/FORMS	Crossover Application, Crossover Subsidy Application, Permit to undertake works on public land request-authority	

PURPOSE:

To provide guidance on what works and developments on road verges, nature strips and Shire Managed Land may be undertaken without a Permit to Undertake Works on Public Land and without Council or Shire Administrative Approval.

DEFINITIONS:

Public land means any land that is under the control and management of the Shire.

POLICY STATEMENTS:

1. Any works on Shire managed property requires either Council permission or a Permit to Undertake Works on Public Land other than for the following:
 - 1.1 Planting and maintaining grass, crushed rock etc. including installation of a water reticulation system for the maintenance of grass.
 - 1.2 Construction of terracing or garden beds with or without edging with a total maximum height of less than 300 mm and more than 1.8 metres behind the back of kerb or edge of seal.
 - 1.3 Growing of plants less than 0.9 m high, more than 1.8 m from the back of kerb or edge of seal and more than 20m from the boundary line of an intersecting street.
 - 1.4 The maintenance of a road verge excluding the use of heavy machinery and tractor mounted equipment.
 - 1.5 Minor works which in the opinion of the Chief Executive Officer does not cause distraction, interference or obstruction to the normal use of a road by any road user.

2. The maintenance of any development completed under Clauses 1.1, 1.2 and 1.3 above shall be the entire responsibility of the owner of the property that fronts the developed area.
3. A Permit to Undertake Works on Public Land must be obtained prior to undertaking any works on Shire managed property, other than those referred to above. Permit to Undertake Works on Public Land Request – Authority Forms are available from the Shire offices and the Shire website.
4. To support the Shire in effective management of Shire assets, Utility service providers are requested to obtain a Permit to Undertake Works on Public Land from the Shire in accordance with sections 4.3.1(d), (e) and (f) of the Utility Providers Code of Practice.
5. Any development on public land shall not impact on any existing or planned footpaths or any other Shire or other authority's infrastructure.
6. Notwithstanding any of the above the Shire may at any time undertake any works on property under its management and control as required.
7. Reinstatement by the Shire of any development undertaken under this policy will be at the Shire's entire discretion

EXPLANATORY NOTES:

Authorisation for significant works such as the development of parking associated with a private development or the construction of other significant infrastructure associated with a private development shall be referred to the Shire for determination.

APPLICATION/S:

This Policy applies to all Shire managed property within the Shire.

RISKS:

Risk: Inability to deliver levels of service expected by the community.

Control: Current budget and service levels.

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Controls: Review policies and procedures (eg building, planning, health, childcare) in accordance with review schedule.