



DOCUMENT TYPE	Policy
TITLE	PRIVATE WORKS AND DEVELOPMENTS ON ROAD VERGES AND SHIRE MANAGED LAND
NUMBER:	POL-4002

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

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. Planting and maintaining grass, crushed rock etc. including installation of a water reticulation system for the maintenance of grass.
 - 1.1. 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.
 - 1.2. 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.
 - 1.3. The maintenance of a road verge excluding the use of heavy machinery and tractor mounted equipment.
 - 1.4. Minor works which do not cause significant distraction, interference or obstruction to the normal use of a road by any road user may be approved under Delegated authority.
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

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

RISK

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.

DOCUMENT AND VERSION CONTROL

Responsible Directorate	Infrastructure		
Responsible Officer	Manager Assets and Engineering		
Statutory References	<i>Local Government Act 1995, Section 3.1, Section 3.53 and Section 3.54</i>		
Related Documents	POL-4001 Private Works POL-4003 Cattle Grids POL-4004 Vehicle Cross Over Subsidy EFT-4014 Crossover Application EFT-4015 Crossover Subsidy Application EFT-4012 Permit to Undertake Works on Public Land Request - Authority		
Amendment History (Adoption and last 3 amendments)			
Version	Date Issued - Resolution Number	Item #	Description of Change
1.0	16/12/2014 – 10705		Council Adoption
3.0	20/12/2016 - 11575		Review Adopted by Council
4.0	27/10/2020 – 118327		Review Adopted by Council
4.1	22/11/2023 – CEO58	--	Reference Updates as per POL-1014 Policy Management (previously CP-OPS-3650)
Date of Next Review	October 2023		