



# AUTHORISATION TO ALTER A PUBLIC ROAD

Form No:	WKS007.2
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Last Updated:	17 <sup>th</sup> March 2017
Form Ownership:	Administration Officer - Works
Relevant Policy/Act:	Local Government Act 1999

## PURSUANT TO SECTION 221 OF THE LOCAL GOVERNMENT ACT 1999

I/We \_\_\_\_\_  
(the "Applicant")

of \_\_\_\_\_  
(Address)

hereby apply to District Council of Grant for an Authorisation to alter the road at

\_\_\_\_\_  
(exact location of proposed alteration)

pursuant to Section 221 of the Local Government Act 1999.

**Note 1:** The Act provides that a road extends from property boundary to property boundary and includes the carriageway, footpaths and verges.

**Note 2:** The following are considered road altering activities pursuant to the Act where it is an offence to undertake them without an Authorisation from the Council.

**The Nature of the Proposed Alteration is:** *(Tick whichever is/are applicable)*

- Alter the construction or arrangement of the road to facilitate access to/from property;
- Erect or install a structure (including pipes, wires, cables, fixtures, fittings or other objects) in, on, across, under or over the road;
- Change or interfere with the construction, arrangement or materials of the road;
- Change, interfere with or remove a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the road;
- Plant, interfere with or remove a tree or vegetation from the road.

**Details and Specifications for the Proposed Alteration are:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

*(Specify any structures or objects including details of location, extent of alteration, materials proposed. Attach plan, diagram)*

**Term of Authorisation:** *(maximum 42 years)*

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ to \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

**Development Application:**

Does the application relate to a Development Application?  Yes  No

If yes, please provide Development Application Number: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

**The issuing of this Authorisation is subject to:**

- A. The Applicant agreeing to the General Conditions of Authorisation as contained herein;
- B. The Applicant agreeing to any/all Special Conditions that the Council may determine and attach to this Authorisation;
- C. The Applicant paying the prescribed fee.



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### General Conditions of Authorisation:

The Applicant further agrees:

- For the term of the Authorisation, to comply with all applicable industry standards, health or safety standards, current standards of Standards Australia or any applicable Code of Practice.
- 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.
- To ensure that any alteration to the road does not interfere with or cause damage to or in any way affect the property of any other person.
- To comply with any direction given by any authority, statutory authority or Council to remove, maintain or otherwise modify the alteration to the road subject to this Authorisation.
- 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.
- For the term of the Authorisation, to maintain all fixtures and equipment erected or installed, or vegetation planted, in good condition and to recognised standards.
- To indemnify the Council, its servants and/or agents against all actions, costs, claims and demands for injury, loss or damage arising out of or in relation to the alteration to the road, the granting of this Authorisation and the general and special conditions contained herein and such indemnity shall be in addition to any statutory immunity in favour of the Council.
- For the term of the Authorisation, to take out and keep current a public liability policy of insurance to an appropriate level of cover per claim in respect of the alteration to the road or any activity arising out of or from the granting of this Authorisation by the Council.
- At the expiration or earlier termination of this Authorisation 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.
- This Authorisation does not confer on the Applicant any exclusive right, entitlement or interest in the road and does not derogate from the Council's powers arising under the Local Government Act, 1999.

### Special Conditions of Authorisation:

The Applicant further agrees to abide by Council Policy – Electric Wires and Pipes Under Roads:

- The wire or pipe to be a minimum of 600mm deep, from fence to fence
- Road to be reinstated to its original condition at the applicants expense
- Appropriate traffic control measures at the time of installation in accordance with Australian Standards
- An on site inspection with the Works Manager or Project Manager prior to commencement of work
- When Council is working in the area, all care will be taken but no responsibility or liability for damage will be accepted by Council
- The Applicant is responsible for the location and protection of all services (Telstra, SA Water, Gas etc)

**In making this application, I/we acknowledge that I/we have read, understand and agree to be bound by the Conditions of the Authorisation and declare that the particulars provided by me/us with regard to the Proposed Alteration are true and accurate.**

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Signed by Applicant/s \_\_\_\_\_

### OFFICE USE ONLY

Authorisation: Approved / Denied

Council Specification for Alteration to Road Attached: YES / NO

Special Conditions Attached: YES / NO

Name of Authorised Officer of Council: \_\_\_\_\_ Position: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Fee: \_\_\_\_\_