



# City of Port Lincoln

Template No 14-71-T2

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File: 14.71.3.4

## AUTHORISATION TO ALTER A PUBLIC ROAD SECTION 221 OF THE LOCAL GOVERNMENT ACT 1999

I/We..... Phone .....  
(the "Applicant")

of address .....

hereby apply to **THE CITY OF PORT LINCOLN**  
for an authorisation to alter the public road at: .....

Pursuant to section 221 of the Local Government Act 1999.

Section 221(2) is that a person makes an alteration to a public road if the person: *(tick as applicable)*

- 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 or 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; or
- plants a tree or other vegetation on the road, interferes with vegetation on the road, or removes vegetation from the road.

Details and specifications for the proposed alteration are: .....

.....

(Specify any structure or objects including details of location, extent of alteration, materials proposed.  
Attach plan, diagram – Refer Appendix A)

**Note 1:** A public road includes the carriageway, footpaths and verges.

**Note 2:** Encroachments generally involve building work, which constitutes 'development' under the Development Act 1993. As a result, a proposed encroachment will generally require both an Encroachment Permit (under the Local Government Act 1999) and a Development Approval (under the Development Act 1993) before construction can commence.

**Note 3:** If the Applicant proposes to use a public road for a business purpose, in addition to a section 221 authorisation, the Applicant will also require a permit under section 222 of the Act.

### THE AUTHORISATION IS NOT EFFECTIVE PENDING:

- a. The Applicant agreeing to the **General Conditions** as contained herein;
- b. The Applicant agreeing to any/all **Special Conditions** that the Council may determine and attach to the Authorisation and completion of **Annexure A** (as necessary/if applicable).
- c. The Applicant paying the prescribed fee.
- d. A copy of this document signed for the Council has been returned to the Applicant.

- e. The Applicant providing to the Council evidence of all insurances as required by the General Conditions and/or the Special Conditions.
- f. If, in addition to the Authorisation, the Applicant requires a permit to use a public road for a business purpose under section 222 of the Act, the Council issuing and the Applicant agreeing to the conditions of such permit.

**GENERAL CONDITIONS OF AUTHORISATION**

- 1. 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.
- 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 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 authority, statutory authority or Council to remove, maintain or otherwise modify the alteration to the road under this Authorisation.
- 5. That all fixtures and equipment erected or installed in, on, across, under or over the road under the Authorisation remain the property of the Applicant pursuant to section 209 of the Local Government Act, 1999.
- 6. For the term of the Authorisation, to maintain all fixtures and equipment erected or installed, or vegetation planted, in good and safe condition and to recognised standards.
- 7. To indemnify the Council, its employees 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 any activities under the Authorisation or arising out of breach of any condition attaching to the Authorisation.
- 8. 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 any negligent act or omission of the Applicant in relation to any activities under the Authorisation.
- 9. To not assign or otherwise transfer this Authorisation without first obtaining the consent of the Council in writing.
- 10. Subject to section 225 of the Act, the Council may cancel the Authorisation for breach of a condition.
- 11. 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 under the Authorisation and to reinstate the road to the satisfaction of the Council.
- 12. 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.

In making this application, I/we agree to be bound to the conditions of the Authorisation and declare that the particulars provided by me/us with regard to the proposed alteration are true and accurate

NAME: .....

SIGNATURE: .....

DATED: .....

EMAIL: .....



**ANNEXURE A**  
**WORKS PERMIT APPLICATION DETAIL**  
**FOR SECTION 221 PERMIT**  
**AUTHORISATION TO ALTER A PUBLIC ROAD**

Welcome to your Permit Application for undertaking work on Council land. Any work that is required to be carried out on Council's land requires separate approval before work can commence.

Careful consideration needs to be taken into account when planning the location of your proposed works. As the applicant it is your responsibility to ensure that there are no public utility infrastructure such as underground cables, pipes etc. in the vicinity of the work. This can be obtained by calling **DBYD** (Dial before You Dig) on 1100 or by making an online enquiry at [www.smarterwx.1100.com.au](http://www.smarterwx.1100.com.au).

- \* Please provide a summary report of any infrastructure identified which impacts the work site.
- Approval needs to be obtained for any work that is outside your property boundary, which may include Driveway Construction, Concrete/Paved Walkway, and Private Storm Water Outlet, Underground Electrical Services, Landscaping on Verge, Removal of Vegetation and other miscellaneous work.
- Please ensure that you read and understand all conditions attached to your permit prior to commencing work.

- \* Please provide copy of a Certificate of Currency to confirm Public Liability

Should have any questions in regards to your application please contact the Council's Civil Operations Department on (08) 8621 2300 or email [plcc@plcc.sa.gov.au](mailto:plcc@plcc.sa.gov.au)

**SECTION 1: Proposed Work**

- Driveway Crossover/Construction**  
 (Refer Section 5A Permit Conditions & Page 9)

Repair/Reinstate or widen an existing driveway  
 Install new Concrete Crossover & Driveway

- Underground Services - Private Storm Water Outlet**  
 (Refer Section 5B Permit Conditions)

Repair existing storm water outlet  
 Install additional storm water outlet

- Underground Services – Electrical Installation**  
 (Refer Section 5B Permit Conditions)

Installation of electrical services to property

- Temporary Occupation of Council Land**  
 (Refer Section 5E Permit Conditions)

Temporary fence on Council Land  
 Temporary Scaffolding on Council Land

- Landscaping on Verges**  
 (Refer Section 5C Permit Conditions)

Tree Planting/Shrubs/Grass  
 Refer to Council's Street Tree Policy No. 14.63.6

- Removal of Vegetation**  
 (Refer Section 5D Permit Conditions)

Refer to Council's Street Tree Policy No. 14.63.6

- Various Concrete Construction**  
 Pave/Concrete Walkway/Footpath  
 Concrete between footpath & boundary

- Miscellaneous/Other** (Specify below)

**SECTION 2: Details of Work** (General outline of work, materials/equipment used, etc.)

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**SECTION 3: Location of Proposed Works:**

House No: \_\_\_\_\_ Street: \_\_\_\_\_

Section/Lot No.: \_\_\_\_\_ Certificate of Title: \_\_\_\_\_

These works will be undertaken by:  Permit Holder  Contractor (if known)

**Contractors Details:** (if known)

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Licence Number: \_\_\_\_\_

**SECTION 4: Drawing/Plans**

(Can be attached on a separate piece of paper if required)

As part of your application, you are required to provide plans and other documents which may be of relevance. Please use the space below to draw a detailed plan of your proposed work.

Please provide GPS coordinates measurements and accurate distances and clearly label your drawing.

**Location :**

**North**



*\*Remember to include boundaries of the site, position of building, trees and any existing paving and other major structures*

## PERMIT CONDITIONS

Refer Link to Council's [Civil Works Policy 14.63.11](#)

### SECTION 5A – DRIVEWAY CROSSOVER/CONSTRUCTION

Refer Page 9 for specification details

#### General

1. That the construction is carried out in accordance with the specifications attached hereto.
2. Authority for any variations from the specifications will be recognised only when given in writing by the Council's Engineer or appropriate authorized officer.
3. A concrete driveway is required to be placed with all new concrete inverts.

#### Construction

4. The excavation should not be done more than 48 hours prior to placing the driveway.

#### Unsatisfactory Work

5. The Council may require the applicant at the applicant's cost to repair or remove a crossing place which does not comply with the specifications.

#### Damages

6. If required, separate applications for storm water disposal shall be submitted by the applicant prior to construction.
7. Where a roadside drainage system exists, the applicant shall maintain at all times a suitable drainage system during and after construction.

#### Restoration

8. It is the applicant's responsibility to ensure that the footpath is made safe upon completion of the driveway. Existing concrete or bitumen footpaths must be reinstated to the edge of the crossover. A flat transition is to be maintained between the existing footpath and the new driveway level for pedestrian safety.

#### SA Planning & Design Code

9. Transport, Access & Parking/Vehicle Access

|  |  |
|--|--|
| PO 3.6   | DTS/DPF 3.6  |
| Driveway and access points are separated and minimized in number to optimize the provision of on-street visitor parking (where on-street parking is appropriate) | Driveways and access points: <ol style="list-style-type: none"> <li>a) For sites with frontage to a public road of <b>20m or less</b>, one access point no greater than 3.5m in width is provided</li> <li>b) For sites with a frontage to a public road <b>greater than 20m</b>:                             <ol style="list-style-type: none"> <li>i) A single access point no greater than 6m in width is provided or;</li> <li>ii) Not more than two access points with a width of 3.5m each are provided</li> </ol> </li> </ol> |

## PERMIT CONDITIONS

Refer Link to Council's [Civil Works Policy 14.63.11](#)

### SECTION 5B – UNDERGROUND SERVICES PRIVATE STORMWATER OUTLET/ELECTRICAL INSTALLATION

#### General

1. A sketch must be provided either separately or in the area provided showing the location of the services so that it can be readily relocated at any time.
2. The applicant will be responsible to the relevant authority for depths and widths of trenches and the correct placement of all pipes, cables, conduits, etc.

#### Stormwater Pipes

3. The top pipe must be at least 100mm below the level of the footpath.
4. The pipe must not protrude beyond the face of the kerb.

#### Box Culverts

5. The bottom and sides of the box must be solidly formed or set in concrete.
6. Cover plates must be recessed flush with the footpath and top of the concrete slab and they must be securely fixed down with suitable non-rusting bolts, screws, etc.
7. The junction of concrete drain with the concrete kerb must be neatly formed.
8. The end of the cover plates must not protrude beyond the face of the kerb.

#### Maintenance

9. The owner or occupier of the premises will remain responsible for the maintenance of the services, and shall maintain same in a safe condition at all times.

#### Damages

10. 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.
11. Damages to services, (both Council and the Public Utilities), incurred during or as a result of works shall be the responsibility of the applicant.

#### Laying Electrical Cables

12. Electrical Contractors are to comply with Australian Standard: AS/NZS 3000:2007 for the purposes of laying cables in Council's footpaths and road reserves as per Council's Civil Works Policy No. 14.63.11.

## PERMIT CONDITIONS

Refer Link to Council's [Civil Works Policy 14.63.11](#)

### SECTION 5C – LANDSCAPING ON VERGES

1. The applicant/contractor shall take into account all relevant information under the Native Vegetation Act and the City of Port Lincoln's Tree Policy No. 14.63.6 (where applicable).
2. The tree is to be \_\_\_\_\_ (Type of tree)
3. The tree is to be planted \_\_\_\_\_ from the kerb
4. The tree is to be planted approximately in the centre of the frontage, depending on items as listed under (6) below.
5. Only one tree is to be planted unless permission is obtained from the Parks and Gardens Supervisor.
6. Trees must not be planted closer than:-
  - 2.5 metres from any access driveway
  - 2 metres from any stobie pole or other permanent structure
  - 1 metre from allotment dividing boundaries
  - 10 metres from an intersection when the width from boundary to kerb is less than 4.5 metres
  - 11 metres from an intersection when the width from boundary to kerb is between 4.5 and 5.5 metres
  - 12 metres from an intersection when the width from boundary to kerb is more than 5.5 metres
  - 10 metres (on approach side) from any street sign, parking sign or warning sign
  - 1 metre from any water connection
  - 2 metres from any sewer connection

### SECTION 5D – REMOVAL OF VEGETATION

1. The applicant/contractor shall take into account all relevant information under the Native Vegetation Act and the City of Port Lincoln's Tree Policy No. 14.63.6 (where applicable).
2. Removal and disturbance of native vegetation and trees is to be avoided wherever possible. However, where there are situations where it is not possible to avoid native vegetation and trees within the road verge the applicant must obtain approval.
3. In certain circumstances the Native Vegetation Branch and Council will be consulted.
4. Reference should be made to the City of Port Lincoln's Tree Policy which is available from the Community Infrastructure Department or Council's website [www.portlincoln.sa.gov.au](http://www.portlincoln.sa.gov.au).

## PERMIT CONDITIONS

Refer Link to Council's [Civil Works Policy 14.63.11](#)

### SECTION 5E – TEMPORARY OCCUPATION OF COUNCIL LAND INSTALLATION OF TEMPORARY SCAFFOLDING/FENCING ON A PUBLIC FOOTPATH

1. Maintain public access and circulation, the structures must be located entirely within the alignments of the authorisation holder's premises and not encroach across the frontage of adjacent properties and allow a minimum of at least 1.8 metres of footpath to be kept clear for pedestrians at all times.
2. Ensure structures will not pose a hazard or obstruction to the users of the footpath. On all side exposed to the public, structure will be free of projections of any kind including shakes and slivers of timber, nails, sharp edges and corners of metal sheets.
3. The footpath adjacent to the structure will be kept clear of paint, equipment, materials, debris and rubbish at all times.
4. Will erect warning signs and install appropriate warning devices as warranted by the structure
5. The holder of an authorisation will take reasonable precautions to avoid damage to the footpath and any Council owned property located within or adjacent to the footpath.
6. The authorisation holder will immediately notify Council of damage that does occur to the footpath and any Council owned property located within or adjacent to the footpath.
7. Where damage is caused to the footpath and reinstatement work is necessary, Council will carry out the reinstatement work at the authorisation holder's expense.
8. Any damage whether unintentionally or negligently resulting from the holding of an authorisation erecting temporary scaffolding or fencing on a footpath will be recovered under provisions of Section 233 of the Local Government Act 1999.



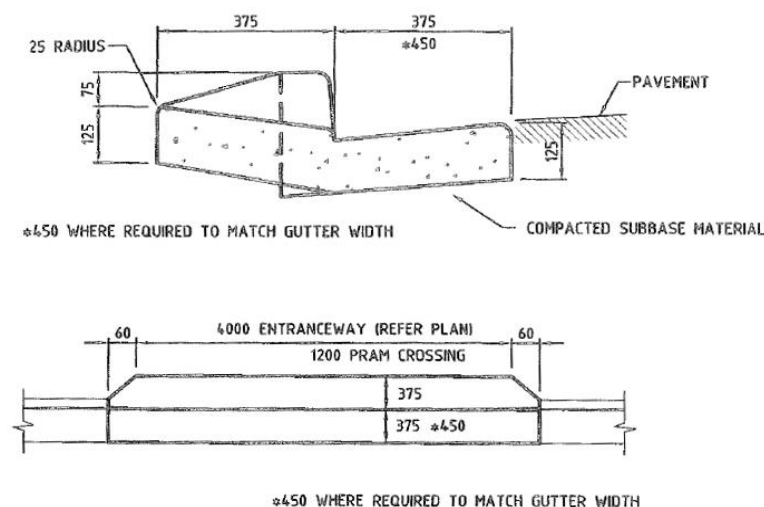
## DRIVEWAY CROSSOVER (New or Additional)

**Development No. 931/D...../.....** (if applicable)

Name of Applicant:.....No. of Driveways:.....

Property Address:.....

1. The cost to install a driveway access is the responsibility of the Owner of the Property/Developer (Refer Policy No.: 14.63.11)
2. The applicant or owner shall, at their expense and at the time a residential dwelling is proposed to be constructed, provide a safe and convenient access to the Satisfaction of the Council from the allotment(s) boundary to the carriageway of any existing road and in accordance with Council's Policy 14.63.11, Section 4, Development Driveway Access Item 4.1 Planning Conditions. Prior to any works being undertaken, a Section 221 Authorisation to Alter a Public Road Application (14-71-T2) must be submitted and approved by Council.
3. The location of the proposed driveway crossover/s will be subject to a site inspection and subsequent approval by Council prior to construction.
4. The kerb is to be marked where driveway crossover/s are intended to be located prior to the site inspection.
5. Refer SA Planning & Design Code (Item 9 – Page 5 of the Section 221 Application)
6. Specification for driveway invert (upright kerb profile)



**PLAN**  
(STANDARD KERB & GUTTER ONLY)  
N.T.S.