

Ref:

Dear Sir/Madam

### **Asset Protection -**

Your property has been identified as requiring an Asset Protection Permit for proposed building/demolition works at the above address.

#### **Why is an Asset Protection Permit required?**

The permit is required to monitor potential damage to Council property and to maintain public amenity and safety throughout the duration of the building works. The permit assists us to maintain public safety and enables the reinstatement of damaged public assets such as footpaths, vehicle crossings, road pavement, kerb and channel, poles, signs, street vegetation and trees, nature strip, reserves and stormwater pits.

Through this permit, we also address trip hazards, environmental hazards, mud on footpaths, roads and any dangers associated with the placement of equipment and materials on Council land.

#### **Before You Start Work**

Any work, including demolitions, that requires a Building Permit under the *Building Act 1993*, requires an Asset Protection Permit prior to commencing work.

Council undertakes regular inspections of assets throughout the course of the building works. It is in your interests to undertake your own inspection.

#### **How to Obtain a Permit?**

An application form is enclosed with this letter. The application can be submitted by the property owner or contractor. The **applicant** on the form will be the person responsible for any damage, amenity, safety or environmental issues and reinstatement work.

Please complete the application and email it to [manningham@manningham.vic.gov.au](mailto:manningham@manningham.vic.gov.au)  
You may also post or deliver in person at Manningham Council, 699 Doncaster Road, Doncaster Vic 3108.



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ABN 61 498 471 081 [www.manningham.vic.gov.au](http://www.manningham.vic.gov.au)

Following a site inspection, bond assessment and receipt of the application, invoices for the permit and security bond will be issued to the applicant within ten business days.

A permit fee of **\$425** and security bond is payable prior to issuing the permit if the development has an identified value of work less than or equal to \$1M.

A permit fee of **\$600 - \$20,000** and a security bond are payable prior to issuing the permit if the development has an identified value of work greater than \$1M, depending on the scope and value of the development. The permit fee will be determined upon application by the coordinator.

Please note the Asset Protection Permit will only be issued upon payment of both invoices.

The security bond is refundable on completion of the building works provided that no damage has been caused to Council assets or damage has been reinstated to Council standards. The bond amount will range between **\$1,000 and \$20,000** depending on the nature and extent of the proposed works. Commercial developments or works that pose a higher risk of damage to Council assets may incur a bond of more than **\$20,000**. Similarly, the security bond for areas with minimal Council assets will be assessed at a lower amount.

The security bond is held by Council for the purposes of covering the costs of responding to complaints, attending and maintaining assets where breaches of the permit are identified. If the cost exceeds the amount of the bond Council will require reimbursement and additionally a top-up bond for the duration of the building works.

Damage to Council assets by Service Authorities will be the applicants' responsibility to remedy with the appropriate authority prior to a security bond refund.

#### **Further Information**

If you have any further questions, please do not hesitate to contact Council's Asset Protection Team on 9846 0500.

Yours sincerely



Colin McLeod

**Senior Infrastructure and Projects Engineer**

# APPLICATION: ASSET PROTECTION PERMIT

Made under parts 5 and 7 of Manningham Community Local Law 2023



**All Details on this Application are Mandatory**

Address of Building Site		City Infrastructure – 2023/2024	
Street Address:			
Suburb:		Postcode:	

Applicant Information	
The applicant is responsible for payment of the permit fee and security bond and becomes the permit holder.	
The applicant is responsible for the protection of Council assets abutting the building site.	
All correspondence will be emailed to the applicant's email address.	

Applicant Details			
Is the Applicant the:	<input type="checkbox"/> Property Owner	<input type="checkbox"/> Builder / Contractor / Developer	<input type="checkbox"/> Demolition Contractor
Business / Company Name (If Applicable):			
If Business / Company - Provide ABN / ACN:			
Applicant's Name (If Applicable):		Mobile:	
Postal Address:			
Suburb:		Postcode:	
Email:			
24-Hour Emergency Contact Name & Number:			

Building Details					
Demolition <u>Only</u>	<input type="checkbox"/>	Demolition & New Dwelling	<input type="checkbox"/>	New Dwelling <u>Only</u>	<input type="checkbox"/>
Demolition & Unit Development	<input type="checkbox"/>	<b>Number of Units</b>	<input type="checkbox"/>	Unit Development <u>Only</u>	<input type="checkbox"/>
Commercial Development	<input type="checkbox"/>	Additions To Existing Dwelling	<input type="checkbox"/>	Pool	<input type="checkbox"/>
Other Please Specify:	<input type="checkbox"/>				

Expected Start Date of Work:	
Expected Completion Date of Work:	
Value of Work:	
Applicant's Signature:	Date:

**Please do not send payment with this application form.  
Invoices for the permit fee and security bond will be emailed.**

Office Use Only – Application No:

# STANDARD PERMIT CONDITIONS



Any person, including the Permit Holder, contractors engaged by the Permit Holder (including sub-contractors), and/or the permit holder's representative, must comply with the following permit conditions, failing which enforcement action may be taken by Council:

1. No damage to be caused to any Council asset, including footpaths, crossovers, roads, trees, stormwater drains, or systems as a result of the building works being carried out on the building site.
2. If a Council asset is damaged, the Permit Holder must promptly report the matter to Council.
3. Building work, refuse and materials must be contained entirely within the building site.
4. An enclosed receptacle must be provided within the building site to contain litter.
5. The building site must be readily identifiable through street numbering or other means.
6. The Permit Holder must ensure that Council is provided with a current emergency 24-hour contact number.
7. A builder's portable toilet must be provided on demolition and new building sites.
8. Temporary fencing of a height not less than two metres must be erected around all demolition and new construction sites. All fence panels including footings must be kept within the building site and secured and braced to prevent falling onto Council land.
9. Building works must not create any pedestrian or vehicular obstruction, be unsafe or create any detriment to visual amenity.
10. The point of entry to the building site may be by way of a temporary vehicle crossing, provided that the temporary vehicle crossing is maintained in a manner that provides safe footpath access for pedestrians.
11. If a temporary vehicle crossing is installed:
  - a) Class 1 footpath signage is required to be displayed stating "Pedestrians Watch Your Step" on both sides of the temporary vehicle crossing and
  - b) the crossing must be regularly checked by the onsite building supervisor and repaired promptly to prevent hazards.
12. No soil, earth, clay, or debris is to be deposited on the road reserve, which includes the road, footpaths, nature strip, vehicle crossing, kerb and channel during the carrying out of the building work on the building site.
13. Any water discharged from the building site must not be fouled.
14. No part of the road, including the road reserve is to be occupied as a result of the building works, without obtaining a Hoarding Permit from Council.
15. A Vehicle Crossing Permit must be obtained from Council prior to undertaking any concreting works to Council assets, including footpaths in or around a vehicle crossing.
16. No access to or crossing of Council parks, reserves or tree reserves is to occur without first obtaining an Access Across Reserves Permit.
17. The permit holder must notify Council when the final certificate has been issued by the relevant building surveyor.
18. The following provisions of Manningham's Community Law 2023 must be observed.

## Part 5 – Council Assets and Drains

### Division 1 – Council Land and Roads

#### 50. Interference with Council Land and Council Assets

50.1 A person other than a utility, must not, without a permit, on Council land or to a Council asset:

- (a) carry out any works;
- (b) place, authorise the placement of or use any building materials;
- (c) place, authorise the placement of or use a mobile crane;
- (d) remove, damage, destroy, interfere, alter or tap into a Council asset;
- (e) occupy that land; or
- (f) cause, allow or place an obstruction or encroachment.

50.2 The Council may require that a person who undertakes works on a road or Council land pay a bond which must be proportionate to the potential cost of repairing any damage to the road or Council land.

50.3 The bond may be held for the duration of the works plus a maintenance period of twelve months and must be refunded at the end of this period or applied by the Council to offset the cost of repairing any damage.

#### 51. Spoil on the Roads

A person must not drive or cause to be driven, a vehicle from land onto a road:

- (a) Unless the wheels of that vehicle are clean; and
- (b) Carrying any soil, earth, clay or debris in such a manner that it is, or is likely to be, deposited onto the road.

#### 52. Vehicle Crossings

An Authorised Officer may require an owner of land to:

- (a) construct;
- (b) repair;
- (c) reinstate;
- (d) remove; or
- (e) maintain;

either a temporary or permanent vehicle crossing.

**53. Vegetation Damage**

An owner or occupier of land must not allow vegetation on that land to cause damage to or interfere with Council land or Council assets.

**Division 2 – Asset Protection**

**54. Asset Protection Permit**

Prior to the commencement of building work on land, the person in charge of that building work must apply to Council and obtain an Asset Protection Permit.

**55. Control of Building Sites**

55.1 A person in charge of a building site or works site for which a building permit has been issued must comply with the Council's Building and Works Code of Practice being a document incorporated by reference into this Local Law.

55.2 A person in charge of a building site or a works site on land for which a building permit or works permit has been issued, must obtain an Asset Protection Permit prior to the commencement of work on the building site or works site.

55.3 The requirements of this clause do not apply where minor building work is being undertaken.

55.4 Council may issue an Out of Hours Permit to vary work times where Council deems it appropriate to do so.

**Division 3 – Drains**

**56. Drains on Private Land**

56.1 An owner of land must not allow a privately owned drain on that land to be in a condition which is:

- (a) dangerous to health or safety;
- (b) unsightly;
- (c) causing a nuisance; or
- (d) Impacted by vegetation.

56.2 An owner of land must ensure that the land:

- (a) is drained to the satisfaction of an Authorised Officer;
- (b) does not contain equipment which discharges water onto a footpath; and
- (c) a body of water that compromises health and safety.

- 56.3 An owner or occupier of land which contains a drain required to be maintained by Council, must notify Council as soon as practicable if the drain becomes blocked or is not operatively effectively.

### 57. Drainage Easement

A person must not, on land affected by a drainage easement:

- (a) blocked or interfere with the easement;
- (b) prevent access to the easement; or
- (c) carry out works in the easement.

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## PRIVACY STATEMENT

Manningham Council is committed to full compliance with its obligations under the *Privacy and Data Protection Act 2014 (Vic.)*. All personal information collected by Council will be used for Council business purposes and kept confidential. It will not be disclosed to third parties unless Council is required to disclose the information under other legislation or disclosure is deemed reasonable under the circumstances. You may access the information you have provided to Council at any time and make corrections if you believe that information is incorrect. To obtain a copy of the Council's Information Privacy Policy please visit Council's website at [www.manningham.vic.gov.au](http://www.manningham.vic.gov.au).

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