Infrastructure Damage & Reinstatement Policy

Strategic Reference	**Supporting Infrastructure** *Priority Area 3 – Assets and Maintenance* Action 4.3.2 – Seek and apply to external funding streams that support and supplement infrastructure renewal and upgrade projects. Action 4.3.3 – Develop and implement an annual maintenance plan for Council's operational activities.
File reference	AR25/21273
Responsibility	Roads & Infrastructure Department
Revision Number	1
Effective date	August 2026
Last revised date	--
Minutes reference	245/26
Next review date	August 2029
Applicable Legislation	Electricity Act 1996 Heritage Places Act 1997 Local Government Act 1999 Planning, Development and Infrastructure Act 2016 Planning, Development and Infrastructure Regulations 2017 Road Traffic Act 1961
Related Policies	Tree Management Policy
Related Documents	Asset Management Strategy 2023 – 2033 Council By-Laws

1. Purpose

The purpose of this policy is to protect Council-owned infrastructure and assets within the public realm, and to ensure that any damage resulting from development or works are rectified at no cost to Council.

This policy establishes clear responsibilities and processes for asset protection, inspection and reinstatement to maintain public safety, amenity and service level. This policy will ensure consistent, fair and enforceable asset management practices.

2. Scope

This policy applies to all works being undertaken on, in, under, or adjacent to Council land. All persons and entities undertaking works include, but are not limited to:

- Contractors and subcontractors
- Developers
- Property and/or business owners
- Utility providers

This includes works associated with:

- Development approvals
- Service installation or maintenance works
- Building and construction activities (commercial or private)
- Events impacting Council land
- Events impacting third party business operations

3. Policy Statement

Council infrastructure is a valuable community asset and must be protected from damage associated with development and other works. Any person(s) undertaking works that may impact the public realm must take all reasonable steps to prevent any damage to Council infrastructure.

Any damage must be reported immediately to Council for direction on reinstatement and rectification of damage at the cost of the responsible party, to Council's satisfaction.

This policy applies to all works that occur within the road reserve or on Council land (including heavy vehicle, machinery or material deliveries that may require access across footpaths, verges or reserves, and where there is potential to impact Council infrastructure).

4. Definitions

For the purposes of this Policy the following definitions apply:

"Council infrastructure" includes kerbs, footpaths, shared paths, verge/nature strips, street trees, stormwater pits/pipes, signage, street furniture, road pavement, culverts and drainage swales.

"Public realm" refers to land accessible to the public and under the care and control of Council, including roads, reserves, open space and civic areas.

"Reinstatement" means restoration of infrastructure to a condition equal to or better than, its original state, in accordance with Council standards.

"Responsible party" means any person, contractor, developer or entity undertaking or commissioning the works (whether approved or requiring approval).

"Road reserve" means land between a property boundary and opposite boundary of the roadway (including verge and footpath).

5. Pre-work Requirements

Prior to commencement of any works in the public realm that may impact the public, Council requires that all responsible parties must first undertake the following:

- Obtain a relevant Council approval and/or permit
- Provide a Certificate of Currency of Public Liability
- Undertake a pre-work assessment of all adjacent infrastructure, including photo evidence (which must be provided to Council prior to works commencing)
- Submit any traffic management plans and site access plans to Council for approval, where applicable
- Development approvals and building consents (all approvals will include standard conditions referencing this Policy and any site-specific protection requirements)

Engaging a private certifier does not remove the owner's responsibility to comply with Council requirements for the protection and repair of Council infrastructure.

During works, the responsible party must take all reasonable steps to protect Council infrastructure from damage by:

- Installing temporary protection measures where required
- Maintain safe access for pedestrians, vehicles and emergency services
- Prevent sediment, debris or pollutants from entering stormwater systems
- Comply with all permit conditions and Council directions

6. Reinstatement Standards

Where damage to Council infrastructure occurs, the responsible party must, at their own cost:

- Repair or reinstate all affected infrastructure to the satisfaction of Council
- Complete all reinstatement works within a timeframe specified by Council
- Arrange for all required inspections, approvals and sign-off prior to completion

All reinstatement works must:

- Restore the asset to a condition equal to, or better than, its original state
- Maintain the structural integrity, function and service life of the asset
- Ensure consistency with surrounding infrastructure, including alignment, levels and finish
- Not create ongoing maintenance issues or safety risks

Reinstatement must:

- Use materials that match or exceed the quality and specification of the original asset
- Be undertaken in accordance with relevant Australian Standards and Council specifications
- Be completed by suitably qualified and experienced contractors
- Incorporate appropriate compaction, curing and installation practices

Council reserves the right to reject works that do not meet required standards.

Council may require full replacement (rather than partial repair) where necessary to ensure asset integrity and uniformity. This may include:

- Replacement of full concrete slabs or path sections (rather than patch repairs)
- Reconstruction of full kerb and gutter sections
- Resurfacing of entire pavement sections affected by works
- Replacement damaged street trees (including associated irrigation systems)

7. Inspections and Sign-off

Council officers will undertake inspections prior to, during and after works as required, subject to the following:

- Post-work inspections will be undertaken by Council within five (5) business days of notification of completion
- Assessment of infrastructure conditions by Council against pre-condition records
- Enactment of a defects liability period of six (6) months from completion (any defects identified during this period must be rectified by the responsible party)
- Council undertaking works and recovering costs if defects are not addressed

8. Enforcement and Cost Recovery

Where reinstatement is deemed unsatisfactory:

- Council may require further works to be undertaken
- The responsible party must rectify defects within a specified timeframe
- Failure to comply may result in Council undertaking the works and recovering all costs

If reinstatement has not occurred within the nominated timeframe, Council will take appropriate action.

Council may take enforcement action where non-compliance occurs. Directions may be issued under the Planning, Development and Infrastructure Act 2016 or Local Government Act 1999 for action to be taken that requires protection, reinstatement or removal of unsafe works.

Persistent non-compliance may result in infringements and legal action under relevant Acts and By-laws. Council reserves the right to pursue damages.

9. Records and Evidence

Condition reports, photographic evidence, inspection records, general correspondence and copies of invoices will be stored in Council's electronic document records management system in accordance with legislative requirements.

10. Availability/Accessibility

This Policy is available for inspection at Council's offices during normal business hours and Council's website and will be emailed to interested parties on request (please lodge request in writing via email to council@coorong.sa.gov.au).

11. Document History

This Policy will be reviewed at least every three (3) years or more frequently if legislation or Council requires.

Version	Adopted	Minute No	Description of change(s)
1	18 August 2026	245/26	New policy