

Councillor Abrahamzadeh - QoN - Tower Crane Air Rights

Tuesday, 24 February 2026
Council

Council Member
Councillor Arman Abrahamzadeh

Public

Contact Officer:
Jo Podoliak, Director City
Community

QUESTION ON NOTICE

Councillor Arman Abrahamzadeh will ask the following Question on Notice:

'Is there a regulatory or policy framework that governs air rights for installing and operating a tower crane on a construction site, taking into consideration the neighbouring property owners' rights, and if so, what (if any) is the role of councils?'

REPLY

1. The following information is general advice relating to the operation of cranes for construction purposes, focusing on Council's role. Administration advises anyone involved with, or concerned about, a specific use of cranes in the private realm to seek independent advice.
2. Installing, operating or dismantling a tower crane that impacts public land is regulated under the *Local Government Act 1999* (SA) and the *Road Traffic Act 1961* (SA). In these circumstances, Council may issue permits and impose conditions relating to public safety, traffic management, site access, insurance, and indemnities. Council's regulatory authority in this context is confined to public land and the protection of the public realm.
3. Further information is available on Council's website via the 'City Works Guide #5: Cranes and Elevated Work Platforms' ([guidelines-city-works-cranes-elevated-work-platforms.pdf](#))
4. Council does not approve or regulate private 'air rights' over neighbouring land. The use of neighbouring private airspace is typically addressed through private agreements between a developer and affected landowner(s).
5. If a construction site seeks to operate a crane over privately owned land, it is their responsibility to ensure appropriate approvals and mechanisms are in place to conduct this safely. Any disputes between private parties about the operation of a crane on private land is a civil matter, typically governed by established common law property principles, which Council would not be involved in.

Staff time in receiving and preparing this reply	To prepare this reply in response to the question on notice took approximately 5.5 hours.
--------------------------------------------------	-------------------------------------------------------------------------------------------

- END OF REPORT -