

Schedule 30 Carrying out works on a road or interfering with a road or its operation

Section 11

1 Prescribed activity

Carrying out works on a road or interfering with a road or its operation (*Local Government Act 2009*, section 75(2)).

2 Activities that do not require approval under the authorising local law

This is not a prescribed activity that a local government can make exemptions about because the approval is required under the *Local Government Act 2009* (Qld).

3 Documents and materials that must accompany applications for approval

An application for approval must be accompanied by –

- (a) the prescribed fee; and
- (b) evidence of compliance with the standard public liability insurance condition; and
- (c) applicant's details; and
- (d) full details of the proposed works on the road or interference with its operation; and
- (e) contact details for the site foreman or equivalent; and
- (f) reasons for carrying out the works or interfering with a road; and
- (g) duration of approval sought; and
- (h) building approval (if applicable); and
- (i) location of works or activities interfering with a road; and
- (j) a traffic management plan detailing how vehicular and pedestrian traffic is to be managed for the duration of the works or activity; and
- (k) certificate of currency for a public liability insurance policy consistent with the standard public liability insurance condition; and
- (l) if the applicant proposes to erect or install a structure on, over or under the road – plans and specifications of the structure; and
- (m) details of building or other work to be carried out under the approval; and
- (n) any other documentation or materials requested by the local government in writing.

4 Additional criteria for the granting of approval

The additional criteria for approval are whether –

- (a) the works will not unduly interfere or obstruct pedestrian or vehicular traffic; and
- (b) the application includes adequate measures to minimise the interference with the usual use of the road and protect public health and safety; and
- (c) the works will cause undue nuisance; and
- (d) the works will obstruct a footpath; and
- (e) the works will have an adverse effect on the amenity of the area; and
- (f) the works will have an adverse effect on the existing services located in, on or over a road.

5 Conditions that must be imposed on approvals

For approvals, the conditions that must be imposed on an approval are that the approval holder must –

- (a) comply with the standard public liability insurance condition; and
- (b) if the approval holder or the holder's employee or agent damages the road or any public infrastructure within the road, it must: -
 - (i) take immediate steps to make the area safe and maintain the area in a safe condition until all necessary repairs are effected; and
 - (ii) report damage to the local government; and
 - (iii) provide payment to the local government to have all damage rectified or with the local government's prior approval, carry out repairs at its own expense to the satisfaction of the local government; and
- (c) ensure a copy of the approval remains on site for inspection by an authorised person upon request; and
- (d) ensure any excavation, hole or opening shall be backfilled, consolidated and the surface reinstated to the satisfaction of the local government upon completion of the works, or before the approval expires, which is the sooner; and
- (e) ensure that any subsidence or other damage which occurs within 3 months and is attributable to the work done under the approval, shall be repaired by

- the approval holder or his agent within 7 days of receiving notice to do so from the local government; and
- (f) ensure that if the proposed works are likely to affect local residents or businesses, the following advice must be provided to all affected residents or businesses prior to the commencement of the works—
 - (i) the nature of the work being carried out; and
 - (ii) the duration of the work; and
 - (iii) any proposed closures and detours; and
 - (iv) a contact number for enquiries relative to the work;
 - (g) ensure that if access to any business or residence is prevented or restricted, alternate arrangements must be agreed between the parties; and
 - (h) ensure that all roads and footways must be made safe at the end of each working day to allow the safe movement of vehicular and pedestrian traffic; and
 - (i) ensure the safety of vehicular and pedestrian traffic by providing and maintaining appropriate signage and barrier protection, in accordance with relevant industry standards; and
 - (j) ensure all vehicles and other ancillary plant and/or equipment associated with the approved road works must be parked/ placed so as not to inhibit –
 - (i) the effectiveness of any traffic sign or other traffic control device; or
 - (ii) access the public utilises such as fire hydrants, access chambers, inspection chambers, kerb ramps, pedestrian and bus stops; or
 - (iii) the paths of travel to kerb ramps, pedestrian crossings, bus stops and adjacent parked vehicles.
 - (k) complete the works within the specified period in the approval; and
 - (l) comply with specified safety requirements; and
 - (m) undertake the works or activity on the specified hours and days of operation; and
 - (n) notify the local government of any deviations from the details provided in the approved application; and
 - (o) not interfere with existing services located in, on or over a road; and
 - (p) locate and protect all existing utility services prior to the disturbance of the ground surface (for example, by using “Dial 1100 Before You Dig”); and
 - (q) ensure any damage that occurs to utility services during the work is immediately reported to the relevant utility authority; and
 - (r) remediate any damage to signs, posts, footpath, concrete channelling, roadway and any other local government property; and
 - (s) comply with all lawful directions provided by an authorised person of the local government; and
 - (t) maintain structures erected or installed, or vegetation planted, under the approval in good condition; and

- (u) remove a structure erected or installed under the approval at the end of a stated period; and
- (v) ensure no environmental damage is caused.

6 Conditions that will ordinarily be imposed on approvals

For approvals, the conditions that will ordinarily be imposed on an approval are that the approval holder must deposit with the local government, a monetary security in the sum fixed by the local government, to cover the cost of repairing any damage to public infrastructure resulting from the operation of the approved activity.

7 Term of approval

The term of the approval shall be the term stated in the approval.

8 Term of renewal of approval

The term of a renewal of the approval shall be the term stated in the renewal.