



## ACTIVITY IN ROAD RESERVATION

### APPLICATION FOR WORKS

*Local Government (Highways) Act 1982 – Section 46)*

By-Law No 1 of 2016 – Highway, Public Reserves, Parking & Stormwater By-Law

#### **Applicant(s) Details:**

Applicant(s) Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Applicant(s) Postal Address: \_\_\_\_\_

Email of Applicant: \_\_\_\_\_

Name of Contractor: \_\_\_\_\_ Phone: \_\_\_\_\_

Email of Contractor: \_\_\_\_\_

#### **Location and Brief Description of Proposed Works:**

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Proposed Start Date: \_\_\_\_\_

Proposed Completion Date: \_\_\_\_\_

Applicant/Contractor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Sketch proposed work include all dimensions and position in relation to property boundaries and road or attach documents/site plan:

**NO WORK TO COMMENCE UNTIL APPROVAL HAS BEEN ISSUED BY COUNCIL**

## ACTIVITY IN ROAD RESERVATION

### Checklist

The following items are attached

- Payment of Application Fee – Record Receipt Number: \_\_\_\_\_  
(see *Engineering Services Fees on website – Application to Open Road*)
- Copy of Certificate of Insurance  
(*Public Liability to a minimum \$10 million – see Condition 2 below*)
- Copy of “Dial Before you Dig” service locations (*where applicable*)
- Traffic Control plans for each activity proposed (*where applicable*)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

### Conditions of Checklist

1.	Application Fee will be paid to Council upon application. This will be determined by the Assessing Officer.
2.	Anyone undertaking works in a road reservation must supply evidence of current public liability insurance to a minimum value of \$10 million which includes “Principals Indemnity” extension.
3.	Approval will be sought and obtained as may be necessary from telecommunications, water, gas and electrical Authorities to cross any of its services.
4.	<p>A Traffic Control Plan (TCP) to DIER Code will be submitted for approval prior to commencement of works prepared by an accredited person and all Traffic Control activities to be taken out by accredited personnel;</p> <p><b>All relevant signage required on traffic control plan must be in place, prior to work commencement.</b></p> <p>Note:</p> <ul style="list-style-type: none"> <li>• The roadways are to remain open to traffic at all times unless prior approval is given by the Director of Infrastructure and Development Services.</li> <li>• Long term works which will be left overnight will be appropriately barricaded and signposted and addressed in risk assessments.</li> </ul>

Enquiries can be made to Waratah-Wynyard Council on 6443 8333.

## ACTIVITY IN ROAD RESERVATION

### GENERAL REQUIREMENTS

1. Works in relation to Highways are subject to the requirements of the *Local Government (Highways) Act 1982* – section 46; the IPWEA Tasmanian Standard Drawings and Waratah-Wynyard Council By-Law No 1 of 2016 Highways, Public Reserves, Parking and Stormwater By-Law.
2. Council will not be liable for any damages to the resulting assets and associated facilities, when NOT installed in accordance with Council requirements stated below.
3. Council is to be advised 7 days prior to the commencement of the proposed works and within 2 days of the completion of works.
4. Permission to trench across road pavements or other trafficable areas including footpaths and driveways shall only be given where boring is not practical.
5. Unless notified otherwise in writing all underground crossings will cross the road reservation perpendicular to the road alignment and will achieve a minimum depth of cover of 750mm at any point across the road reserve, inclusive of roadside table drains.
6. Should it become necessary to make alterations, extensions or removal of the asset, such cost will be borne by the owner at a time and in a manner directed by the Council, and in a manner acceptable to council.
7. In relation to Development of Nature Strips, if any future works are required on Council assets, reinstatement will be to a grassed surface only and the property owner will be responsible for any landscaping that is required.
8. In relation to Construction of Driveways, if any future works are required on Council assets, reinstatement will be either a paved, concrete or asphalt surface only (or equivalent cost) and the property owner will be responsible for any extra work, if they require more than the basic reinstatement outlined above (such as stamped concrete etc).
9. Inconvenience to traffic will be kept to a minimum, and the permit holder will be held responsible for the safety to traffic. In the event of traffic safety being threatened, the council will undertake emergency work to overcome any hazardous conditions and charge the permit holder for the relevant costs.
10. The final reinstatement will be carried out by the applicant to the satisfaction of Council at the applicant's expense. If this is not carried out to the satisfaction of Council, it will then undertake the reinstatement works and charge the applicant the relevant costs.
11. Permits are valid for a period of 12 months from the date of issue. After that time a new application must be submitted (and fees paid) and approval is then based on the regulations applying at that time. Permits must be kept onsite and be available for inspection at all times whilst the work is being performed.
12. A new permit is required if the scope of work, for which the permit was issued, has altered.
13. The Council must be advised 2 full working days in advance of any inspection of a hold point.
14. Council to be notified of any underground pipe work found that is not shown on Council plans.

## ACTIVITY IN ROAD RESERVATION

### By-Law No 1 of 2016 – Highway, Public Reserves, Parking & Stormwater By-Law

#### Permit to Occupy a Portion of a Highway (Application Under Part 6)

Description:

4. Occupation of a Highway

- (2) A person may apply to the Council at any time under Part 6 of this By-law for a permit to occupy a portion of a highway
- (3) A permit authorising occupation of a highway may include occupation by landscaping or vegetating a nature strip where it is issued to a person who owns or occupies land that is contiguous to the nature strip.

5. Sales on a Highway

A person must not park a vehicle or leave any other article on a highway for the purpose of advertising it for sale except in accordance with a permit to do so.

6. Placing of objects or mixing substances on a highway

- (1) A person must not use any highway for placing or mixing any concrete, cement, cement mortar, lime mortar, tar, soil, sand, stone, firewood, or other material except in accordance with a permit to do so. This clause does not apply to trucks discharging pre-mixed concrete.
- (2) A person must not place any object or fence on any highway for the purposes of preventing or inhibiting parking except in accordance with a permit to do so. This sub-clause does not apply to parking spaces.

7. Dismantling or repair of vehicles

Unless authorised by a permit to do so, a person must not dismantle, paint or repair any vehicle on a highway, unless it is necessary in order to enable the vehicle to be removed from the highway.

8. Parking on a footpath and nature strips

- (1) A person must not park a vehicle wholly or partly on a footpath, kerb, gutter or nature strip except in accordance with a permit to do so.

9. Placing of skip bins on highways

- (1) A person must not place a skip bin on a highway except in accordance with a permit to do so.

10. Dropping materials on highways

A person must not deposit or drop any material or allow any material to flow, fall, be dropped or in any other way be deposited on any highway except in accordance with a permit to do so.

12. Removal of vegetation

A person must not cause or allow to be caused any damage to a footpath, kerb, gutter or nature strip of a highway.

13. Driving vehicle over footpaths, kerbs and gutters

- (2) A person must not drive a vehicle or allow a vehicle to be driven over a footpath, kerb, gutter or nature strip of any highway to or from any land other than over a designated crossing except in accordance with a permit to do so.

14. Signs on a highway or footpath

A person must not place, erect, construct or display or cause to be placed, erected, constructed or displayed a sign on a highway or footpath except in accordance with a permit to do so.

## ACTIVITY IN ROAD RESERVATION

15. Permit for street dining
  - (1) The proprietor or manager of a business may apply to the Council for a permit to provide street dining on a highway.
16. Street dining without a permit
  - (1) A person must not cause or permit any furniture to be placed on a highway for street dining except in accordance with a permit to do so.
17. Conditions for street dining
  - (1) A permit holder must:
    - (a) ensure that the street dining area and the area immediately adjacent to it is clean, tidy and in a sanitary condition at all times;
    - (b) regularly empty waste bins in the area that is subject to the permit;
    - (c) wash the pavement within the area that is subject to the permit every day on which the street dining area is used; and
    - (d) as soon as a table is vacated, clean the table and the area around it.
  - (2) A permit holder must not use street rubbish bins for the disposal of table waste.
  - (3) An applicant for a permit for street dining must have public liability insurance that covers the area designated for street dining before the applicant may be issued with a permit. The insurance cover is to be for a minimum sum of \$10 million and be in a form that is acceptable to Council.
  - (4) A permit holder must produce a Certificate of Currency of the insurance referred to in sub-clause (3) if requested by an authorised officer.
  - (5) The Council may terminate a permit immediately if a permit holder has refused to allow an authorised officer to view a relevant certificate of insurance or if the insurance cover lapses during the term of the permit.