

Requirements, Guidelines and Conditions

Work in a Council Street

The Burnie City Council may grant a permit to allow conduct of work within part of a local road in conjunction with the installation, connection, maintenance or repair of a utility (including water supply, drainage of sewage or storm, electricity or gas supply, or a telecommunication service); the construction of a road or footpath; or the construction or installation of any signage or structure (including a bus or taxi shelter, or support for an overhead awning or veranda).

Any work on a street within the Burnie municipal area must comply with the following requirements in accordance with the *Burnie City Council Highways By-Law No 3 of 2013*.

NB – This document is to be read in conjunction with the General Terms and Conditions.

Permit

- a. A Permit is required to undertake the following work –
 - (i) open or break up the soil or pavement of a local highway;
 - (ii) make a drain leading onto a local highway;
 - (iii) put or place a pipe or make a drain leading into a sewer or drain or other work of the corporation in or under a local highway;
 - (iv) make an excavation, vault or cellar in or under a local highway;
 - (v) install, under a local highway, pipelines, pipe systems or other infrastructure required for the transmission, distribution or supply of natural gas or other gaseous fuels; or
 - (vi) erect a hoarding or scaffolding for building or any other purpose in or on a local highway.
- b. The Council must be satisfied the work is necessary in order to support the use, development or occupation of adjoining land;
- c. The Permit Holder must give the Council at least 14 days notice in writing of its intention to start the work;
- d. The Permit Holder must meet all of the costs of the work, including any costs incurred by the Council by reason of the proposal to carry out the work or the carrying out of the work;

Risk Management

- e. Execution of the work must not create risk of damage to the pavement of the highway or to any utility located within the highway.

Prior to commencement of work the Permit Holder must undertake a “Dial Before You Dig” enquiry in order to establish the nature, location and depth of any underground infrastructure associated with any utility service that may be affected by the work;
- f. Satisfactory measures must be taken to ensure the occupied area presents no risk or hazard to any person in the vicinity.;
- g. The Permit Holder must ensure that unless access to adjoining properties is maintained at all times, not less than 3-days written notice is to be given adjoining owners and occupiers to identify the date, time and duration for which the access is to be closed;
- h. A traffic management plan must accompany the application for a permit and indicate measures to be taken to direct pedestrian and vehicular traffic around the work and to effect the enclosure in a

safe and functional manner; including the provision of adequate lighting, signage, barriers and hoardings.

Traffic management must be undertaken in accordance with AS 1742.3 Manual of Uniform Traffic Control Devices - Part 3 - Traffic Control Devices for Work on Roads and DIER's Traffic Control at Work Sites – Code of Practice.

The Permit Holder is required to liaise with Tasmania Police, Tasmania Fire Service, Tasmania Ambulance Service and the Burnie City Council with regard to any closure of a traffic lane;

Environmental Management

- i. Conduct of the work must not cause or be likely to cause environmental harm or environmental nuisance, and does not constitute a pollutant;
- j. If there is potential for sediment or other waste is to enter the stormwater system, then appropriate measures must be implemented to manage waste discharge. A catchment barrier may be required around the material, and measures installed to prevent or filter stormwater discharging into gullies;

Crossing a Highway

- k. Unless the Council and the Permit Holder jointly make a determination to the contrary, underground crossing within a work zone is permitted if the underground crossing complies with the municipal standards;
- l. Unless the Council and the Permit Holder agree to allow trenching the installer must use trenchless technology in carrying out the work wherever it is reasonably practicable to do so;

Reinstatement and Repair

- m. On completion, the Permit Holder must restore the local highway.

If the Council and the Permit Holder agree before completion that the local highway should be restored to a condition that is better than the condition it was in immediately before the work was carried out and also agree on compensation for such betterment, the local highway must be restored to the condition specified in that agreement.

In any other case, the local highway must be restored to the condition it was in immediately before the work was carried out.

The Permit Holder must ensure that the restoration work, including any associated excavation and backfilling of trenches, complies with the municipal standards;

Notwithstanding the other conditions contained in this clause, the Council may consent to a person other than the Permit Holder carrying out the restoration work.

- n. The Permit Holder must meet the cost of any emergency repairs that need to be made to the local highway by or on behalf of the Council because of a failure by the installer to comply, or comply fully, with the conditions of the Permit.
- o. The Permit Holder must meet the cost of any damage that may be caused to the infrastructure by routine maintenance or rehabilitation work carried out by or on behalf of the Council in the work zone if immediately before the maintenance or rehabilitation work started –
 - (i) the records required to be compiled and kept under the Permit did not indicate the presence of the damaged infrastructure; or
 - (ii) the location and depth of the damaged infrastructure was not accurately shown in those records.
- p. The Council must meet the cost of any damage that may be caused to the infrastructure by routine maintenance or rehabilitation work carried out by or on behalf of the Council in the work zone if immediately before the maintenance or rehabilitation work started –
 - (i) the records required to be compiled and kept under the Permit indicated the presence of the damaged infrastructure; and

- (ii) the location and depth of the damaged infrastructure was accurately shown in those records.

Records and Reporting

- q. The permit holder must advise the Council of the date for commencement of works and must give the Council a progress report on the work as soon as practicable after each 14-day period if the work proceeds beyond that number of days.
- r. Within 14 days after completion, the Permit Holder must give the Council a report stating that –
 - (i) the work has been done; and
 - (ii) all applicable municipal standards have been complied with; and
 - (iii) any standards for the work that were agreed between the Permit Holder and the Council have been complied with.
- s. The Permit Holder must compile and keep accurate records of the work, showing the nature, location and depth of the infrastructure.
- t. The Permit Holder must, on demand, give the Council a free copy of all or any of the records.

Interpretation

In a Permit to Conduct Work in a Council Street, unless the contrary intention appears –

"*completion*", in relation to any work, means the completion of the work;

"*infrastructure*" means any pipelines, pipe systems or other infrastructure required for the transmission, distribution or supply of natural gas or other gaseous fuels;

"*Permit Holder*" means the person installing infrastructure pursuant to permission granted under the Permit;

"*municipal standards*", in relation to any work, means the drawings and specifications that comprise the municipal standards issued and amended from time to time by agreement between the Institute of Public Works Engineering Australia (Tasmania Division) and the Permit Holder;

"*work*" means the installation of infrastructure under a local highway pursuant to permission granted under the Permit;

"*work zone*" means land, within the boundaries of a local highway, that is modified or affected during the installation of infrastructure under that local highway.

Works required in association with an emergency will not require a Permit. The person undertaking the work must immediately advise the Council.

<p>A person seeking to carry out work in a Council street must complete an <i>Application for Conduct of an Activity or Work within a Council Street</i> and obtain a Permit from the Council prior to commencement of work.</p>
