



*Please print clearly, tick appropriate boxes, and complete a diagram*

## WORKS IN PUBLIC ROAD RESERVES APPLICATION FORM

**Property Address of Work:** \_\_\_\_\_

<b>Purpose:</b>	Crane		EWP / Cherry Picker	
	Optical Fibre		Sewerage Connection	
	Water Connection		Filming	
	Electrical Connection		Tree Lopping	
	Crossover Construction		Drainage Connection	
	Other (please specify)	_____		

**Copy of plans attached (where relevant)**

**Dates of Work:** \_\_\_\_\_ **Time of Work:** \_\_\_\_\_

**Name of Contractor:** \_\_\_\_\_

**Contact Telephone Numbers:** \_\_\_\_\_

**Endorsement by Applicant:**

I accept and undertake to comply with the conditions specified on this permit and I undertake to pay, on demand, any sum necessary to make up the full cost of restoration of any damage caused by works.

I agree to inspect the site and report on any existing damage to Council's assets prior to commencing work. Failure to report such damage will make me liable to pay full restoration costs of damage found at the completion of the works.

**Applicant's Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**FOR OFFICE USE ONLY -**

**APPROVAL BY SHIRE OF DERBY / WEST KIMBERLEY (INFRASTRUCTURE):**

\_\_\_\_\_

Signature \_\_\_\_\_ Name \_\_\_\_\_

### The Process in Brief:

- 1) Please complete this application and get it approved by the Shire of Derby/West Kimberley (the Shire) before any work commences in the road reserve.
- 2) Record and photograph any existing damage to public and private property.
- 3) Commence work on the property.
- 4) Complete the work.
- 5) Inspect for damage to public infrastructure and private property. Arrange repair of any damage caused by the work. Contact the Shire for free advice about repair methods and standards.
- 5) Advise the Shire the works are completed.
- 6) The Shire will inspect the area to ensure the work is complete and damage repaired. Any damage that cannot be proved to have existed before work commenced will be deemed to have been caused by the work. The Shire will advise the applicant of any damage that requires repair and will provide a quote to repair it. The balance of any Works Bond, after the cost of repairs has been deducted, will be sent by cheque to the original payee of the bond.

## Standard Conditions for Acceptance by the Applicant / Contractor

1. The standard approved hours of work are from 7am to 5pm, Monday – Saturday
2. The Shire shall be notified 48 hours before work commences.
3. Residents and owners of affected properties shall be notified in writing at least 2 working days before work commences.
4. Traffic Management Plan (TMP).
  - A TMP will be required for all works carried out within a road reserve.
  - A TMP is used to maintain an adequate level of service to road users (including cyclists and pedestrians) and to provide adequate safety for construction workers.
  - Traffic management measures used shall be in accordance with Main Roads WA Traffic Management for Works on Roads Code of Practice, available from the 'Traffic' section of Main Roads WA's website [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au) where you can also find guidelines for preparing a TMP.
  - Shire of Derby/West Kimberley (and Main Roads WA for Loch St/Derby Hwy) approval of the TMP is required before works commences (this approval may take up to 28 days).
  - In general a TMP requires:
    - two way traffic flow shall be maintained at all times;
    - barricades shall be used to provide safe access for pedestrians around the work site;
    - a safe pedestrian path at least 1.2m wide and 0.8m from the kerb shall be maintained;
    - vehicle access to adjacent properties shall be maintained at all times; and
    - Sight distances at intersections shall be maintained and not be impeded by works being carried out or parked vehicles associated with the works.
5. All damage to road, footpath and verge shall be repaired in accordance with the October 2002
  - IPWEA (WA) publication, 'Restoration and Reinstatement Specification for Local Governments in Western Australia'. The publication can be viewed on Main Roads WA's website [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au) The footpath, verge, and road shall be protected from damage by construction equipment and all possible measures shall be taken to ensure the footpath be fully operational after the works.
6. All WorkSafe requirements shall be complied with. A Safe Work Method Statement shall be available on site, if the works involve High Risk Construction Work and involve five (5) or more workers on site. All personnel working within the road reserve shall wear appropriate high visibility shirts / vests at all times on site.
7. The contractor shall hold a current public liability insurance policy to an absolute minimum value of \$10 million.
8. The Shire shall be indemnified against any claim or action arising from the works.
9. Vehicles, construction materials and stockpiling sand is not permitted on the footpath or park areas at any time.
10. The contractor shall apply to the relevant public utilities for approval to alter any utility service that is in conflict with the works. Before excavating all public utilities (Telstra, Horizon Power, and Water Corporation) shall be identified and located.
11. This permit shall be in the possession of the operator at all times during the operation for which the permit is issued, and be made available for inspection by any authorised officer of the Shire of Derby/West Kimberley, Main Roads WA or WA Police, on request.

## More Information:

### DUTY OF CARE

Anyone carrying out work within a public road reserve has a **duty of care** under common law to take all reasonable measures to prevent accident or injury to construction workers and road users. Both Work safe and local governments are obliged and have the authority to stop works and prosecute anyone carrying out works that are not authorised or create a hazard.

### AUTHORISATION

The Shire has authority under the Local Government Act (WA), its Local Laws, Main Roads Act (WA) and Road Traffic Code 2000 (WA) to:

- Authorise all works within the road reserve,
- Stop any works that are deemed unsafe, do not have proper authorisation, or are causing a nuisance.
- Recover the costs for repairing damage to the road reserve from the person responsible for the damage.

### DAMAGE

The Shire is responsible for ensuring that the road, verge and footpath are kept safe for the travelling public. If damage occurs to the Shire's property or infrastructure:

- If the damage is caused by a contractor or personnel under their control, they are legally responsible for making the area safe and repairing the damage promptly.
- If the Shire notices damage, the contractor will be advised and given reasonable opportunity to repair it.
- If the damage is likely to be a hazard to the public, the Shire require that the contractor make the hazard safe by signing and barricading the hazard.
- The cost of all works carried out by the Shire will be recovered from the entity in control of the works being undertaken.

Types of damage caused by building, demolition or development works are (but not limited to):

- Local government infrastructure such as road surface, kerb, drainage, street trees, signage, footpaths, debris, drift sand, building waste.
- Public utility infrastructure such as pit covers, water pipes, electric power cables and gas pipes.
- Private infrastructure such as fences, crossover, landscaping, buildings and vehicles

Please contact the office on (08) 9191 0999 or [sdwk@sdwk.wa.gov.au](mailto:sdwk@sdwk.wa.gov.au) for further information.