WORKS ON OR ABOVE LAND UNDER THE CONTROL OF FRASER COAST REGIONAL COUNCIL

This fact sheet is designed to provide;

- Council's legislative control of land defined as roads under the Local Government Act.
- Principal Contractor's responsibility under the Workplace Health and Safety Regulations 2008.
- Process to follow when undertaking works on land under the control of the Local Government

Legal Control of Roads

The Manual of Uniformed Traffic Control Devices Part 3 Section 1.7 Legal Authority states;

The Transport Operations Road use Management Act provides that Official Traffic Signs shall be installed only by the authority of the Director-General of Main Roads or a Local Government. The Act also provides that any such sign shall be installed in accordance with the methods, standards and procedures prescribed in the Manual of Uniformed Traffic Control Devices, or other duly approved documentation.

Section 901 of the Local Government Act 1993 states - the Local Government has control of all roads in its area.

Control of the roads includes capacity to take all necessary steps for:

1. Survey and resurvey of roads;
2. Construction, maintenance and improvement of roads;
3. Regulation of use of roads;
4. The regulation of movement of traffic and parking vehicles on roads.

Section 283 of the Workplace Health and Safety Regulations 2008 - Risk assessment and control measures for civil construction work and housing construction work:

(1) This section applies to construction work that is—
(a) civil construction work; or
(b) housing construction work.

(2) A principal contractor must, before the construction work starts:

Section 2 e - if the control measure is a closure of the adjoining area — it must be used in compliance with the requirements for a closure under section 291.

Section 291 of the Workplace Health and Safety Regulation 2008 requires a principal contractor to obtain written approval from Council before works start on land under the control of Fraser Coast Regional Council.

If work on a private property requires adjoining land which is under the control of the Fraser Coast Regional Council to be closed; or if the works is on or over land under the control of Council, then **WRITTEN APPROVAL** for the work must be obtained from the Council before works start.

Land under the control of the Fraser Coast Regional Council includes, but is not limited to, all roads, footpaths, nature strips, drainage and open spaces.

Process Required Prior to Commencement of Work

- Council Local laws require that a permit **MUST** be issued to any individual, contractor or company before works start on land under the control of Fraser Coast Regional Council.
- A road/footpath closure or opening application form is to be submitted to Council for assessment. An application fee maybe payable.
- A satisfactory Traffic Management Plan *(vehicles and pedestrians)* including clear Traffic Control Plan/s compiled to suit the actual work site/s is required from the applicant. Council will assess these plans for suitability. Approval of the plan does not absolve the applicant from responsibility for safety at the construction workplace.
- Temporary warning devices shall be provided by the Constructor in accordance with Main Roads current edition of the Manual of Uniform Traffic Control Devices, Part 3 – Works on Roads.
- All works on land under the control of Council is to comply with Council's development manual and standard drawings.
- Any other requirements specific to the works as determined by Council.

Please ensure that all employees within your business are aware of requirements before work starts on land under the control of Fraser Coast Regional Council.

A copy of the standard Road/Footpath opening and Vehicle Crossing application forms can be obtained from Council's Customer Service section on 1800 881 400 or from the Council's website www.frasercoast.qld.gov.au