T 1 300 79 49 29
F (07) 4197 4455
E enquiry@frasercoast.qld.gov.au
www.frasercoast.qld.gov.au

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Fax: 07 4197 4455 Post: PO Box 1943, Hervey Bay In Person: Council Administration Centres

TEMPORARY ROAD/FOOTPATH CLOSURES and OPENING APPLICATION

Completed Information to be returned to Council;

1. Signed "Conditions of Approval"
2. Completed and signed "Application Form"
3. Completed and signed "Traffic Management Plan"
4. Signed "Deed of Indemnity"

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CONDITIONS OF APPROVAL

The Applicant understands and agrees to comply with the following conditions/specifications and Council's document Temporary Road/Footpath Closure Standard Conditions as part of the approval to work in the road reserve.

1. Submit Application for Approval and Traffic Management Plan no less than fourteen (14) days prior to work/event commencing. Site conditions may alter during the period of works/event whereby a reassessment of traffic control and other factors may need to be made. Factors may be weather conditions, traffic density, presence of children etc.

3. I/we understand that the approval granted is under the terms and conditions attached and within Council's document "Temporary Road/Footpath Closure Standard Conditions" and have read those conditions and understand their meaning.

4. Applicant or the Applicant's nominated Principal Contractor is liable for repair of any subsidence, shrinkage or defects that may arise as a result of works undertaken for a period of twelve months after written notification to Council of completion of works/event.

4. Applicant or the Applicant's nominated Principal Contractor shall make good, to the satisfaction of Council's Infrastructure and Environment Directorate, any damage to road infrastructure, furniture, signage or lands under the control of Council occurring during the works/event.

5. Comply with the requirements of this specification and all other relevant standards relevant to the proposed work/event, and take all reasonable steps to ascertain the requirements of these specifications.

6. Keep the road open to bi-directional traffic at all times unless the Infrastructure and Environment Directorate has given approval in writing for the road to be fully or partially closed.

7. Observe all necessary safety precautions and requirements relating to signs, barriers and warning devices for works in progress in accordance with the approved Traffic Management Plan designed in accordance with the Manual of Uniform Traffic Control Devices and Queensland Department of Transport and Main Roads' Manual of Uniform Traffic Control Devices. Furthermore, and in accordance with the Traffic Management for Construction or Maintenance Work Code of Practice 2008, provide safety lights, barricades and signs in accordance with any special requirements imposed by Council that may be in addition to the preceding conditions. For example, working times are noted in this specification.

8. Accept complete responsibility for determining the location of all services and equipment of other Authorities in the vicinity of the described area and take steps to protect any such equipment and services that are located in the area. Report immediately any damage caused to both service authority and Council and take responsibility for costs of repairs.

9. Pay all costs associated with repairs and reinstatement works due to the implementation of the requirements of this permit.

DECLARATION - Applicant or the Applicant's nominated Principal Contractor

Signed:		**Date:**	
Printed Name:		**Position:**	
Company:			

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Road/Footpath Closure and Opening

***Purpose of Form:** This form will be used to process your request for a road/footpath closure and opening.*

The following information must be supplied to Council's Infrastructure and Environment Section at least fourteen (14) days before the proposed Temporary/Footpath Road Closure.

Please note: Priority will not be given to applications received within fourteen (14) days of the proposed Temporary Road/Footpath Closure. Council will not be responsible for any delay in processing applications. Correspondence will be through Australia Post unless requested otherwise on application.

Applicants Name:

Principal Contractor Name & Address or Organisation Organising Special Event:

Principal Contractors Contact Representative:

Applicants Postal Address:	Phone No: Fax No:

ADDRESS WHERE SPECIAL EVENT IS TO BE CARRIED OUT :

DESCRIPTION OF WORK/SPECIAL EVENT TO BE UNDERTAKEN:

ANY ASSOCIATED APPROVALS FOR WORKS/EVENT:	Development Application Number: Operation Works Number: Building Application Number: Police permit:
I/WE HEREBY APPLY FOR PERMISSION For: ☐ Temporary full road closure ☐ Temporary partial road closure ☐ Temporary footpath closure ☐ Occupation of footpath ☐ Occupation of parking bays ☐ Other (Provide Description)	**REASON FOR CLOSURE:** ☐ Hoisting ☐ Gantry ☐ Excavation ☐ Hoarding ☐ Maintenance ☐ New Construction ☐ Stormwater installation ☐ Special Event ☐ other (provide Description)

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CLOSURE DETAILS	
Street:	Suburb:
First Cross Street:	Second Cross Street:
Start Date of Closure:	Finish Date of Closure:
Start Time:	Finish Time:

INDEMNITIY:

Public Liability Insurance to minimum $10 Million, Copy to be attached.

Policy No. _____

Policy Holder _____

Insurer _____

Expiry Date _____

TRAFFIC MANAGEMENT PLAN
Attach a Traffic Management Plan in accordance with the current Manual of Uniformed Traffic Control Devices provide by a certified Nominated Traffic Officer.

Fees and Charges – Failure to provide required fee will result in a delay of assessment and issuing of a permit.	No fee applicable if a current Police road closure permit is submitted with application.
Road Opening:	
Road Opening Permits (includes initial inspection) Minor construction on Road Reserves	$146
Inspection Fee (per Visit)	$85
Fines for unauthorised works on road	Monetary Penalties Apply
Road Closure Applications, dedicated public roads Advertisement of road closures is at full cost to the applicant	$146

Local Government Authority

Only the Department of Main Roads and Local Government have the authority to install Official Traffic Signs. An Official Traffic Sign is any sign, signal, pavement marking or other installation for the purpose of regulating, warning or guiding road users.

The installation of any Official Traffic Sign without lawful authority is an offence under the TORUM Act 1995, Section 75, Unlawful Installation of Official Traffic Signs.

The Transport Operations (Road Use Management) Act 1995, Part 5, Section 96 Diversion of Traffic, gives authority to the Queensland Police Service, Department of Main Roads and Local Government to temporarily or permanently close roads.

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Local Government also has authority to temporarily or permanently close roads under the Local Government Act 2009, Section 69, Closing of Roads by Local Government.

APPLICANT'S DECLARATION

I / WE understand the "*Approval to Commence Work/Special Event"* is granted under the terms and conditions attached and specifications included in Council's document '*Temporary Road/Footpath Closure Standard Conditions*' and have read those conditions and understand their meaning.

I / WE enclose the current administrative charge of $146.00 for the application which is non-refundable once the application has been receipted.

APPLICANT'S SIGNATURE: _____ DATE: _____

PHONE CONTACT NO.: _____

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DEED OF INDEMNITY

IN CONSIDERATION of FRASER COAST REGIONAL COUNCIL giving approval to:

_____
Applicants Name

including its servants, agents and volunteers ("*the Applicant*"), to use a portion, or all, of the following Council-controlled roads, namely:

➢ ("the Land")
Identify location

to

or until otherwise advised by either the Applicant or Fraser Coast Regional Council ("The Work")

the Applicant indemnifies, and agrees to keep indemnified, Fraser Coast Regional Council, its agents and employees from and against all losses, damages, costs and expenses which the Fraser Coast Regional Council sustains or incurs in respect of any loss or damage to property or death or injury (including from the negligent use or misuse or the escape, overflow or leakage of water, fire, gas, electricity or other agent in or from the Land) which is caused or contributed to by the Applicant's carrying out the Work on, or the use or occupation of the abovementioned street/s ("the Land").

Subject to law, the Applicant will enter the Land and carry out the Work on the land at its own risk.

SIGNED BY:-
[PRINT NAME]

_____

SIGNATURE

_____

this _____ day of _____ 2010

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TEMPORARY ROAD/FOOTPATH CLOSURE STANDARD CONDITIONS

The following standard conditions apply to construction activities within the local government controlled road boundaries within the Fraser Coast Regional Council area.

1. APPROVAL TO COMMENCE

No work/special event shall be undertaken within the Council- controlled road boundaries until the applicant has received a written *Approval to Commence Work/Special Event* from the Fraser Coast Regional Council.

Approval to commence work will not be considered until after:

The following requirements have been met unless specific written exemption/s have been granted (see clause 2 for minor work):

- The Applicant has nominated a Principal Contractor with sufficient expertise to carry out the proposed work/special event, and who will act on behalf of the applicant in matters related to construction of the work/special event, for example, traffic safety.
- The Applicant or the Applicant's nominated Principal Contractor has supplied a Traffic Management Plan to a standard acceptable to the Fraser Coast Regional Council.
- The Applicant has submitted a correctly completed Deed of Indemnity, form.
- The Applicant has agreed to accept the cost of any Public Notification deemed necessary and authorised by Fraser Coast Regional Council.
- Any other requirements specific to the work/special event as determined by the Fraser Coast Regional Council.

2. MINOR WORK

Where the extent and impact of the work is small, Applicants may gain exemption from some requirements.

3. OTHER APPROVALS REQUIRED

The *Approval to Commence Work/Special Event* by the Fraser Coast Regional Council shall not be interpreted as approval by any other government department or service authority.

If the proposed work/special event impacts upon adjacent property or service installations or other works or encroachments, whether of a temporary or permanent nature, the owners written consent to the relocation, removal or other remedial measure proposed is to be obtained.

Driveways across footpaths are considered by Council to be privately owned by the property owner, prior to commencing any work that may damage a private driveway, the Applicant or the Applicant's nominated Principal Contractor shall negotiate with the property owner and agree on the standard of repair.

The Applicant is responsible for obtaining these approvals and consents prior to undertaking the work.

Any conflicting conditions required by others are to be brought to the attention of the Fraser Coast Regional Council promptly for resolution.

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4. TRAFFIC MANAGEMENT including pedestrians

- A satisfactory Traffic Management Plan including clear Traffic Control Plan/s compiled in accordance with the current edition of the M*anual of Uniformed Traffic Control Devices, Part 3 – Works on* Roads, to suit the actual site/s, is required from the Applicant's Principal Contractor. Fraser Coast Regional Council will assess these plans for suitability. However, this assessment will not absolve the Applicant from responsibility for safety at the site.

- Any changes to devices shall be made by the Applicant's Principal Contractor if an officer from Fraser Coast Regional Council deems necessary for the safety of traffic. This includes pedestrians.

- Traffic Controllers shall be appointed and operate in accordance with M*anual of Uniformed Traffic Control Devices, Part 3 – Works on* Roads.

- At all times work shall proceed so as to cause minimum inconvenience to through traffic, pedestrians and property access.

- Fraser Coast Regional Council may carryout remedial work to ensure the safety of traffic and the maintenance of access, and recover the costs of the work from the Applicant.

5. REMOVAL OF SUPERFLUOUS PAVEMENT MARKING

Superfluous pavement marking are to be removed by water blasting (sandblasting may be used away from built up areas). **Over painting with black paint in not to be used**.

6. DAMAGE TO EXISTING ROAD INFRASTRUCTURE OR PROPERTY

The Applicant is required to bear the cost of repairing any damage to existing road infrastructure caused by the work or any breach of the Workplace Health and Safety requirements. If any property is damaged what so ever, this must be reported to Fraser Coast Regional Council within twenty four hours of the damage occurring. The report must provide the date, time and location including the property owners name and address.

7. NOTIFICATION OF COMPLETION

The Applicant must provide to the Fraser Coast Regional Council, written advice of the completion of the work/special event.

8. APPLICANTS MAINTENANCE RESPONSIBILITY

After written notification from Applicant or the Applicant's nominated Principal Contractor of completion has been received by Fraser Coast Regional Council the work will be placed *on maintenance*, the Applicant shall rectify any defect which develops as a result of work/special event during the Defects Liability period of 12 months.

If no written notification is provided to the Fraser Coast Regional Council, Council shall determine the completion date in which the twelve month maintenance period identified above shall commence.

9. SUNSET CLAUSE

Work/special event must be completed within the agreed period within the *Approval to Commence Work/Special Event* letter. Any work outside of this time requires a written request 5 days prior to expiration date of original approval.

10. NO TRANSFER OF APPROVAL

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Approval to Commence Work/Special Event ceases with change of ownership or business going into receivership and is not transferable. Any new owner or administrator must obtain fresh approval to continue the work.

11. PUBLIC LIABILITY INSURANCE

Principal contractor shall maintain a minimum $10,000,000 Public Liability Insurance Policy against all claims, actions or suits brought by any person in respect of the death of or injury to any person and the loss of or damage to any property associated with either any action or inaction of the principal contractor, employee, agent or client of the principal contractor. The insurance policy is to be current for the full term of the approved closure. A copy of the currency certificate for the insurance policy is to be made available for inspection by Council Officers upon request.

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