

ROAD OPENING

TS180



NARRANDERA SHIRE COUNCIL POLICY

Narrandera Shire Council
141 East Street
NARRANDERA NSW 2700
Tel: 02 6959 5510 Fax: 02 6959 1884
Email: council@narrandera.nsw.gov.au

ROAD OPENING

Policy No:	TS180
Policy Title:	Road Opening
Section Responsible:	Technical Services
Minute No:	09/174
MagiQ No:	8409
Next Review Date:	As required

Policy Statement

Statement of Intent

1. To promote safety awareness and support risk management practices.
2. To ensure that any road opening is made and protected to prevent any risk to the public or any road user, and prevent damage to public or private infrastructure.
3. To ensure the affected areas are restored to Council's construction standards.
4. To establish and promote practices which minimise losses and provide a safe environment for residence and visitors to our Shire by:
 - Documenting and reviewing current practices to safeguard public assets
 - Development procedures and guidelines to ensure uniformity of restoration and promote safe practices of private works in public spaces.
 - Continuing to review practices and procedures to ensure achievement of best practice.
 - Requiring Council approval prior to any road opening

Definitions

1. Footpath - any constructed pathway within a road reserve or on council controlled public land.
2. Road Reserve - includes pavements, footpaths, nature strips, driveways and all other areas under Council's control.
3. Road Opening - any hole or trench excavated within a road reserve.

Eligibility

1. This policy is to apply to all persons who want to undertake road excavation works within Council controlled road reserve. The following procedure is to be complied with, including obtaining a “Permit for Road Opening”.

Exemptions

1. Proposed road excavation works in conjunction with minor residential works, being:
 - House storm water connection
 - House water supply connection
 - House sewer main connection

Provisions

1. Permits are to be issued for all general openings in road reserves in the Shire of Narrandera. Council may establish fees or charges with respect to the issuing of permit and inspections.
2. Where the road opening is necessary for a Service Authority to access their services, and the work is part of scheduled maintenance or reconstruction work being carried out by the relevant authority, and the plans have been checked and approved by Council, individual road opening permits will not be required, as the approval of the work will cover any associated road openings.
3. For all other road openings Council requires registration of the work, by a road opening permit, so that the works can be inspected for satisfactory reinstatement.
4. Where the road openings are carried out by sub-contractors, on behalf of service authorities, the relevant Service Authority must accept full responsibility for compliance with Council’s road opening requirements. Or ensure that a permit is obtained from Council by the sub-contractor.

Approvals & Permits

Narrandera Shire Council must approve, in writing, the proposed road opening within the road reserve and Council may impose any or all of the following conditions:

1. The road excavation works must not interfere with the structure of Councils road for a period that is longer than is reasonably required to complete the road excavation works.
2. The holder of the permit must, within seven (7) days after completion of the road excavation works.
 - 2.1 Ensure that all wastes (including surplus soil, earth and other materials) generated by the road excavation works are lawfully disposed of as directed by the Council; and
 - 2.2 Make good the structure of the Council Road to the satisfaction of the Council.

3. The holder of the permit must maintain the structure of Councils road without defect, to the satisfaction of the Council, for a period of six months after the completion of the road excavation works, unless otherwise required by the Council.
4. The holder of the permit must ensure the safety of pedestrians and traffic by providing and maintaining appropriate signage and barrier protection.
5. The holder of the permit must take out and maintain public liability insurance in an amount of not less than \$10 million in respect of the road excavation works and which indemnifies the Council in respect of any liability arising from the road excavation works.

Guidelines for Road Openings

1. The Road Opening must not unduly obstruct pedestrian or vehicular traffic.
2. The Road Opening must not prejudice the safety of pedestrian or vehicular traffic.
3. The Road Opening must not prejudice the structural integrity or proper maintenance of the local government road.
4. The Road Opening must not interfere with the structure of Councils road for a period that is longer than is reasonably required to complete the road excavation works, including restoration of the disturbed areas.
5. When considering applications, the Council will consider a range of aspects such as the location and size of the works, the surrounding services and infrastructure, the footpath, the safety of motorists, pedestrians and cyclists and any future road works.

Responsibility and Accountability

1. The Council has the discretion to modify any road excavation works if they are not constructed or maintained to Council's satisfaction, or if a reasonable objection is raised by a public utility provider or others. In this instance, Council will provide due notice (i.e. 21 days) to those responsible for the offending works to be modified to Councils satisfaction. Should **the authority you** fail to do so, Council may be forced to make good the works at the expense of those responsible.
2. The applicant shall, be liable for and shall indemnify the Council against any liability, loss, claim or proceeding.
3. In respect of any injury, loss or damage to any property arising out of or in the course of or by reason of the execution of the works associated with the proposed road opening operations ("the works").
4. Arising under any statute or at common law in respect of personal injury to or death of any person arising out of or in the course of or caused by the execution of the works.

Policy History

Adopted
Reviewed

3 November 2005
15 September 2010