



INFRASTRUCTURE DIRECTORATE

CONDITIONS FOR CONSTRUCTION WORKS IN A THOROUGHFARE

1. Compliance

The conditions detailed herein apply to permission for construction works within an existing thoroughfare and/or a City reserve are made under the authority of the Local Government Act 1995, Schedule 9.1 Clause 8, for which full compliance is required.

If a person, or his/her delegate, to whom permission to construct works in a street is granted, under the provisions of the Local Government Act 1995, Schedule 9.1 Clause 8, does not comply with the conditions of the permit, he/she commits an offence.

2. Definitions

Applicant shall mean a person owning or entitled to use and benefit from the works constructed in the street

City shall mean the City of Gosnells

Director Infrastructure shall mean the Director of Infrastructure of the City of Gosnells or his/her representative

Notice shall mean a written notice served on the permit holder

Road and Street shall have the same definition as thoroughfare

Thoroughfare shall mean a road or other thoroughfare and includes structures or other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end

Works shall mean works of any description upon, over or under a thoroughfare

3. Timing of Applications for Permits

An application must be submitted to the City for a permit for construction works in a thoroughfare at least 10 working days before works are scheduled to commence.

When a thoroughfare closure is for less than 4 weeks and will not cause significant adverse effect on the thoroughfare users, the application must be lodged at least 15 working days prior to the scheduled time of commencement of the works in the thoroughfare.

Where the works require the temporary closure of a thoroughfare for a period of four or more weeks, the application must be lodged at least 35 working days before the work is scheduled to commence.

4. Permit to be Obtained

A written permit is required for all proposed works in a thoroughfare, under the care, control and management of the City. Work shall not commence until a permit has been issued. The issue of this permit authorises the Applicant/Permit holder to carry out the works in the thoroughfare as detailed in the application.



5. Public Utility Services

The permit holder shall be responsible for identifying the location and protection of existing public utility services within the thoroughfare and for the performance of the work and repair of any damage, to the requirements laid down by the owner of the public utility service. The permit holder shall also be responsible for the reinstatement of all services as shown in the current edition of the Utility Providers code of Practice

6. Plans and Specifications

- Plans and specifications shall be submitted with the application, showing the location and details of the proposed works to be carried out in the street thoroughfare.
- All works shall be carried out in accordance with the Public Utilities Information Manual for Western Australia and where applicable, the public utility and the City's requirements and specifications.
- The permit does not constitute approval of the proposed works. Approval shall be obtained separately from the authority responsible for the service, structure or facility being provided.

7. Levels

Structures or facilities proposed for installation at ground level shall be set to levels established by existing footpaths and/or kerb lines, and in the absence of such facilities, to levels established by the City.

8. Obstruction of Thoroughfare

The permit does not authorise permanent or unreasonable obstruction of the ordinary and reasonable use of the thoroughfare for the purpose for which it is dedicated. If it is necessary to close part of or all of a street a Thoroughfare Closure Application and all relevant fees and bonds must be attended to.

9. Temporary Thoroughfare Closure

Where it is not possible to keep the thoroughfare open to the public, while carrying out the works, authorisation is required from the City to close the thoroughfare that is under the control of the City, in accordance with Part 3, Division 3, Subdivision 5 of the Local Government Act 1995. Subject to compliance with the following conditions:

- Application must be made to the City on the appropriate form, at least 15 working days prior to the scheduled commencement date for works for closures less than four weeks. And 35 working days when it is considered that significant adverse effect will be caused to thoroughfare users.
- Application must be made to the City on the appropriate form, at least 35 working days prior to the scheduled commencement date for works for closures greater than four weeks. Refer to separate procedure.
- If applicable, a suitable detour shall be determined and the traffic management plan shall be approved by the City. The detour shall be clearly signposted with approved signs for the duration of the works and if no such detour is available, suitable and passable side tracks shall be provided.
- In all cases, the thoroughfare closure shall be advertised in local newspapers advising the reason, location and duration of the closure, the route of any proposed detour and contact details. Such advertisements are to be published at least 10 working days prior to the date of the proposed closure. All costs of advertising are to be met by the applicant.
- Emergency services, schools, other large institutions and businesses, along with all persons who occupy land who will be affected by the closure shall be advised in writing of the reason, location and



duration of the thoroughfare closure and the route of the proposed detour, at least 10 working days prior to the closure. The City shall be given a copy of this letter.

- Advisory signs for the thoroughfare closure shall be erected at approved locations on the site 10 working days prior to the closure. Such signs will comprise a minimum 100mm letter height and are to advise the reason, location and duration of the thoroughfare closure plus contact details. Refer to Standard Drawing ES-52 for sign particulars. Appendix A
- The works and thoroughfare closures shall be lit at night to ensure public safety as specified in AS 1742.3-2009, Manual of Uniform Traffic Control Devices. (As amended)
- The works shall be carried out in an expeditious manner to minimise the impact of the thoroughfare closure on the general public
- If the closure is expected to be for a period greater than 4 weeks the City must be advised and separate procedures followed.

10. Insurance

Public Liability Insurance

Prior to the commencement of the Contract, the Contractor shall take out and maintain at the Contractor's expense a public liability policy of insurance with a reputable insurance office on terms and conditions agreeable to the City and for the amount of ten million Australian dollars (AUD \$10 million). This policy shall cover the Contractor's liabilities to third parties and the death or injury of any person resulting from any act or omission of the Contractor or of the Contractor's employees, agents or subcontractors in relation to construction work in a thoroughfare.

Employees and Agents

Prior to the commencement of construction work in a street, the Contractor is to take out and maintain a policy of insurance covering the Contractor and the Contractor's employees, agents and subcontractors against any statutory or common law liability, loss, damage, claims, costs and expenses arising from the death or personal injury of anyone directly employed by the Contractor to complete the construction work in a thoroughfare.

Proof of Insurance

Prior to the commencement of construction work in a street, and whenever requested in writing by the City, the Contractor shall produce evidence to the satisfaction of the City of the insurance effected and maintained.

11. Blasting

Where blasting must be carried out as part of the works, a separate permit shall be obtained, as required by the Dangerous Goods Safety (Explosives) Regulations 2007 and all blasting and storage of explosives shall be carried out in accordance with AS 2187-2-2006.

12. Safety of Works

Anyone carrying out operations on a thoroughfare open to pedestrian and vehicular traffic has a duty of care under common law to take all reasonable measures to prevent accident or injury to construction workers and thoroughfare users, damage to assets and to maintain the existing environment.

- The works shall be protected so that they present no hazard to employees working on the site or the public.
- All work shall comply with the relevant sections and schedules of the Occupational Safety and Health Act 1984 and Occupational Safety and Health Regulations 1996.



- Traffic and other signage and devices shall comply with AS 1742.3-2009, Manual of Uniform Traffic Control Devices (As amended) – Traffic control for works on roads shall be used to warn employees and the public of any hazard associated with the works.

13. Hours of Work

The works shall be performed between the hours of 7am and 5pm Monday to Friday, unless specific approval is obtained from the City for work outside these specified hours.

14. Noise and Vibration

Noise emanating from the works shall not exceed the levels specified in the Environmental Protection (Noise) Regulations 1997. Where applicable, a Noise Management Plan will be required.

Vibrations emanating from the works shall be controlled to avoid damage to buildings and other structures near the work site.

15. Sand Drift and Dust Control

Dust and sand emanating from the works shall be controlled in accordance with the Department of Water and Environmental Regulation' publication: "A guideline for managing the impacts of dust and associated contaminant from land development sites remediation and other related activities".

16. Inspections

Inspections by an officer from the City's' Infrastructure Directorate of works in progress, where the service, structure or facility being provided will come under the City's authority, is required. Inspections should be undertaken before backfilling is carried out and after the works are completed. The permit holder is to give 24 hours' notice for such inspections.

17. Backfilling

All backfilling of excavations shall be carried out strictly in accordance with the specifications in the document 'Restoration and reinstatement specification for Local Governments' produced by the Institute of Public Works Engineering, Australia (WA Division).

18. Property Damage and Public Risk

Subject to condition 10 – Public Liability Insurance - the Contractor shall indemnify and keep indemnified for the duration of this Contract. This indemnity shall indemnify the City against all loss or damage to the property of the City, and from and against any claim, demand, action or proceeding that may be brought by any person against the City or the employees, professional consultants or agents of the City in respect of personal injury to, or the death of any person whomsoever, or loss or damage to any property whatsoever arising out of construction work in a street by the Contractor or his employees, agents or subcontractors, and also from any cost and expense that may be incurred in connection with any such claim, demand, action or proceeding.

19. Reinstatements

Any damaged roads, paths, vehicle crossings, piped or open drains, verges, landscaping and any other structure or facility under the City's care, control and management shall be reinstated in accordance with the City's specifications and the IPWEA [Restoration and reinstatement specifications](#).



20. Maintenance

The permit holder shall maintain the works, with the exception of property owners' abutting street lawns and gardens and public utilities, for a period of 12 months after the date of practical completion. The City shall retain the already deposited security deposit / bond until the maintenance period expires. At which time and upon acceptance of the completed works, the security deposit/bond shall be refunded, subject to the rectification of any defective works.

21. Works without Permission

Where works have been constructed in a thoroughfare without the permission of the City having the care, control and management of the street, the City may, by notice, require the removal of the works, and if the works consist of, or include a tunnel or other excavation, to fill in, and make good the street, by a time specified in the notice.

22. Damage to Thoroughfare

Where the City is of the opinion that works constructed in a thoroughfare have damaged the thoroughfare, the City will require repair in the interests of the safety or convenience of the public.

The City may, by notice, require the Permit holder:

- to make good the damage to the street thoroughfare
- to effect such repairs, as are specified in the issued notice
- by the time specified in the notice

If the permit holder does not comply with the requirements of the notice by the time specified in the notice, the City may make good the thoroughfare and may recover the expenses incurred in doing so, from the permit holder in a court or competent jurisdiction, or from the security deposit / permit bond held by the City. The Permit holder may request an extension of time, which will be considered by Director Infrastructure.



PROPOSED CLOSURE
 HOLMES STREET
 12 - 26 JUNE
 CONTACT: D HARRIS 9492 0149

NOTES:

- DIMENSION : SIZE 3000 X 1260, CORNER RADIUS 200
- MATERIALS : 1.6mm ALUMINIUM SHEET SIGN PANEL
- COLOURS : BLACK LEGEND ON YELLOW CL7 REFLECTIVE BACKGROUND
- STIFFENERS : 3 TYPE A STIFFENERS MAX. SPACING 450mm
- MOUNTING HEIGHT: 2000

CITY OF GOSNELLS

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GENERAL NOTES
 1. THIS DRAWING ALWAYS REMAINS THE PROPERTY OF THE CITY OF GOSNELLS AND MUST NOT BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE CITY OF GOSNELLS.
 2. DRAWINGS SHALL BE TREATED AS PRELIMINARY.
 3. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.

REVISION	DATE	BY	CHECKED	APPROVED	DESCRIPTION

STANDARD DRAWING	ES - 52	MUNICIPALITY OF GOSNELLS
TEMPORARY ROAD CLOSURE		
DESIGN: PERVA	DRAWING: A3	DATE: 02/12/2013
SCALE: 1:100	CHECKED: JG	M. DUNNE