



## A guide to working in the Road Reserve

Road Management Act 2004

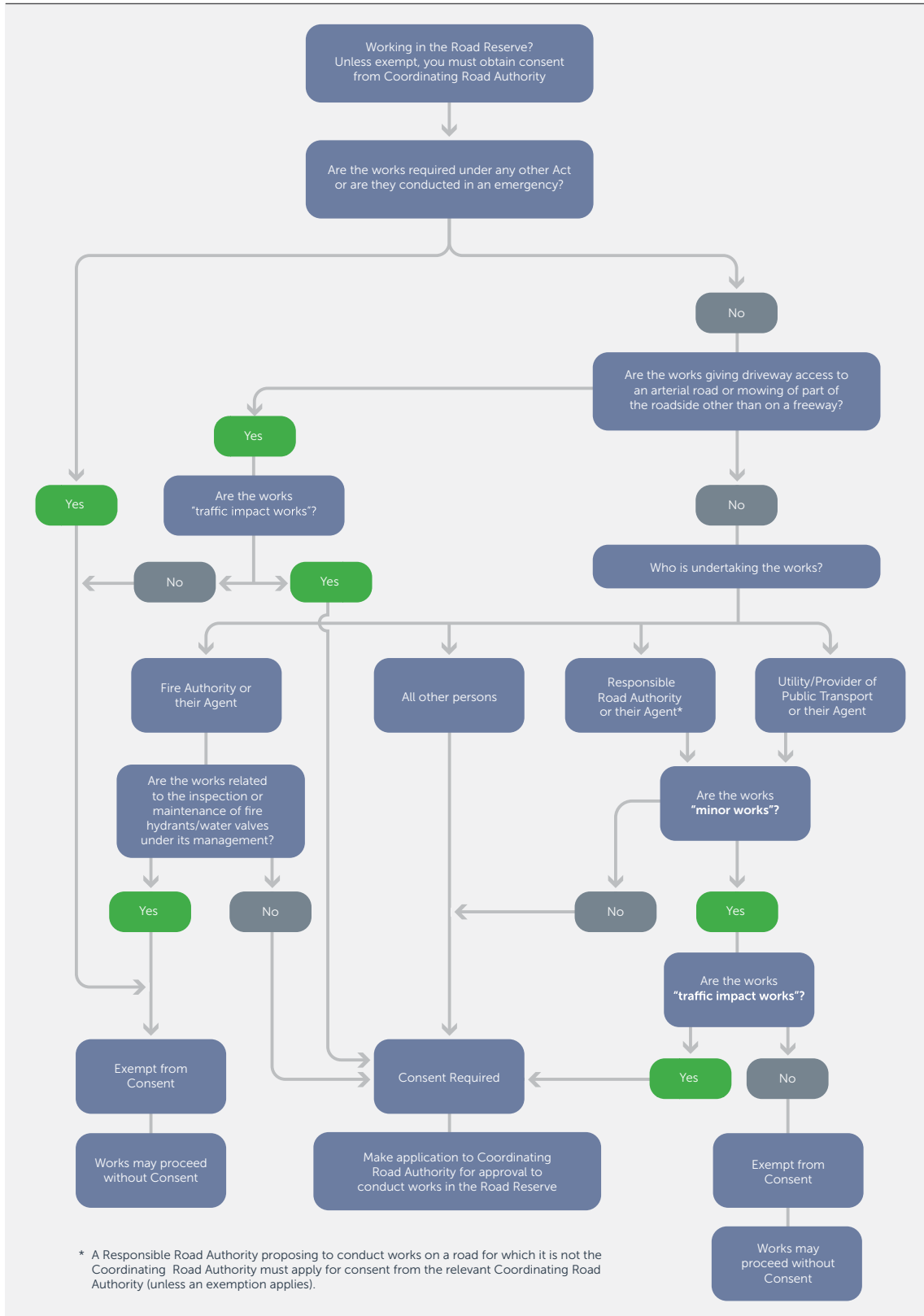
JULY 2015

## Contents

<b>Consent process - Working in the road reserve</b>	<b>4</b>
Flow Chart 1	4
Table 1 – Service extension works	7
<b>Application for consent</b>	<b>8</b>
Table 2 – Consent application fees	8
<b>Consideration of the Application for Consent by a Coordinating Road Authority</b>	<b>12</b>
Flow Chart 2	12
<b>Conducting Works in a Road Reserve</b>	<b>15</b>
<b>Notification requirements upon completion of works</b>	<b>19</b>
Flow Chart 3	19
<b>Sample Applications</b>	<b>21</b>

## Consent process - Working in the road reserve

Flow Chart 1.



## Consent process - Working in the road reserve

### Working in the Road Reserve?

You must obtain consent from the Coordinating Road Authority unless you are exempt under the Road Management (Works & Infrastructure) Regulations 2015.

This guide provides essential information for anyone proposing to work in the road reserve. Flow Chart 1 (refer page 4) will help determine whether you must obtain consent for the works or an exemption applies.

### What are “minor works”?

“Minor works” are any of the following kinds of works undertaken by a utility, a provider of public transport, a responsible road authority or an agent of any of these bodies—

- (a) the installation, repair or maintenance of aerial cables or other overhead non-road infrastructure;
- (b) works undertaken so as to enable a person to be provided a service by a utility;
- (c) the repair or maintenance of—
  - (i) street lighting; or
  - (ii) bus stop infrastructure, tram stop infrastructure or other public transport related non-road infrastructure located on the roadside; or
  - (iii) tram tracks, including the roadway area between and on the outside of the tram tracks for which the relevant provider of public transport is responsible;
- (d) the excavation of—
  - (i) any part of a road other than a roadway, pathway or shoulder; or
  - (ii) an area of a roadway, pathway or shoulder;

#### Note

Regulation 6(2)(b) provides that if works under (d) above also exceed 8.5 square metres, then those works are not minor works.

- (e) the use of an access hole for the purpose of accessing, repairing or maintaining infrastructure under a road;

- (f) the installation, repair or maintenance of traffic control devices carried out in accordance with the *Road Safety Act 1986* or any regulations made under that Act;
- (g) the repair or maintenance of poles;
- (h) the replacement or relocation of a single pole in an urban area (unless those works are part of works to replace or relocate 2 or more consecutive poles);
- (i) the replacement or relocation of not more than 3 poles in an area other than an urban area (unless those works are part of works to replace or relocate more than 3 consecutive poles);
- (j) the pruning of a tree or other vegetation;
- (k) the removal of a tree or other vegetation in accordance with any Act other than the *Road Management Act 2004*;
- (l) any other works conducted for the purpose of repairing, inspecting, operating or testing an asset or for the purpose of a survey.

If any of the works listed in (a) to (l) above also consist of, or include any of the following works, then those works are not “minor works”—

- (a) service extension works;
- (b) the excavation of an area of a roadway, pathway or shoulder exceeding 8.5 square metres;
- (c) works undertaken by a utility to decommission or remove, by excavating or filling any part of a road, non-road infrastructure (other than poles, aerial cables or other overhead non-road infrastructure)—
  - (i) that is located longitudinally within a road reserve—
    - (A) over a distance exceeding 100 metres in an urban area; or
    - (B) over a distance exceeding 300 metres in any other area; or
  - (ii) that is located under a roadway, pathway or shoulder and the works require the excavation of more than 8.5 square metres of that roadway, pathway or shoulder; or
  - (iii) that affects road-related infrastructure.

*(Road Management (Works & Infrastructure) Regulations 2015: Regulation 6)*



### What are 'traffic impact works'?

"Traffic Impact Works" means—

- (a) works conducted—
  - (i) on a freeway; or
  - (ii) on an arterial road that require the deviation of vehicular traffic into an on-coming traffic lane; or
  - (iii) in a clearway when it is in operation; or
  - (iv) in a bus lane when it is in operation; or
  - (v) on, or partly on, or that affect, a bridge or other structure; or
  - (vi) on a roadway within 20 metres either side of a children's crossing when that crossing is in operation, unless parking is permitted within 20 metres either side of the crossing and the works are conducted on that parking area; or
  - (vii) within a road reserve on, or in the vicinity of, a level crossing within the meaning of section 221U of the *Transport (Compliance and Miscellaneous) Act 1983*; or
- (b) "peak hour traffic works"; or
- (c) works that require a part of a roadway, other than a part on which parking is permitted, to be closed to vehicular traffic for—
  - (i) a continuous period of more than 12 hours; or
  - (ii) for a period of more than 24 hours in 7 days; or
- (d) works that require the cancellation, deviation to a different road or replacement, of a tram or bus operated by a provider of public transport; or
- (e) works conducted on a road in an urban area within metropolitan Melbourne, Geelong, Ballarat or Bendigo—
  - (i) that are likely to have a duration of more than 15 minutes; and
  - (ii) that are likely to cause a delay to a bus or tram for more than 2 minutes between 6 a.m. and 9 a.m. or 3 p.m. and 7 p.m. on a weekday; or
- (f) works conducted on a road in an urban area within metropolitan Melbourne, Geelong, Ballarat or Bendigo—
  - (i) that are likely to have a duration of more than 2 hours; and
  - (ii) that are likely to cause a delay to a bus or tram for more than 5 minutes between 9 a.m. and 3 p.m. on a weekday; or
- (g) works that cause the temporary closure or relocation of a bus stop or tram stop or prevent access to a bus stop or tram stop in an urban area for more than 15 minutes; or
- (h) works conducted in an urban area, between 6 a.m. and 8 p.m., on the roadway of an arterial road, within 100 metres of an intersection with traffic signals, which require the closure to vehicular traffic of one or more lanes on that roadway that are available to through traffic; or
- (i) works conducted in circumstances to which a declaration under regulation 9 applies.

*(Road Management (Works & Infrastructure) Regulations 2015: Regulation 5)*



**What are “peak hour traffic works”?**

Works conducted on a roadway are “peak hour traffic works” if the works are conducted between 6 a.m. and 9 a.m. or between 3 p.m. and 7 p.m. on a weekday on a roadway of an arterial road in an urban area (other than a roadway that is a service road) and any of the following paragraphs apply—

- (a) the roadway has one lane for vehicular traffic to travel in each direction and the works are conducted in any lane and result in vehicular traffic in that lane during that time being continuously stopped for more than 5 minutes;
- (b) the roadway has more than one lane for vehicular traffic to travel in each direction and the works are conducted in one or more (but not all) of the lanes that are for travel in one direction and result in vehicular traffic in those lanes during that time being continuously stopped for more than 15 minutes;
- (c) the roadway has more than one lane for vehicular traffic to travel in each direction and the works are conducted in all of the lanes that are for travel in one direction and result in vehicular traffic in those lanes during that time being stopped for any period of time.

*(Road Management (Works & Infrastructure) Regulations 2015: Regulation 7)*

**What are “service extension works”?**

“Service extension works” are works specified in column 2 of the Table (refer Table 1 below) that are undertaken by a utility or an agent of a utility in the area specified in column 3 of that Table opposite those works for the purpose of—

- (a) extending non-road infrastructure owned, operated or controlled by that utility; or
- (b) enabling a person to be provided a service by a utility.

*(Road Management (Works & Infrastructure) Regulations 2015: Regulation 8)*

Column 1 Item	Column 2 Works	Column 3 Area
1	Works involving the installation of non-road infrastructure under an area of road that spans a distance exceeding 100 metres in length	an urban area
2	Works involving the installation of more than one additional pole	an urban area
3	Works involving the installation of non-road infrastructure under an area of road that spans a distance exceeding 300 metres in length	any area other than an urban area
4	Works involving the installation of more than 3 additional poles	any area other than an urban area

Table 1 - Service extension works

## Application for Consent

### Required to apply for consent?

A Consent application form must be completed and submitted to the Coordinating Road Authority.

### To whom do you need to submit your application for consent?

An application for consent to conduct work in a road reserve must be made to the Coordinating Road Authority for that road. If you are unsure, it is recommended that you contact either VicRoads or the Local Council. Further information is also available from the VicRoads web site at [vicroads.vic.gov.au](http://vicroads.vic.gov.au).

### How should you pay your consent application fees?

Consent application fees are expected to be paid in full to the Coordinating Road Authority at time of lodgement of the application form.

A Coordinating Road Authority may issue invoices (under its normal commercial terms) to a Utility or Provider of public transport that has a large number of applications.

### What fees are payable when you lodge an application for consent

(Refer Table 2 below)

	Works, other than minor works (see Note 1)		Minor works (see Note 2)	
	on roadway, shoulder or pathway	not on roadway, shoulder or pathway	on roadway, shoulder or pathway	not on roadway, shoulder or pathway
<b>Freeway</b>	43.2 fee units	30.2 fee units	16 fee units	9.5 fee units
<b>Arterial road</b>	43.2 fee units	30.2 fee units	16 fee units	9.5 fee units
<b>Other roads, speed over 50km/h</b> (see Note 3)	43.1 fee units	23.5 fee units	9.3 fee units	6 fee units
<b>Other roads, speed under 50km/h</b> (see Note 3)	23.5 fee units	6 fee units	9.3 fee units	6 fee units

As at 1 July 2015, 1 fee unit = \$13.60  
(fee units are reviewed annually on 1 July)

#### Notes

1. Works (other than 'minor works' conducted by a person referred to in regulation 10(2) that are 'traffic impact works')
2. 'Minor works' conducted by a person referred to in regulation 10(2) that are 'traffic impact works'
3. Municipal road or non arterial State road

**Table 2 - Consent application fees**



### **What do you need to include on your application for consent?**

Samples of the common application for consent forms are shown on the back of this Guide and it is recommended that they be used when making your application to the Coordinating Road Authority. The forms, which should also be used by all Coordinating Road Authorities, outline the details that are required and when completed in full, will supply sufficient information to allow the Coordinating Road Authority to assess your application.

When completing the form it is important to:

- a) describe the type of activities you intend to undertake including:
  - (i) the location of the works and nearby road and non-road infrastructure;
  - (ii) the scope and type of work;
  - (iii) construction plans of the proposed works
  - (iv) the proposed timing of the works; and
  - (v) the proposed methods of minimising the effects of the work on any road infrastructure, road safety and/or traffic operations (traffic management);
- b) confirm advice has been provided to utilities and providers of public transport whose assets or services might be affected by the proposed works;

- c) confirm the process of consultation with others (such as abutting land owners) likely to be significantly affected by the proposed works; and
- d) where appropriate, confirm that health and safety risks associated with the proposed works and the ongoing operation of the proposed non-road infrastructure have been considered.

*(Code of Practice for Management of Infrastructure in Road Reserves – Clause 35)*

Copies of the application form can be obtained from VicRoads Regional offices, Local Council offices or downloaded from the VicRoads and Council web sites.

### **Do you need other approvals before commencing work in a road reserve?**

In addition to obtaining consent from the Coordinating Road Authority, you may require other separate approvals. Further information is provided on page 14 of this Guide.





### **When do “minor works” require consent?**

Minor works, which are only works conducted by a utility, provider of public transport or responsible road authority (or their agents), are exempt from the need to obtain consent unless those ‘minor works’ are deemed to be traffic impact works (refer to the definitions on pages 5, 6 and 7 of this Guide).

### **What must you do if your works affect other infrastructure in the road reserve?**

An **infrastructure manager** or **works manager** must give notice to any other infrastructure manager or works manager responsible for any infrastructure in the area which could be affected by any proposed installation of infrastructure or related works on a road or the road reserve of any road. In doing so, the infrastructure manager or works manager must negotiate in good faith so as to minimise any adverse effects on any other road or non-road infrastructure.

This does not apply if the proposed installation of infrastructure or related works are necessary because of an emergency, but the infrastructure manager or works manager must advise any other infrastructure manager or works manager responsible for road or non-road infrastructure in the area as soon as is reasonably practicable.

*(Road Management Act, Schedule 7– Clause 8)*

This means that if you are likely to impact on someone else’s infrastructure, you must tell them before you commence the works.

An easy way to contact owners of underground infrastructure is to lodge an enquiry with Dial Before You Dig (refer page 14 for more information).

### **Should Risk Management Plans be prepared?**

Road Authorities, Infrastructure Managers or works managers who are undertaking works in the road reserve may prepare a risk management plan to identify risk mitigation measures they intend to adopt when carrying out works in road reserves. The plan should be developed in accordance with the approach outlined in AS/NZS 4360: 2004 Risk Management. The major risk areas to be managed are:

- (a) safety of all users of the road reserve, workers and the public;
- (b) the integrity of road infrastructure;
- (c) traffic disruption;
- (d) any adverse effects on the future development of both road and non-road infrastructure; and
- (e) the effective and efficient delivery of utility and public transport services.

Guidance undertaking risk assessments and preparing risk management plans can be found in the Code of Practice for Worksite Safety—Traffic Management.

*(Code of Practice for Management of Infrastructure in Road Reserves - Clause 34)*

## Definitions

### Coordinating Road Authority

In relation to a road, means the Road Authority which has the responsibility to coordinate works in the road reserve. As a general rule, for Freeways and Arterial Roads it is VicRoads, for municipal roads it is the local Municipal Council and for roads in National and State Parks and State Forests, it is the Department of Environment, Land, Water and Planning.

### Responsible Road Authority

In relation to a road, means the Road Authority which has operational responsibility to inspect, maintain and repair the road. This is further defined in section 37 of the *Road Management Act 2004*.

### Road

Includes land declared under section 11 of the *Road Management Act 2004*, a public highway and ancillary areas. It includes the road reserve from boundary line to boundary line.

### Infrastructure Manager

In relation to road infrastructure, the responsible road authority. In relation to "non-road" infrastructure (e.g water mains, gas mains, power lines, tram lines etc.), the person or body that is responsible for its provision, installation, maintenance or operation.

### Works Manager

Is any person or body that is responsible for the conduct of works in, on, under or over the road. For example, a contractor engaged by a Road Authority, Utility, Provider of Public Transport or private person.

### Utility

Is the entity which provides, or intends to provide, water, sewerage, drainage, gas, electricity, telephone, telecommunications or other like service.

### Provider of Public Transport

Includes a rail corporation, a train operator, a tram operator or a person providing a regular passenger service (e.g a bus operator).

*(Road Management Act - Section 3 Definitions)*



## Consideration of the Application for Consent by a Coordinating Road Authority

The Coordinating Road Authority must make a decision within the prescribed time otherwise consent is deemed to have been given (refer Flow Chart 2).

### What conditions can be placed on consent?

- (1) A coordinating road authority may, having regard to the works and infrastructure management principles, give its consent subject to any reasonable conditions relating to the conduct of the proposed works which the coordinating road authority considers appropriate.
- (2) Conditions of consent may include conditions relating to
  - (a) the location of any proposed infrastructure;
  - (b) the timing of any works;
  - (c) the use of any infrastructure.

*(Road Management Act Schedule 7, Clause 16, (6) & (7))*

### What conditions cannot be placed on consent?

- (1) A coordinating road authority must not impose on a consent it gives under clause 16(5) of Schedule 7 to the Act—
  - (a) a condition relating to visual amenity or aesthetics unless the condition relates to road infrastructure; or
  - (b) a condition relating to the technical design of, or the equipment or techniques used in the installation of, non-road infrastructure by a utility or a provider of public transport; or
  - (c) a condition that is not reasonably relevant to the conduct of the proposed works; or
  - (d) a condition requiring non-road infrastructure that would normally be placed above ground to be placed under a road; or
  - (e) a condition relating to environmental impact considerations other than in relation to the matters referred to in clause 14 of Schedule 7 to the Act; or

#### Note

Authorised uses of road reserves must be managed to protect and preserve existing significant roadside vegetation and sites of biological significance. See clause 14(3)(g) of Schedule 7 to the Act.

- (f) a condition requiring an indemnity in respect of the conduct of the proposed works that extends beyond a 12-month warranty period.

- (2) A coordinating road authority must not impose on a consent it gives to a provider of public transport, a responsible road authority or utility or an agent of any of these bodies under clause 16 of Schedule 7 to the Act, a condition relating to financial security in respect of the conduct of the proposed works.

*(Road Management (Works & Infrastructure) Regulations 2015: Regulation 18)*

The Coordinating Road Authority should not, as a condition of consent, require reinstatement to a higher standard of quality or design than existed before the works commenced (eg. upgrading or betterment of existing road infrastructure).

*(Code of Practice for Management of Infrastructure in Road Reserves - Clause 36)*

### Dispute Resolution process between a Utility or Provider of Public Transport and a Road Authority

Section 125 of the *Road Management Act 2004* provides that any dispute arising between a road authority and a utility or provider of public transport is to be determined by the relevant Minister and the relevant utility or provider of public transport Minister or their joint nominees, having regard to the works and infrastructure management principles.

From a practical perspective, utilities, providers of public transport and road authorities are encouraged to adopt the dispute resolution process outlined in clause 72 of the Code of Practice for Management of Infrastructure in Road Reserves. Every endeavour should be made to resolve disputes as quickly as possible with each party expected to bear its own costs.

*(Code of Practice for Management of Infrastructure in Road Reserves - Clause 72)*

### **Do you wish to control traffic through your work site?**

If you have assessed worksite safety in accordance with the Code of Practice for Worksite Safety - Traffic Management and need to utilise a traffic control device to control traffic through your worksite then you will require authorisation in accordance with the *Road Safety (Traffic Management) Regulations 2009*. This authorisation can take the form of a direct authorisation under the Regulations or a 'Memorandum of Authorisation' (MoA) from the appropriate road authority. This MoA does not give consent to conduct the works under the *Road Management Act 2004*.

Works managers conducting works on behalf of a utility or provider of public transport may use:

- works advisory devices, hand-held stop signs, works zone (parking) signs and temporary works speed-limit signs (no lower than 40km/h) without an MoA, provided the devices are part of the traffic management plan; and
- any other traffic control device, subject to an MoA from VicRoads.

Persons conducting works on behalf of a municipal Council may use minor traffic control devices and temporary works speed-limit signs (no lower than 40km/h) on a road or part of a road for which the council is the responsible road authority.

Otherwise:

- the use of a major traffic control device (such as temporary traffic signals) requires an MoA from VicRoads; and
- the use of a minor traffic control device requires an MoA from the coordinating road authority for the road.

Please contact your VicRoads Regional office for application requirements.

*(Road Safety (Traffic Management) Regulations 2009)*

### **Do you need other approvals before commencing work in a road reserve?**

Before works commence within the road reserve, infrastructure managers and works managers should ascertain if any other approvals are required.

Issues which may require separate approvals include:-

- Native vegetation removal—Department of Environment, Land, Water and Planning or the local Municipal Council
- Planning Permit—Local Council Planning Scheme
- Create or alter access to Arterial Road—Planning Permit from Local Council
- Working under power lines— Local electricity supply company

### **What must you do when planning works near utility services?**

Before commencing works within the road reserve, infrastructure managers and works managers should plan for the safe conduct of their works by:

- lodging an enquiry with Dial Before You Dig on line at [1100.com.au](http://1100.com.au) or by calling **1100**. Infrastructure managers who are registered with Dial Before You Dig and have underground assets in the area where you are proposing to work will automatically be advised and you will receive plans and other relevant information directly from the infrastructure manager.
- obtaining information on 'No Go Zone' requirements in the Work Safe Victoria document Framework for Undertaking Work Near Overhead and Underground Assets. Further information can be obtained from the Work Safe Advisory Service on **1800 136 089** or from the organisation's website at [info@workcover.vic.gov.au](mailto:info@workcover.vic.gov.au)

### **Do you need to notify the Coordinating Road Authority before commencing your works?**

An infrastructure manager or works manager must give notice to the relevant Coordinating Road Authority of any proposed installation of non-road infrastructure or related works in the road reserve.

*(Road Management Act - Schedule 7, Clause 7)*

An exemption from giving notice applies if you are a utility, provider of public transport or responsible road authority.

*Road Management (Works & Infrastructure) Regulations 2015: Regulation 16)*



## Conducting Works in a Road Reserve

### Do you need to consult with the public?

If you are an infrastructure manager or works manager who is proposing to install non-road infrastructure or conduct related works which are likely to significantly affect—

- (a) occupiers or owners of property near the road; or
- (b) a class of road users or another section of the public.

You should conduct appropriate consultation with the persons likely to be significantly affected.

*(Road Management Act – Schedule 7, Clause 10)*

### What must you do when planning works that affect Public Transport?

You must give notice to the relevant public transport infrastructure manager if your proposed works will be on, or in the immediate vicinity of rail infrastructure or rolling stock.

*(Road Management Act - Section 48EA & 48EB)*

The relevant provider of public transport should also be notified where proposed works will either require a road closure or lane interruption that affects a tram or bus service, or result in the closure of a tram or bus stop.

*(Code of Practice for Management of Infrastructure in Road Reserves - Clauses 43 to 47)*

Unless an exemption applies, these notification requirements do not remove the need to apply for consent to conduct the works as described on page 4 of this Guide.

### Does the consent you obtained from the Coordinating Road Authority expire?

Your application form proposed that the works be undertaken between a start and an end date. Consent, with or without conditions, will have been given based on the information provided on the application form so in effect the consent approval will expire when the end date is passed. If you wish to extend consent beyond the end date you will need to negotiate with the Coordinating Road Authority.

### What are the legislative obligations of Infrastructure Managers and Works Managers?

- (1) An infrastructure manager or a works manager must have regard to the principles specified below in the provision of non-road infrastructure on roads.
- (2) The primary purpose of a road is use by members of the public and authorised uses must be managed as far as is reasonably practicable in such a way as to minimise any adverse impacts on the primary purpose.
- (3) Without limiting the generality of sub-clause (2), authorised uses must be managed so as to—
  - (a) minimise any damage to roads and road infrastructure;
  - (b) ensure that any works necessary for the provision of non-road infrastructure are conducted as quickly as practicable;
  - (c) minimise any disruption to road users;
  - (ca) minimise any disruption to users of different modes of transport which have priority on specified roads;
  - (d) minimise any risk to the safety and property of road users and the public generally;
  - (e) facilitate the design and installation of infrastructure which minimises any risk to the safety of road users;
  - (f) ensure that the road and any other infrastructure is reinstated as nearly as practicable to the condition existing before the works necessary for the provision of the non-road infrastructure were conducted;
  - (g) protect and preserve existing significant roadside vegetation and sites of biological significance within the road reserve.

*(Road Management Act – Schedule 7, Clause 14)*

### How must you conduct the works?

An infrastructure manager or works manager must—

- (a) if practicable, use methods which do not involve excavating or breaking up the surface of a roadway or pathway or interfering with infrastructure in preference to methods that do;
- (b) if it is necessary to excavate or break up the surface of a roadway or pathway, the works should be conducted—
  - (i) at a time and in a manner to minimise as far as is reasonably practicable inconvenience to road users and other persons; and
  - (ii) so as to minimise long term damage or disruption;
- (c) as far as is practicable, reinstate at its own cost the roadway or pathway or infrastructure to the standard before the works were commenced.

*(Road Management Act – Schedule 7, Clause 5)*

All works must be conducted in accordance with any conditions included on a written consent issued by the Coordinating Road Authority.

*(Road Management Act- Section 65)*

You must keep a copy of the written consent at the work site throughout the duration of the works.

### Do you need a Traffic Management Plan to undertake works in a road?

Section 99A (3) of the *Road Safety Act 1986* states that a person (ie. a works manager) undertaking works on the road must have in operation a traffic management plan.

*(Road Safety Act 1986 – Section 99A)*

Guidance in preparing Traffic Management Plans can be found in the Code of Practice for Worksite Safety—Traffic Management.

A copy of the traffic management plan must be retained at the work site at all times when workers are present.



### What are your reinstatement obligations?

In completing the works, the works manager must after the works are completed reinstate the roadway, pathway or area of roadside to the standard before the works were commenced—

- (a) as promptly as is reasonably practicable;
- (b) as nearly as is reasonably practicable to an equivalent standard of quality and design; and
- (c) so as to ensure that any feature to assist persons with a disability is restored.

*(Road Management Act – Schedule 7, Clause 12)*

Each project requires individual consideration and the timing of permanent reinstatement works, where reasonably practicable, should be agreed with the Coordinating Road Authority before the project commences. For example -

- on a busy urban road, temporary reinstatement of any disturbed roadway, pathway or shoulder may be required at the completion of each day's work and the permanent reinstatement to follow the completion of the works;
- on the roadside of lightly trafficked rural roads, it may be agreed that permanent reinstatement can be completed within a longer timeframe, provided the worksite is maintained by the works manager in a condition that is safe for workers and road users at all times.

*(Code of Practice for Management of Infrastructure in Road Reserves - Clause 56)*

For utility or public transport works involving an extended period of time or significant lengths of roadway, pathway or shoulder (e.g mains replacement works), it may be appropriate to carry out temporary reinstatement works (to standards agreed by the Coordinating Road Authority) at the end of each day's work, and then carry out all permanent reinstatement following completion of these works. Permanent reinstatement works should generally be completed within two, and no later than three, months. In some circumstances, it may be considered cost efficient to complete a large quantity of reinstatements in a single mobilisation rather than to do them on an adhoc basis. Such a practice would cause less inconvenience to road users, residents and businesses.

### What if you wish to change the hours of work or days of working on your consent application form?

The Coordinating Road Authority assesses the application based on the information provided. If there is a need to change the timing details, you should advise the Coordinating Road Authority as soon as possible so it can reassess the application. Timing issues generally relate to impact on the community, traffic or significant local events.

If consent has already been given, it may be possible to negotiate a change to the consent approval without the need for a new application.



### **What are the reinstatement standards required for works on roads?**

The infrastructure manager or works manager will be responsible for arranging permanent reinstatement, and works should be carried out in accordance with generally accepted, quality assured specifications.

Roads, footpaths and other parts of the road reserve are built with different materials depending on factors such as vehicle types, vehicle volumes, type of road use and geographic location. Road authorities should make their reinstatement requirements available to infrastructure managers and works managers when consent is given. If the road authority does not provide its own reinstatement requirements, infrastructure managers and works managers are referred to AUSPEC#2 *Work section 1152: Road openings and restoration (utilities)* on local municipal roads and VicRoads Standard Specification Section 706 for reinstatement works on arterial roads. The provisions of a specification may be extended or varied by agreement between the parties, before works commence.

*(Code of Practice for Management of Infrastructure in Road Reserves - Clause 56)*

The works manager has an obligation to reinstate to a standard as nearly as is reasonably practicable to an equivalent standard of quality and design as was there before the works commenced.

*(Road Management Act – Schedule 7, Clause 12)*

If reinstatement is not completed satisfactorily, a Coordinating Road Authority may recover costs reasonably incurred in conducting rectification works from the infrastructure manager or works manager that failed to comply with its reinstatement requirements.

*(Road Management Act, Schedule 7, Clause 19)*

### **What are works conducted in an emergency?**

Works conducted in an emergency by a road authority, utility or provider of public transport are exempt from the requirement to obtain prior written consent from the Coordinating Road Authority

*(Road Management Act - Section 63 & Schedule 7, Clause 7)*

Works conducted in an emergency are considered to be works resulting from an actual or imminent threat to the safety of persons or traffic or the disruption of an essential service, or which destroy or damage, or threaten to destroy or damage any infrastructure, property or the environment arising from a situation relating to the presence of road infrastructure, utility services or public transport services within the road reserve. (eg. burst water main, gas main explosion, power lines over a road).

*(Code of Practice for Management of Infrastructure in Road Reserves - Clause 37)*

Further information on works conducted in an emergency, including notification requirements, can be found in clause 37 of the Code of Practice for Management of Infrastructure in Road Reserves.



## Notification requirements upon completion of works

### Who must you notify when the works are completed?

The works manager must within 7 business days of completing any works, including any reinstatement works, notify the relevant Coordinating Road Authority as to the works that have been completed.

The period of 7 business days may be varied by—

- (a) the relevant Coordinating Road Authority;
- (b) the regulations.

*(Road Management Act – Schedule 7, Clause 13)*

The Road Management (Works & Infrastructure) Regulations 2015, Regulation 14 allows a Utility or Provider of Public Transport (or their agent) to provide written notification of completion of works to the Coordinating Road Authority by the 14th day of the month next following completion of the works when they have undertaken minor works that were 'traffic impact works' or where those minor works involved the excavation of any part of a roadway, pathway or shoulder.

*(Road Management (Works & Infrastructure) Regulations 2015 - Regulation 14)*

## Useful Information

### Obtaining copies of Acts and Regulations

Victorian Acts and Regulations may be downloaded free of charge from the *Victorian Law Today website*.

Codes of Practice, as published in the Victoria Government Gazette, may be downloaded free of charge from **gazette.vic.gov.au** or

**vicroads.vic.gov.au**

## Web Sites

- VicRoads — [vicroads.vic.gov.au](http://vicroads.vic.gov.au)
- Worksafe Victoria—[worksafe.vic.gov.au](http://worksafe.vic.gov.au)
- Victoria Government Gazette—[gazette.vic.gov.au](http://gazette.vic.gov.au)
- Municipal Association of Victoria (for Council contacts) - [mav.asn.au](http://mav.asn.au)
- Dial Before You Dig - [1100.com.au](http://1100.com.au)
- Energy Safe Victoria - [esv.vic.gov.au](http://esv.vic.gov.au)

## Reference Documents

- Road Management Act 2004
- Road Management (Works & Infrastructure) Regulations 2015.
- Code of Practice for Management of Infrastructure in Road Reserves
- Code of Practice for Worksite Safety—Traffic Management
- Road Safety Act 1986
- Road Safety (Traffic Management) Regulations 2009

## Sample applications

Sample of VicRoads standard application for consent form: Works within Road Reserves

**Works Within Road Reserves** Version: 13 Nov 2008

This notification or application is provided in accordance with -  
 1. Road Management Act 2004, Schedule 7  
 2. Road Management (Works and Infrastructure) Regulations 2005

Use this form for: Notification of proposed works; Application for consent; or Notification of completed works to the Coordinating Road Authority (CRA)

**GENERAL INFORMATION**

Type:  VicRoads  Other  Other Ref:  Your Ref

VicRoads Customer Number: \_\_\_\_\_

**APPLICANT DETAILS**

ABN: \_\_\_\_\_ Branch number of applicant: \_\_\_\_\_

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/Town: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_ Telephone - Bus. Hours: \_\_\_\_\_  
 Mobile or AH Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**DETAILS OF WORK**

Work type: \_\_\_\_\_ Work hours: From \_\_\_\_\_ to \_\_\_\_\_  
 City/Town: \_\_\_\_\_ Start date: \_\_\_\_\_  
 Address: \_\_\_\_\_ Completion date: \_\_\_\_\_  
 Map: 1. Fabric No. \_\_\_\_\_ Map No. \_\_\_\_\_ Grid reference: \_\_\_\_\_  
 Nearest intersection: \_\_\_\_\_  
 Distance to intersection: \_\_\_\_\_ Direction to intersection: \_\_\_\_\_

Other roads / assets affected: \_\_\_\_\_

Location of utility assets (Note 1): \_\_\_\_\_

Description of works (Note 2): \_\_\_\_\_

**Works Manager details** (the person or body that is responsible for conducting these works)

Contractor: \_\_\_\_\_ Company name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/Town: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_ Telephone - Bus. Hours: \_\_\_\_\_  
 Mobile or AH Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**TEMPORARY REINSTATEMENT #** \*Required: \_\_\_\_\_ End date: \_\_\_\_\_ & Time: \_\_\_\_\_

**PERMANENT REINSTATEMENT #** \*Required: \_\_\_\_\_ End date: \_\_\_\_\_ & Time: \_\_\_\_\_

Contractor: \_\_\_\_\_ Company name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/Town: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_ Telephone - Bus. Hours: \_\_\_\_\_  
 Mobile or AH Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Copies of these forms can be obtained from the relevant Coordinating Road Authority (refer to p8).

**TRAFFIC IMPACT #**

1. Will a Traffic Management Plan be in operation during the proposed works?  
 (a) Yes (b) No

2. Will major traffic control devices requiring a "Memorandum of Authorization" be used?  
 (a) Yes (b) No

3. Will the works:  
 (a) require diversion of vehicular traffic onto on-coming traffic lane?  
 (b) be conducted in a clearway when in operation?  
 (c) be conducted on, partly on or affect a bridge or other structure?

4. Will closure of the road or part of the road to vehicular traffic be required for:  
 (a) a continuous period of more than 12 hours?  
 (b) more than 24 hours in a 7 day period?

5. If "yes" to either 4(a) or 4(b), then what is:  
 (a) the number of traffic lanes to be closed?  
 (b) the length of traffic lane to be closed (1st lane)?  
 (c) the length of traffic lane to be closed (2nd lane, if applicable)?

6. Will the work impact on public transport service, or access to a tram, train or bus stop (Note 3)?  
 (a) Has the relevant public transport provider been notified?

**CONSULTATION #**

7. Amongst property owners/occupiers/residents/members of the community?  
 (a) Yes (b) No

8. In access affected?  
 (a) Yes (b) No

**ASSETS OF OTHER PARTIES/AUTHORITIES AFFECTED (Note 4) #**

Owner: \_\_\_\_\_ \*Consulted: \_\_\_\_\_  
 Assets: \_\_\_\_\_  
 Effect: \_\_\_\_\_  
 Mitigation Plan: \_\_\_\_\_

Owner: \_\_\_\_\_ \*Consulted: \_\_\_\_\_  
 Assets: \_\_\_\_\_  
 Effect: \_\_\_\_\_  
 Mitigation Plan: \_\_\_\_\_

Owner: \_\_\_\_\_ \*Consulted: \_\_\_\_\_  
 Assets: \_\_\_\_\_  
 Effect: \_\_\_\_\_  
 Mitigation Plan: \_\_\_\_\_

**Footnotes**

Note 1: Including a scaled location map showing which road and which portion of the road reserve is affected, proposed depth of cover, clearance and effects to other roads and non-road infrastructure.

Note 2: Includes, except as noted, eg. 10m x 10m.

Note 3: If yes, provide details in "Road of other Parties/Authorities affected".

Note 4: Includes other utility infrastructure, street trees, heritage, nature vegetation and temporary works.

Sample of Municipal Council application for consent form: Non- Utility Minor or small scale Works within Municipal Road Reserves

**Minor Non-Utility Works within Municipal Road Reserves**

This notification / application is provided in accordance with -  
 1. Road Management Act 2004, Schedule 7  
 2. Road Management (Works and Infrastructure) Regulations 2005

Use this form for: Notification of proposed works; Application for consent; or Notification of completed works to the Coordinating Road Authority (CRA)

**Application Details**

Notification of proposed works  Application for consent (fee payable)

Fee \$ \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/20\_\_\_\_

Municipality: \_\_\_\_\_ Permit No: \_\_\_\_\_  
 Your Ref: \_\_\_\_\_

**Applicant details**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/Town: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_  
 Contact person: \_\_\_\_\_ Telephone (BH): \_\_\_\_\_  
 email address: \_\_\_\_\_ Facsimile: \_\_\_\_\_  
 Telephone (BH): \_\_\_\_\_ Mobile or AH Telephone: \_\_\_\_\_

**Details of Work**

Type:  Service connection  Drainage connection  Vehicle crossing  Other works (specify) \_\_\_\_\_

Proposed Start Date: \_\_\_\_/\_\_\_\_/20\_\_\_\_

Address of works: \_\_\_\_\_ City/Town: \_\_\_\_\_

Additional Location Details (optional): \_\_\_\_\_  
 Description of works\*\* \_\_\_\_\_

**Sketch Plan:** A copy of a sketch plan showing the proposed works, the location, all assets within the vicinity must be provided. Sketch include all trees, landscaping, road pavement, kerb & channel, footpaths, drains, service authority assets and private assets.

**Works Manager details** (the person or body who was/will be responsible for conducting these works)

Contractor Name: \_\_\_\_\_ ABN: \_\_\_\_\_  
 Contractor's Address: \_\_\_\_\_  
 City/Town: \_\_\_\_\_ State: \_\_\_\_\_ Postcode: \_\_\_\_\_  
 Works manager name: \_\_\_\_\_ Telephone (BH): \_\_\_\_\_  
 email address: \_\_\_\_\_ (AH): \_\_\_\_\_  
 Facsimile: \_\_\_\_\_ Mobile: \_\_\_\_\_

Does the Contractor have Public Liability Insurance?  Yes  No Amount of PL Cover \$ \_\_\_\_\_

Name of Public Liability Insurance Company: \_\_\_\_\_

**\*Works Manager - Any person or body that is responsible for the conducting of works in, on or under the road. (Road Management Act - Schedule 7, Clause 14)**

**Works Manager Responsibilities:**

(1) An infrastructure manager or a works manager must have regard to the principles specified in this clause in the provision of non-road infrastructure.  
 (2) The primary purpose of a road to be managed as for as reasonably practicable to such an extent as to minimise any adverse impacts on the priority purpose.  
 (3) Without limiting the generality of sub-clause (2), authorised users must be managed as to:  
 a. minimise any damage to roads and road infrastructure;  
 b. ensure that works necessary for the provision of non-road infrastructure are conducted as quickly as practicable;  
 c. minimise any disruption to road users;  
 d. minimise any risk to the safety and privacy of road users and the public generally;  
 e. facilitate the design and installation of infrastructure which minimises any risk to the safety of road users;  
 f. ensure that the road and any other infrastructure is maintained or ready as practicable in the condition existing before the works necessary for the provision of the non-road infrastructure were conducted; and  
 g. prevent and prevent any significant visible degradation and any other significant impacts within the road reserve.

Road Management Act - Schedule 7, Sec 14

