

# Annual Local Government Controlled Road Permit

## Permit No. 210604-000069

Previous Permit No. 200514-000094

### Permit Schedule

Item 1	Permitted Use:	Energy Queensland Maintenance Works
Item 2	Permitted Structures:	Energy / Electrical Infrastructure
Item 3	Subject Road:	All Ipswich City Council Roads
Item 4	Permit Dates:	From 01/07/2021 to 30/06/2022
Item 5	Permit Times:	As Per Condition 7 and 8
Item 6	Permit Holder:	Energy Queensland Limited
Item 7	Bond Amount:	NIL
Item 8	Bond Retention Period:	Not Applicable
Item 9	Special conditions:	Not Applicable

## Permit Conditions

### Definitions

1. In this permit:
  - (a) Council means Ipswich City Council.
  - (b) Item, followed by a number, means the item with that number in the Permit Schedule that forms part of this permit.
  - (c) Permitted Structure means any structure identified in Item 2.
  - (d) Permitted Use is defined in Item 1 and, if there are any Permitted Structures, includes their erection, use and removal.
  - (e) Permit Dates is defined in Item 4.
  - (f) Permit Holder is defined in Item 6.
  - (g) Permit Holder's People means the Permit Holder's employees, agents and invitees.
  - (h) Permit Times is defined in Item 5.
  - (i) Rectification Charges means:
    - (i) the costs incurred by Council in procuring the carrying out of any Rectification Works;
    - (ii) any additional amount certified by Council as the fair estimated cost of carrying out or arranging the Rectification Works or dealing with the Permit Holder's breach of a condition of this permit or insolvency (including Council's charges for supervision, interest, administration charges, legal costs and charges on a full indemnity basis, overheads and any reasonable contingency sum determined by Council);
    - (iii) any amount payable by the Permit Holder under any provision of Council's local laws; and
    - (iv) any amount payable by the Permit Holder under section 75(7) of the *Local Government Act 2009*.
  - (j) Rectification Works means the following (including physical works, site works, design work and professional services relating to any of the following):
    - (i) works to remedy a breach by the Permit Holder of a condition of this permit;
    - (ii) the alteration or rectification of any works done in respect of or in purported compliance with a condition of this permit;
    - (iii) works that Council could require the Permit Holder to do under a condition of this permit;
    - (iv) testing of any works described above;
    - (v) the compilation of "as constructed" information with respect to any works described above.
  - (k) Subject Road means the road identified in Item 3.

## Permit

2. On and subject to the conditions in this permit, Council grants to the Permit Holder a permit for the Permit Holder and the Permit Holder's People to:
  - (a) carry out the Permitted Use on the Subject Road during the Permit Times on the Permit Days; and
  - (b) erect any Permitted Structure on the Subject Road during the Permit Times on the Permit Days.

*Note: Condition 8 may restrict when the Permitted Use can begin.*

3. This permit is both:
  - (a) a permit under Council's *Local Law No. 7 (Local Government Controlled Areas and Roads) 2013*; and
  - (b) a permit under section 69(5) of the *Local Government Act 2009*, to the extent that anything authorised by this permit needs to be authorised under that section.

## General conditions

4. When doing anything authorised by this permit, the Permit Holder must take all reasonable measures to:
  - (a) protect the public from nuisance, injury or loss;
  - (b) ensure access to properties adjacent to the Subject Road is maintained;
  - (c) minimise impacts on participants in events and activities;
  - (d) ensure the safe passage of all road and footpath users;
  - (e) maintain the Subject Road in a neat and tidy condition; and
  - (f) protect the integrity of all public utility services located on or under the Subject Road, including by completing a 'Dial Before You Dig' search before the Permitted Use commences, if necessary.

## Weekly Work Schedules

5. At or before 12pm each Friday, the Approval Holder must issue to Council a Weekly Work Schedule for the forthcoming week.
6. After receiving a Weekly Work Schedule, Council may direct the Approval Holder not to undertake particular proposed Approved Activities that were outlined in the Weekly Work Schedule.

## What this approval authorises

7. On and subject to the conditions in this approval, Council grants to the Approval Holder an approval for the Approval Holder and the Approval Holder's People to carry out:
  - (a) Approved Work on Subject Roads as long as:
    - (i) the Approved Work is carried out on an Approved Day only;
    - (ii) the Approved Work is carried out during Approved Hours only; and

- (iii) Council has not given the Approval Holder a direction under condition 6 not to carry out the Approved Work; and
- (b) Approved Traffic Control Activities as long as:
  - (i) the Approved Traffic Control Activities are carried out on an Approved Day only;
  - (ii) the Approved Traffic Control Activities are carried out during Approved Hours only;
  - (iii) the Approved Traffic Control Activities will not cause traffic to be stopped for more than 2 minutes at a time; and
  - (iv) Council has not given the Approval Holder a direction under condition 6 not to carry out the Approved Traffic Control Activities.

**Excluded hours for Approved Activities**

8. Following are the excluded hours depending on the type or location of Council Road and the nature of the Approved Activities. More than one of these may apply:

Type or location of Council Road	Nature of Approved Activities	Excluded hours
Any Council Road	Any Approved Activities	Saturday or Sunday: Before 8am or after 5pm
Any Council Road	Any Approved Activities which are connected with works or traffic control on a State-Controlled Road	Any hours outside the hours allowed in the relevant TMR Permit
Any Council Road	Undertaken within, or within 200 metres of, a 40 km/h school zone on a school day	On school days: Before 9am or after 2pm
Local Street or Minor Collector (see Attachment A)	Any Approved Activities	Monday to Friday: Before 7am or after 5pm
Major Collector, Sub Arterial Road or Arterial Road (see Attachment A)	Involving a part lane closure or two-way contraflow	Monday to Friday: Before 9am or after 4pm
Major Collector, Sub Arterial Road or Arterial Road (see Attachment A)	Not involving a part lane closure or two-way contraflow	Monday to Friday: Before 7am or after 5pm

Type or location of Council Road	Nature of Approved Activities	Excluded hours
Brisbane Street, between Hooper Street and East Street, Ipswich  Limestone Street, between East Street and Burnett Street, Ipswich  Bell Street, Ipswich  Queen Street, Goodna  Smiths Road, Goodna	Involving any interruption to traffic flow	Each day:  From 6:30am to 6:30pm

*Note: Council's road hierarchy maps can be found at <https://www.ipswichplanning.com.au/planning-documents/standard-drawings> under "Roads".*

9. The Permit Holder must ensure that:
  - (a) a copy of this permit is kept at the location of the Permitted Use and made available for inspection if required; and
  - (b) the Permit Holder and the Permit Holder's People follow any direction given by a Council officer regarding the carrying out of the Permitted Use that does not directly contradict a condition of this permit.
  - (c) any impacts to bus routes or bus stops from the Approved Activities are notified in advance to TransLink; The applicant must gain approval for impacts to the passenger transport network as a result of the proposed works or Approved Activities. The Applicants must apply 21 days prior to changes commencing and comply with any stipulated approval conditions. Apply at [tmr.qld.gov.au/business-industry/Technical-standards-publications/Temporary-Closures\\_process](http://tmr.qld.gov.au/business-industry/Technical-standards-publications/Temporary-Closures_process) or via email to [temporary.closures@translink.com.au](mailto:temporary.closures@translink.com.au);
10. The Permit Holder must ensure that if any damage is done in the course of the Permitted Use:
  - (a) to the Subject Road or any other asset of or under the control of Council:
    - (i) the damage is reported to Council immediately; and
    - (ii) appropriate steps are immediately taken to make the area safe and maintain the area in a safe condition until all necessary repairs are effected; or
  - (b) to any utility services:
    - (i) the damage is reported to the appropriate utility authority immediately; and
    - (ii) any requirements of the utility authority for remedial work or other steps are complied with.
11. The Permit Holder and any person acting under this permit must ensure that the undertaking of the Permitted Use:

- (a) does not result in harm to human health or safety or personal injury;
  - (b) does not result in property damage or a loss of amenity;
  - (c) does not result in a nuisance; and
  - (d) complies with the minimum standards specified in any of Council's subordinate local laws with which the operation of an activity comprised in the Permitted Use must comply.
12. The Permit Holder must notify Council in writing of a suspension or cancellation of a consent, permit, licence, authorisation, registration, membership or approval under an Act for the Permitted Use within 3 days of the suspension or cancellation.
  13. The Permit Holder must not, and must ensure that none of the Permit Holder's People, breach any law when on the Subject Road or carrying out the Permitted Use.
  14. For the purposes of this permit, an act or omission of any of the Permit Holder's People is taken to be the act or omission of the Permit Holder.
  15. The permit holder must notify Council within 24 hours of any motor vehicle accident that occurs within the permit work zone.
  16. The permit holder must notify council immediately of any serious incident including when any person is admitted to a hospital or a fatality occurs within the permit work zone.
  17. The permit holder is to comply with their statutory Health and Safety Responsibilities "duty of care" and ensure as far as is reasonably practicable that other road users are not exposed to health and safety risks in accordance with the Work Health and Safety Act 2011.

#### Suspension or cancellation of permit

18. Council may suspend or cancel this permit under sections 12 and 12A of Council's *Local Law No. 4 (Permits) 2013*.
19. The Permit Holder must not undertake the Permitted Use or enter upon the Subject Road while this permit is suspended, or after it is cancelled, unless Council gives its express written approval.

#### Insurance

20. The Permit Holder must hold and maintain throughout the Permit Dates:
  - (a) public liability insurance with a reputable and licensed insurer for cover of at least \$20,000,000 per claim; and
  - (b) Workcover insurance as required by law.
21. Council may at any time ask the Permit Holder to provide evidence satisfactory to Council of any insurance the Permit Holder is required by this permit to hold. The Permit Holder must immediately give Council the requested evidence.

#### Permitted Structures and rectification of damage

22. The Permit Holder must not erect any structure on the Subject Road other than the Permitted Structures (if any).
23. The Permit Holder must ensure that no structure (even if a Permitted Structure) becomes affixed to the Subject Road unless this is expressly allowed by a special condition in Item 9.
24. The Permit Holder must ensure that by the end of the Permit Times on the last Permit Day:

- (a) each structure erected on the Subject Road (including any Permitted Structure) by the Permit Holder or the Permit Holder's People is dismantled, removed and taken away; and
  - (b) the Subject Road is left in a neat and tidy condition.
25. The Permit Holder must, within 7 days, comply with any requirement by Council (in the manner required by Council) to rectify any damage or subsidence that is attributable to the Permitted Use and that arises during the period of the Permit Dates or within 3 months after the last Permit Date.
26. The Permit Holder must pay to Council, as a debt, the amount of any Rectification Charges to the extent that they exceed the amounts recovered by Council as referred to in condition 30 (if any). This is the case even if:
- (a) this permit is suspended or cancelled;
  - (b) the Permit Dates have expired; or
  - (c) Council has repaid a Bond Balance (or an amount greater than it had to, or earlier than it had to) under condition 32.

### Bond

27. Conditions 27 to 33 apply only if there is an amount in Item 7 (Bond Amount). In those conditions:
- (a) Bond Balance means  $P - R$ , where:
    - (i)  $P$  is the total of the amounts the Permit Holder has paid to Council under conditions 28 and 31; and
    - (ii)  $R$  is the total of the amounts of Rectification Charges recovered by Council as referred to in condition 30 or paid by the Permit Holder under condition 26, but is taken to be zero if the formula above produces a negative amount.
  - (b) Bond Retention Period means the period in Item 8, starting on the last of the Permit Dates.
28. The Permit Holder must pay the Bond Amount to Council before the earliest Permit Date.
29. Despite any other provision of this permit, the Permit Holder is not authorised to carry out the Permitted Activities unless and until the Permit Holder has complied with condition 28.
30. If:
- (a) the Permit Holder breaches a condition of this permit; or
  - (b) Council suspends or cancels this permit,
- Council may reduce the then Bond Balance by the amount of the Rectification Charges or the then Bond Balance (whichever is the lesser amount) and having done so is taken to have recovered that amount from the Permit Holder.
31. If Council notifies the Permit Holder that Council has reduced the Bond Balance under condition 30, the Permit Holder must (within two business days) pay to Council enough to increase the Bond Balance back up to the Bond Amount.
32. At the end of the Bond Retention Period, Council will (within one month) repay to the Permit Holder the then amount of the Bond Balance if:
- (a) the Bond Balance is not zero;
  - (b) the Permit Holder applies in writing to Council for the return of the Bond Balance; and

- (c) Council is satisfied that there are not likely to be any further Rectification Charges that have not already been reduced in coming to the Bond Balance.
33. The Permit Holder is not entitled to require the payment of interest on the Bond Amount or the Bond Balance in any circumstances. Council may keep any interest it earns on the Bond Balance.

Special conditions

34. If there are any special conditions in Item 9, they are conditions of this permit and they prevail over any other condition of this permit to the extent of any inconsistency.

**IMPORTANT NOTES:**

Any failure by the Permit Holder to ensure that the conditions of this permit are complied with is an offence against section 13(1) of Council's *Local Law No. 4 (Permits) 2013* for which there is a maximum penalty of up to 50 penalty units.

Any act or omission that constitutes a breach of conditions of this permit is an offence against section 13(2) of Council's *Local Law No. 4 (Permits) 2013* for which there is a maximum penalty of up to 50 penalty units.

Refer to Council's *Local Law No. 4 (Permits) 2013* and *Local Law No. 7 (Local Government Controlled Areas and Roads) 2013* for more information about requirements relating to this permit.

Scott McDonald  
Senior Compliance Officer (Road Reserve Management)  
18<sup>th</sup> June 2021



The Standard Conditions Compliance:

1. All traffic management must be in accordance with the current version of the Manual of Uniform Traffic Control Devices (MUTCD):  
Yes
2. All traffic management must be undertaken by a company registered with the Department of Transport and Main Roads Traffic Management Registration Scheme:  
Yes
3. All traffic management plans and traffic guidance schemes must be authorised by an appropriately qualified competent person as defined in the Manual of Uniform Traffic Control Devices (MUTCD):  
Yes
4. Works or traffic control must not be undertaken within 100m of a 40km/h school zone on school days between the hours of 7:00 am - 9:00 am or 2:00 pm - 4:00 pm:  
Yes
5. Works or traffic control must not be undertaken within 50 metres of any traffic signal:  
Yes
6. When carrying out activities, the permit holder must undertake all reasonable measures to:
  - a. Protect the public from nuisance, injury or loss;
  - b. Minimise the duration of lane or road closures;
  - c. Minimise impacts including delays for road users;
  - d. Ensure access to adjacent properties is maintained;
  - e. Minimise impacts on participants of events and activities;
  - f. Ensure the safe passage of all road and footpath users;
  - g. Ensure refuse vehicles can service adjacent properties;
  - h. Maintain the site in a clean and tidy condition;
  - i. Protect the integrity of all public utility services located in the road reserve including completing a 'Dial Before You Dig' search before commencing works:; Yes
7. All works must be undertaken in accordance with Council's Standard Drawings available at [www.ipswichplanning.com.au/planning-documents/standard-drawings](http://www.ipswichplanning.com.au/planning-documents/standard-drawings):  
Yes
8. Trees including roots are not to be removed, damaged or trimmed:  
Yes
9. Any public infrastructure (eg. footpaths, verges, road pavements, kerbing, gully pits, islands, street lighting, driveways, traffic signs or other street furniture) that is disturbed, damaged or removed when undertaking activities must be repaired or reinstated to the standard required by Council's standard drawings:  
Yes
10. A copy of the Permit and approved Traffic Management Plan must be kept on site and be available for inspection at all times:  
Yes
11. Emergency services and all residents and businesses directly affected by the activities must be advised of the planned disruption at least 24 hours before works or traffic control commences:  
Yes
12. The permit holder must hold and maintain throughout the period of the works a current public liability insurance policy with a minimum of \$20 million. The insurance company must be licenced to operate in Australia. The Permit Holder must provide evidence of insurance to Council upon request:  
Yes
13. The Applicant must notify Translink regarding any impacts to bus routes or stops by email to [temporary.closures@translink.com.au](mailto:temporary.closures@translink.com.au): Yes
14. Access to Businesses and Residents shall be maintained at all times: Yes
15. Failure to adhere with any of these conditions will result in the permit becoming invalid: Yes
16. Council reserves the right to withdraw this permit at any time if the conditions of the permit are not being adhered to or upon assessment Council determines the activity as causing a nuisance, inconvenience or annoyance to the community, effecting the amenity of the area or the local environment: Yes
17. This permit only authorises works and traffic control on Local Government controlled roads. Any additional authority or permits from state authorities or utility providers will be required in addition to this permit: Yes

18. Ipswich City Council shall be notified in writing via e-mail to [rpermits@ipswich.qld.gov.au](mailto:rpermits@ipswich.qld.gov.au) of any changes to the approved Traffic Guidance Scheme (TGS). As soon as practicable after the changes, but no later than twenty four (24) hours, the new Traffic Guidance Scheme with an approval from a Traffic Management Design qualified person shall be submitted to Ipswich City Council for any permit and/or condition changes as required: Yes