



WORKS ON COUNCIL OWNED and/or MANAGED LAND POLICY

1. PURPOSE

This Policy sets out requirements for Works undertaken on council owned and/or maintained land including:

- road reservations
- public open spaces, and
- other council land

where excavation, reconstruction or modification of vehicular or pedestrian accessways, or any other construction Works are undertaken.

2. SCOPE

This Policy applies to any infrastructure reinstatement and/or rehabilitation requirements that are undertaken on land owned, maintained and/or managed by council, including public open space, road reservations, footpaths, nature strips and anything associated with the road:

- excavation Works for any required service installations, relocation, maintenance, drainage, or for any other reason, and
- the placement or transit of mobile plant or equipment, including any device placed for the purpose of construction, on land adjacent to any roads, footpaths, within public open spaces, reserves or properties that are owned and/or maintained by council, and
- temporary occupancy of council land for purpose associated with infrastructure Works.

Notwithstanding any variation to the requirements outlined in this Policy which any Government Authority (Federal or State) may consider may be exercised by virtue of its own or any other enabling legislation, with respect to any underground installations, the technical and quality standards of roadwork and materials specified herein are the minimum acceptable within the meaning of words "make good" or "reinstate" used in most such legislation.

3. DEFINITIONS

The following definitions apply to this Policy:

Applicant	means any natural person, body corporate and/or Service Authority intending to undertake and/or carrying out the Works.
Appropriately Qualified Person	means a person recognised by council or other bodies as appropriately experienced and qualified to provide expert advice in a particular field.
Council	means the Clarence City Council.
Emergency Works	means Works requiring action to mitigate an immediate risk to a person's life, health, property, or the environment.
Excavation	means any form of excavation into the ground, the removal of soil or rock to form an open face, hole or cavity
Major Works	means any Works exceeding two days duration in total.
Minor Works	means any Works of two days or less duration in total.
Public Open Space	means space for public recreation or public gardens or for similar purposes.
Road Reservation	means a strip of land that abuts property boundaries and which forms part of the public road accessible to the public that is owned and/or managed by Council.
Service Authority	means the Statutory Authority, Government Department, corporate body or any other organisation (State, Federal or private) under the relevant Act.
Traffic	means all pedestrian and vehicular traffic modes.
Works	is as defined in the Local Highways Standard Requirements By-Law and includes all Minor and Major Works.

4. POLICY STATEMENT

This Policy provides the framework for council to:

- identify minimum standards for reinstatement Works on roads, footpaths, reserves and properties that are owned and/or maintained by council.
- ensure Works are undertaken to a consistent standard and in compliance with relevant policies, legislation, regulatory standards, and Council specifications, and
- ensure inspection of Works are undertaken in a fair and transparent manner.

5. RELATIONSHIP TO COUNCIL STRATEGIC PLAN

The following objectives are identified in council's Strategic Plan 2021 – 2031:

- **Governance and Leadership**
To provide leadership and accessible, responsive, transparent and accountable governance of the city.
- **Council's Assets and Resources**
To efficiently and effectively manage our financial, human, and property resources to attain strategic goals and meet statutory obligations.
- **An Environmentally Responsible City**
Clarence is environmentally responsible, valuing and protecting the natural environment for a sustainable and liveable future.

6. RELATED DOCUMENTS

The legislation and documents listed below form the framework to give effect to this Policy:

LEGISLATIVE (ACTS, REGULATIONS AND STANDARDS)

- *Biosecurity Act 2019*
- *Disability Discrimination Act 1992 (Cth)*
- *Environment Conservation Biodiversity Protection Act 1999*
- *Environmental Management and Pollution Control Act 1994*
- *Local Government Act 1993*
- *Local Government (Building and Miscellaneous Provisions) Act 1993*
- *Local Government (Highways) Act 1982*
- *Nature Conservation Act 2002*
- *Road Rules 2019*

- *Threatened Species Protection Act 1995*
- *Urban Drainage Act 2013*
- *Water and Sewerage Corporation Act 2012*
- *Telecommunications Act 1997 (Cth)*
- *Telecommunications Code of Practice 2021*
- *Threatened Species Protection Act 1995*
- *Traffic Act 1925*
- *Work Health and Safety Act 2012*

COUNCIL POLICIES, STRATEGIES AND BYLAWS

- Clarence City Council Local Highways Standard Requirements By-Law No. 2 of 2014
- Clarence City Council Trees on Council Owned or Managed Land 2021
- Clarence City Council Public Places By-law No. 1 of 2018
- Clarence Weed Strategy 2016-2030

STANDARDS

- AS4970-2009 - Protection of Trees on Development Sites
- AS1742.3 - Manual of Uniform Traffic Control Devices
- Austroads Guide to Temporary Traffic Management

7. POLICY REQUIREMENTS

All Works must conform with council's approved 'Specifications for Works on Council Owned and / or Managed Land', unless otherwise agreed by council in writing and approved by the Group Manager Engineering Services (or delegate).

8. IMPLEMENTATION AND COMMUNICATION

The Group Manager Engineering Services is responsible for the implementation of this Policy.

This Policy will be communicated via:

- council's website; and
- internal circulation to staff.

9. REPORTING

To be determined.

10. ADMINISTRATIVE ARRANGEMENTS

TABLE OF AMENDMENTS

No.	Date	Brief Details

APPROVAL

CEO APPROVAL DATE	24 May 2023
REVIEW	Every 5 Years
RESPONSIBLE POSITION	Group Manager Engineering Services
ECM REFERENCE	Document Set ID 4976973