

Connecting
our communities

A guide to working in the Road Reserve

Companion document
January 2020



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Section 1

“Application for Consent” Forms

You must obtain consent from the relevant Coordinating Road Authority if you are proposing to conduct works within the road reserve unless you are exempt under either the *Road Management Act 2004* or the *Road Management (Works and Infrastructure) Regulations 2015*.

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

An application form for consent to conduct work in a road reserve must be made to the Coordinating Road Authority for that road. If you are unsure, or you require an application form, 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.

Section 2

Notification to the Coordinating Road Authority following Completion of Works

The *Road Management Act 2004* requires Infrastructure Managers and Works Managers to notify the Coordinating Road Authority when works have been completed.

Flow Chart 3 in Section 4 of this Companion outlines the timeframes associated with these requirements.

Notification details are shown below:

Works where consent has been given

If all information contained within an Application for Consent Form is still correct, then there is only a need to advise the Coordinating Road Authority of the Consent Form reference number and the date when the works were completed. If details were varied during the works, then updated information should be forwarded as part of the notification process. This notification should be given within the prescribed timeframes.

Works which are exempt from consent

Minor Works conducted by a responsible road authority, utility or provider of public transport are exempt from the requirement to give notice of the completion of Minor Works except where those Minor Works:

- were "Traffic Impact Works"; or
- involved the excavation of any part of the roadway, pathway or shoulder.

Works conducted in an Emergency

All details within the Standard Application for Consent Form, except for the 'Consultation' and 'Assets of Other Parties/Authorities Affected' sections, should be completed and submitted to the Coordinating Road Authority within the prescribed timeframes, following the completion of any works conducted in an emergency.

Note: *The road authority, infrastructure manager or works manager responsible for the works conducted in an emergency must notify the Coordinating Road Authority as soon as is reasonably practicable after making the site safe.*

Section 3

Questions & Answers

Applying for consent

Question	Response
1. I want to work in the Road Reserve. What do I need to do?	Before any work can be conducted in the Road Reserve you must obtain consent from the Coordinating Road Authority. If you are undertaking the works, you are the "works manager" as detailed in the <i>Road Management Act 2004</i> and its Regulations. In certain circumstances, Utilities, Responsible Road Authorities, Providers of Public Transport or Fire Authorities, and their agents, may be exempt from obtaining consent. These exemptions can be found by reference to the <i>Road Management Act 2004</i> and Road Management (Works and Infrastructure) Regulations 2015.
2. Who are the Coordinating Road Authorities?	As a general rule: <ul style="list-style-type: none"> • Freeways and Arterial Roads – VicRoads • Municipal Roads – Local Councils • Non-Arterial State Roads (e.g. roads in State parks) – Parks Victoria, Department of Environment, Land, Water and Planning. Refer to 'Maps of declared roads' on the VicRoads website for maps of roads in Victoria (vicroads.vic.gov.au)
3. Where can I go to find out to whom I must lodge an application?	Approach your local Council or your VicRoads Regional office. Alternatively, information can be obtained from: <ul style="list-style-type: none"> • the Municipal Association of Victoria website mav.asn.au, • the local Council website • the VicRoads website vicroads.vic.gov.au Consent application forms should be available from the local Council or VicRoads websites.
4. What works in road reserves require consent?	Consent is required for all works on, in, under or over a road. This includes: <ol style="list-style-type: none"> excavating or breaking up the surface of the road; erecting a structure on, in or over a road; removing or interfering with any structure or marking on the road; planting or removing a tree or other vegetation; tunnelling under a road; connecting a road to a road; installing drains, pipes, cables, building shelters or other structures on a road reserve; erecting any obstruction on a road or otherwise impeding the use of a road for the purpose of conducting any works; installing a driveway crossing; or constructing a footpath. Exemptions apply in certain circumstances. Refer to Question 1 and 5.
5. What works are exempt from requiring consent?	Exemptions from consent can be found by reference to the <i>Road Management Act 2004</i> and Road Management (Works and Infrastructure) Regulations 2015. Generally, exemptions from consent are available to Utilities, Providers of Public Transport and Responsible Road Authorities, and their agents, who are conducting "minor works" that are not "traffic impact works". Other exemptions from consent for works of a minor (or small scale) nature are available in certain circumstances. Reference should be made to the Road Management (Works and Infrastructure) Regulations 2015, and Questions 13 and 15, for the definitions of "minor works" and "traffic impact works". An exemption also applies to a Utility, Provider of Public Transport and Responsible Road Authority when works are conducted in an emergency.

Applying for consent

Question	Response
<p>6. What are works conducted in an emergency?</p>	<p>Works conducted in an emergency by a utility, provider of public transport or responsible road authority 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.</p> <p>Examples of works conducted in an emergency can include works in response to</p> <ul style="list-style-type: none"> a. a burst water main, gas main explosion or power lines over a road.: b. a safety related incident, customer service obligation (including disruption to an essential service) or regulatory obligation that requires attendance within a specified priority response time of up to 3 business days (e.g. as specified by EnergySafe Victoria relating to gas, or as required by an accepted Electricity Safety Management Scheme). <p>More information can be found in clause 37 of the Code of Practice for Management of Infrastructure in Road Reserves.</p>
<p>7. How do I apply for consent to work in a road reserve?</p>	<p>An application for consent must be lodged with the Coordinating Road Authority. It is recommended that the standard application for consent form be used when making your application to the Coordinating Road Authority (Refer to Question 3 above and Section 1 of this Companion). It outlines the details that are required and when completed in full, will supply sufficient information to allow the Coordinating Road Authority to assess your application.</p> <p>The form may be lodged in person, by mail or by e-mail to the Coordinating Road Authority responsible for the road on which the works are proposed to be carried out. (Refer to the details provided in Question 3).</p>
<p>8. How should I pay my consent application fee?</p>	<p>A consent application fee is expected to be paid in full at the time of lodgement of the application form.</p> <p>Coordinating Road Authorities may issue invoices under normal commercial terms to Utilities who have a high number of applications.</p>
<p>9. Can a Coordinating Road Authority charge a road opening permit fee or asset protection permit fee for works in the road reserve in addition to the consent fee?</p>	<p>With the introduction of the <i>Road Management Act 2004</i> and the consequential amendments to the <i>Local Government Act 1989</i>, Road Opening Permits (including the payment of permit fees) for works on Council roads (i.e. municipal roads) must no longer be applied. The consent application process (including the payment of fees) as set out in the <i>Road Management Act 2004</i> and Road Management (Works and Infrastructure) Regulations 2015 provides the mechanism to manage and control all works in the Road Reserve.</p> <p>Asset protection permits, and fees, only apply to work on land abutting a road that may damage Council assets or infrastructure.</p>
<p>10. The project is to be conducted along a road that crosses two Coordinating Road Authority boundaries. To whom do I lodge an application?</p>	<p>An application for consent must be lodged with each Coordinating Road Authority (e.g. 2 local Councils) for those parts of the works that will be conducted on the section of road for which each Coordinating Road Authority is responsible.</p>
<p>11. Are there any special consent application requirements for:</p> <ul style="list-style-type: none"> (i) works on more than one road; or (ii) works involving multiple road openings? 	<p>Where a utility or provider of public transport proposes to undertake:</p> <ul style="list-style-type: none"> a. a single infrastructure project that involves works extending along a number of roads that are the responsibility of a single coordinating road authority (e.g. multiple road openings / excavations or overhead / underground service installations), in general, that utility or provider of public transport should only be required to submit one application for consent; or b. works along a single road involving multiple openings / excavations of the roadway, pathway or shoulder that individually are identified as exempt from the requirement to obtain consent in accordance with the Road Management (Works and Infrastructure) Regulations 2015 (e.g. minor works less than 8.5 square metres in area) but that in total would exceed the exemption from consent threshold (as set out in these same Regulations), then the utility or provider of public transport should submit an application for consent to the coordinating road authority.

Applying for consent

Question	Response
<p>12. What do I need to include with my application?</p>	<p>Applicants should complete the standard application form taking care to fully and accurately answer all questions. It is recommended that an application include:</p> <ul style="list-style-type: none"> a. a plan showing the extent of the works. b. details of the location of the works. <p>The Road Management (Works and Infrastructure) Regulations 2015 also require the following information to be provided where the works may affect non-road infrastructure of another infrastructure manager or works manager:</p> <ul style="list-style-type: none"> • details of notices given to the other infrastructure managers; and • details of consultation with members of the public affected by the works.
<p>13. What are "Minor Works"?</p>	<p>"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 (Note: They are defined in the Road Management (Works and Infrastructure) Regulations 2015 – Regulation 6 refers):</p> <ul style="list-style-type: none"> 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 (Note: excluding "service extension works – refer Question 14); c. the repair of maintenance of: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) any part of a road other than a roadway, pathway or shoulder; or (ii) an area of a roadway, pathway or shoulder; <p>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.</p> 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 <i>Road Safety Act 1986</i> 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 <i>Road Management Act 2004</i>; l. any other works conducted for the purpose of repairing, inspecting, operating or testing an asset or for the purpose of a survey. <p>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":</p> <ul style="list-style-type: none"> 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): <ul style="list-style-type: none"> (i) that is located longitudinally within a road reserve: <ul style="list-style-type: none"> 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.

Applying for consent

Question	Response															
14. What are "Service Extension Works"?	<p>"Service Extension Works" are works specified in column 2 of the Table (below) that are undertaken by a utility or an agent of a utility in the area specified in column 3 of the Table opposite those works for the purpose of:</p> <ol style="list-style-type: none"> extending non-road infrastructure owned, operated or controlled by that utility; or enabling a person to be provided a service by a utility. <table border="1"> <thead> <tr> <th>Items</th> <th>Works</th> <th>Area</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>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</td> <td>an urban area</td> </tr> <tr> <td>2</td> <td>Works involving the installation of more than one additional pole</td> <td>an urban area</td> </tr> <tr> <td>3</td> <td>Works involving the installation of non-road infrastructure under an area of road that spans a distance exceeding 300 metres in length</td> <td>any area other than an urban area</td> </tr> <tr> <td>4</td> <td>Works involving the installation of more than 3 additional poles</td> <td>any area other than an urban area</td> </tr> </tbody> </table> <p>(Regulation 8 - Road Management (Works and Infrastructure) Regulations 2015)</p>	Items	Works	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	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
Items	Works	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	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														
15. What are "Traffic Impact Works"?	<p>"Traffic Impact Works" means works:</p> <ol style="list-style-type: none"> works conducted: <ol style="list-style-type: none"> on a freeway; or on an arterial road and that require the deviation of vehicular traffic into an on-coming traffic lane; or in a clearway when it is in operation; in a bus lane when it is in operation; or on, or partly on, or that affect, a bridge or other structure 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; within a road reserve on, or in the vicinity of, a level crossing within the meaning of section 221U of the <i>Transport (Compliance and Miscellaneous) Act 1983</i>; or "peak hour traffic works" (refer Question 16); works that require a part of a roadway, other than a part on which parking is permitted, to be closed to vehicular traffic for: <ol style="list-style-type: none"> a continuous period of more than 12 hours; or for a period of more than 24 hours in 7 days; or 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 works conducted on a road in an urban area within metropolitan Melbourne, Geelong, Ballarat or Bendigo: <ol style="list-style-type: none"> that are likely to have a duration of more than 15 minutes; and 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 works conducted on a road in an urban area within metropolitan Melbourne, Geelong, Ballarat or Bendigo: <ol style="list-style-type: none"> that are likely to have a duration of more than 2 hours; and 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 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; 															

Applying for consent

Question	Response
15. What are "Traffic Impact Works"? (continued)	<p>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;</p> <p>i. works conducted in circumstances to which a declaration under regulation 9 applies (Regulation 5 – Road Management (Works and Infrastructure) Regulations 2015)</p>
16. What are "Peak Hour Traffic Works"?	<p>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:</p> <p>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;</p> <p>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;</p> <p>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.</p>

Assessing the application

Question	Response
17. How long does the Coordinating Road Authority have to consider my application for consent to conduct works within the road reserve?	<p>The Coordinating Road Authority has 20 business days to respond in writing to an application for consent unless varied by regulation. The Road Management (Works and Infrastructure) Regulations 2015 provide that where the application is from a Utility, a written response must be provided within 15 business days for "service extension works" and within 3 business days for works conducted by a Utility to enable a person to be provided with a service by a Utility that are "traffic impact works" and are not "service extension works" (refer Question 14).</p> <p>If the Coordinating Road Authority has not responded within the required time frame, consent is deemed to have been given.</p> <p>If a Coordinating Road Authority refuses to give consent, it must provide its reasons in writing.</p>
18. Is the consent I receive from the Coordinating Road Authority likely to contain conditions?	<p>The Coordinating Road Authority may issue consent with or without conditions. If consent is issued with conditions, the works manager must comply with those conditions.</p>
19. How will I know I have consent to proceed with my works?	<p>The Coordinating Road Authority must make a decision within the prescribed timeframes and advise the applicant of the decision in writing.</p>
20. Does the consent I obtained from the Coordinating Road Authority expire?	<p>The application form requires you to nominate the proposed start and end dates for the works. 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.</p>
21. Does the Coordinating Road Authority need to approve my traffic management plan?	<p>The Road Safety (Traffic Management) Regulations 2019 require a traffic management plan to be in operation and available on site at all times that workers are present whilst the works are being conducted on the road. It does not require the Coordinating Road Authority to approve the traffic management plan. It is the responsibility of the works manager to conduct the works safely (Section 99A of the <i>Road Safety Act 1986</i>).</p>

Undertaking the works

Question	Response
22. When can I start work in the Road Reserve?	<p>The consent application form that was submitted to the Coordinating Road Authority must include proposed commencement and completion dates for the works. Once consent has been received, works may be conducted between the start and end dates indicated on the application form subject to any conditions included on the consent issued by the Coordinating Road Authority.</p> <p>This consent applies only to works under the <i>Road Management Act 2004</i>. Applicants are advised to check other authorities regarding the need for any other approvals before works commence (refer to Question 23)</p>
23. What other approvals may be needed before I can start work?	<p>Other Authorities may have approval requirements over aspects of the road and road reserve in addition to those of the Coordinating Road Authority under the <i>Road Management Act 2004</i>. Examples include:</p> <ul style="list-style-type: none"> • Local Planning Authority – Planning Permit requirements • Electricity Supply Company – No-Go zones around overhead power lines • Department of Environment, Land, Water and Planning – Vegetation removal
24. If I wish to reduce the posted speed limit through the work site, what must I do?	<p>You cannot install a temporary roadworks speed limit that varies the permanent speed limit unless you have obtained a Memorandum of Authorisation (MoA). This is a separate application process which is independent from the <i>Road Management Act 2004</i> consent for works requirements.</p> <p>The <i>Road Management Act 2004</i> authorise responsible road authorities, utilities and providers of public transport to install temporary roadworks speed limit signs (with a speed not less than 40km/h) without the need for an MoA in certain specified circumstances.</p> <p>For all other persons, an MoA application (where required) to use a temporary works speed limit sign must be made to either VicRoads (as the coordinating road authority for freeways and arterial roads) or the relevant council (as the coordinating road authority for municipal roads) in accordance with regulation 18 of the Road Safety (Traffic Management) Regulations 2019.</p>
25. What if I wish to change the times and dates for the works after the consent application form has been lodged with the Coordinating Road Authority or consent obtained?	<p>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 they can reassess the application. Timing issues generally relate to impact on the community, traffic, public transport or significant local events.</p> <p>If consent has already been given, it may be possible to negotiate a change to the consent conditions without the need for a new application.</p>
26. How must the work be conducted?	<p>You must take reasonable steps to:</p> <ul style="list-style-type: none"> • Minimise disruption to traffic; • Minimise interference with public transport services; • Minimise damage to roads and other infrastructure; • Ensure the safety of the works; • Conduct works as quickly as possible; • Protect and preserve roadside vegetation; • Make adequate provisions for people with disabilities; • Comply with any conditions included on the written consent.
27. Do I need to conduct the works safely?	<p>A works manager and his team working in the road reserve must ensure that the works are conducted in a manner that is safe for road users and persons engaged in carrying out those works (as required by section 99A of the <i>Road Safety Act 1986</i>).</p> <p>The works manager must</p> <ul style="list-style-type: none"> • Have in operation a Traffic Management Plan • Give appropriate warnings to road users • Engage appropriately qualified and trained people • Give appropriate directions to those engaged in the works

Undertaking the works

Question	Response
28. What is a Traffic Management Plan?	The Code of Practice for Worksite Safety - Traffic Management has been developed to assist in the preparation of Traffic Management Plans. A Traffic Management Plan must be prepared for all works on roads, comply with the Code and be available on site at all times that workers are present. Copies of this Code can be downloaded over the internet from the VicRoads website vicroads.vic.gov.au
29. Who is responsible for re-instatement of the road?	The works manager, being the person or organisation who conducts the works on the road, is responsible for reinstatement of the road after works have been completed.
30. What reinstatement standards must I adhere to?	Roads must be reinstated to a standard that is as nearly as is reasonably practicable to an equivalent standard of quality and design as before the works commenced. VicRoads reinstatement standards for freeways and arterial roads are specified in its Standard Specification Section 706 (Installation or Replacement of Utility Infrastructure within Road Reserves). It is available from their Regional Offices. Local Councils generally have their own local standards on municipal roads. If they are not available, works managers are referred to AUSPEC#2 Works section 1152: Road openings and restoration (utilities) for reinstatement requirements on municipal roads.
31. What happens if I do not reinstate the road properly?	The Coordinating Road Authority has the power to issue a notice to require you to rectify any works not reinstated properly. If you do not satisfactorily complete the rectification works, the Coordinating Road Authority may conduct the rectification works itself and recover the cost for doing so from you.
32. Who is responsible for the works conducted in the road reserve?	Works conducted in a road reserve are the responsibility of the works manager undertaking those works. If a works manager is undertaking the works on behalf of an infrastructure manager (such as a Utility) the infrastructure manager shares that responsibility. Repairs to roads damaged during the works are also the responsibility of the infrastructure manager or works manager. Works managers may request the local Council to reinstate the road after works are complete, but unless the Council agrees to complete the reinstatement, they remain the responsibility of the infrastructure manager or works manager. The works manager is responsible for a 12 month period for the maintenance of their reinstatement works and any associated repairs to the road infrastructure needed as a consequence of poor performance of those reinstatement works.
33. Who is responsible for surveillance of work in road reserves?	The <i>Road Management Act 2004</i> places a requirement on the works manager to ensure that all work, including reinstatement work is completed in accordance with the Act and any conditions placed on the written consent. When an infrastructure manager has initiated the works, the infrastructure manager has the responsibility for onsite surveillance. However, the consent application process provides a mechanism for the Coordinating Road Authority to be informed of what is happening on its road network and to inspect works as they proceed. The Act also allows a Coordinating Road Authority to appoint Authorised Officers who can issue road management infringement notices if compliance with <i>Road Management Act 2004</i> requirements and consent conditions are not complied with.
34. What can I do if I observe unsafe work practices at a worksite?	WorkSafe Victoria is charged with encouraging and enforcing worksite safety. They have trained officers who can respond in these circumstances. If the site is of serious concern, the matter should be reported to WorkSafe. WorkSafe can be contacted by phone on 1800 136 089.

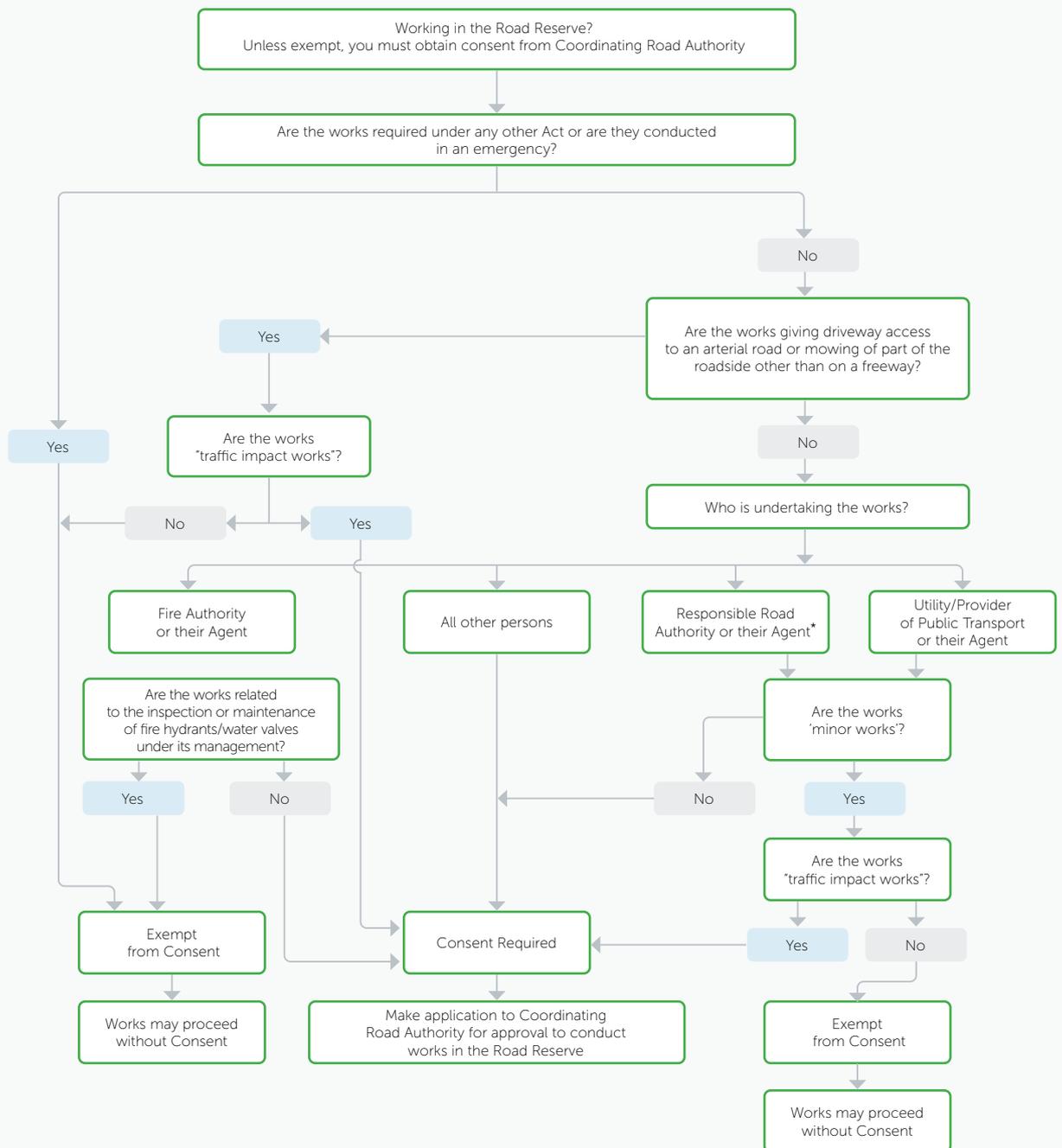
Completion of works

Question	Response
35. How must I leave the worksite?	You must ensure that the road and any other infrastructure is reinstated as nearly as reasonably practicable to the condition existing before the works commenced.
36. Do I need to notify the Coordinating Road Authority when I have completed the works?	As a works manager you must within 7 business days of completing any works, including any reinstatement works, notify the relevant Coordinating Road Authority that the works have been completed (refer section 2 of this Companion). The Road Management (Works & Infrastructure) Regulations 2015 allow a Utility and a Provider of Public Transport 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 conducted minor works that were traffic impact works or involved the excavation of any part of a roadway, pathway or shoulder.

Section 4

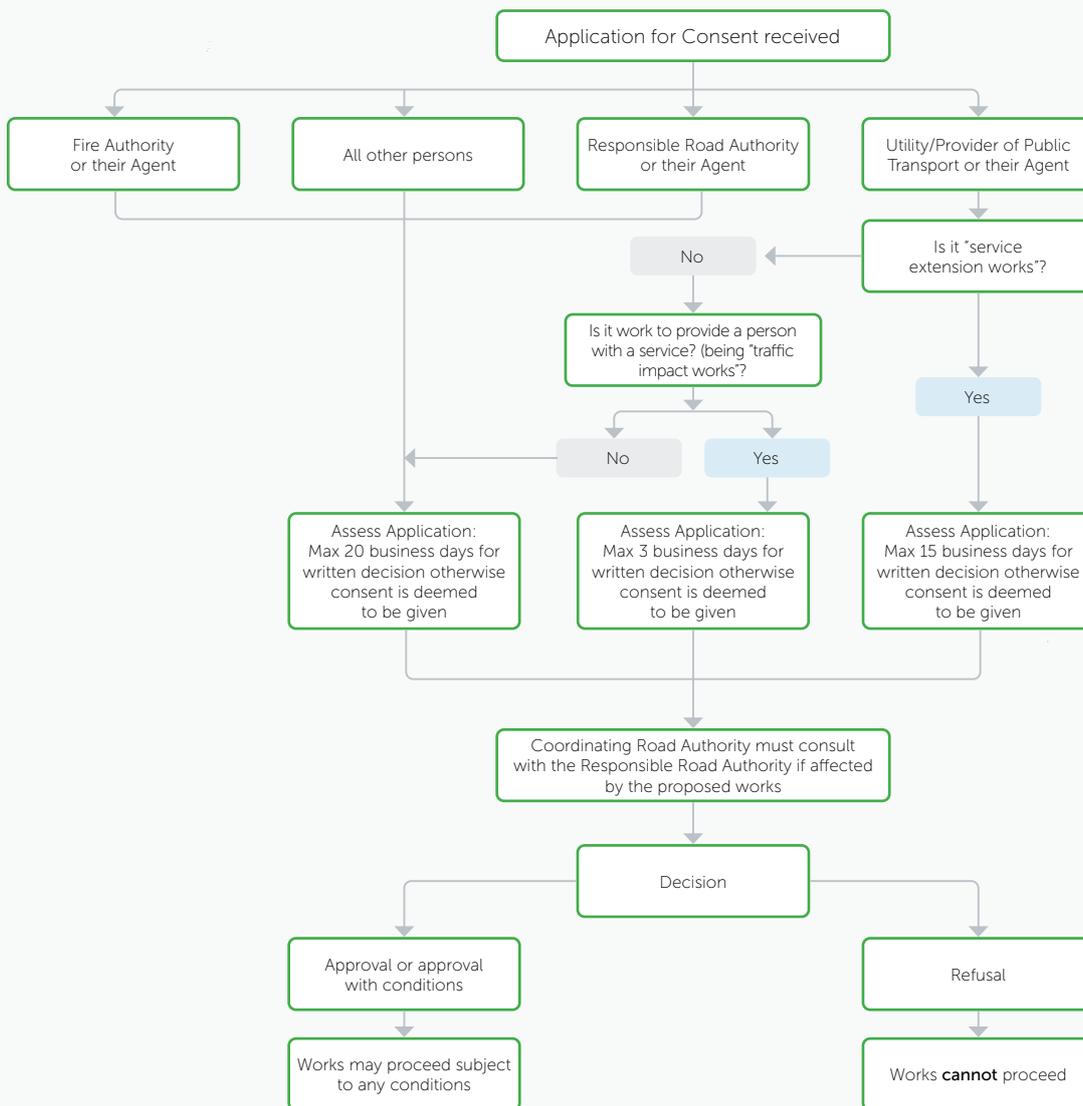
Process flow charts

Flow Chart 1: Consent application requirements

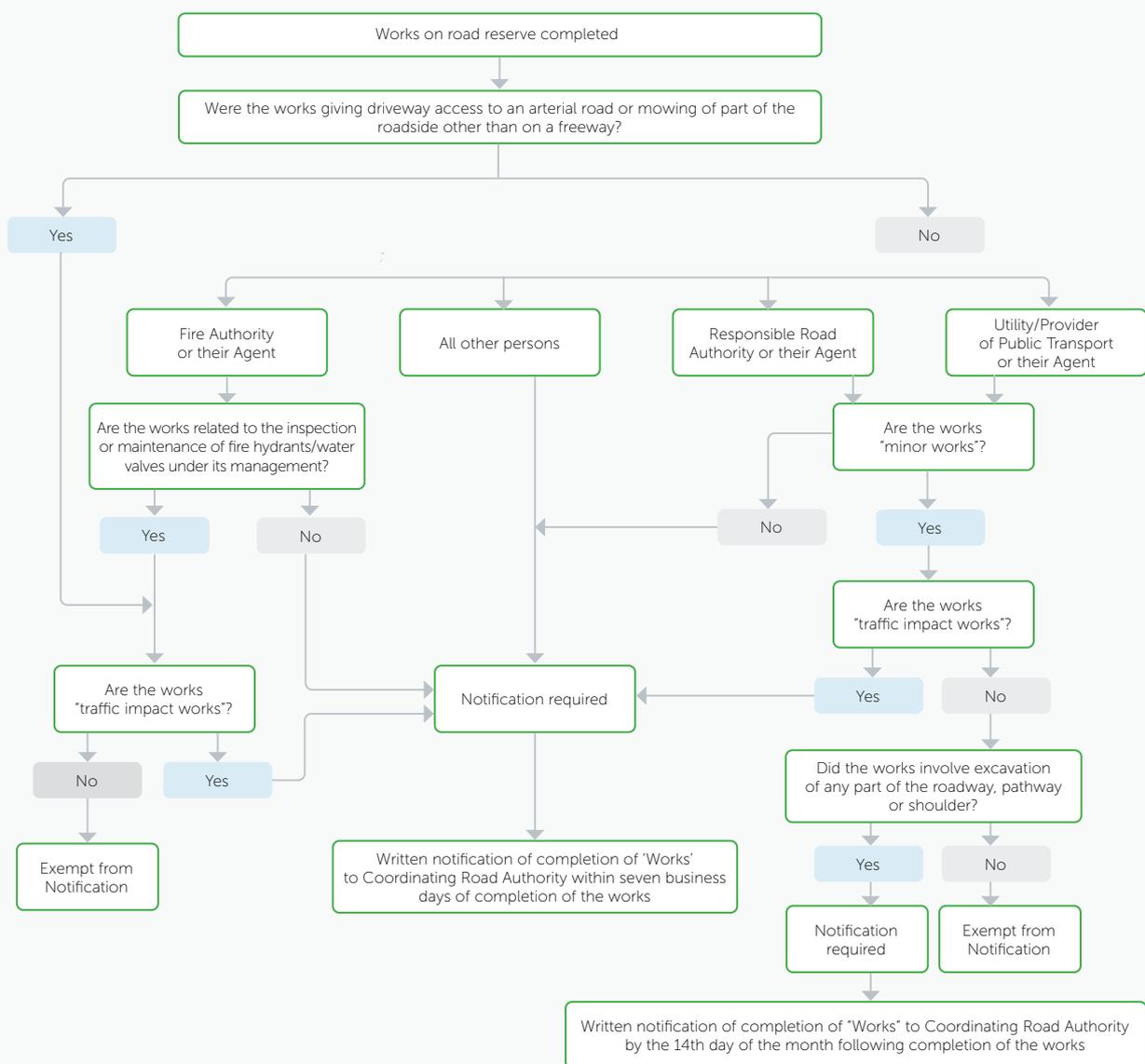


* A Responsible Road Authority proposing to conduct works on a road for which it is not the Coordinating Road Authority must apply for consent from the relevant Coordinating Road Authority (unless an exemption applies).

Flow Chart 2: Consent Application Consideration Process Coordinating Road Authority



Flow Chart 3: Notification of Works Completion to Coordinating Road Authority by Works Manager



Section 5

Case Studies – Application for Consent

Note: For all works on roads, including the cases shown in this section, the works manager responsible for conducting the works must have in operation a traffic management plan as required by section 99A of the Road Safety Act 1986

Example 1

The Regional Water Authority has engaged a contractor to construct a water or sewer main under a local municipal road which would involve open trenching the width of the road and have a road closure of 8 hours (4 hours for each lane).

- The speed limit on the road is 60 km/h. Road width 8 metres
- Trench width 0.6 metres
- Area of affected road pavement 4.8 square metres
There are no public transport services on the road.

Response

Schedule 7, clause 5 of the Road Management Act places a duty on the infrastructure manager or works manager to avoid unnecessary interference with infrastructure. It states ‘...if practicable, use construction methods which do not break up the surface of the roadway...’

Road boring is preferred and should be investigated but it is not mandatory.

The Regional Water Authority is a “Utility” under the Act. They are the “infrastructure manager” and their contractor is the “works manager”. The contractor is an agent of the Utility.

Accepting that they have evaluated the situation in accordance with the Act and decided that open trenching is required then as the proposed excavation area is less than 8.5 square metres the works are “minor works”. The works are proposed to be conducted by a “Utility or their agent” on a municipal road having a speed limit of 60k/hr. It is proposed to conduct the works through alternate lane closures. This method of construction does not result in these “minor works” being “traffic impact works” as defined in the Road Management (Works and Infrastructure) Regulations 2015. The works are therefore exempt from consent.

Note

- **Had the proposed works been conducted on an arterial road, then the open trenching would have necessitated a lane closure for a period of time and the diversion of traffic into the oncoming traffic lane. This would then meet the requirement for “traffic impact works” and therefore consent would be required before works could commence.**

- **Had the proposed works been conducted by a Water Authority and required the deviation, cancellation or replacement of a tram or bus, (or caused the temporary closure or relocation of a bus stop or tram stop in an urban area for more than 15 minutes), then the works would have been “traffic impact works” and therefore consent would be required.**

Example 2

A local developer has engaged a plumbing contractor to construct a water main under a local municipal road (to connect to an adjoining subdivision development) which would involve open trenching the width of the road and have a road closure of 8 hours (4 hours for each lane). The speed limit on the road is 60 km/h.

Road width 8 metres Trench width 0.6 metres

Area of affected road pavement 4.8 square metres

Response

Schedule 7, clause 5 of the Road Management Act places a duty on the works manager to avoid unnecessary interference with infrastructure. It states ‘...if practicable, use construction methods which do not break up the surface of the roadway...’

Road boring is preferred and should be investigated but it is not mandatory.

The contractor is the works manager for this project (acting for the local developer). As these works are not being conducted by a utility (or an agent of a utility), there are no exemptions for private contractors in accordance with Regulation 10 of the Road Management (Works and Infrastructure) Regulations 2015, so an application to the Coordinating Road Authority for consent must be lodged.

Works cannot commence until consent has been given.

Example 3

The Regional Water Authority proposes to construct a water main along the road reserve of an arterial road. It will be constructed along the verge of the road (clear of the shoulder) at a depth of 0.8metres for a distance of 60 metres and then cross under the arterial road to connect with an existing water main. The work will be conducted by the Regional Water Authority’s own day labour work force. It will cross under the road by either:

- a open trench, or
- b bored.

Road width 20 metres Trench width 0.6 metres

Area of affected road pavement 12 square metres (for example a) only)

Response

Schedule 7, clause 5 of the Road Management Act places a duty on the infrastructure manager or works manager to avoid unnecessary interference with infrastructure. It states ‘...if practicable, use construction methods which do not break up the surface of the roadway...’

Road boring is preferred and should be investigated but it is not mandatory.

The Regional Water Authority is a “Utility” under the Act. They are the “infrastructure manager” and the “works manager” for this project.

- a Open Trench
As the area of road pavement to be excavated exceeds 8.5 square metres, the works are not “minor works” so no exemptions from consent apply. An application to the Coordinating Road Authority for consent must be lodged. As this road is an arterial road, the Coordinating Road Authority is VicRoads. Works cannot commence until consent has been given.
- b Bored
As no area of road pavement or shoulder will be excavated, the works are classified as “minor works”, not being ‘service extension works’ (i.e. not greater than 100 metres in an urban area). Also, the works will be conducted from the verge of the road and will not, therefore, come under the definition of “traffic impact works”. The works are therefore exempt from consent.

Example 4

The local Regional Water Authority has engaged contractors to reline sewer mains in a residential street. The work consists of opening 2 manholes located in the parking lane of the road, approximately 90 metres apart. It has been decided that for reasons of public and worker safety that the parking lane will be closed to traffic for a period of 10 hours to allow the work to proceed.

Response

The Regional Water Authority is a “Utility” under the Act. They are the “infrastructure manager” and their contractor is the “works manager”. The contractor is an agent of the Utility. The sewer relining does not require excavating any part of the roadway so the works are classified as “minor works” (refer Note 1). The lane closure in the residential street does not come under the definition of “traffic impact works”. The works are therefore exempt from consent.

Note

- ***“Minor works” include works conducted by a Utility that consist of using an access hole for the purpose of accessing, repairing or maintaining infrastructure under a road.***
- ***Had the works proposed a lane closure for a continuous period greater than 12 hours then this would be classified as “traffic impact works” and consent would have been required.***

Example 5

A property owner engages a contractor to construct a concrete driveway crossing to provide access to his property. It is on a local residential street (i.e. a municipal road) with a speed limit of 50 km/h. It is proposed to remove 7 square metres of footpath to strengthen it and pour 24 square metres of concrete to form the driveway.

Response

The property owner is deemed to be the infrastructure manager and the contractor is the works manager for this project. In accordance with Regulation 17 of the Road Management (Works and Infrastructure) Regulations 2015, no exemptions apply for private contractors conducting “driveway works” on a municipal road. An application to the Coordinating Road Authority (i.e. the Council) for consent must be lodged.

Works cannot commence until consent has been given.

Note

- ***If the “driveway works” were to provide vehicular access from adjoining land to an arterial road, the works are exempt from consent under the Road Management (Works and Infrastructure) Regulations 2015 (Regulation 17 refers) provided the driveway works are not “traffic impact works”. If the proposed “driveway works” are due to the creation or alteration of access to the arterial road, then planning approval would also be required from the local council, with VicRoads being a ‘determining referral authority’ for the planning permit application.***

Example 6

An Electricity Supply Company proposes to engage a contractor to construct an interconnection between 2 low voltage overhead circuits. The works are to be conducted by a contractor along a residential street in a mature (fully developed) subdivision with a posted speed limit of 50 km/h. The works involve installing an insulated conductor between the two existing circuits by running the conductor over three new poles. There is not expected to be any tree pruning required to allow the works to proceed. The insulated conductor will minimise the impact on the mature ornamental street trees.

Response

The Electrical Supply Company is a “Utility” under the Act. It is the “infrastructure manager” and their contractor is the “works manager”. The contractor is an agent of the Utility. The installation of three new poles in an urban area is deemed to be “service extension works” in accordance with Regulation 8 of the Road Management (Works and Infrastructure) Regulations 2015. Regulation 6(2)(a) then provides that “service extension works” are not “minor works”. As a result, an application to the Coordinating Road Authority for consent must be lodged.

Works cannot commence until consent has been given.

Note

- ***The proposed works do not come within the scope of the "minor works" definition, which only includes works involving the replacement or relocation of poles (and not the installation of new poles). Refer Regulation 6(1)(h) and (i) of the Road Management (Works and Infrastructure) Regulations 2015.***

Example 7

A Utility wishes to conduct works to enable a person to be provided a service provided by a Utility. The Utility engages a contractor to conduct the works. The existing service is located beneath the road pavement of an arterial road, which is in close proximity (less than 100 metres) to a signalised intersection with another arterial road. The works, which will be conducted during the daytime, will necessitate the excavation of 3.0 square metres of roadway and extend over a distance of 20 metres from the existing service to the adjoining property.

Response

The works are being undertaken by a contractor as an agent for the Utility. As the length of underground works to provide the customer with a service is less than 100 metres (i.e. not being 'service extension works'), and the area of roadway to be excavated is less than 8.5 square metres, the works have been assessed as "minor works". Consent requirements for the works are subject to whether or not the works are 'traffic impact works':

- a a lane closure is required within 100 metres from the signalised intersection – these works are 'traffic impact works' and consent is, therefore, required; or
- b the works can be conducted without a lane closure (e.g. may be located within a parking lane only) – the works, therefore, are not 'traffic impact works' and are exempt from consent.

Note

- ***If the works were located at a distance greater than 100 metres from the signalised intersection but involved the closure of one lane of the arterial road and as a result required the deviation of vehicular traffic into an on-coming lane, then the works would be "traffic impact works". The works therefore could not commence until consent has been given.***

Example 8

A Utility proposes to conduct the repair of overhead power cables along an arterial road on which trams operate. The repair works (over a length of 300 metres) will require power to be disconnected for a period of 2 hours, resulting in the cancellation of a number of scheduled tram services.

Response

As the Utility proposes to conduct works consisting of the repair of overhead cables, these works can be assessed as "minor works" and may be eligible for an exemption from consent. However, as the works will require the cancellation of tram services, they are assessed as "traffic impact works" for which consent is required from the Coordinating Road Authority.

As the works affect tram services, the Utility should also:

- notify the tram operator as early as possible in advance of the proposed works to enable alternative services (e.g. bus) to be arranged and passengers advised.
- provide the tram operator with a copy of the consent application form as submitted to the Coordinating Road Authority (this will provide the tram operator with the opportunity to advise the Coordinating Road Authority of any conditions that it considers should be included on the written consent for the works).

Note

- ***The definition of "traffic impact works" also describes other effects on public transport for which a "minor works" exemption from consent will not apply (refer Regulations 5(a)(iv), 5(d), 5(e), 5(f) and 5(g) of the Road Management (Works and Infrastructure) Regulations 2015).***
- ***These works also require notification to be given to the tram or bus operator (including the relevant public transport infrastructure manager) in accordance with the Road Management Act (clause 8, Schedule 7) and the Code of Practice for Management of Infrastructure in Road Reserves***

Section 6

VicRoads Email Contact Details

VicRoads Region	Email Address
1. Metro North West	MNW_Workswithinroadreserv@roads.vic.gov.au
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4. North Eastern Victoria	NRIW.NthEastern@roads.vic.gov.au
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