#### **APPLICATION FORM ATTACHMENT 1**

# APPLICATION FORM TO UNDERTAKE CRASH REPAIR WORKS WITHIN THE ROAD RESERVE

This Application Form is to be completed in accordance with the attached “Application Kit and Guidelines for Organisations Seeking to Undertake Works within the Road Reserve”.

**Applicant - Proponent of Works**

**Name of Organisation and Address \***

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| --- |
|  |

**Name and Position of Applicant**

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| --- |
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**Applicant’s Contact Details**

**Email Phone Fax**

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| --- | --- | --- | --- | --- |
|  |  |  |  |  |

**Project Manager’s Contact Details**

**Email Phone Fax**

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|  |  |  |  |  |

**WAPC Reference Number Heritage Council Ref Number Other Ref Number**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
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**Note: If insufficient space on this form please includes attachments.**

**Location of Proposed Works**

**Exact Location (include road names, distance to nearest cross street and map reference)**

|  |
| --- |
|  |

**Instructions and approvals received from the Department of Environmental Regulation**

**Local Government Proposed Start Date Duration**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |

**Suburb/Town Proposed Hours of Work**

|  |  |  |
| --- | --- | --- |
|  |  |  |

**Description of Proposed Works**

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| --- |
|  |

**Method for Proposed Works – including trenching, line boring, installation casing, filling with grout, remove/replace, install new, add to service, remove redundant, position/alignment, depth of service, etc.**

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|  |

**Occupational Safety and Health** – include OSH requirements detailed by the DER, MSDS Forms of material to be cleaned, licenses of approved Contractors and statement of authority to undertake works.

**Sampling Requirements –** include any pre and post sampling and analysis requirement instructions to demonstrate compliance and public safety

**I Confirm that an Approved Traffic MAnagement PLAN is attached.**

**.......................................... ........................................ .............................................**

**Name Position/Title Signature**

**I Confirm that a quality plan is attached.**

**.......................................... ........................................ .............................................**

**Name Position/Title Signature**

**ENVIRONMENTAL AND HERITAGE CONSTRAINTS**

**(Environmental Checklist)**

Applicants are required to complete the following Projects Works Environmental Checklist (see Table 2 below) in regards to the proposed project works. In order to minimise delays in the application process, applicants are required to submit additional supporting information in relation to the checklist (for example, Clearing Permit Number, licences or other approvals granted). Evidence of this additional documentation should be provided with this application. The applicant is required to obtain all necessary approvals, permits and licences for the proposed project works.

If the proposed works require the clearing of native vegetation, a native vegetation clearing permit must be obtained by the applicant prior to the commencement of project works in accordance with the *Environmental Protection Act, 1986*. The applicant’s clearing permit number will need to be provided to MRWA with this application. Clearing permits are issued by the Department of Environment Regulation (DER) and these permits are the responsibility of the applicant. Information regarding native vegetation clearing permit applications can be found at:

<http://www.der.wa.gov.au/your-environment/native-vegetation>

**Table 2 - Project Works Environmental Aspects Checklist**

|  |  |  |  |
| --- | --- | --- | --- |
| **Item No.** | **Environmental Aspect** |  **Checklist (Yes/No/ NA)** | **Provide Evidence of Permit/Approval/Licence** |
| Do the Crash Repairs require the clean-up of spilled materials? (No, proceed to item 5) |
| 1 | Are the spilled materials chemical or an environmental risk or hazard? |  |  |
| 2 | Have the DER been informed of the spilled materials |  |  |
| 3 | Have the DER given specific instructions on the treatment of the spilled materials |  |  |
| 4 | Is a report/certification required to be submitted to the DER to demonstrate the site is now safe and satisfactorily cleaned up? |  |  |
| Do the project works require the clearing of vegetation? (No, proceed to item no. 9) |
| 5 | a. What is the quantity of vegetation to be cleared? |  |  |
| 6 | a. Do the project works require the clearing of native vegetation? |  |  |
|  | b. Have all necessary approvals been obtained to clear native vegetation? |  |  |
|  | c. Has a native vegetation clearing permit been obtained to clear native vegetation? |  |  |
|  | d. What is the clearing permit number for the proposed project works?  |  | e.g. Clearing permit no. 23/658 |
| 7 | a. Does the project area contain Aboriginal Heritage Sites? |  |  |
|  | b. Have all necessary approvals been obtained to disturb Aboriginal Heritage? |  | e.g. Section 18 Application No. |
| 8 | a. Does the project area contain Cultural Heritage Sites? |  |  |
|  | b. Have all necessary approvals been obtained to disturb Cultural Heritage? (end of checklist for Clearing Permit holders) |  |  |
| If no native vegetation clearing is required, do the project works: |
| 9 | Impact dieback or other pathogens located within the project area? |  |  |
| 10 | Impact contaminated sites located within the project area? |  |  |
| 11 | a. Impact wetlands/watercourses located within the project area? |  |  |
|  | b. Have all necessary approvals been obtained to disturb wetland/watercourses? |  |  |
| 12 | a. Impact surface/groundwater located within the project area? |  |  |
|  | b. Have all necessary approvals been obtained to disturb surface water/groundwater? |  |  |
| 13 | Impact acid sulphate soils located within the project area? |  |  |
| 14 | Generate soil erosion, flooding or salinity within the project area? |  |  |
| 15 | Generate dust? |  |  |
| 16 | Generate noise/vibration? |  |  |
| 17 | a. Impact Aboriginal Heritage sites located within the project area? |  |  |
|  | b. Have all necessary approvals been obtained to disturb Aboriginal Heritage? |  |  |
| 18 | Impact European Heritage sites located within the project area? |  |  |
|  | b. Have all necessary approvals been obtained to disturb Cultural Heritage?  |  |  |

**Details of the Applicant’s Contractor**

Fill in this section if the works are to be undertaken by someone other than the Applicant (i.e. a Contractor, Sub-Contractor or Agent).

**Contractors Name and Address**

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|  |

**Phone Fax Mobile**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
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**Project Manager Phone/E-mail**

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**On Site Representative Phone Fax**

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| --- | --- | --- | --- | --- |
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**After Hours Contact Phone 1 Phone 2**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
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**Endorsement**

***Please endorse below and forward to appropriate Main Roads Office (see list at Attachment 6) together with a Certificate of Currency as evidence that appropriate Public Liability Insurance is in place.***

**I hereby certify that this application contains a true and accurate description of the proposed works. All works will be carried out in accordance with the information contained in this application, legislative & statutory requirements and to any other conditions or specifications imposed by Main Roads.**

**Signed**: ………………………………….…. **Date**………………….…

 (Applicant)

**Name of Applicant**: ………………………………….….…….…

 (PRINT)

**Position/Title**: ………………………………….….……………..

***Please note that incomplete applications may cause delays.***

***Main Roads will advise you in writing of any requirements to be met.***

**INSURANCE GUIDELINES ATTACHMENT 2**

 The following information is a guide to the Applicant of the type of insurance that may be required prior to commencing work:

 **Low Risk Works/Crash Site Clean up**

 Where Main Roads determines the proposed works are minor in nature and will have little impact on the Road Network or surrounding area, the Applicant is required to provide a Certificate of Currency as evidence that appropriate Public Liability Insurance is in place to cover the proposed works. An example of works in this category is the construction of unsealed access roads to properties.

**Medium Risk Works/Crash Site Clean-up**

Where Main Roads determines the proposed Works will have a moderate impact on the Road Network or the surrounding area, additional Public Liability Insurance cover may be required. Applicants or the Applicants nominated Contractor will be required to submit a Certificate of Currency as evidence that a Public Liability Insurance Policy for an amount not less than $10 million is in place. An example of works in this category is a sealed driveway linking onto the road that requires traffic management.

**High Risk Works/Crash Site Clean-up**

Where Main Roads determines the proposed Works will have a significant effect on the Road Network or the surrounding area, the Applicant will be required to provide evidence that appropriate Public Liability and Contractors Risk Insurance policies are in existence

prior to commencing the work. Examples of this type of work include land development, subdivisions or shopping centres requiring access to highways or main roads.

**Details of Insurance Requirements**

The Applicant must (at its own cost) effect and maintain the insurance policies listed on the terms and conditions set out below.

Main Roads reserves the right to review the insurance policies required under this Application from time to time, and to require the Applicant to take out other insurances or insurances with different limits of cover, should there be a material change in the Works and the insurances are reasonably required having regard to the nature and extent of the change of the Works

**Public Liability Insurance**

**Scope of cover**

Insurance against any Claim in respect of:

(a) Loss or destruction of, or injury or damage to, or loss of use of any real or personal property; or

(b) Any personal injury to or death of any person, arising out of, or caused by:

c) The performance or non-performance of the Works by the Applicant or its Subcontractors or agent or employee of the Applicant or its Subcontractors; or

The policy must be endorsed to extend to include liability arising out of the use of unregistered motor vehicles.

**Sum insured**

With respect to Public Liability Insurance, provide cover to an amount of $20million in respect of any one Claim and unlimited as to the number of Claims.

**Insured**

The insurance must be in the name of the Applicant and include Main Roads as an additional insured with respect to liability incurred as a result of the acts or omissions of the Applicant or the Applicant’s personnel.

**Works Insurance**

**Scope of cover**

The whole of the Works, including:

(a) Items intended for incorporation into the Works during transportation to the Site;

(b) Unfixed materials and equipment; and

(c) Things entrusted to the Applicant or brought onto the Site by Subcontractors for carrying out the Works,

against Loss resulting from any cause until the Applicant ceases under this Application to be responsible for their care.

Without limiting the generality of the above obligation to insure, such insurance shall cover the cost of Site clearance, the removal of debris, goods and materials on Site and things in storage off Site and in transit to the Site, but may exclude:

(a) The cost of making good fair wear and tear or gradual deterioration, but shall not exclude the Loss resulting therefrom;

(b) The cost of making good faulty design of Main Roads (if any), but shall not exclude the Loss resulting therefrom;

(c) Consequential loss of any kind, but shall not exclude Loss to the Works; and

(d) Damages for delay in completing or for the failure to complete the Works.

**Sum insured**

The full reinstatement cost of the Works, including a reasonable amount for demolition, the removal of debris, professional fees, delivery to the Site (where applicable) and increases to the cost of materials or labour.

**Insured**

Insurance shall be in the name of the Applicant and must cover Main Roads and all Subcontractors whenever engaged in the Works for their respective rights, interests and liabilities and, except where this Application otherwise provides, shall be in terms approved in writing by Main Roads (which approval shall not be unreasonably withheld).

All insurance policies must remain current until the expiration of the nominated Defects Liability Period. Irrespective of the type of works, Applicant and all of its Contractors must have:

* complied with statutory insurance obligations in respect to motor vehicle ownership and Workers Compensation;
* included in their Workers Compensation insurance, cover in respect to Common Law; and
* comprehensive or, at a minimum, third party insurance on any motor vehicles.

**FORM OF INDEMNITY ATTACHMENT 3**

**INDEMNITY**

In consideration for the Commissioner of Main Roads (“Main Roads”) permitting the Applicant to undertake works in the road reserve, the Applicant agrees to indemnify and keep indemnified Main Roads from and against, and must pay Main Roads on demand as a debt, the amount of any claim, damage, cost, expense, loss (whether direct, indirect, consequential or otherwise) or liability which Main Roads may suffer or incur as a result of, in respect of, in connection with or in relation to the works the Applicant undertakes under this application (the Indemnity).

The Indemnity does not apply to the extent that any damage, expense, loss, liability or claim is caused by a negligent act of Main Roads, its employees or agents.

The Indemnity does not lessen or otherwise affect the Applicant’s other obligations arising out of its application to undertake works within the road reserve.

|  |  |
| --- | --- |
| **Signed**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Duly authorised officer of the Applicant**Name of Signatory**:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Name of Applicant**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Date**:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | **Signed**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ For the Commissioner of Main Roads**Name of Officer**:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Date**:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**PUBLIC NOTIFICATION REQUIREMENTS ATTACHMENT 4**

**Applicants must ensure that the text of all media advertisements, announcements, information leaflets or advanced information signage is approved by Main Roads prior to issue.**

The type of public notification, if required, will be one or more of the following:

* Placing a display advertisement in The West Australian Early General News section and the local Community Group Newspaper or Independent Newspaper one week prior to works commencing. For works exceeding 3 weeks, advertisements may have to appear in the local newspapers each week following the mandatory initial advertisements in The West Australian and local newspapers (extent of advertising to be discussed with the Main Roads Public Affairs Branch). Information details are to include project description, work cycle period, nature of disruption and contact information.
* Arrange radio and TV announcements.
* Erecting advance information signage on each approach to the work site at least 10 working days prior to start of works but not exceeding 21 working days. (Refer to Drawing No 8720-0762 for erection Specification in the Main Roads website - Standards and Technical **>** Main Roads Drawings **>** Road Traffic Signs)
* Distributing an information leaflet (via a letterbox drop) to all residents and businesses within the 100 meters of the work site and along any detour routes required at least seven (7) working days prior to start of the works.

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##### Guidelines for Determining the Method of Public Notification

* All proposed works that will exceed 4 continuous hours and will result

in an impediment to road users (including motorists, pedestrians, people with disabilities and cyclists), or results in delays exceeding 15 minutes to the road user, Applicants may be required to provide notification of such works in the print media.

* Where the proposed works will exceed 10 continuous hours, either during the

day or night or over three (3) or more days that involve disruption to road users (including motorists, pedestrians, people with disabilities and cyclists), Applicants may be required to distribute an information leaflet, install advance information signage and place advertisements in the print media.

Further information on the type of public notification required can be obtained by contacting the appropriate Main Roads Office listed at Attachment 5.

**Lodgement of Advertisements with the Print Media** - Applicants are responsible for the lodgement of approved advertisements with the print media at least 5 working days prior to start of works.

**Format for Advertising** - A sample format for an advertisement in the print media and an advance information sign is attached. (Refer to Austroads Standard Part 8 for more details)

**ATTACHMENT 4** (continued)

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🡸 Sample Public

 Notification Advertisement

 Sample Advanced

🡻 Information Signage

# State Gov LOGO MRWA LOGO Company LOGO

Main Roads and Henry Walker wish to advise road users that works to install an auxiliary lane to the future Narbethong Rd, Bedfordale and will commence November 1st, 2000 between 7am and 5pm, Monday to Saturday for approximately three weeks.

Road users should be aware that alternate southbound lanes will be closed over the works period, however access will maintained for road users on the southbound lanes.

Road users can expect minimal delays.

Local traffic access will be maintained for road users wishing to access residences and businesses on and around Albany Highway at this location.

Road users are urged to slow down when approaching the area, obey all signs and signals and show courtesy to other road users.

For further information please contact Anton Koekemoer, Henry Walker Eltin on 9389 4777.

ALBANY HIGHWAY BEDFORDALE

#### ROADWORKS

**SAMPLE PERFORMANCE BOND ATTACHMENT 5**

1. **CONTRACT NO. *[INSERT PROJECT NUMBER]***
2. **APPROVED FORM OF PERFORMANCE BOND**

**THIS DEED** is made on ***[insert date]*** by ***[insert name of Financial Institution]*** of ***[insert WA address of Financial Institution]*** (the **Financial Institution**).

#### ***BACKGROUND***

A. **COMMISSIONER OF MAIN ROADS** (**“Main Roads”**) entered into a contract with **[*NAME OF CONTRACTOR TO BE INSERTED*](“Contractor”)** to carry out works relating to the ***[ insert Project description]*** Project Contract No.  ***[insert Project number]*** (**“Contract”**).

B. The Contract requires the Contractor to deliver to Main Roads a number of performance bonds acceptable to Main Roads.

C. Main Roads agrees to accept this performance bond from the Financial Institution contained in this deed in partial satisfaction of the Contractor’s obligations under the Contract.

**IT IS DECLARED AS FOLLOWS**

1. The Financial Institution unconditionally agrees to pay to Main Roads on demand any sum or sums demanded by Main Roads from time to time to a maximum aggregate sum of [      ] million dollars ($                ) (the **Security Sum**).

2. Payment of the Security Sum (or any part of it) must be made:

* + 1. (a) by the Financial Institution to Main Roads immediately on delivery to the Financial Institution of a written demand signed by a representative of Main Roads;
		2. (b) without prior notice or reference to the Contractor and:
			1. (i) despite any notice by the Contractor to the Financial Institution not to pay;
1. (ii)                without regard to the performance or non-performance by the Contractor or Main Roads of the terms of the Contract, any variation of it or of any contract substituted for it.

3. The liability of the Financial Institution under this deed is not impaired or discharged by:

* + 1. (a) any alteration or variation to the Contract, including any change to the scope of works;
		2. (b) any extension of time or adjustment to the amount payable to the Contractor under the Contract;
		3. (c) any other forbearance on the part of either Main Roads or the Contractor to the other; or
1. (d)                Main Roads waiving any breach of the Contract by the Contractor.

4. This undertaking continues until:

* + 1. (a) Main Roads returns this deed to the Financial Institution or gives written notice to the Financial Institution that the undertaking is no longer required by Main Roads; or
		2. (b) payment to Main Roads by the Financial Institution of the whole of the Security Sum or the balance of it remaining after any part payment or payments,

whichever first occurs.

5. All notices and demands given by Main Roads under this deed are deemed to be properly given if:

* + 1. (a) given in writing, signed by a representative of Main Roads; and
1. (b)                delivered by hand to the office of the Financial Institution at the above address.

6. The law of this deed is the law in force in Western Australia.

7. The Financial Institution intends this instrument to operate as a deed.

**THE COMMON SEAL of *[insert name of***

***Financial Institution****],* the fixing of which was

 witnessed by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of director Signature of director/secretary

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Name of director Name of director/secretary

**MAIN ROADS CONTACTS ATTACHMENT 6**

Please direct all enquiries to the Main Roads Customer Information Centre on 🕿 138 138 or email to enquiries@mainroads.wa.gov.au for Metro Region (ask for the Customer Services Manager)

For regional office, please visit the Main Roads website contact page:

[https://www.mainroads.wa.gov.au/AboutMainRoads/ContactUs/Pages/ContactUs.aspx](https://www.mainroads.wa.gov.au/Archive/Pages/ContactUsOld.aspx)

(also ask for the Customer Services Manager)