

Road Corridor Permit information sheet

May 2014

The Department of Transport and Main Roads (TMR) plans, provides and manages Queensland's state-controlled road network. This includes managing the non-road transport activities, works and structures that occur within road corridors. Applicants wishing to undertake an activity, conduct works or erect a structure within the road corridor must first apply for a Road Corridor Permit (RCP).

| Structures | |
|-------------------------------------|-----------------------------------|
| Advertising signs/devices | Overhead conveyors and structures |
| Awnings | Pipes |
| Beehives | Poles |
| Bikeway paths | Property name signs |
| Bores | Rest area facilities |
| Bowser pumps | Retaining walls |
| Bridges | Solar panels |
| Building shelters | Statues or monuments |
| Cables | Stays |
| Cane railways | Structural anchors |
| Channels | Tanks |
| Culverts | Traffic and service signs |
| Dams | Tunnels |
| Gates | Water pipes |
| Grids | Water tanks |
| Lighting | Wells |
| Mailboxes (depending on dimensions) | Wind generators |
| Monorails | Windmills |

| Activities | |
|---|--------------------------------|
| Burning off | Holding a meeting |
| Camping | Landscaping |
| Clearing | Painting |
| Conducting a business | Planting |
| Construction activities | Promotional activities |
| Crushing and sorting rock | Graffiti removal |
| Demolition activities | Removing trees |
| Drilling | Road safety related activities |
| Earthworks | Roadside activities |
| Excavations | Roadside refurbishment |
| Extracting gravel, water or other natural resources | Roadside vending |
| Fossicking | Slashing |
| Fire breaks | Sporting activities |

This is not an exhaustive list of activities or structures. If you are unsure if a permit is required, please contact your local regional office.

How do I apply for a permit?

You must complete a RCP application form, available from all regional offices, or download from the department's website www.tmr.qld.gov.au. This form may be used to apply for works, structures and activities for which approval is required under section 50 of the *Transport Infrastructure Act 1994*. This approval includes the construction, maintenance, upgrading or conducting of those works, structures and activities characterised as ancillary works and encroachments under the *Transport Infrastructure Act 1994*.

To assist with the application process, it is recommended that you include any plans or specifications along with any other supporting documents such as public liability insurance.

If the information supplied is insufficient, you will be contacted and may be asked to submit further information. This will allow for an accurate assessment of the application.

It is recommended that **where possible**, your RCP application be lodged with your nearest regional office not less than **four (4) weeks prior** to the date the permit is required. This will allow enough time for administration and management processes to be completed.

There is currently no fee for most RCPs. It is an offence for anyone to carry out works, or interfere with, a state-controlled road network, or its operations, without an approval. Transport and Main Roads can impose a fine on anyone not complying with the requirements of section 50(3) of the *Transport Infrastructure Act 1994*.

What happens after submitting my application?

Each RCP application will be evaluated and a decision made as to whether to issue a permit. Consideration will be given to key impacts on road safety, road network efficiency and community access to the road network.

If the application is approved, a Permit and a letter outlining conditions of approval will be issued. Along with the letter, you may receive additional documents that need to be completed such as a Deed of Indemnity, an Unconditional Bank Guarantee or an Unconditional Insurance Bond.

If a RCP application is refused, the applicant will be notified in writing with an explanation for the refusal. Further clarification can be sought from the processing region.

Applicants should be aware of the following requirements should their application be successful:

- A RCP may not be the only approval required. It is the permit holders' responsibility to identify and comply with all other relevant laws and requirements that could apply to your activity, works or structure.
- Some permits will require the permit holder to **indemnify the department** from all legal claims arising from their activities, works or structures. If a claim is made against TMR for any property damage or personal injury caused by an activity/works/structure, the permit holder will be responsible for all costs.
- If appropriate, permit holders must provide TMR with **confirmation that they hold a current public liability insurance policy for no less than \$20,000,000** before starting any activity/works/structure. The Department of Transport and Main Roads should be covered as 'interest noted' or 'named party' on applicant's policy of insurance.
- Any interruption to traffic flow on a state-controlled road requires a Traffic Control Permit, in addition to a RCP.
- A Traffic Control Permit for temporary lane closures is mandatory prior to commencement of any activity that may interfere with traffic flow.
- Applications for Traffic Control Permits, including Traffic Management Plans, must be forwarded to the relevant regional office at least 14 days prior to commencement of activity/works/structure.
- The permit holder must **comply with conditions placed on the RCP**, which are detailed in the **approval letter**. Non-compliance with conditions is an offence.
- The activity, works or structure may be **inspected** at any time by TMR to ensure compliance with the permit and its conditions. The permit holder must make their **permit/letter of approval available** for inspection at any time to a Transport and Main Roads inspection officer.

TMR may need to vary or cancel the requirements of any RCP in circumstances such as:

- The activity/works/structure are causing a danger to the safety or efficiency of the road
- There is reasonable likelihood that damage may be caused to property within the road or that personal injury may occur

- The permit holder breaches any condition of their RCP.

In these circumstances, TMR may direct within a reasonable time that the permit holder either:

- Cease activity/works/structure, and the RCP will be cancelled
 - Alter the activity/works/structure, and the RCP will be re-issued
 - The permit holder will bear all costs associated with ceasing or altering activities.
- For activities, works or structures which are not constructed, maintained, operated or conducted in accordance with permit conditions and require alteration, relocation, removal or to be stopped, the permit holder will be responsible for any costs involved.
 - Where damage is caused to the road corridor and is not rectified by the applicant on request, the department may rectify the damage and seek reimbursement of the costs. Permit holders must not interfere with existing drainage, signage, road markers or anything else within the road system.
 - Permits are issued for a specified period of time based on individual circumstances. For example, a marathon event could require one day, whereas a permit for a culvert could be for 20-50 years. It is the permit holders' responsibility to renew their permit 4 weeks prior to expiry date.
 - RCPs cannot be transferred. The RCP is only valid for the permit holder, and until the expiry date.
 - If you have been issued with a permit for a structure which relates to your property, for example, a cattle grid installed on a state-controlled road, you may be required to inform the department if you are selling the property. The RCP may contain conditions which govern your responsibilities after you cease to be the holder of an approval for the structure.
 - Continued operation or conduct of an activity or structure under an expired permit is an offence. It is the permit holder's responsibility to ensure a current permit is held at all times.
 - When the activity/works/structure is completed, the permit holder must restore the area to a reasonable condition. Restoration may include removal of any litter or materials, and revegetation.
 - If the permit holder fails to restore the area to a reasonable condition, TMR may undertake the restoration and seek reimbursement of the costs.

Commercial tourism operators

A new process for commercial tourism operators to apply for, and install, white on brown tourism signs on state-controlled roads is currently being finalised.

Details of this new process and relevant contact details for TMR regional offices will be available here:

<http://www.tmr.qld.gov.au/Community-and-environment/Planning-and-development/Other-matters-requiring-approval/Tourist-and-services-signs.aspx>

Installation of these signs will be done through the issuing of a Road Corridor Permit.