



Subordinate Local Law No. 11.2

(Installation of Utility Infrastructure) 2011

Reprinted as in force on 17 March 2017

Reprint No. 1

This law is a reprint copy that shows the law as made and
amended by all amendments that
commenced on or before the date of the reprint.

T. Rohl
Chief Executive Officer



Subordinate Local Law No. 11.2 (Installation of Utility Infrastructure) 2011

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Logan City Council

Subordinate Local Law No. 11.2

(Installation of Utility Infrastructure) 2011.

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 11.2 (Installation of Utility Infrastructure) 2011*.

2 Authorising local law

This subordinate local law is made pursuant to *Local Law No. 11 (Roads) 1999*.

3 Objects

The object of this subordinate local law is to assist in the implementation of *Local Law No. 11 (Roads) 1999* by—

- (a) adopting the terms of Beaudesert Shire Council *Local Law Policy No 10.2 (Installation of Utility Infrastructure)* as a Logan City Council subordinate local law that is to apply across the entirety of the Logan City local government area; and
- (b) ensuring that the installation of utility infrastructure on a road does not—
 - (i) interfere with the safe movement of traffic or the safe use of a footpath; or
 - (ii) cause damage to roads.

4 Definitions —the dictionary

The dictionary in the Schedule (Dictionary) defines particular words used in this subordinate local law.

Part 2 Permits

5 Prescribed Criteria

For the purposes of section 3 (Definitions) and section 21 (General compliance provision) of *Local Law No. 11 (Roads) 1999*, the installation of utility infrastructure must comply with the following prescribed criteria:

- (a) the owner of the utility infrastructure shall indemnify the local government against any claim, action or process for damage or injury

which might arise during the installation, operation or existence of the utility infrastructure in the road.

6 Application for a permit

For the purposes of section 14 (Application for a permit) of *Local Law No. 11 (Roads) 1999*, an application for a permit for the installation of utility infrastructure on a road must (unless otherwise required by the local government) be accompanied by:

- (a) the name, address and telephone number of the person who will be installing the utility infrastructure; and
- (b) details of the utility infrastructure to be installed including:
 - (i) its design, dimensions (including cover) and construction; and
 - (ii) when, where and how the utility infrastructure is to be installed; and
 - (iii) the method of route and site identification; and
- (c) a site plan to scale and specifications of the utility infrastructure to be installed; and
- (d) details of all insurances held by the person who will be installing the utility infrastructure.

7 Grant of a permit

For the purposes of section 15 (Grant of a permit) of *Local Law No. 11 (Roads) 1999*, the local government may grant a permit for the installation of utility infrastructure if satisfied that the matters which are the subject of the conditions specified in section 7 (Conditions of a permit) of this subordinate local law which are relevant to the installation of the utility infrastructure can be adequately addressed by the imposition of those conditions.

8 Conditions of a permit

- (1) For the purposes of section 17(3) of *Local Law No. 11 (Roads) 1999*, the local government may impose all or any of the following conditions on a permit for the installation in a road of utility infrastructure for water reticulation or supply:
 - (a) Where water pipes are laid along a road, requirements in relation to the positioning, depth and marking of the water pipes for safety purposes and in order to avoid conflict with existing or proposed infrastructure including roads, drains, water, gas supply, electricity supply, telecommunication cables or any other infrastructure.

- (b) Water pipes which are laid across a road (and other areas specifically identified by the local government in the permit) are to be enclosed in steel or concrete pipe of at least 2.5 times the diameter of the water pipe for the full width of the road pavement.
 - (c) All work associated with the installation of the water pipe is to be completed to a standard acceptable to the local government.
 - (d) Water pipes must be placed in the position and in a manner nominated in the application for a permit unless otherwise specified in the conditions of the permit.
 - (e) Work in respect of the installation of a water pipe must be undertaken so as to prevent any interruption to traffic and protect the public.
 - (f) The owner of the water pipe must remove or protect the water pipe at the owner's expense during any rebuilding or maintenance operations in the road.
 - (g) The owner of the water pipe must:
 - (i) prior to the commencement of the work identify any existing utility infrastructure that may be affected by the installation of the water pipe; and
 - (ii) carry out the work so as to prevent any damage to or interfere with such services.
 - (h) The owner of the water pipe must repair or cause to be repaired at the owner's expense any damage to the road arising from the existence of the water pipe.
 - (i) The owner of the water pipe shall be responsible for the maintenance of all water pipes during the life of the water pipe.
- (2) For the purposes of section 17(3) of *Local Law No. 11 (Roads) 1999*, the local government may impose all or any of the following conditions on a permit for the installation in a footway of utility infrastructure for household stormwater drainage:
- (a) the drainage pipes must be a 90mm diameter Class SH sewer pipe or equivalent.
 - (b) the drainage pipes must be placed in position and in a manner as nominated in the application for a permit unless otherwise specified in the conditions of the permit.

- (c) Work in respect of the installation of the utility infrastructure must be undertaken so as to ensure minimum interruption to pedestrians and the protection of the public.
 - (d) The owner of the drainage pipe must repair or cause to be repaired at the owner's expense any damage to the footway due to the existence of the drainage pipe.
 - (e) The owner of the drainage pipe must:
 - (i) prior to the commencement of the work, identify any existing utility infrastructure that may be affected by the installation of the drainage pipe; and
 - (ii) carry out the works so as to prevent damage to or interference with such services.
 - (f) The installation of the drainage pipe within the kerb shall be made by saw cutting the kerb and installing a heavy duty PVC kerb entry adaptor in accordance with the manufacturer's instructions.
- (3) For the purposes of section 17(3) of *Local Law No. 11 (Roads) 1999*, the local government may impose on a permit for the installation in a road of any other infrastructure any conditions in relation to the positioning, depth and marking of that infrastructure for safety purposes and in order to avoid conflict with existing or proposed infrastructure including roads, drains, water, gas supply, electricity supply, telecommunication cables or any other infrastructure.

Part 3 Enforcement

9 Records to be kept

For the purposes of section 24 (Inspection) of *Local Law No. 11 (Roads) 1999*:

- (a) records must be kept by the holder of the permit; and
- (b) the records must contain details of the dates, times and manner of the maintenance and service of the utility infrastructure; and
- (c) the records must be kept for a period of seven (7) years.

10 Inspection monitoring or management program

For the purposes of section 24 (Inspection) of *Local Law No. 11 (Roads) 1999*, the holder of the permit must (unless otherwise required by the local government) maintain a management program which details how and when the utility infrastructure will be monitored and maintained.

Schedule Dictionary

section 4

utility infrastructure means cables, wires, pipes, sewers, drains, ducts, plant and equipment by which premises are supplied with utility services.

utility services means—

- (a) water reticulation or supply; or
- (b) gas reticulation or supply; or
- (c) electricity supply; or
- (d) a telephone service; or
- (e) a computer data or television service; or
- (f) a sewer system; or
- (g) drainage; or
- (h) a system for the removal or disposal of garbage or waste; or
- (i) another system or service designed to improve the amenity or enhance the enjoyment of premises,

but does not include any utility that is covered by Federal telecommunications, water, electrical and gas legislation including, but not limited to—

- (a) the *Telecommunications Act 1997* (Cth);
- (b) the *Water Act 2007* (Cth).

Endnotes

1 Index to Endnotes

- 2 Date to which amendments incorporated
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- 4 Table of reprints
- 5 List of legislation
- 6 List of annotations

2 Date to which amendments incorporated

This reprint includes all amendments that commenced operation on or before the 17 March 2017.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation
amd	= amended
ch	= chapter
def	= definition
div	= division
hdg	= heading
ins	= inserted
om	= omitted
p	= page
pt	= part
renum	= renumbered
rep	= repealed
s	= section
sch	= schedule
sdiv	= subdivision

4 Table of reprints

A reprint is issued upon the commencement of an amending instrument. A reprint is given the date of commencement of the amending instrument.

Table of reprints of this subordinate local law

Reprint No.	Amendments included	Reprint date
1	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2017</i>	17 March 2017

5 List of legislation

Original Local Law

Local Law No. 11 (Roads) 1999
date of gazettal 25 June 1999

Amending Local Laws

Amending Local Law No. 1 (Miscellaneous Local Laws) 2001
date of gazettal 9 March 2001
Amending Local Law No. 1 (Miscellaneous Local Laws) 2003
date of gazettal 11 July 2003
Amending Local Law No. 1 (Miscellaneous Local Laws) 2005
date of gazettal 24 June 2005
Amending Local Law No. 2 (Miscellaneous Local Laws) 2005
date of gazettal 10 February 2006
Amending Local Law No. 1 (Miscellaneous Local Laws) 2007
date of gazettal 9 November 2007
Amending Local Law No. 1 (Miscellaneous Local Laws) 2017
date of gazettal 17 March 2017

Original Subordinate Local Law

Subordinate Local Law No. 11.1 (Interference with Local Government Roads) 2003
date of public notice 1 August 2003
Subordinate Local Law No. 11.2 (Installation of Utility Infrastructure) 2011
date of public notice 18 November 2011
Subordinate Local Law No. 11.3 (Gates and Grids) 2011
date of public notice 18 November 2011

Amending Subordinate Local Law

Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005
date of public notice 15 February 2006
Amending Subordinate Local Law No. 5 (Roads Subordinate Local Laws) 2011
date of public notice 18 November 2011
Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2015
date of public notice 7 August 2015
Amending Subordinate Local Law No. 1 (Miscellaneous Local Laws) 2017
date of public notice 17 March 2017.

6 List of annotations

PART 1—PRELIMINARY

Objects

s 3 amd Amending Subordinate Local Law No. 1 (Miscellaneous
Subordinate Local Laws) 2017 s 20

PART 2—PERMITS

Prescribed criteria

s 5 amd Amending Subordinate Local Law No. 1 (Miscellaneous
Subordinate Local Laws) 2017 s 21

Application for a permit

s 6 amd Amending Subordinate Local Law No. 1 (Miscellaneous
Subordinate Local Laws) 2017 s 22

Grant of a permit

s 7 amd Amending Subordinate Local Law No. 1 (Miscellaneous
Subordinate Local Laws) 2017 s 23

Conditions of a permit

s 8 amd Amending Subordinate Local Law No. 1 (Miscellaneous
Subordinate Local Laws) 2017 s 24

PART 3—ENFORCEMENT

Records to be kept

s 9 amd Amending Subordinate Local Law No. 1 (Miscellaneous
Subordinate Local Laws) 2017 s 25

s 10 amd Amending Subordinate Local Law No. 1 (Miscellaneous
Subordinate Local Laws) 2017 s 26

SCHEDULE—DICTIONARY

om	def <i>transferring area A</i>	Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2017 s 27
om	def <i>transferring area D</i>	Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2017 s 27
amd	def <i>utility services</i>	Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2017 s 27