



THE MSUNDUZI MUNICIPALITY ECONOMIC DEVELOPMENT BUSINESS UNIT

WAYLEAVE GENERAL CONDITIONS

Note that some of these conditions may not be applicable, and/or some other conditions specific to the job may be added.

Permission to carry out any type of work (new work and maintenance) on Municipal owned land is only granted if the following conditions are strictly adhered to in every respect. Failure to do so will result in all work being stopped, the sites made safe and a fine will be issued.

- 1) No work is to commence on site until the Wayleave Application has been approved and a Work Permit has been issued by the Service Co-ordinator stating that work may only be allowed in a specific location and during a specified time period based on the plans and programme provided. The Work Permit will only be issued once the following documentation has been received by the Service Co-ordinator:
 - a. Proof of R5mil Public Liability Insurance cover for the planned duration of the project. To be extended as per delays to cover the actual duration of the project.
 - b. Proof of each contractor's Indemnity Insurance.
 - c. A letter is required from all other service agencies (e.g. Telkom, MTN, Vodacom, Transtel, Cell C, Neotel, Plessey, Eskom, etc.) stating that they do not have any coinciding projects planned within 6 months for minor projects or a year for major projects after this project is completed that can be combined with the trenching of this project.
 - d. Contact numbers and names of all the responsible officials who will be managing this work must be provided (to be used in the event of any problems arising). These numbers are to be in respect of personnel of the company making the application as well as their delegated Project Managers and their Sub Contractors.
 - e. The Safety Plan for the work, including the Safety Representatives 'details.
 - f. The detailed planning programme for the work showing commencement and completion dates, etc of each section of work. Any changes to the planned program are to be resubmitted immediately, prior to the re-programmed work commencing.
 - g. Proof of advertisement in local papers giving public warning and detailing the extent of the project and the exact locations.
- 2) A copy of the Wayleave Work Permit, the approved Wayleave Conditions, and the approved plans must be available on site at all times, failing which the work will be stopped.
- 3) Sub surface services could be encountered, many of which may not be known by the Municipal Units. Where existing services are unknown, cross cuts are to be hand excavated at regular intervals beforehand to determine their location and thereafter immediately reinstated. A maximum of ten cross cuts at a time may be dug (any deviations from this must be applied for per section and written consent received from this Unit prior to commencement). All excavating must be conducted with extreme care to ensure that undetected services are not damaged. It is your responsibility to liaise

with each of the relevant Municipal Units as well as external service providers with regards to the location their assets and their specific conditions before and during the project.

- 4) Should any unforeseeable damages to assets occur at any stage during this project, all repairs are to be effected immediately and all related costs are to be borne by the company making this application. Details of repair strategy teams are to be submitted.
- 5) All affected parties, commercial businesses, private residences, etc where the trenching passes are to be notified well in advance in writing, detailing the extent of the disruption of the work. Specific dates and time frames are to be stated in this notification. They are to be updated with respect to any changes.
- 6) During the trenching operations, all health and safety requirements in terms of the various acts are to be adhered to in terms of the environment, workers and the public (i.e. Full barriers, signage, etc)
- 7) Access crossings for vehicles and pedestrians are to be available across trenches at all times.
- 8) Trenchless road crossings are to be done where ever possible. In cases where this is not possible , motivation is to be given to obtain approval prior to the work per individual crossing.
- 9) Two additional vacant PVC pipes (minimum diameter of 100mm each) must be installed and marked at every road crossing for future use by the Municipality.
- 10) No mechanical trenching equipment may be used for trenching unless prior permission has been granted in writing.
- 11) A sign stating the name of the Service Agency and sub contractor must be displayed clearly at all times at either end of each working section.

Pothole warning signs (!) must be displayed on both sides of all road crossings until the final reinstatement is completed.
- 12) Soil, sand and rubble may not be deposited or stored in the drainage system or where heavy rains can wash the material into the drainage system.
- 13) For control purposes only one road per area may be worked on and be fully completed before the next road is commenced with.
- 14) No reinstatements of trenches are to be undertaken over Public Holidays, nor outside the working hours of 7am-4pm from Mondays to Fridays. (Any deviation from this has to be motivated with full details at least three weeks beforehand per section for Municipal acceptance. All the Municipal related overtime conditions and expenses have to be signed and accepted by the Service Co-ordinator).
- 15) Only professional and well established Project Managers and contractors are to be used to perform the work. Should local contractors need to be sourced, then it is advisable that this should be done through a recognised institution like Master Builders.
- 16) Only qualified persons are to supervise the quality of the reinstatement work. The appointed Professional Engineer shall take personal responsibility for the quality, and he/she and the supervisors are to communicate closely with our Municipal supervisors to ensure that all stages of work are checked.
- 17) Results of compaction tests for the backfilling of trenches at regular intervals must be regularly submitted to this office.

- 18) A Completion Certificate containing the minimum requirements as per the supporting document herewith, is to be submitted by the applicant's Professional Civil Engineer after completion of each section and before work on the next section (road) commences.
- 19) An updated as built plan showing all your services within the Msunduzi Municipal area is to be submitted to this office upon completion.
- 20) Reinstatements are to be completed within five working days of excavations. Special attention must be given by the Project Managers to prioritise the reinstatements in order that latter is achieved.
- 21) Maximum length of open trench before full reinstatement is completed:
 - a. Residential areas: 150m
 - b. Light commercial areas: 75m
 - c. Central CBD: 50mSleeves are to be used to allow for these restrictions where necessary.
- 22) Until the reinstatements are complete, the site must be made safe by barricading with the correct safety net and related signage. This must be checked daily and maintained until the final reinstatement is complete.
- 23) Excavations may not cause damage to the roots of trees.
- 24) No construction materials or spoil may be placed in the roadway or the side drains.
- 25) Adequate space must be made for pedestrians to pass the excavation safely without having to walk in the roadway.
- 26) All trenching is to be done on the outer extremities of Municipal land boundaries unless it is impossible to do so, in which case alternate proposals are to be submitted for approval.
- 27) Work at all road crossings must be well planned to ensure:
 - a. Minimum disruption to the traffic flow,
 - b. No disruption of traffic during peak traffic (7-8am, 4-5.30pm as well as 11.30-1pm on Saturdays)
 - c. Safe working conditions,
 - d. Minimum reinstatement time,
 - e. Thorough maintenance until reinstatement is completed.
 - f. Msunduzi Traffic Control is to be notified in advance.
- 28) Any significant problems encountered on site during the project are to be immediately communicated to the relevant Municipal Units.
- 29) No services may be laid on top of any Municipal sub surface services or under roads or drainage systems other than for crossing purposes.
- 30) Any crossings of special structures (bridges, etc.), streams, etc. must be detailed for prior approval from relevant Units (i.e. Conservation and Environment Unit for stream crossings).

- 31) Should the Municipality or its contractor perform work at the same location as your trenching, before your final reinstatement is completed, then you are still fully responsible for the final reinstatement.
- 32) Should your cables and related services need to be moved within ten years of completion due to municipal work (e.g. road widening), this will be at the cost of the company who owns the services.
- 33) All reinstatement work that shows any signs of failure or deflection within two years of completion must be immediately repaired by the service provider at its' own cost.
- 34) There may be no littering or soiling in the streets or on private properties. Construction workers are to be provided with proper facilities, e.g. bins, toilets and water.
- 35) The Municipality and its employees are indemnified against any claims in respect of any loss, damage or injury which may be suffered as a result of work carried out by yourselves in respect of this project.
- 36) Excavations deeper than 1,5 meters must be registered with the Department of Labour prior to commencement of work.
- 37) Future repairs and maintenance on these sub surface services: The Municipality must be notified as to where and when work is being done that involve the disruption of Municipal assets (i.e. trenching). The conditions laid out in this Wayleave agreement are to be strictly adhered to.
- a. Small scale emergency repairs: If notification can not be done in advance, then it must be reported immediately afterwards.
 - b. Maintenance and repairs trenching of more than 10 meters in length: Notification to be done in advance.

38) **Reinstatement Specifications :**

All reinstatements are to be fully completed within 5 working days of excavation to the following specs:

a) **ROAD CROSSINGS:**

- 1) Minimum cover from road surface to crown of service duct is to be 600mm.
- 2) From bedding layer to 100mm above the service duct: uniform granular material that is readily compacted (to 90% MODAASHTO) without particles larger than 25mm.
- 3) Temporary reinstatement: The remainder of the trench up to 25mm above the roads surface to be a minimum of approved G5 quality material compacted to 95% MOD AASHTO, in layers if 150mm. The top 100mm to be cement stabilized.
- 4) Final reinstatement: Excavate 190mm, compact existing G5 to 95% MOD AASHTO, Place 170mm crusher run (G2) stabilized with 2% cement and compacted to 98% MOD AASHTO. Prime surface and final 40mm layer of asphalt protruding 20mm above the road surface.

b) **SIDE WALKS:**

- 1) Backfill material must be a minimum of G5 quality compacted in 150mm layers to 98% MOD ASHTO.
- 2) The surface layer must match the original type and pattern (asphalt, bricks, concrete, etc.)
- 3) Paving slabs are to be re-laid on a 50mm layer of bedding sand.

- 4) The Municipal Concrete Casting Yard is to be notified at least three weeks in advance of paving slab and other requirements. Should the Municipality not be able to cope with the demand for slabs, then the company making this application is to ensure that an alternative supplier is available to deliver paving slabs with the same specification and this Unit's approval.
 - 5) In special circumstances where prior approval is given, 100mm 25Mpa, insitu concrete may be used to substitute the slabs. This concrete must be grooved to match the surrounding slab patterns.
 - 6) Concrete drive way access crossings are to be as follows:
 - a. Residential: 100mm, 25Mpa concrete on top of 75mm hardcore.
 - b. Light Commercial: 150mm 30Mpa concrete on top of 100mm Crusher run base compacted to 98% MOD AASHTO.
 - c. Industrial: 225mm, 30Mpa concrete on top of 150mm crusher run base compacted to 98% MOD AASHTO.
 - 7) Sidewalks are to be reinstated to an as new standard regardless of previous condition.
 - 8) Adjacent sections and slabs that are broken or disturbed in the process are also to be replaced.
 - 9) A safe passageway must be kept open at all times for pedestrians to pass.
- c) **GRASSED AREAS:**
- A layer of top soil to be placed and re-grassed, with anti-erosion measures on embankments.
- d) **GENERAL:**
- All rubble to be removed from site by the reinstatement within 5 days of completion.

The Msunduzi Municipality reserves the right to bring to a standstill all work and/or take legal action against the company making application should any of the above conditions not be met.