
Footpath Usage or Obstruction

Information for Tradesmen / Developers / Builders

Legislative Provisions

A person in control of a workplace has the following obligations

- a) to ensure the risk of disease or injury from workplace is minimised for persons coming onto the workplace to work;
- b) to ensure the risk of disease or injury from any plant or substance provided by the person for the performance of work by someone other than the person's workers is minimised when used properly;
- c) to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.

Special attention needs to be given to pedestrian safety when the footpath is obstructed. When the footpath or part of the road is closed for work it will be necessary to seek authorisation from the Council or the Department of Transport (for major roads).

Practical Provisions

Where work is to be carried out which will disrupt pedestrian or vehicular traffic the following steps should be adopted.

- a) Obtain authorisation/permit from the Council or Department of Transport
- b) The work should be assessed for length of time to complete and for times to commence that gives the least disruption to public or traffic.
- c) By erecting and maintaining effective barricades of meshing or like material to exclude the general public.
- d) Erecting signs on the roadway to advise and control traffic will need to be carried out in accordance with the Manual for Uniform Traffic Control Devices. The Roadwork Signing Guide published by Queensland Transport gives guidance and is available for purchase. Local hire firms can hire these out.
- e) When members of the public are diverted onto the road all of the above requirements will need to be considered. The *Traffic Act* states that 'A pedestrian shall not cross a road outside of or within 20 meters of a pedestrian crossing'.
- f) Some circumstances will require a Police Officer to be engaged. These officers are to be fully advised by the Principal Contractor or Employer of the nature and extent of the operations and given all reasonable assistance.

If the above procedures are adopted it is most likely the obligations of *the Workplace Health & Safety Act*, *Local Government Act* and the *Traffic Act* will be met. The prime focus of these Acts in this regard is to ensure that the health and safety of workers and members of the public are not affected by the work.

For further information on this subject, please contact Council.