

Chapter 4

Section 5 - Block Excavation Permit for Small Scale Works Administration Procedure

1.0 Introduction

- 1.1 The block small scale works excavation permit (SSW XP) is introduced for street excavation promoters to arrange their small scale excavation works more efficiently while the Director of Highways (DH) as the Authority under Land (Miscellaneous Provisions) Ordinance (LMPO) could maintain his effective control over these works.
- 1.2 Each block SSW XP should only cover 1 maintenance district of Highways Department (HyD) Regional Offices and be valid for not more than 184 days unless it is terminated under section 10K of the LMPO. Maintenance District Plans can be downloaded from the Excavation Permit Management System (XPMS). Before expiry of the block SSW XP, the permittee may apply for a new block SSW XP for the succeeding 184 days.
- 1.3 If the excavation works affect any Old and Valuable Tree (OVT), separate normal XP should be applied for the excavation works affecting the OVT.

2.0 Scope of Application

- 2.1 The following conditions would be imposed on the block SSW XP:-
Works affecting carriageway
 - (i) Temporary traffic arrangement (TTA) plans shall have been agreed with Transport Department (TD) and Hong Kong Police Force (HKPF) prior to the execution of works;
 - (ii) Lighting, signing and guarding (LSG) proposal shall have been agreed by HKPF prior to the execution of works;
 - (iii) Total aggregate area of a Small Scale Works (SSW) incident of excavation (excluding the extent for permanent reinstatement necessary in consequence of that SSW incident of excavation) shall not exceed 4m²;
 - (iv) Total aggregate length (measured along the longest side) of excavation (excluding the extent for permanent reinstatement necessary in consequence of that SSW incident of excavation) shall not exceed 6m;

- (v) Closure of any part of carriageway for each incident shall not exceed 24 hours. This time limit shall not include the period of inclement weather which includes the hoisting at the Hong Kong Observatory of-
 - (a) the No.3 visual storm warning or above; and
 - (b) rainstorm warning;
- (vi) No work on carriageway with road opening restriction is allowed unless with prior approval from the respective HyD Regional Office;

Works NOT affecting carriageway

- (vii) Total aggregate area of a SSW incident of excavation (excluding the extent for permanent reinstatement necessary in consequence of that SSW incident of excavation) shall not exceed 4m²;
- (viii) Total aggregate length (measured along the longest side) of excavation (excluding the extent for permanent reinstatement necessary in consequence of that SSW incident of excavation) shall not exceed 6m;
- (ix) Each SSW job shall be completed within 48 hours counting from the commencement of excavation on site, excluding curing period. This time limit shall also not include the period of inclement weather which includes the hoisting at the Hong Kong Observatory of-
 - (a) the No.3 visual storm warning or above; and
 - (b) rainstorm warning; and
- (x) No work on footpath with road opening restriction is allowed unless with prior approval from the respective HyD Regional Office.

For details of application of different waivers, please refer to para. 4.1 to 4.4 of Chapter 4, Section 1 – Excavation Permit Administration Procedure.

More than one permittee may carry out excavation at the same location concurrently. However, the permittees shall coordinate among themselves.

Particularly for SSW not affecting carriageway, the permittee is not required to submit LSG proposal to HKPF for approval.

3.0 Permit Application

- 3.1 The applicant (including utility undertakings (UU) and government departments) should register his application for a block SSW XP through XPMS at least 2 weeks before his applied commencement date of the block SSW XP.

Before application of the first block SSW XP, the applicants shall agree with HyD the list of standard works items, including any above-ground installations, to be carried out using SSW XP. The proposed list should be submitted to CHE/R&D of HyD for consideration and alteration of such standard works items shall also be agreed by CHE/R&D of HyD. The agreed list of standard works items will be available in XPMS for the applicants to choose the standard works items to be carried out in each SSW job created under the block SSW XP and all subsequent block SSW XP applied by the applicants.

- 3.2 The applicant may nominate his contractor as nominated permittee. Details are described in Chapter 4, Section 7 - Nominated Permittee Approval/ Withdrawal/ Removal Procedures.
- 3.3 For issue of a block SSW XP, HyD will charge the applicant an appropriate prescribed fee (i.e. Registration fee plus Daily fee \times number of days for the whole duration of the block XP). For details of prescribed fee, see Appendix 2.1.3. The processing procedures for payment of permit fee are same as that described in para. of 8.0 of Chapter 4, Section 1 - Excavation Permit Administration Procedure.

4.0 Advance Notification of Commencement of Each SSW Job

- 4.1 Whenever the need to carry out a SSW excavation arises, the permittee should register the SSW job in XPMS, stating the location, proposed start and end date, and digitize the trench location.
- 4.2 Before commencement of each SSW job, advance notification (AN) is required to be submitted by the permittee to HyD through XPMS in advance of the intended commencement date in accordance with the following requirements:
for works affecting carriageway – AN shall be submitted through XPMS

at least 2 working days, excluding Sunday and Public Holiday, in advance of the intended commencement date.

for works NOT affecting carriageway - AN shall be submitted through XPMS at least 1 working day, excluding Sunday and Public Holiday, in advance of the intended commencement date.

Failure to comply with the above requirements will be considered as a non-compliance (NC) with the permit condition.

- 4.3 If an AN has been submitted and later it turns out that the intended commencement date must be postponed, the applicant should cancel the AN via XPMS immediately, and then submit a new AN once the commencement date is ascertained. The new AN is allowed to be submitted less than the lead time requirements stated in para. 4.2 above prior to the commencement of works.

5.0 Site Audit Inspection of Excavation Sites

- 5.1 Upon receipt of any AN, the Audit Inspection Team (AIT) will carry out audit inspections of the excavation sites. Any NC identified in an audit inspection shall be recorded in a NC report, which shall serve as a warning notice to the permittee and his nominated permittee for rectification. Details are described in Chapter 9 – Audit Inspection.

6.0 Completion of Each SSW Job

- 6.1 The permittee is required to notify the E/CTO of respective HyD Regional Office upon completion of each SSW job via XPMS. If the whole duration of a SSW job is completely used to finish up the planned works and the reinstatement works, report completion through XPMS is not necessary and XPMS will report the completion automatically on permittees' behalf. However, if any one the following situations is encountered, the permittee should report completion before the expiry of the SSW job through XPMS:

- (a) the permanent reinstatement (PR) will be carried out by others;
- (b) the PR will be carried out by HyD at the permittee's own cost;
- (c) temporary structure(s)/installation(s) will be removed at a certain period after the expiry of the XP; (Details refer to Para 13.2(iv) of Section 1, Chapter 4)
- (d) no excavation has been carried out on site;
- (e) the permit involves traffic aids reinstatement works; and

(f) there has been a completion notice (CN) rejected before.

6.2 On receipt of the notification, the E/CTO of the respective maintenance district in the HyD Regional Office should arrange site inspection to confirm completion of works and acceptance of reinstatement (including detection of unauthorized works, such as construction of above-ground installations or works items not under the list as stated in para 3.1 above.) within 7 working days. After site inspection, the responsible Inspector of Works (IOW) will inform the permittee via XPMS whether he agrees that the works have been satisfactorily completed. If the IOW disagrees that the works have been satisfactorily completed, he will inform the permittee via XPMS about which items do not comply with the requirements/specifications and request the permittee to rectify as soon as practicable.

6.3 In order to demonstrate compliance with the minimum depth requirements, the permittee is required to submit record photographs showing that the underground services installed under XP is at sufficient depth in association with CN submission with that XP. For details of the photograph submission criteria and measurement arrangement, please refer to **Appendix 4.1.4**.

7.0 Refund of Daily Fee for Early Completion of all Small Scale Works

7.1 The block SSW XP will expire on the date specified on the permit. However, if -

- (i) the permittee notifies the E/CTO of the respective HyD Regional Office to terminate the permit before the expiry date of the block SSW XP; and
- (ii) the E/CTO is satisfied that the permittee has reinstated the land to which the permit relates as required by the permit conditions,

the E/CTO may refund a sum which is equivalent to the daily fee paid in respect of the period commencing from the date next following such date of notification and expiring on the expiry date of the permit. Details of procedures for refund are described in Chapter 4, Section 10 - Refund of Daily Fee and Economic Costs Procedure.

8.0 Reinstatement of Works within Defects Liability Period

8.1 In case of permanent reinstatement by the Authority, the permittee shall

remain fully responsible for the maintenance of the backfilling and the temporary reinstatement until a period of 7 working days has elapsed from the date of notification of completion. In case of subsidence of the permanently reinstated pavement (permanent reinstatement by either the Authority or the permittee) or deterioration in the permanent reinstatement itself (permanent reinstatement by the permittee) within 12 months from the date of notification of completion, the permittee shall carry out the necessary remedial works at his own expense, unless the permittee can prove that the defect was caused by a third party. Where necessary, the Authority will carry out the remedial work and the permittee shall pay all expenses incurred by the Authority pursuant to section 10Q of the LMPO. The responsible IOW of the respective maintenance district in the HyD Regional Office should arrange inspection to identify any defects associated with the reinstatement before the end of the liability period. The permittee will be required to make good the defects if any.

- 8.2 If the permittee declines to make good the defects, the E/CTO of the respective maintenance district in the HyD Regional Office shall issue a Works Order to the HyD term contractor to rectify the defects. In accordance with section 10Q of the LMPO, the respective HyD Regional Office will recover the cost from the permittee.