



s138 APPLICATION

Application to carry out works within a public road reserve Section 138 (Roads Act 1993)

Where works are proposed within the road reserve, formal approval must be obtained from Council as the Roads Authority as required under Section 138 of the Roads Act 1993. The road reserve includes the footpath – any area outside the property boundary.

Works within the road reserve may include activities like erecting a structure, constructing a driveway, installing stormwater drains, removing or interfering with a structure or any other activities as defined within the Roads Act 1993. For further information or application forms, please contact (02) 6343 1212 or email mail@weddin.nsw.gov.au.

1 Applicant Details (This form must be completed by the company or person conducting the work)	Name: <input type="text"/> Company/ Organisation: <input type="text"/> ABN: <input type="text"/> Postal Address: <input type="text"/> Postcode: <input type="text"/> Telephone: <input type="text"/> Mobile: <input type="text"/> Email: <input type="text"/> Signature: <input type="text"/> Date: <input type="text"/> / <input type="text"/> / <input type="text"/>
2 Owners' Consent	I/We as owner of the described land hereby grant consent for the above applicant to make application for the proposed works as detailed. Name: <input type="text"/> Company/ Organisation: <input type="text"/> ABN: <input type="text"/> Postal Address: <input type="text"/> Postcode: <input type="text"/> Telephone: <input type="text"/> Mobile: <input type="text"/> Email: <input type="text"/> Signature: <input type="text"/> Date: <input type="text"/> / <input type="text"/> / <input type="text"/>
3 Are the Works Associated with a Development Application or Complying Development Certificate?	<input type="checkbox"/> Yes <input type="checkbox"/> No Consent No. <input type="text"/> Date Issued: <input type="text"/>

<p>4 Works Location</p> <p>(This is the property benefiting from the works)</p>	<p>Unit No: <input type="text"/> Street No: <input type="text"/> Street: <input type="text"/></p> <p>Town/ Locality: <input type="text"/> Postcode: <input type="text"/></p> <p>Lot/s No: <input type="text"/> Section No: <input type="text"/> DP No: <input type="text"/></p> <p>(These details may be found on a Rates Notice relating to the land or on the Land Title documents)</p> <p>Other: <input type="text"/></p>
<p>5 Proposed Works</p> <p>(NOTE: Water, sewer & drainage works require an additional permit (Section 68, Local Govt. Act 1993))</p>	<p> <input type="checkbox"/> Concrete Layback / Crossing Residential <input type="checkbox"/> Concrete Layback / Crossing Commercial <input type="checkbox"/> Paved Crossing <input type="checkbox"/> Bridged Access <input type="checkbox"/> Concrete Foot Paving <input type="checkbox"/> Paved Foot Paving <input type="checkbox"/> Rural Access Gravel <input type="checkbox"/> Rural Access Sealed <input type="checkbox"/> Storm Water Connection <input type="checkbox"/> Other </p> <p>_____</p> <p>_____</p> <p>Closure of: <input type="checkbox"/> Partial Footpath <input type="checkbox"/> Full Footpath <input type="checkbox"/> Partial Road <input type="checkbox"/> Full Road</p> <p>Anticipated Start Date Anticipated Finish Date Anticipated Hours of Work</p> <p><input type="text"/> / <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> / <input type="text"/> <input type="text"/></p>
<p>6 Agreement</p>	<p>I/We agree to satisfy all the criteria listed in the following points:</p> <ul style="list-style-type: none"> • Comply with all conditions and requirements of Work Cover NSW and satisfy all obligations under the Work Health and Safety Act 2011 and the Work Health and Safety Regulation 2017 for all aspects of the activity. • Locate all relevant services prior to starting the activity (eg. Dial Before You Dig and Council). • Notify all property owners potentially affected by the activity and confirm that any objections have been appropriately addressed. • In the event of partial or full road carriageway closures, all emergency services and public transport agencies must be notified. • Employ adequate site, traffic and pedestrian control/protection measures at all stages of the activity in accordance with relevant standards and Transport for NSW (TfNSW) requirements. • Comply with all environmental and other legislation, Council policies and any other Regulation applicable to the activity. • Restore the areas affected by the activity to pre-activity condition or better than pre-activity condition if required to satisfy the relevant Australian Standards for each type of infrastructure involved. • Comply with all requirements and conditions contained within the references and conditions as set out within the request for consent to carry out the activity. <p>NOTE: Any damage caused to public infrastructure (roads, footpaths, kerb and gutter, water mains and services, sewer mains and connections, stormwater, power and telephone services, etc.) during the activity shall be repaired to the satisfaction of the owner of the infrastructure. The repairs shall be carried out in a time and manner as required by the owner of the infrastructure. Council must be notified in writing, prior to commencement of the activity, of any existing damage to roads, stormwater drainage, kerb and gutter, footpaths, water or sewer infrastructure. Absence of notification signifies that no damage exists and the applicant is, therefore, liable for the cost of reinstatement of any damage found at the completion of works.</p>

7 Conditions

Acceptance

Council's acceptance of the application does not imply that consent will necessarily be granted in respect of the activity. Consent may not be issued if insufficient information or details are provided as relevant to the type and scale of activity or for any reason. Details to be provided include:

- A Site Plan showing location and dimensions of proposed works.
- Traffic Guidance Scheme(s) (TGS) prepared by an accredited provider No. _____.
A Traffic Management Plan may be required to show overall management with various TGSs.
- Engineering Plans (if applicable).
- A current dated Certificate of Currency as evidence of holding public liability insurance valued at a minimum of \$20M, suitable for the activity and lists Weddin Shire Council as an interested party.
- *Driveways to include Access Template (see attached).

Processing

Immediate processing of requests is not guaranteed and Council will not be responsible for the consequences caused by late applications (allow five (5) working days for Council roads and three (3) weeks if Transport for NSW (TfNSW) concurrence is required. A minimum of two (2) weeks is required for road closures to allow for advertising.

Responsibility

The applicant is, by way of signature to the application, responsible for compliance with all of the agreements, declarations and consent conditions and is likewise responsible for compliance in respect of all agents, sub-contractors and anyone else carrying out part or all of the activity authorised under the consent as if they were the applicant.

The applicant must not request consent for an activity which is known to be contrary to a consent, requirement or condition applied under any other authority or jurisdiction. A consent issued under these circumstances will become null and void.

Consent

Consent for the activity is granted following the signing of the application by Council's Authorising Officer and issue of an official receipt for payment of the prescribed fee (if applicable). A copy of the Council endorsed application and Council's receipt in respect of the consent must be held on-site and be available for inspection whilst the activity is being carried out.

Multiple requests and consents will be required for activities reasonably separable in terms of timing, administration, liability, conditions or other factors deemed relevant by the Authorising Officer.

Validity

Consent is valid for the dates and times nominated on the application and for any amended dates and times authorised by Council.

8 Declaration

I declare that I will conform with all the requirements of this agreement; that I will carry current public liability insurance at least to the value of \$20 million and will arrange endorsement on the policy indemnifying Council in the event of any injury to any person or property consequential to the carrying out of the activity on the road; that I carry all the relevant credentials required to carry out the specified activity and all parts thereof and accept the role of principal contractor in the effect of the activity.

Signature

Date

Name

Office Use Only

Approval - Section 138 (Roads Act 1993)

Signature of Authorising Officer

Date

Name of Authorising Officer

Designation

Consent Number

Receipt No

Notes for Driveway / Entrance:

Property Owner: _____

Contractor: _____

1 Date of Inspection and/or Application:

2 Development Application: Y / N
DA No: _____

3 Address: _____

4 Lot: _____

DP: _____

5 Existing Driveway Surface: _____

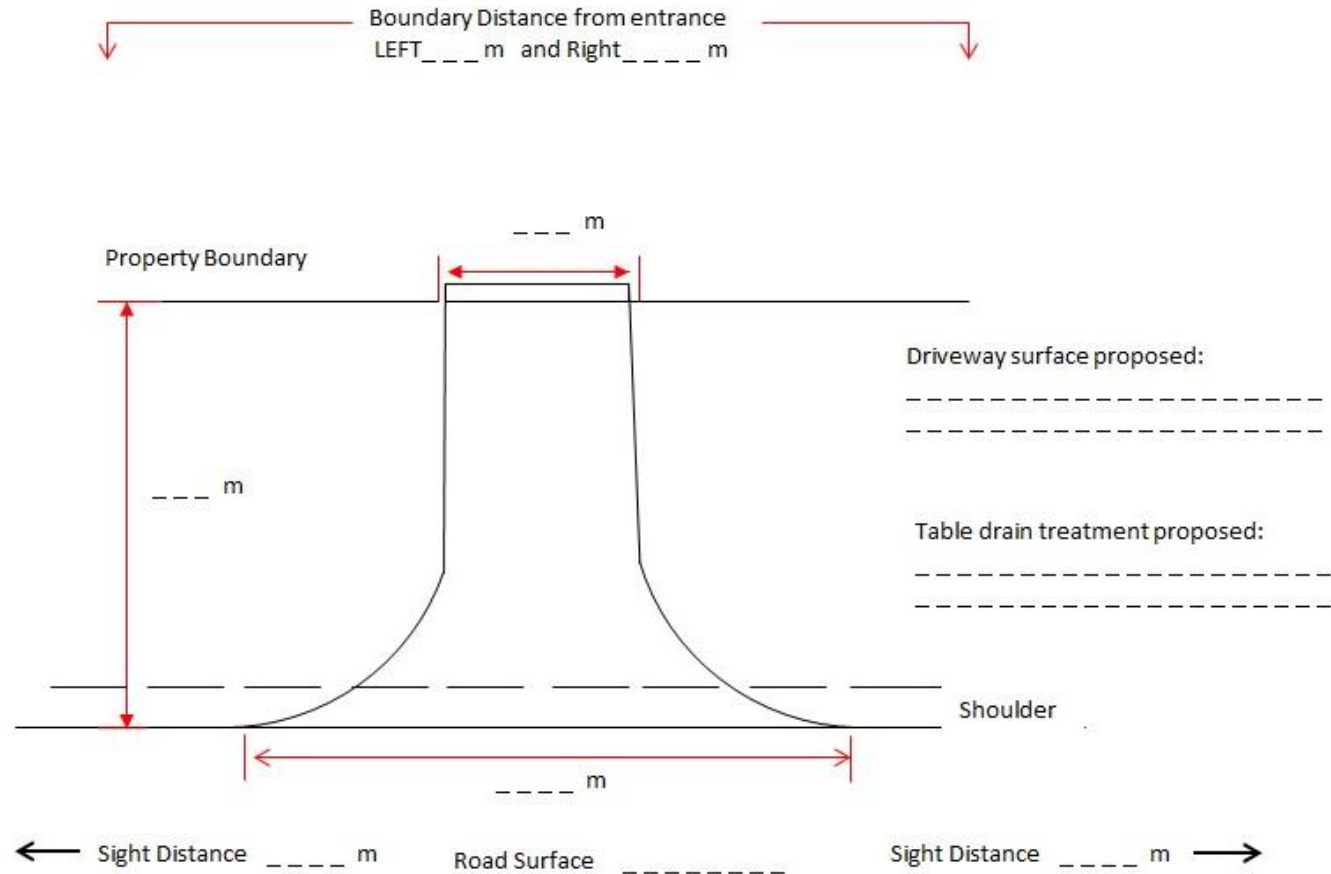
6 Driveway Gravel Depth: _____

7 Table Drain Treatment:
Proposed: Y / N
Existing: Y / N
a) Concrete Causeway
b) Box Culvert or Pipe with Headwall
c) Sill or Open Crossing
(Refer to Council Standard Drawings)

Please make note of the following and add details to the drawing provided if the driveway is one of the following:

- A) Gravel Driveway – then a gravel driveway is to be a minimum depth of 100mm of compacted gravel.
- B) Sealed Driveway – if the entry road is sealed, then the driveway is to be sealed to the boundary. For heavy duty (frequent truck traffic), driveways are to be a minimum of 225mm thick 32MPa concrete with two (2) layers of SL72 mesh 40mm from bottom of concrete and 40mm from the top.

ACCESS TEMPLATE



FOR MORE INFORMATION
Weddin Shire Council | PO Box 125 GRENFELL NSW 2810
Tel: (02) 6343 1212
E: mail@weddin.nsw.gov.au | W: www.weddin.nsw.gov.au