

APPLICATION FOR CONSENT TO UNDERTAKE WORKS WITHIN A PUBLIC ROAD RESERVE

Application made under Section 138 of the *Roads Act 1993*

Applicant

Mr	☐	Ms	☐	Mrs	☐	Other	☐	
Given Name (or A.C.N)								Family Name (or Company Name)
Unit/Street No		Street Name			Suburb		Postcode	
Daytime Telephone			Mobile			Email		

Council recommends that the applicant be the contractor performing the works or the homeowner. The applicant will be pursued for restoration of any defects

Owner's Consent

Owner Name	Mobile	Email

☐ Please tick this box to confirm that the owner(s) of the job location have provided consent for the lodgement of this application. By ticking this box, you also acknowledge that the property owner(s) are permitted to make changes to this application at any stage.

Job Location (Please attach a Location Diagram)

Unit/Street No	Street Name	Suburb	Postcode

Contractor Performing the Work

Driveways and footpaths must be constructed by Council Approved Concrete Contractor/s

Name:	
Company Name:	
Email Address:	Mobile:

Public Liability Insurance of Contractor/s Performing Works

Details must be filled if not Council Approved

Insurance Policy Company:	
Policy Number:	
Value:	Expiry Date:

Type of Work			
Associated with: DA ☐ CDC ☐ Subdivision ☐ None of the above ☐		If Yes, provide DA/CC Number: Attach stamped approved DA plans	
Has an appropriate Traffic Guidance Scheme / Pedestrian Management Plan been provided? Yes (Required) ☐ No (Application Incomplete) ☐			
Tick All Appropriate Work Types			
Water Related ☐	Sewer Related ☐	Electrical Related ☐	Gas Related ☐
Pavement (inc K&G) ☐	Crane Lift ☐	Stormwater Connection ☐	Other (please specify) ☐
Driveway (plain concrete) ☐	Driveway (other finish – please specify) ☐	Full Road Closure ☐ (Note: may require Traffic Committee approval)	Parking Spaces / Occupation/Works Zone ☐ (Note: may require Traffic Committee approval)
Description of Works: Please provide a detailed description of all work to be undertaken within the road reserve and attach all relevant work and site plans to clarify scope of work. Provide stamped approved DA plans for any works approved via DA. If proposed works are different to those approved at DA stage e.g. driveway widening referral to Council's DA team will be necessary prior to S138 consent. For proposed cobblestone or paver driveways, provide a sample and data sheet for the proposed finish to be assessed for approval. Installation must be by an approved contractor.			
Approximate date works to commence: (Exact dates required for full road closures/works zones)		Approximate date works to conclude: (Exact dates required for full road closures/works zones)	

CALCULATION TABLE: RESTORATION COST AND BONDS REQUIRED

(Applicant to complete)

The applicant is responsible for restoration of all affected Council assets. Restorations must be like for like.
Provide detailed plans of affected Council assets.

Type of Road Work Components Required	Restoration Rate	Area or Length affected (m ² or m)	Restoration Cost = (Restoration Rate x Area or Length Affected)	Minimum Bond	Bond to be Paid <u>Note:</u> Higher value of restoration cost or the minimum bond
Road Pavement - Asphaltic concrete on fine crushed rock base	\$549 per m ² or agreed market rate for an engineered restoration design			\$1,098	\$
Footpath Area- Concrete	\$562 per m ²			\$1,124	\$
Kerb and Guttering	\$590 per m			\$1,180	\$
Other (Description required)					\$
Additional inspection / Release of bond inspection	\$223.00 per inspection				
TOTAL BOND TO BE PAID:					\$

Conditions

1. Please allow up to 10 business days for processing of your application once all relevant information has been submitted.
2. No work is to commence until a letter of S138 consent has been received.
3. The road opening permit, if issued, will be for a 24 month period unless otherwise stated. The permit holder will need to submit a new application if the project is incomplete after this time.
4. All restorations are the responsibility of the applicant. Council does not undertake restorations on the applicant's behalf.
5. Where Project Home Builders intend to hand over ownership or possession of the property to the homeowner prior to the commencement of the approved works, the Project Home Builder must notify Council in writing prior to the handover being completed, providing new homeowner contact details.
6. All utility connections under the road surface must be underbored. Trenching will only be permitted if sufficient evidence that under boring is not possible is provided to Council.
7. A driveway is not permitted to match an existing non-compliant footpath. Where the concrete footpath does not meet Council's regulation heights above the kerb, the footpath either side of the driveway needs to be removed by one metre and transitioned back to a compliant driveway cross-over. A damaged or non-compliant footpath will not be permitted to remain within the new driveway.

8. If damage bonds are applicable, they will be refunded upon satisfactory completion of the proposed works and demonstrated service performance. Up to 6 months performance may be deemed necessary to demonstrate that the restoration is not defective. The applicant must notify Council when the work has been completed so an inspection can be arranged. If works are incomplete or defective then the bond may be forfeited and Council will use up to the full bond amount to facilitate restoration of the Council asset.
9. A Traffic Guidance Scheme (TGS) showing proposed traffic signposting around the construction site in accordance with Australian Standard AS 1742.3 is to be submitted as part of this application. The plan must be prepared and certified by a person holding valid Safe Work NSW accreditation. No work is to commence until the signage is erected in accordance with this TGS. Note that the TGS is to guide both road users and pedestrians. The applicant is responsible for ensuring the TGS is valid and reviewed.
10. A Road Occupancy Licence is required from Transport for NSW for work to be undertaken on state roads (Princes Highway, Illawarra Highway, Tongarra Road, Shellharbour Road, New Lake Entrance Road), or on roads within 100m of a traffic light. Proposals that have significant traffic disruption, such as road closures, will be referred to the monthly Shellharbour Local Traffic Committee meeting for approval with up to an 8 week turnaround time.
11. All traffic control, including the set-up and removal of traffic control devices and/or regulation of traffic, is to be carried out by persons suitably accredited by Safe Work NSW. The contractor must produce upon request evidence that all staff involved in the above have this accreditation.
12. The contractor shall meet all obligations under the Work Health & Safety Act 2011 and relevant Safe Work NSW requirements, including appropriate traffic control.
13. Public Liability insurance in an amount of \$20 million is to be maintained for the construction period by the contractor performing the work.
14. All driveway and footpath works must be carried out by a Council approved concrete contractor. A list of Council approved concrete contractors can be provided upon request. Construction and restoration work must be completed to Shellharbour City Council Specifications.
15. Prior to any excavation, a Dial Before You Dig search must be made so as to avoid hazards and damage to underground utilities. Council can provide details on its stormwater pipes.
16. For driveway construction, Council will undertake two inspections (formwork preparation and completed works). For a formwork inspection a minimum of 48 hours' notice must be given to Council. The nominated Contractor is to phone Council to book a formwork inspection for a time when preparation is complete and compliant with Council standards. Concrete is NOT to be poured until approval is granted by Council's Driveway Inspector. A charge of \$223.00 applies for additional inspections. Repeated non-compliances with processes or specifications may result in removal from the approved concreter list.

DECLARATION

The Applicant declares that:

- A copy of the current insurance Certificate is attached.
- A copy of the Traffic Guidance Scheme (formerly Traffic Control Plan) proposed to be implemented is attached.
- The Restoration Cost and Bonds table has been completed if applicable. Any proposed work areas found to be underestimated by the applicant will be subject to additional fees and/or bonds to be paid prior to determination of the application.
- If defective work is found as a result of an audit or inspection by Council then Council can take whatever actions it considers necessary and appropriate under the *Local Government Act 1993*, *Environmental Planning & Assessment Act 1979* or any other Act or Regulation to cause the works to be rectified or removed.
- A driveway, when constructed in the road reserve, will have a non-slip surface and no raised edges that are trip hazards, and will comply with the requirements of Shellharbour City Council Engineering Code and the specifications contained with those drawings.
- The owner(s) of the above property have provided consent to the lodgement of this Application.

Applicant Signature		Date	
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Your Privacy

Shellharbour City Council respects your privacy at all times. When processing your application we collect personal information about you for the primary purpose of providing you with a high level of customer service.

For more information please see our Privacy Management Plan on our website www.shellharbour.nsw.gov.au or contact our Public Officer on 02 4221 6111. Information leaflets are also available at all offices and libraries.

OFFICE USE ONLY

Fees and bonds to be paid

Fee/Bond Category To Be Paid	Rate	Sub-total
Standard driveway application fee (per driveway)	\$619.20	
OR Low Impact Works within the road reserve application fee	\$258.00	
OR Medium Impact Works within the road reserve application fee	\$679.00	
OR High Impact Works within the road reserve application fee	\$1,132.00	
Illegal Road Reserve Works / Illegal Driveway Administration Fee	\$1,049.00	
Additional Onsite Inspection Fee (per inspection)	\$223.00	
Total Bond to be Paid	Refer to Calculation Table: Restoration Cost and Bonds Required on page 3	
Occupation of Footpaths (subject to Council approval)	\$37.00 per metre per month	
Work Zone on Street - Town Centre / CBD (subject to Council approval) Town Centre/CBD areas are defined as: – Shellharbour City Centre - within 1km radius of Council Administration Building – Shell Cove – within 1km of intersection of Cove Blvd / Waterfront Prom – Albion Park – within 1km radius of precinct defined by Russell St / Terry St / Tongarra Rd – Albion Park Rail – within 1km radius of intersection Princes Hwy / Airport Rd – Oak Flats – within 1km radius of intersection Central Ave / Fisher St – Shellharbour – within 500m of intersection of Addison St / Wentworth St – Warilla – within 1km of Warilla Grove precinct	\$134.00 per week per car space or 6 metres if no spaces marked	
Work Zone on Street - other than town centre (subject to Council approval)	\$67.00 per week per car space or 6 metres if no spaces marked	
Restoration Cost	Actual cost to be determined once works are completed	
	Total Payable	

Customer Service Checklist

Required Information	Yes	No	NA
Have all relevant sections been completed?			
Has the applicant signed the application and declaration?			
Has the applicant provided a current copy of the Contractor's Public Liability Insurance? (excluding Council approved concrete contractors)			
Has a Traffic / Pedestrian Management Plan been provided?			

Processing Details
Road Opening Application Number:
BAG Number (If Applicable):
Paid By: Cheque ☐ EFT ☐ Cash ☐
Amount:
Receipt Number:
Date: