

## Application to Carry Out Works or Erect a Structure on or Over a Public Road

Section 138 Roads Act

Fee \$135.00 (current 2020/21 Fees & Charges)

Receipt No:..... GL.....

Details of the Applicant		
	<b>Name/s:</b>	
	<b>Company/Organisation:</b>	
	<b>Postal Address:</b>	
	Town/Locality	State:                      Postcode:
	<b>Contact Details</b>	
	Daytime Telephone:	Mobile:                      Email:
Public Road on which Work Proposed		
	<b>Name of Road:</b>	
	<b>Location:</b>	
Adjacent Property Details		
	House Number:	Lot No (s):
	Street/Road:	Deposited Plan (DP/SP) No(s):
Description of the Proposed Works		
Please describe briefly what work you intend carrying out in the road reserve.		
Start of Works:	___/___/___	Duration of Works:                      _____ days/weeks
_____		
_____		
_____		
_____		
_____		
<p>On the public road and adjacent to the property detailed above:    I acknowledge that the work must NOT be commenced until written approval to proceed is received, and must be done in accordance with the plan/s specification and conditions attached to the approval. Forty-eight (48) hours notice is to be given to enable inspection of any works prior to commencement.</p>		
Signature: _____                      Date: ___/___/___		
<p>When lodging this form, please also provide:</p> <ul style="list-style-type: none"> <li>(a) Map of the road location of the proposed works.</li> <li>(b) a plan of the proposed work, and</li> <li>(c) a copy of your public liability insurance with insurance cover of not less than \$20 million.</li> <li>(d) If the works proposed are being undertaken in conjunction with a development application, please advise DA number</li> </ul> <p style="padding-left: 20px;">DA: .....</p>		

## Locality Sketch

Please draw a sketch indicating the street, nearest cross street(s), the location/property where the plant is to stand and be operated, and the footpath/roadway to be affected.

A certified Traffic Control Plan in accordance with the Australian Standard AS1742.3 MUST BE SUBMITTED where the travelling lanes or traffic flow will be or are likely to be affected by the works.

## Contractor Details

If works will be performed by a Contractor, please supply the following details and copies with application and payment

Name and contact details of Contractor:

Attach a copy of Contractor's Public Liability Insurance – Certificate of Currency

## Privacy and Personal Information Protection Notice

You have a right to access any of the personal information held by Council to ensure that it is correct.

<b>Purpose of the Collection:</b>	As stated on the document & for the lawful purposes of Council
<b>Intended Recipients:</b>	Council's Staff and Councillors
<b>Supply Legally Required:</b>	Yes
<b>Consequence of Non-Supply:</b>	The application will not be processed.
<b>Storage:</b>	Electronic

## Declaration of Applicant:

I \_\_\_\_\_ (referred to hereafter as the Permit Holder)

hold harmless, release and indemnify, and keep released and Indemnified the Clarence Valley Council (Council) from and against all actions, suits, claims, demands, costs, charges and expenses for which Council, its servants, agents or employees may be held liable in respect to any loss, damage accident or injury of what soever nature or kind and however sustained or occasioned and whether to property, persons in connection with the use of this public area and any work connected therewith pursuant to this permit but excluding such liability arising from any negligent act, default or omission, on the part of Council, its servants, agents or employees either solely or in contribution thereto.

I have read the conditions of the Application to Undertake Works on the Road Reserve and agree to abide by these conditions in full. I understand that failure to meet any of the conditions can result in the immediate cancellation of the permit and recovery of any associated costs by the Clarence Valley Council from the permit holder.

I declare that to the best of my knowledge all particulars supplied by me are correct and completed. I understand that inaccurate or false statements may cause my application to be delayed or rescinded.

Signature/s:.....

Date: ...../...../.....

### **Privacy Advice**

The personal information that Council has collected or is collecting from you is personal information for the purposes of the Privacy and Personal Information Act 1998 (PPIPA). Council will only use this information in accordance with the PPIPA.

**The supply of this information by you is voluntary. However,** if you cannot provide or do not wish to provide the information sought, the Council may be limited in dealing with your application/request. Council requires this personal information from you in order to process your application.

You may make application for access or amendment to your personal information held by Council. Council will consider any such application in accordance with the PPIPA.

Council is to be regarded as the agency that holds the information.

<b>Office Use Only:</b>	
	Approval Issued:
	Inspected By:
	Date Inspected
	Date Approval Sent:
	Contractor – required details attached:    -PLI                    -WCI

<b>Inspector's Recommendations:</b>

## GENERAL CONDITIONS

1.	<b>NOMINATED CONTRACTOR</b> Works are only to be undertaken by a Contractor acceptable to Council. Issue of Council's approval to undertake the work will signify acceptance of the nominated Contractor.
2.	<b>CONTRACTOR'S SUPERVISION</b> The Contractor is to nominate persons to whom Council's directions may be given by the Manager or his representative. One of these persons is to be on site while work is in progress. Telephone contact out of normal working hours is required.
3.	<b>SUPERVISING CONSULTANT</b> Council will specify which works will require the supervision of the Contractors and/or Developer's Engineering Consultant. Where required the necessary details are to be submitted on the application form.
4.	<b>INSURANCE</b> The Contractor is to have Public Risk Insurance to cover claims arising out of work on Public road and Council is to be co-insured against unlimited claims, to the value of \$20,000,000. Contractors are to produce originals of their insurance policy for verification.
5.	<b>WORK HEALTH AND SAFETY</b> The applicant and any contractor or sub-contractor shall, while undertaking work on the road reserve comply with all relevant Work Health and Safety Legislation and shall produce evidence of such compliance to Council on request.
6.	<b>HALF WIDTH CONSTRUCTION</b> Work on one side of the road is to be finished and compacted and shaped to finished level prior to excavation being carried out on the other side of the road. Half of the road is to be open to the traffic at all times while the work is in progress.
7.	<b>TRAFFIC CONTROL</b> A Certified Traffic Control Plan in accordance with AS 1742.3 MUST BE submitted, implemented and available on site on request where the travelling lanes or traffic flow will be or are likely to be affected by the works. Traffic control devices are to be checked at least twice daily (i.e. early morning and late afternoon) including weekends.
8.	<b>FLAGMEN</b> Traffic Control Flagmen required by the Traffic Control Plan are to have RMS certification as a Traffic Controller (Blue Card)
9.	<b>DEBRIS ON ROAD</b> No loose material is to be left at any time on the existing bitumen seal.
10.	<b>DAMAGE TO ROAD PAVEMENT</b> Any damage to the existing seal or modification to the existing seal resulting from work being carried out by the Contractor will be repaired at the Contractor's cost.
11.	<b>TRENCHES</b> Unless otherwise directed, trenches shall be made at right angles to the direction of the road.
12.	<b>LOCATION OF SERVICES</b> Public Utility Authorities and Council must be contracted regarding the location and depth of underground services prior to any excavation commencing.
13.	<b>DEFECTS PRIOR TO COMMENCEMENT</b> Any defective condition of kerb, gutter, footpath, road pavement or any other permanent work, existing prior to the issue of this approval, shall be reported by the applicant in writing to the authorised openings being made. Any damage to public facilities found at the conclusion of work will be repaired at the Contractor's expense unless notification of deficiencies has been given prior to commencement of work.
14.	<b>COVER FOR PIPES</b> Pipes are to be laid with a minimum cover of 600mm.
15.	<b>WATER PIPES UNDER ROADS</b> Cast iron pipe is to be used under the road pavement.
16.	<b>DAILY BACKFILL OF TRENCHES</b> All trenches in roads are to be completely backfilled each day. Other trenches may be left open if barricaded in accordance with Council standards.
17.	<b>COMPACTION OF TRENCHES</b> Trenches shall be fully consolidated during back filling and the site shall be left clean and tidy and kept safe for the public by the permit holder for a period of 14 days after written notification to Council of completion of the work or until Council

18.	<b>RESTORATION OF SURFACE</b> All restorations of a permanent nature shall be carried out by the contractor. Council reserves the right to undertake any permanent restoration of its infrastructure at the cost of the contractor arising from any extenuating or exceptional circumstances associated with the application.
19.	<b>TREE REMOVALS</b> No trees to be fell, lopped or removed without the specific approval of Council.
20.	<b>COMPLIANCE WITH GUIDELINES</b> All materials used and work practices are to be in accordance with Northern Rivers Local Government Development Design and Construction Manual.
21.	<b>PROTECTION OF PUBLIC</b> The Contractor must not obstruct unnecessarily, in his operations, any side road, nor may he break down any fences or obstruct any drain or water course or damage existing road construction. He must at once remove such obstructions, make adequate provision for traffic and immediately repair any damages. The Manager or his representative reserves the power to do this work if public safety is compromised and the whole cost of such work incurred by the Council will be payable by the owner or developer on demand. In emergency situations it may not be practicable for Council to give prior notice of its intention to undertake such work.
22.	<b>PEDESTRIAN ACCESS</b> Where the footway is obstructed by the storage of materials or to act as a worksite, the Contractor must ensure to provide safe and level pedestrian access, through or around the obstruction. A minimum width of 1.2m must be provided at all times.
23.	<b>MAINTENANCE OF WORKS</b> For works associated with Development, the owner or developer shall be responsible for the maintenance and repair of all works carried out under this approval within the road reserve for a period of 6 months from the date of acceptance of such works by the Manager or his representative. If satisfactory maintenance is not carried out within this period then the Manager or his representative may carry out any necessary works and the whole of the cost of such work incurred will be payable by the owner or developer on demand.
24.	<b>SCHEDULE OF WORK</b> Any works affecting through traffic, i.e. on or adjacent to the through pavement, shall be carried out strictly in accordance with the schedule submitted in the application.
25.	<b>PRODUCTION OF APPROVAL</b> A copy of the approval for the work is to be held on the job site. This copy must be produced if requested by any Officer of Council.
26.	<b>INSPECTION OF WORKS</b> Works are to be inspected by the Council Supervising Officer, generally in accordance with the Technical Guidelines. Certificates of approval or rejection will be issued, where applicable, by the Council Officer at the site inspection.
27.	<b>ACCEPTANCE OF WORKS</b> Works will only be accepted by council if a Certificate of Final Inspection approving the works issued or if a written application for acceptance is received and Council accepts the works by written response.
28.	<b>FAILURE TO COMPLY WITH APPROVAL</b> If the Applicant or any person carrying out work on behalf of the Applicant, fail to comply with any of the conditions in this Agreement, then Council may order all work on the road reserve to cease and Council reserves the right to complete the work at the cost of the Applicant, such cost to be recovered from the Applicant as a debt owing by the Applicant to Council.
29.	<b>ADDITIONAL CONDITIONS</b> Additional special conditions are to be found on the permit issued for the work on the road reserve.

