

# APPLICATION FOR WORKS WITHIN THE ROAD RESERVE

(Made under section 138 - Roads Act 1993)

**PLEASE ANSWER ALL QUESTIONS** - failure to do so may result in the return of the application

## 1. Applicant Details

☐ Mr      ☐ Mrs      ☐ Ms      ☐ Miss      ☐ Other: \_\_\_\_\_

Family name(s) OR company name


Given name(s)


Postal Address

(All correspondence will be sent to this address)


Email Address

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Daytime telephone number(s)


Signature of applicant(s)


## 2. Contractor details (if applicable)

Name(s)


Business or Company Name


Postal Address


Email Address

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Daytime telephone/mobile number

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### 3. Location Details

It is important that the property is accurately identified by its legal description. This information is shown in your Rates Notices, property deeds, etc:

Unit/Street No.

Street Name

Suburb/Locality

Postcode

Lot No.

Section No.

Deposited Plan No.

Parish

### 4. Description of proposed works

DA Number if associated with DA works

DA \_\_\_\_\_

Please briefly describe everything you are seeking approval for from Council.


### 5. Disclosure required for reportable Political donations or Gifts

A reportable gift or political donation is defined under the *Election Funding and Disclosures Act 1981*.

Have you made a political donation to a political party, elected member, group or candidate or provided a gift to a local councillor or council employee where the value exceeded \$1,000 or the combined value in any financial year exceeded \$1,000 in the past two (2) years?

☐ Yes

☐ No

### 6. Checklist

☐ Copy of Design Plans

☐ Copy of Insurance Certificate

☐ Copy of Traffic & Pedestrian Control Plan is attached

☐ Date of work commencement is \_\_\_\_\_

**Works requiring consent:**

The road reserve includes the footpath and road formation between opposite property boundaries:

Section 138 works and structures that require consent

- (1) A person must not:
- (a) erect a structure or carry out a work in, on or over a public road, or
  - (b) dig up or disturb the surface of a public road, or
  - (c) remove or interfere with a structure, work or tree on a public road, or
  - (d) pump water into a public road from any land adjoining the road, or
  - (e) connect a road (whether public or private) to a classified road, otherwise than with the consent of the appropriate roads authority.

Maximum penalty: 10 penalty units.

- (2) A consent may not be given with respect to a classified road except with the concurrence of RMS.
- (3) If the applicant is a public authority, the roads authority and, in the case of a classified road, RMS must consult with the applicant before deciding whether or not to grant consent or concurrence.
- (4) This section applies to a roads authority and to any employee of a roads authority in the same way as it applies to any other person.
- (5) This section applies despite the provisions of any other Act or law to the contrary, but does not apply to anything done under the provisions of the *Pipelines Act 1967* or under any other provision of an Act that expressly excludes the operation of this section.

**Advice to applicants:**

The following information is provided to assist the applicant.

1. Payment of the application fee is required at the time of lodgement.
2. Review of the Environmental Factors (REF) – Development for the purposes of a road often requires the preparation of a REF by a suitably qualified consultant for approval by Council. A REF examines the significance of likely environmental impacts (on eg cultural heritage, water, vegetation/trees) of a proposal and the measures required to mitigate any adverse impacts to the environment. The level of detail required will depend upon the nature and scale of the proposed development.
3. Detailed Road Design Plans are to be submitted to Council with this application for road construction works approval. The plans are to be prepared by a suitably qualified practicing Engineer and shall include an erosion and sediment control plan, drainage plan, pavement design, and geometric road design – including longitudinal section and cross-sections of the road. Road design and construction is to ensure the preservation of as many existing trees as possible. All trees proposed to be removed within the road reservation must be approved by Council and are to be clearly identified by survey and shown on the submitted plans. Any utilities in the vicinity should be located and also shown on the plans.
4. In cases where development of the road includes connection to a classified road, Council will refer the application to Roads and Maritime Services for approval concurrence as required by law.

5. A Traffic Management Plan (TMP) showing proposed traffic signposting around the construction site in accordance with AS 1742.3 and the RMS manual for Traffic Control at Worksites current at the time of construction is to be submitted to Council at the time of lodgement and prior to approval being granted. The plan must be prepared and certified by a person holding the appropriate RMS accreditation. No work is to commence until the signage is erected in accordance with this TMP. Note that the plan is to address both motor vehicle traffic and pedestrian traffic where applicable.

Note: A Speed Zone Reduction (SZR) may need to be obtained from the Responsible Traffic Authority. RMS for classified roads or from Council for local roads. In order to reduce the existing speed limits to a specified speed limit, adjacent to a construction work site. A minimum of ten (10) working days should be allowed for obtaining a SZR. No works are to be commenced until a copy of the SZR is forwarded to Council. All traffic control including the setup and removal of traffic control devices and/or regulation of traffic is to be carried out (by persons suitably accredited by the Roads and Maritime Services to Australian Standard AS1742.3 and the RMS Traffic Control at Work Sites. The contractor must produce upon request evidence that all staff involved in the above have such accreditation.

6. A copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000.00 is to be provided to Council prior to the commencement of works.
7. The contractor shall meet all obligations under the Work Health and Safety Act 2011 or current equivalent legislation and relevant Work Cover requirements including appropriate traffic controls.
8. All services in the vicinity of works should be located prior to the commencement of the works. Care shall be taken when working in and around all services.
9. Any damage to the road pavement shall be reinstated to the original condition. Please note that should any defects become evident within a 12 month period Council will be invoicing the applicant for repairs.
10. All disturbed areas or damage to existing or any other Council infrastructure is required to be reinstated to the original condition and sediment /erosion protection devices are to be put in place to prevent site damage.
11. All excavation work that will remain open over night or for a period of time is to be barricaded and the appropriate flashing safety lights are to be installed for the duration. The maintenance of the barricades is the responsibility of the contractor and council will take no responsibility if persons are injured as a result of these works.
12. The works proceed to completion without undue delay.
13. Provision is made for service vehicles, residents etc to gain access to properties at all times.
14. Affected residents are to be notified in writing indicating, at least seven days in advance of any full road closure, the reason for the road closure, the period of the road closure and a company contact name and a 24 hour contact phone number.
15. Council may remove the contractor from the site if these conditions are not adhered to.