

# Application to carry out a Section 138 road activity

(Under Section 138 of the Roads Act 1993)

## About this form

All activities or works on a public road or footpath require the approval of Council. For works associated with a Development Application, use the Public Engineering Works Application or the Subdivision Construction Certificate Application. This application is required to gain approval to carry out activities in the road reserve such as excavation and restoration; digging trenches or holes; installing signs or structures; minor construction such as road, footpath, kerb and gutter or drainage to a value less than \$25,000.

## Applicant details

Applicant(s) name / company

ABN

Postal address

Suburb

Postcode

Phone

Mobile

Email

## Work location details

Lot number

Deposited/Strata Plan number

Development Application number

Address

Details of work

Start date

## Contractor / Builder details

Contractor Company name

Contractor name

Postal address

Phone

Mobile

Email

Department of Fair Trading Licence number

Public liability policy details (insurer and number, expiry date and amount)

## Office use only

TCP

Eng Plans

Site Plan

Application number

Total fees paid

Receipt number

Date

## General

- a) The application must include all information necessary to allow assessment of the application.
- b) Engineering plans for the required work within the public road reserve designed by suitably qualified professional must accompany this application.
- c) A current copy of the certificate of currency of the contractors public liability insurance policy must be attached to this application (minimum \$20 million).
- d) The applicant must provide a site plan showing the location of the construction site, adjacent street, existing kerbside parking restriction sign posting, driveways and the preferred location of the Work Zone.
- e) A Traffic Control Plan (TCP) developed by an RMS accredited person must be submitted with this application where traffic control is required.

## Applicant's declaration

I agree to satisfy all the criteria listed in the following points:

- Any damage caused to public infrastructure (roads, footpaths, water mains and services, sewer mains, storm water, power and telephone services etc) during the activity shall be repaired to the satisfaction of Council's Engineering Inspector. Council must be notified in writing, prior to commencement of the activity, of any existing damage to roads, stormwater drainage, kerb and gutter or footpaths. Absence of notification signified that no damage exists, and the applicant, is, therefore, liable for the cost of reinstatement of any damage found at the completion of the works.
- I declare that the contractor carries public liability insurance at least to the value of \$20 million (copy attached) and agree to indemnify Council in the event of any injury to any person or property consequential to the carrying out of this activity. Ensure the insurance is valid for the period of activity.
- I declare the contractor will 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 & Safety Regulation 2011 for all aspects of the activity.
- 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.
- I will locate all relevant services prior to starting the activity (eg Dial Before you Dig).
- Employ adequate site, traffic and pedestrian control / protection measures at all stages of the activity in accordance with relevant standards and RMS requirements. The applicant must provide a site plan showing the location of the construction site, adjacent street, existing kerbside parking restrictions sign posting, driveways and the preferred location of the Work Zone. A Traffic Control Plan developed by an RMS accredited person must be submitted with this application where traffic control is required.
- I declare that I and/or contractor carry all the relevant credentials required to carry out the specified activity and all parts thereof and accept the role of principal contractor for the duration of the work.
- Complete the application and submit it to Council and pay the relevant fees.
- Please ensure that you read the above Declaration and declare I will conform with all the requirements of this agreement and by signing below I agree to the above declaration.

Name

Signature

Date

## How to lodge this form

Completed form can be:

- Emailed (select the submit button below) including required documents. Payment by credit card or EFT can be arranged; or
- Forwarded by post with payment; or
- Lodged at our Customer Service Counters - Monday to Friday (excluding Public Holidays).

**Privacy:** This information is required to process your request and will not be used for any other purpose without seeking your consent, or as required by law. Your application will be retained in Council's Records Management System and disposed of in accordance with current legislation. Your personal information can be accessed and corrected at any time by contacting Council.

**Forster** | 4 Breese Parade | PO Box 450 Forster 2428 | **6591 7222**  
**Gloucester** | 89 King Street | PO Box 11 Gloucester 2422 | **6538 5250**  
**Taree** | 2 Pulteney Street | PO Box 482 Taree 2430 | **6592 5399**

[www.midcoast.nsw.gov.au](http://www.midcoast.nsw.gov.au)

**Office use only**

**Pre-inspection**

Date of pre-inspection

Council officer

Comments

**Final inspection**

Date of final inspection

Council officer

OK to refund

Do not refund - outstanding works (issue letter of advice to applicant)

Comments

**Re-inspection (when bond not refunded from first final inspection)**

Date of re-inspection

Council officer

OK to refund

Re-inspection fee to be charged

Comments

**Refund details**

Re-inspection fee charged?  Yes  No

Reinspection fee \$

Interest applicable?  Yes  No

Refund amount \$

Cheque requisition completed by

Bank details  Yes  No

Date

Signature