

Application for Consent for Works & Structures In/On Public Road (Section 138, The Roads Act 1993)

Planning, Environment & Development Group & Assets & Works

Guidance

Use this form where works are proposed within the road reserve, formal approval must be obtained from Council (as the Roads Authority and / or as required under Section 138 of the Roads Act 1993).

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

Section 138 works and structures that require consent

“138 (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

Applications will be assessed having regard to Shoalhaven Local Approvals Policy 2017.

Guidance for completing this application can be found within the [Planning, Environment & Development Group HUB](#) located on Council's website.

Speed Zone Reduction (SZR)

Note: In order to reduce the existing speed limits to a specified speed limit, adjacent to a construction work site an [Application for Speed Zone Authorisation](#) (SZR) may need to be obtained from the Responsible Traffic Authority for TfNSW roads Ph (02) 4221 2460 or for Council roads Ph (02) 4429 3111. A minimum of ten (10) working days should be allowed for obtaining an SZR. No works are to commence until a copy of the SZR is forwarded to Council.

Private Use of Public Parking (PuPP)

Note: In order to secure on street parking or a works zone within the road reserve an [Application for the Private use of Public Parking](#) (PuPP) will need to be obtained from Council (02) 4429 3111. A minimum of ten (10) working days should be allowed for obtaining a PuPP Permit, dependant on the duration of works. No use of on street parking or works zone restrictions are to commence until the PuPP Permit has been issued by Council.

1 Applicant details

Company Name (if applicable):

ABN / ACN: _____ Position: _____

Mr Mrs Ms Other (specify): _____

First Name: _____ Last Name: _____


Email: _____

Mobile: _____ Home: _____ Business: _____

Note: At least one contact phone number must be supplied.

Postal Address Shop /Unit / Street No.: _____

Office use only

Issue Date: 11/08/2020	Review Date: 1/03/2021	
Owned by (section):	Development	

F O R M 5 3 6

Street Name:							
Suburb / Town / Village / Locality:			State:		Postcode:		
The applicant is also the owner:		Yes <input type="checkbox"/> No <input type="checkbox"/>					
If No, state owner's name:							
The applicant is also the contractor for the work: If no, complete Contractor details						Yes <input type="checkbox"/> No <input type="checkbox"/>	
2 Contractor details (if not the applicant)							
Company Name (if applicable):							
ABN / ACN:			Position:				
<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other (specify):							
First Name:			Last Name:				
Email:							
Mobile:			Business:				
Note: At least one contact phone number must be supplied.							
Postal Address Shop /Unit / Street No.:							
Street Name:							
Suburb / Town / Village / Locality:			State:		Postcode:		
3 Location Details (Please attach a location diagram)							
Premises No:		Lot No:		Street:			
Locality:			Nearest Cross Street:				
4 Nature of Work							
Associated with a DA / Subdivision		<input type="checkbox"/> Yes <input type="checkbox"/> No		If yes, state DA / SF Number:			
Tick all appropriate types:				<input type="checkbox"/> Sewer Related Work			
<input type="checkbox"/> Water related work				<input type="checkbox"/> Stormwater connection			
<input type="checkbox"/> Driveway Construction				<input type="checkbox"/> Street Trees			
<input type="checkbox"/> Pavement Work, including Kerb & Gutter				<input type="checkbox"/> Other, please describe:			
<input type="checkbox"/> Service Connection (gas, phone, electricity)							
On street parking/works zone required		If yes, complete Application for the Private use of Public Parking					
<input type="checkbox"/> Yes <input type="checkbox"/> No							
Description of work:							
Duration of work:							
5 Public Liability Insurance (Please attach a copy of your Certificate of Currency)							
Insurance Policy Company:							
Policy No:		Value:		Expiry Date:			
6 Applicants Declaration							
<input type="checkbox"/> Copy of Approved Design Plans (e.g. development consent) attached							
<input type="checkbox"/> Copy of Insurance Certificate attached							
<input type="checkbox"/> Copy of Traffic & Pedestrian Control Plan is attached							
<input type="checkbox"/> Copy of Parking area/works zone extent plan is attached (if applicable)							

<input type="checkbox"/> Date of work commencement is:					
<input type="checkbox"/> Hours of work are from		am/pm	to	am/pm	
I/We hereby apply for Road Opening Permit to carry out the identified work.					
Applicants First Name:			Last Name:		
Applicants Signature:				Date:	
7 Conflict of interest					
To ensure transparency in Council's decision-making process and to avoid potential conflicts of interest, you must make a declaration as to whether you, the landowner and/or anyone with a financial interest in the application is a Council employee or Councillor or is related to a Council employee or Councillor.					
Applicant:				<input type="checkbox"/> No <input type="checkbox"/> Yes	
Owner(s):				<input type="checkbox"/> No <input type="checkbox"/> Yes	
If you have answered Yes to this question, you must provide details including names and relationship:					
8 Fees					
DA Application Section 138..... \$259.00			Non DA application.....\$254.00		
Inspection fee associated with s138..... \$150.80			Additional Site\$103.00		
DA Application s138 Urgency Fee					
In addition to application fee..... \$141.00					
Important information					
Public Access to information					
Pursuant to the Government Information (Public Access) Act 2009 (GIPA Act) Council is required to make certain information publicly available, including by way of publication on public registers and on its website. Information submitted on and with this form may be made available to the public unless there is an overriding public interest against disclosure of this information. Council is obliged to make information available on its website excluding the following:					
<ul style="list-style-type: none"> • the plans and specifications for any residential parts of a proposed building, other than • plans that merely show its height and its external configuration in relation to the site on • which it is proposed to be erected; or • commercial information, if the information would be likely to prejudice the commercial • position of the person who supplied it or to reveal a trade secret. 					
Privacy					
The personal information that Council is collecting from you on submission of this form is personal information for the purposes of the Privacy Act 1998. The intended recipients of the personal information are officers within the Council and third parties for the purpose of assessing the application as well as any person wishing to inspect the application in accordance with the Local Government Act 1993 or the GIPA Act. The personal information may also be included on a public register and displayed on Council's website. The supply of personal information by you is voluntary. However, if you cannot provide or do not wish to provide the information required, Council will be unable to process your application. You may make application for access to, or amendment of, information held by Council. You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the relevant legislation. Enquiries concerning this matter can be addressed to Council by telephoning (02) 4429 3111					
Lodgement details					
You can lodge the completed application by Email: council@shoalhaven.nsw.gov.au or					
In person: Council offices at Bridge Rd, Nowra or Deering St, Ulladulla.					
Once your application is received, a Council Officer will contact you if further information is required.					