



"Comfortable Country Living"

S138 Road Opening/Activity Permit Application

Made under Section 138 Roads Act 1993 (NSW)

Bogan Shire Council
P.O. Box 221
Nyngan, NSW 2825
Ph: (02) 6835 9000
Fax: (02) 6835 9011

Office Use Only

DA No.: _____

Date Received: _____

The personal information that Council is collecting from you on this application form is personal information for the purposes of the Privacy and Personal Information Protection Act 1998 (PPIP Act). The supply of the information by you is not voluntary but is required by the Environmental Planning & Assessment Act, and in accordance with such Act and the Local Government Act, is required to be contained in a Public Register to which the public has right of access. This personal information may be supplied under certain circumstances to other public sector agencies e.g. Australian Bureau of Statistics, Australian Taxation Office, in accordance with the PPIP Act. Enquiries may be directed to Council's Public Officer concerning the PPIP Act or Council's Privacy Management Plan or your right of access to your personal information held by Council or its amendment.

Part 1 Applicant Details

Name/Company name:
Contact Person:
Address:
Phone:
Fax:
Email:
Is the applicant also the contractor for the work? <input type="checkbox"/> Yes <input type="checkbox"/> No

Part 2 Contractor Details (if not the applicant):

Company's name:
Contact Person:
Address:
Phone:
Fax:
Email:

Part 3	Location and Nature of Proposed Works
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Name and location of road to be affected (street or Lot No must be entered):
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Details of work/activity to be carried out:

Proposed commencement date:

Proposed completion date:

DA Consent number (If applicable):

For driveway crossovers: Is the design to council standards? Yes No
If No, please attach copy of design plans for approval

Part 4	Required documentation
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ALL APPLICATIONS

- Any relevant plans for the approval of Council
- Worksite traffic/pedestrian control plan
- Evidence of \$20m Public Liability Insurance
- Council requires photographic evidence of the state of the footway/road prior to commencement of your works. A minimum of three photos showing a close up of the work area and two long shots from either end of the works are required.

WHERE APPLICABLE

- Dial Before You Dig cover sheet including the sequence numbers for Telstra & Essential Energy
- External Approvals i.e. RMS, Police
- Contractors working on behalf of Utility providers
- Notification Letters
- Outline environmental protection measures

Part 5**Declaration of Applicant**

I/we, the applicant, apply to Bogan Shire Council, as the roads authority for the road and/or road reserve, for consent to undertake the above mentioned works. I declare that all information I provide is true and correct. I have read and agree to abide by the conditions of approval of this permit and any specific conditions that may apply to this approval.

Signature of Applicant:
Print Name:
Date:

Part 6**SCHEDULE OF CONDITIONS****1. CONDITIONS OF APPROVAL****1.1 Generally**

A permit to Work within the Bogan Shire Council Road Reserve will be issued under the conditions that the Applicant understands and agrees to comply with the following conditions and referenced documents.

The approval of the Permit to Work within Bogan Shire Council's Road reserve is valid for 3 months from the date approved and provided in accordance with Section 138 of the Roads Act 1993.

1.2 Hours of Work

All construction work shall be carried out in accordance with the 'Noise Guide for Local Government' published by the NSW EPA as amended from time to time.

Work is to be programmed so that business premises are not impeded during working hours.

1.3 Notice of Work

The applicant shall give at least 48 hours' notice to Bogan Shire Council before commencement of work. A site meeting may be necessary to verify the scope of works.

The applicant shall send out notification letters to all surrounding residences and businesses affected by the works at least one week prior to the commencement of work.

1.4 Documents on Site

A copy of the approved Permit, Conditions of Approval and Traffic Management Plans shall be kept on site at all times.

1.5 Provision for Traffic and Pedestrians

All Traffic Control measures must be installed and maintained in accordance with Roads and Maritime Services Manual "Traffic Control at Worksites" and must be prepared and undertaken by RMS accredited personnel.

The applicant must minimise obstruction and inconvenience to the public and ensure that public safety is accommodated at all times.

1.6 Reinstatement

The applicant and any contractor, servant or agent of the applicant must reinstate all areas within the Bogan Shire Council road reserve, affected by the work, to the equivalent condition. Carriageways and pathways which have a concrete, asphalt or paved surface must be restored the full width of the pavement. All restoration works must be carried out in accordance with Council's standards for Engineering Works and must be to the satisfaction of the Director of Engineering and at no cost to Bogan Shire Council.

Where the reinstatement works are not completed satisfactorily, Bogan Shire Council will notify the Permit Holder in writing of the defects. It is the responsibility of the Permit Holder to then rectify the defect immediately without cost to Bogan Shire Council, otherwise a third party may be engaged by Bogan Shire Council to complete the reinstatement works to a satisfactory standard at the Permit Holder's expense, including all costs incurred by Bogan Shire Council.

1.7 Responsibility

The applicant will accept full responsibility for the works, including Public Notifications and Dial Before You Dig (DBYD) in determining the locations of existing services and take steps to protect all services and other infrastructure.

Bogan Shire Council hereby accepts no responsibility or liability for any omissions or non-conformances with any relevant Australian or other standards associated with the works and submitted documents supporting the permit, including, but not limited to all Traffic Management Plans (TMPs) and Traffic Control Plans (TCPs).

1.8 Damage to Services or Infrastructure

Where any damage is caused to any existing services, utilities or infrastructure through work being carried out in relation to this permit, report the damage immediately to the relevant Authorities and comply with any instructions issued by those authorities.

Where damage is caused to Bogan Shire Council's assets, this damage is to be reported immediately to Council and the permit holder will be responsible for any necessary repairs and associated costs.

1.9 Environmental Protection Measures

All Sediment & Erosion control measures are the applicant's responsibility which shall be applied during the duration of the works.

Removal of trees and vegetation is not permitted.

The applicant is responsible for disposing of all excess spoil; materials/spoil must NOT be placed or stored on the road or footpath.

1.10 Public Liability Insurance

The applicant must hold a current public liability insurance policy to a value of not less than \$20,000,000 and provide a certificate of currency with the application form for the permit. The policy will indemnify Bogan Shire Council and its agents and staff from any liability claims resulting from any incidents or actions resulting as part of the permitted works or associated works or any interventions necessitated by Bogan Shire Council.

1.11 Dial Before You Dig

It is the responsibility of the applicant to obtain DBYD in order to determine the location of existing services.

1.12 Reporting

On completion of works, a report must be submitted to council detailing the works undertaken, methods used and reinstatement works. Photos before, during and after the works are also to be included in the report as well as any work as executed plans detailing any changes that were made.

1.13 Excavation

1.13.1 Sealed Roads

Open excavation within sealed pavements is not permitted. Installation of pipes, conduits, etc., by thrust or tunnel bored under the road

1.13.2 Unsealed Roads

Open excavation with unsealed roads is granted where approval to do so has been obtained in writing from Bogan Shire Council

1.14 Driveway, Footpath and Kerb & Gutter Works

Driveway crossings and laybacks shall be constructed in accordance with Bogan Shire Council's Engineering Standard for footpath and gutter crossings.

Any penetration in the kerb and guttering to accommodate stormwater pipes must be repaired to the satisfaction of Bogan Shire Council.

1.15 Pavement Marking

The Permit Holder is responsible for removing all service and set out paint marking on all pavements (regardless of service type).

1.16 Non-Compliance

If the Permit Holder fails to comply with any of the requirements of this permit, Bogan Shire Council reserves the right to suspend all or any site works, within the Road Reserve, deemed to be non-compliant with this permit or posing a hazard to any person or asset, without being subject to any costs.

Bogan Shire Council reserves the right to rectify any hazards caused by the works if the Permit Holder fails to do so, and Council will recover all costs from the Permit Holder, which are associated with the rectification works.

1.17 Cost and Fees

The applicant shall pay all costs and fees associated with other permits, clearances, repairs and reinstatement works due to the implementation of the requirements of this permit.

1.18 Final Inspection

A Final inspection will be required by Council's Development and Environmental Services Section.

Driveway crossing and layback inspections are required prior to pouring any concrete.

Inspections must be booked at least 48hrs prior to inspection by calling (02) 6835 9000.

1.19 Declaration

Signing this document certifies that the applicant has read and understands all requirements and conditions contained herein and hereby undertakes to carry out works in compliance with the terms and conditions of approval of this permit.