

ROADS ACT APPLICATION: FOOTPATH HOARDING/TOWER CRANE OPERATION APPLICATION FY2021-22

AN APPLICATION MADE UNDER SECTION 138 OF THE ROADS ACT 1993

APPLICATION DETAILS

DP application number Date Property number DP number

Location

Street / lot number Street name

Suburb

Postcode

Applicant details

Applicant first name

Applicant surname

Company name

Street number

Street name

Suburb

Postcode

Phone number

Owner details

Owner first name

Owner surname

Company name

Street number

Street name

Suburb

Postcode

Phone number

Principal certifying officer details

Principal certifying officer first name

Principal certifying officer surname

Street number

Street name

Suburb

Postcode

Phone number

Accreditation number

FOOTPATH HOARDING DETAILS

Location

Street / lot number Street name

Suburb

Postcode

Certified by Structural Engineer

First name

Surname

TOWER CRANE OPERATION DETAILS

Location

Type of device/equipment/Machinery being installed:

Proposed installation date

Proposed removal date

Council road(s) the crane will swing over (including footpath areas).

DECLARATION

Please acknowledge that the following details have been provided as a part of the application as relevant for the installation of footpath hoarding and/or tower crane operations.

I have read the appropriate conditions listings on the attached pages for footpath hoarding and/or tower crane operations over the road reserve.

Diagram of proposed hoarding location and/or swing diagram of jib on proposed tower crane.

Certificate of Currency of Public Liability Insurance of no less than a value of \$20million

Structural certificate from an accredited engineer of the footpath hoarding and/or tower crane footing, tower crane structure installation and operation

Applicants Name

Applicant's signature

Date

See Council's adopted fees and charges at penrith.city. All fees subject to change

IMPORTANT

If you are emailing payment details, please include the Credit Card Authorisation Form as a separate attachment to your Application or any other information.

Please do not merge forms together.

PAYMENT METHOD

Application fees can be paid by cash, cheque or credit card.

- cash, cheque or credit card payments can be paid in person
- cheque or credit card payments are accepted by post
- only credit card payments are accepted by email

PAYING BY CREDIT CARD?

Please complete the [Credit Card Authorisation Form](#) located in the list of [Downloadable Forms](#) and ensure that you provide the full details of the purpose of your payment on this form.

If you are sending your payment by email, please ensure the Credit Card Authorisation Form is included in your email as a separate attachment to your Application or any other information.

Class A Hoarding Permit Over The Road Reserve
Area m²: Weeks (or part thereof): Rate: \$30/m²/week:

Class B Hoarding Permit Over The Road Reserve
Area m²: Weeks (or part thereof): Rate: \$8/m²/week:

Tower crane establishment & demobilisation fee: \$500
Tower Crane Operation Permit Over The Road Reserve
Number of tower cranes
to be operated: Months (or part thereof): Rate: \$500/tower/month:

OFFICE USE ONLY

Receipt number

Receipt date

Total fee \$

Approval number

Approval date

Approved by

GENERAL CONDITIONS

- Works cannot start until a Section 138 Roads Act Approval from Council's City Assets Department is obtained by the Applicant.
- The road reserve shall be described as the Council owned road corridor from one property boundary to the opposite property boundary on a local and/or regional road and includes nature strips, driveways, footpaths, kerbs, gutters, and the road pavement.
- Any variations to the approved date and conditions will require further Council assessment and approval. Additional fees may be incurred.
- Temporary structures on the road reserve must be maintained in a clean, tidy and safe condition at all times. If not, Council will direct the applicant to rectify the defects and/or safety hazard.
- Failure to comply with the conditions of the Road Act Approval may result in the immediate cancellation of approval and the immediate reinstatement of the road reserve. Additional charges may apply.
- The Applicant or workers on site must obey any direction from the Police, Council Compliance, Regulatory Officer and/or any Emergency Services immediately in the event of an emergency.
- Any request for expediting the assessment of application shall incur an additional fee, but is subject to Council review and other outside factors which may not result in an approval.

CONDITIONS OF FOOTPATH HOARDING

- Notwithstanding the provisions of the WH&S Regulations 2012, Construction Work, any hoarding to be erected on or over a public place, including roads and footpaths, requires approval under the Local Government Act 1993 and Roads Act 1993.
- **Type "A" hoarding** refers to protective fencing and shall be certified by a Structural Engineer that it is adequate for the purpose for which it is constructed.
- **Type "B" hoarding** refers to overhead protective structures and shall be certified by a Structural Engineer that it is constructed in accordance with the Work Cover Authority Code of Practice.
- Type "A" hoardings may encroach upon a public footpath up to a maximum distance of 1.5m from the building/property alignment, however a lesser distance from the building/property alignment may be required at the discretion of Council's City Works Manager in order to ensure adequate footpath for pedestrians. Consideration may be given to encroachment greater than 1.5m subject to additional works, such as the provision of road barriers, to enable pedestrian access.
- Hoardings shall remain in place until work is complete.
- Hoardings shall be painted white and kept clean to the satisfaction of Council's Asset Manager.
- Suitable lighting must be provided and maintained to illuminate the footpath and hoarding from sunset to sunrise, to reduce risk of hazards to people using the footpath or surroundings.
- No advertisements can be on the hoardings, other than a board detailing the architect's and builder's names, particulars in respect of the subject building, and notices relating to the existing or future occupancies of the building.
- A sign, "Bill Posters will be Prosecuted", must be on the front elevation of the hoarding.
- Hydrants or other service access points must be accessible at all times and not covered in any way.
- Uprights must be tenoned into soleplates, not inserted into the roadway or footpath surface.
- The hoarding must be well constructed and well maintained.
- Hoardings must not obstruct pedestrian crossings, nor a motorist or pedestrian's view of traffic lights.
- Approval to erect a hoarding does not confer the right to use the roadway for the loading and unloading of goods, nor the positioning of cranes upon a public way. Enquiries should be addressed to Council's Asset Manager.
- The applicant is responsible for any damage or accident that occurs on account of the roadway or footpath being occupied for this purpose. The applicant must pay for the reinstatement of any portion of the footpath or roadway disturbed or damaged by building work, remove all building material, and leave the premises in a good order and condition, to the satisfaction of the Asset Manager.
- The applicant shall indemnify Council if a member of the public suffers injury to person or property because of the hoarding.
- During the works the applicant must maintain an appropriate Public Liability Insurance Policy of not less than \$20 million. The Policy must be submitted to Council with the application for footpath hoarding and note Council's interest.

CONDITIONS OF TOWER CRANE USE

- The approval of hoisting activity over a public road (roadway and/or footway) is regulated through the Local Government Act 1993 and the Roads Act 1993 including associated Regulations. Any approval granted for this activity does not endorse or approve the design or structural adequacy of a hoisting device, system or operation for the purposes of satisfying a person's responsibilities under the Work Health and Safety Act 2011 and regulations including the provisions of Clauses 34, 35, 54, 55 and 235 of the Work Health and Safety Regulation 2011.
- The permit holder must obtain consent from private property owners if the crane swings or hoists goods over private land. Such consent or Order from Local Court must be obtained prior to this permit being relied upon.
- The applicant or workers on site must obey any direction from the Police and or Council Compliance or Regulatory Officers immediately in the event of an emergency.
- Any proposed variations or extensions of time for the permit are subject to a fresh application with prior public consultation and payment of a further application fee
- The permit holder must obtain an approval from the Roads and Maritimes Services if the site is within 75 metres of traffic lights or adjacent to a main road.
- The permit holder must ensure that work being carried out does not pose any risks to passing pedestrians
- Prior to mobilisation and operation of heavy construction equipment on site, the permit holder must complete assessment by engaging a suitably qualified and registered engineer to certify that the operation and movement of the equipment will not cause any adverse structural impact or failure of adjoining structures, retaining walls or property.
- The permit holder must carry out proper assessment of site to identify all utilities to endure adequate clearance prior to installation and operation of the tower crane. The permit holder shall co-ordinate with all relevant utility providers as necessary.
- The applicant is responsible for any damage or accident that occurs on account of the roadway or footpath being occupied for this purpose. The applicant must pay for the reinstatement of any portion of the footpath or roadway disturbed or damaged by building work, remove all building material, and leave the premises in a good order and condition, to the satisfaction of the Asset Manager.
- The applicant shall indemnify Council if a member of the public suffers injury to person or property because of the operations of the tower crane hoisting materials over the road reserve.
- During the works the applicant must maintain an appropriate Public Liability Insurance Policy of not less than \$20 million. The Policy must be submitted to Council with the application for tower crane operation and note Council's interest.
- Any approval granted for Tower Crane Operations does not endorse or approve the design or structural adequacy of a hoisting device, system or operation.
- The Applicant shall obtain consent from private property owners if the tower crane's swing radius is over the private land and must be provided to Council as part of this Application.
- The Applicant shall provide a certificate from a suitably qualified Engineer to certify that the operation and movement of the equipment will not cause any adverse structural impact or failure of adjoining structures, retaining walls, or property (including the road reserve).
- This Approval also forms part of a Section 68 Local Government Act under Part E1.

CONTACT US

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