

ROADS ACT APPLICATION: TEMPORARY ROAD RESERVE OCCUPANCY APPLICATION FORM FY2022-23

AN APPLICATION MADE UNDER SECTION 138 OF THE ROADS ACT 1993

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Completed form to be
sent to
council@penrith.city

This form is to be filled out for road reserve occupancies, lane closures, or full road closures on local Council roads and Regional roads in the Penrith LGA. **Please apply for a Road Opening Permit instead if the road occupation is for excavation works.**

SECTION A - DEVELOPMENT DETAILS

DA/CDP Number

Building Developer/Principal Contractor

Street Address of Development or Project / Event

Suburb

Postcode

SECTION B - APPLICANT DETAILS

First name

Surname

Company

Main phone number

Mobile number

Email address

Company Address

SECTION C - OCCUPANCY DETAILS

Works location

Penrith CBD

St Marys CBD

Rural

Industrial

Residential

Works are occurring on these streets / address

Suburb

The proposed works meet the below criteria and shall additionally require an ROL from TMC

Within 100m from any signalized intersection

Within 50m from any State or Regional Road

TMC ROL not applicable as works are on local Council roads

Reasons for Occupancy

Operation of concrete pump

Removal of hoardings

Establishing a tower crane

Traffic control training

Set up of hoardings

Special event / Laydown

Operation of heavy-duty crane

Excavation / potholing

Removal of tower crane

Other:

SECTION D - OCCUPANCY TYPE

Occupancy request type

- Full road closure
- Partial lane(s) closure
- Contraflow traffic
- Occupy nature strip

Operating Hours from AM Operating Hours to AM
PM PM

Note:
 Long-term full road closures may need to be endorsed by the Local Traffic Committee who meets monthly. Assessment times may be extended.

SECTION E - OCCUPANCY DATES & COUNCIL FEES

Proposed start date Proposed finish date

• **Section 138 Roads Act Application Administration Fee** \$ 250

• Temporary Road Reserve Occupancy Fees

• No. of days (up to 3 days max)

\$250 per day \$

No. of weeks

\$1000 per week \$

Subtotal \$

Total Fees Payable \$

For durations longer than 3 days, add it as 1 week instead below.

Reduced rate for longer occupancy durations. Fee is for a full weekly basis. Refer to Clause 3.7 in Conditions regarding unused days of occupancy. Construction work should adhere to the standard EPA working hours guideline.

SECTION F - APPLICATION ATTACHMENTS

The following has been provided as attachments to form part of this application:

Traffic Management

- A Traffic Guidance Scheme(s) (TGS) showing proposed set up
- A Traffic Management Plan (TMP) where pedestrian or traffic is significantly impacted due to the works
- A copy of ROLs from TMC for works <50m State / Regional Roads or <100m to traffic signals
- Pedestrian Management Plan for significant impacts to pedestrian movement

Construction Plans

Site compound or proposed dedicated laydown location (if any)

Other Documents

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

Dilapidation Survey

- Not Applicable, the proposed works are short-term works; or
- Dilapidation survey / prior damages report attached for long term occupancies

Download the application prior to signing digitally, if filling it out from an Internet browser

SECTION G - DECLARATION AND SIGNATURE

I confirm that the information provided in this application is correct and I will advise Council immediately of any change.

I have read and acknowledged the attached application conditions.

Applicant Signature

Date

See Council's adopted fees and charges at penrithcity.nsw.gov.au. All fees subject to change

THIS APPLICATION IS NOT VALID UNTIL ALL APPLICABLE FEES ARE PAID AND IT HAS BEEN ENDORSED BELOW AND RETURNED TO THE APPLICANT

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 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 that 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.

OFFICE USE ONLY

Council Approval

Receipt Number

Receipt Date

Approval number

Approval Date

Approved by

CONTACT US

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ROADS ACT APPLICATION CONDITIONS

1. GENERAL

- 1.1. Applications can take up to ten (10) business days for an assessment and determination response.
- 1.2. Works cannot start until the applicant has received approval from Council's City Assets Department for this Section 138 Roads Act Application.
- 1.3. 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.
- 1.4. Other Roads Act Approvals may be required, please refer to Council's [Roads Act Application](#) page.
- 1.5. A copy of Council's written approval is to be kept on site at all times, and must be presented to Council staff, or authorities of other agencies on request.
- 1.6. Inspections requested by the applicant that Council deems excessive shall incur an Additional Inspection fee(s). Generally maximum of two (2) site inspections is included in the approval.
- 1.7. Failure to comply with the conditions on this application may result in the immediate cancellation of approval.
- 1.8. All site workers must obey any reasonable direction from the Police, Council Rangers & Compliance, Regulatory Officer and/or any Emergency Services.
- 1.9. Any request for expediting the assessment of an application shall incur an additional \$250 expediting fee, and will be subject to Council review and other outside factors which may not result in an approval.

2. VALIDITY

- 2.1. The approval period for this type of Roads Act approval shall be the proposed start and end dates.
- 2.2. Should the works be postponed due to inclement weather or other unforeseen circumstances, the applicant may re-apply by email using the Council supplied reference number. No additional fees will be payable if the advice is received prior to the start date and there are no other changes to the original application.
- 2.3. Subject to the Clause 2.2, any proposed variations or extension of approval are subject to payment of further Council fees and charges. The [latest fees & charges](#) shall be applicable at the time of notification. Previous financial year rates shall not be used.

3. ROAD RESERVE OCCUPANCIES & CLOSURES

- 3.1. Thoroughfare for emergency vehicles must be provided at all times. If this cannot be achieved, the Applicant must advise emergency services (namely Police, Fire Brigade, and Ambulance) of the proposed road occupancy or closure.
- 3.2. Traffic Guidance Schemes (TGS) or Traffic Control Plans (TCP) must be developed by a qualified and competent person, and must comply with the requirements of any relevant signage specification and legislation.
- 3.3. Traffic Controllers must be accredited and adequately qualified as per SafeWork NSW requirements.
- 3.4. Council's Roads Act approval will be required for:
 - i. Occupancies or closures on Local Roads
- 3.5. Council's Roads Act approval & Traffic Management Centre's (TMC) ROL will be required for:
 - i. Works requiring occupancies or closures within 100m of any signalized intersection
 - ii. Works requiring occupancies or closures on Regional Roads
 - iii. Works requiring occupancies or closures within 50m of State Roads
- 3.6. Where major traffic management works are required (i.e. full road closures, works longer than 7 days or as directed by Council) the following are also required:
 - i. A Traffic Management Plan (TMP),
 - ii. Public notification and advertisement,
 - iii. Report to Council's Local Traffic Committee (LTC). The LTC meets on a monthly basis and this requirement may extend assessment timeframes
 - iv. Letterbox drops by the Applicant to the affected properties, occupants, and building management
- 3.7. Due to the discounted rate, the weekly fee cannot be divided into days and refund requested for the unused days. Full unused weekly periods only.

4. UNAUTHORISED WORKS

- 4.1. Where works have been conducted without the appropriate Roads Act Approval additional penalty fees shall apply.
- 4.2. If works were conducted on the basis of an emergency, the penalty fees shall be waived if the prescribed Council fees are paid within two (2) working days. Evidence must be provided to the Assets Administration Team to support emergency nature of works.

5. FEES AND CHARGES

- 5.1. Fees can be waived for Council-funded projects or Utility maintenance/upgrade related projects. This clause does not apply for developer-related utility works; fees shall apply in this case.
- 5.2. The administration fee is non-refundable and shall cover the initial administration of the application and any other assessments by Council's Assets department.

6. COMMUNITY & PUBLIC SAFETY

- 6.1. The applicant is responsible for carrying out community notifications as required to all affected residents, occupants and building management affected by the works.
- 6.2. Any temporary structures on the road reserve that help facilitate the works shall be maintained in a clean, tidy and safe condition at all times.
- 6.3. Safe pedestrian access must be provided at all times. Any temporary traffic and pedestrian controls must comply with relevant standards and specifications, and must have a Roads Act Approval for road reserve occupation or closure.