

# Section 138 Application

## Works within a Public Road

Lismore City Council, PO Box 23A, Lismore 2480

Ph. 1300 87 83 87 Fax: 66 250 400

Email: [council@lismore.nsw.gov.au](mailto:council@lismore.nsw.gov.au)



### Office Use Only – please print clearly

Register/File Number

AF Number

Application Fee

Property Number

NAR Number

Receipt Number

stamp here

### Before you Lodge

#### About this form

This form is required to be lodged for consent where works are proposed within the road reserve. Works may include activities like erecting a structure, digging up or disturbing the surface of a public road to construct a driveway, removing or interfering with a structure, or any other activities as defined within the Roads Act 1993.

#### How to complete this form

1. Ensure that all fields have been filled out correctly.
2. Once completed you can submit this form by mail or in person. Please refer to the Lodgement Details section in Part 6 for further information
3. For options for method of payment please refer to Part 7

### Part 1: Applicant and Contact Details

*It is important that we are able to contact you if we need more information. Please give us as much detail as possible. Council will deal only with the nominated applicant in the event of any query or communication regarding this application.*

Title

Given Name/s

Family Name

Organisation/Company Name

Address

Home Number

Business Number

Mobile Number

Fax Number

Email Address

### Part 2: Location of Works

Street Name

Suburb

Nearest Cross Street/Road

Works located outside and/or associated with the nominated address of:

### Part 3: Proposed Works

DA Number (if applicable)

Approximate Starting Date

Cost of Construction

*(note will be checked against asset form upon completion)*

#### Type of Application:

- Property Access (new construction, modification, repair or replacement)  
 Residential       Other

Include a sketch plan showing:

- location and dimensions of proposed works
- location and type of existing services (e.g. water meters, fire hydrants, street trees, Telstra boxes etc.)
- compliance with standard drawings
- other information as requested by Council

- Erect a Hoarding or other structures on the road reserve

#### Date and Times Required:

From (am/ pm)

To (am/ pm)

Include a sketch plan showing:

- location and dimensions of area to be closed off
- type of hoarding to be erected and method of fixing to the ground
- measures or areas set aside for pedestrian movements/safety
- other information as requested by Council

- To Temporarily close a road or Section of a road

#### Date and Times Required:

From (am/ pm)

To (am/ pm)

Include a sketch plan showing:

- location and dimensions of area to be closed off
- traffic control plan and measures or areas set aside for pedestrian movements (RMS accredited)
- other information as requested by Council

- Other e.g. tree removal

Proposed Works

Include a sketch plan showing:

- Location and dimensions of proposed works
- Type of construction and proposed material/ surfacing
- Other information as requested by Council

Road Opening Permit (excavation within an existing road pavement for works – non DA related

- Location and dimensions of proposed work
- Traffic control plan and measures or areas set aside for pedestrian movements
- Other information as requested by Council

In consideration of the issue of this permit:

I/ We

agree to reimburse Council

for the reinstatement of any areas which may be affected by works undertaken under this permit in excess of those detailed. Such measures to be made by Council's Officers following notification by me/us of the completion of such works.

I/ We further agree that the issue of this permit by Lismore City Council is on the understanding that I/We undertaken to observe the provision of Section 30, Roads (General) Transitional Regulation 1993 (as amended) as set out on such permit and such conditions will be observed until such time as a full clearance is granted by Council's Officers.

#### Part 4: Privacy Information

1) The information you provide in this application is personal information for the purposes of the *Privacy and Personal Information Protection Act 1998* which will enable Council staff (or any appointed agent), and any relevant state agency, and the community to consider/assess your application under applicable State legislation. The supply of the information by you is voluntary, however, if you cannot provide or do not wish to provide the information sought, your application may not be accepted. You have the right to access and have corrected information provided in your application. Please ensure that the information is accurate and advise us of any changes. Address enquires concerning this matter to Council's Public Officer.

#### Part 5: Applicant's Declaration and Signature

1. I apply for approval to carry out the works described in this application and declare that all the information in the application and checklist is, to the best of my knowledge, true and correct, and I confirm that any electronic data provided is a true copy of all plans (including drawing scale and version number) and associated documents submitted with the Development application;
2. I declare that the estimate of cost of the project is the commercial value of the proposed works and is based on a properly prepared cost estimate or actual quote or contract competition price for the work. I also confirm that this application has been prepared addressing the relevant standards.
3. I also understand that if information is incomplete the application may be delayed or rejected or more information may be requested. I acknowledge that if the information provided is misleading any approval granted 'may be void', and accept that Council cannot be held liable for delays in processing arising out of inadequacies in the material submitted in support of this application.
4. I understand that works may not commence until written approval of this application is received from Council.

Signature

Print Name

Capacity

Date

**The applicant must sign the application.**

## Part 6: Lodgment Details

You can lodge the completed application by:

**Mail** Lismore City Council  
PO Box 23A  
LISMORE NSW 2480

**Electronic Lodgement Portal:**

[https://www.lismore.nsw.gov.au/cp\\_themes/default/page.asp?p=DOC-GXO-31-15-86](https://www.lismore.nsw.gov.au/cp_themes/default/page.asp?p=DOC-GXO-31-15-86)

**In person:** 43 Oliver Avenue, Goonellabah or

**Email:** [counil@lismore.nsw.gov.au](mailto:counil@lismore.nsw.gov.au)

**What now:** **Once your application is received a Council Officer will contact you if further information is required.**

For further information regarding your application please contact us:

**Telephone:** Council's Customer Service Officers on 1300 87 83 87

## Part 7: Credit Card Payments

To pay by credit card, please put your name and contact number in the box below and a Council Officer will telephone you to arrange payment. **Contact Name and Number**

# LISMORE CITY COUNCIL

## SECTION 138 CHECKLIST

Electronic lodgment of all material in PDF format, is required for sustainability purposes. A declaration (included in the application form) must be submitted with the CD ROM authenticating hardcopy duplication. PDF files shall be in files that have names that are consistent with the relevant items in the schedule below.

Council also requires all information to be submitted in hard copies as per schedule below.

**Please Note:**

This checklist must be completed. Incomplete or illegible applications will be rejected. All documentation, including plans must be prepared to a scale which will enable easy assessment. An engineering scale in ink is preferred on A3. Major applications may be submitted in larger formats paper subject to agreement.

(Larger plans will only be accepted with prior agreement of Council) **Free hand, single line or illegible drawings will not be accepted.**

The following information should be included on all plans and documents:

- Applicants name, block/house/shop/flat number, street/road name, town or locality and council's reference number
- Lot Number, section number, DP number. (Found on rate notice or land title)
- Measurements in metric
- The position of true north
- Scales drawing bar
- Revision number and date
- Draftsman/Architect name, signature and date of plan

**A List of documents accompanying the application**

<b>DEVELOPMENT CONSENT COMPLIANCE</b>	
<p>It is important to carefully read your development consent documentation and ensure that <b>ALL</b> required conditions have been met prior to you lodging your construction certificate application with Council. These conditions include any that are identified as being required, prior to the release of the Construction Certificate". The conditions will specify the information that is required to be lodged.</p> <p>A Statement of Compliance is a written document listing these conditions and including a statement of how each condition has been complied with. This statement must be submitted with all Construction Certificate applications.</p>	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>
<b>NORTHERN RIVERS DEVELOPMENT AND DESIGN MANUAL</b>	
<p>Compliance with the Northern Rivers Development and Design Manual (as amended)</p>	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>
<b>SUBDIVISION, DRAINAGE AND ROADWORKS PLANS</b>	
<p>If you are going to carry out work to do a subdivision (e.g building roads or a storm water drainage system):</p> <ul style="list-style-type: none"> <li>• The details of the existing and proposed subdivision lot layout (including the number of lots and the location of roads)</li> </ul>	

<ul style="list-style-type: none"> <li>• The details of the consultation you have carried out with the public authorities who provide utilities to service the development (like water, road, electricity, sewerage)</li> <li>• The existing ground level contours and the proposed ground level contours when the subdivision is completed</li> <li>• Copies of any compliance certificates on which you rely</li> <li>• Detailed engineering plans (2 copies) <b>(including an electronic copy)</b> The detailed plans should include the following: <ul style="list-style-type: none"> <li>• Earthworks</li> <li>• Roadworks</li> <li>• Road pavement</li> <li>• Road furnishings</li> <li>• Stormwater drainage (including on-site detention works/water quality control ponds)</li> <li>• Water supply works</li> <li>• Sewerage works</li> <li>• Landscaping works</li> <li>• Other structures</li> <li>• Construction Management Plan</li> <li>• Soil and water management plan</li> <li>• Stormwater or on-site detention drainage plans in accordance with Council's "On-site Stormwater Detention Specification"</li> <li>• Vegetation Management Plan</li> <li>• Council approved Sedimentation and Erosion Plan</li> <li>• Services location plan</li> </ul> </li> </ul>	
<b>SITE PLAN (2 copies) including an Electronic Copy</b>	
<p>A site plan including sketch of works details is to be submitted with the Section 138 application drawn to scale.</p> <p>Where the plans lodged involve a modification to previously approved plans the plans must be coloured or otherwise marked to the satisfaction of the certifying authority to adequately distinguish the modification.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>OTHER ENGINEERING PLANS (2 copies) including an Electronic Copy</b>	
<p>Two (2) copies of detailed engineering plans. The detailed plans may include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• Copy of the completed Design Checklists from the Quality Assurance Section of the Development and Design Manual</li> <li>• Earthworks</li> <li>• Roadworks including pavement designs, intersection treatments and signage/linemarking</li> <li>• Stormwater drainage including flood contour levels and overland flow paths demonstrating freeboard, hydraulic calculation</li> <li>• Sediment and erosion control works</li> <li>• Construction management plan</li> </ul> <p>It should be noted, if it is determined that the engineering drawings are unsatisfactory the set will be returned and additional fees will be charged upon resubmission as set down in Council's fees and charges schedule.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Where the plans lodged involve a modification to previously approved plans the plans must be coloured or otherwise marked to the satisfaction of the certifying authority to adequately distinguish the modification.	
<b>CERTIFICATION (1 Copy)</b>	
Copy of completed design certification and checklist	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>DRAWINGS</b>	
All drawings to be signed and dated complying with Northern Rivers Development and Design Manual	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>RMS ROAD OCCUPANCY LICENCE (1 Copy)</b>	
RMS Road Occupancy Licence (if required).  These are required if your proposed works are to be undertaken upon an RMS classified road.	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>INDEMNITY INSURANCE (1 Copy)</b>	
Public risk insurance \$10 million minimum (copy of certificate of currency required – Lismore City Council should be mentioned on this certificate as an interested party)	<input type="checkbox"/> Yes <input type="checkbox"/> No