



## Temporary Road Closure/Opening, Including Footpath Application (2024/2025)

Made under Section 138 Roads Act 1993 (NSW)

Application Fee: \$269.00 (2024/2025)  
Inspection Fee: \$286.00 (2024/2025)  
Additional Inspection Fee: \$82.00 (2024/2025)  
Rural Driveway Addressing Fee: \$130.00 (2024/2025)

### Applicant Details

Name/Company name	<input type="text"/>	Contact Person	<input type="text"/>
Address	<input type="text"/>	Phone	<input type="text"/>
		Fax	<input type="text"/>
Email	<input type="text"/>		
ABN	<input type="text"/>		

Is the applicant also the contractor for the work?  Yes  No

### Contractor Details (if not the applicant)

Company's name	<input type="text"/>	Contact Person	<input type="text"/>
Address	<input type="text"/>	Phone	<input type="text"/>
		Fax	<input type="text"/>
Email	<input type="text"/>		
ABN	<input type="text"/>		

### Location and Nature of Proposed Works

Address of proposed works

Is the proposed location a new rural driveway

Description of works to be Completed

Proposed commencement date

Proposed completion date

Will the application be related to any of the below, if applicable please supply reference number:

DA Application

CDC Application - Private or Council

Stand Alone/Existing S138

### Required documentation for Driveway/Crossover

- Attach copy of a Site Plan depicting the location of proposed work area and the work to be carried out.
- Provide an Asset damage report that clearly depicts any existing damage to the road kerb, gutter, footpath, driveways, state trees, street signs or any other Council assets in the vicinity of the development at the time of the lodgement of this application. This can be in the form of 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 to be submitted.
- Provide evidence that the person doing the work has valid and current minimum of \$20 million Public Risk Liability Insurance in the form of a Certificate of Currency.
- A Traffic Management Plan including any required Pedestrian Plan or Traffic Guidance Scheme be prepared by an accredited person registered for this purpose with Safe Work NSW.
- Before You Dig Australia (BYDA) cover sheet including the sequence numbers for Telstra & Essential Energy Jemena (required for driveway construction, and any activity requiring excavation or ground penetration)

### WHERE APPLICABLE Council may require

- External Approvals i.e., TFNSW, NSW Police
- Contractors working on behalf of Utility providers i.e., Essential Energy, Jemena, and Telecommunications Networks must provide authorisation from said service providers.
- Liaison directly with the affected property owner/occupant to minimise the impact of the works.
- Notification letters to residents/businesses of proposed works.
- Outline environmental protection measures.
- Risk Assessment Reports and Safe Work Method Statements SWMS.
- Damage bond may be required if assessing officer deems fit.
- Any other information the assessing officer deems necessary.

## Declaration of Applicant

I/we, the applicant, apply to Goulburn Mulwaree 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

## Owners Consent

I/we, the owner, Consent to the above applicant applying to Goulburn Mulwaree Council, as the roads authority for the road and/or road reserve, on our behalf, 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 Owner

Print Name

Date

Council collects personal information only for a lawful purpose that is directly related to Council's functions and activities. Council is required under the Privacy & Personal Information Protection Act 1998 (PPIPA) to collect, maintain & use your personal information in accordance with the Privacy Principles & other relevant requirements of the PPIPA. For further information or clarification please contact Council's Privacy Officer or refer to Council's Privacy Management Policy at [www.goulburn.nsw.gov.au](http://www.goulburn.nsw.gov.au)

**Please note that only one application is required per block of land. If multiple driveways are proposed, then an inspection fee will be charged per driveway.**

## CONDITIONS OF APPROVAL

### 1.1 General

A permit to work within a Goulburn Mulwaree Council Road (GMC) Reserve will be issued under these conditions of approval. The Applicant in signing the application form, agrees to comply with the conditions of approval.

The approval of the Permit to Work within GMCs Road Reserve is valid for 5 Years from the date approved and provided in Accordance with *Section 138 of the Roads Act 1993 (S138)*.

**Note:** If works are not completed in the allocated timeframe, you must notify council prior to the permit expiring seeking an extension, otherwise works cannot continue to proceed until you have a valid permit. Failure to follow this process may result having to re-apply and pay another application fee.

### 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 and shall reflect any latest changes introduced as amended from time to time.

Works shall be scheduled so that commercial premises are not impeded during the working hours.

### 1.3 Documents on Site

It is the applicant's/contractor's responsibility to ensure:

- a) Traffic control measures are implemented and maintained in accordance with the most current version of the Australia Standards and the Transport for NSW Manual – "Traffic Control at Worksites".
- b) A current Public Liability Insurance certificate of a minimum \$20 million specific to the works; and workers compensation insurance, are both maintained for the duration of the works.
- c) Where the proposed works affects any Public Utility Authority installation. The following Authorities should be consulted:
  - Before You Dig Australia (BYDA) <https://www.byda.com.au> (including telephone, gas, and electricity).
  - Council ph: (02) 4823 4444 (including water and sewer location diagrams).
- d) A risk assessment must be completed prior to commencement of works and kept on site with all documentation, at all times. The applicant must minimise risk to all workers and public on or near the site and ensure safety is accommodated at all times.

**Note:** If documents are not available on site and/or not being complied to, GMC can authorise a stop works order. Effectively shutting the site immediately until deemed appropriate by the assessing officer.

### 1.4 Environmental Protection Measures

All sediment, erosion and vehicle dirt/mud tracking control measures are maintained at all times to the satisfaction of Council. The applicant must ensure all measures are applied during the duration of the works. All work on rural roads must be carried out in accordance with the measures identified in the Review of Environmental Factors (REF) for Goulburn Rural Road Maintenance Works 82016019-01/Report 001 Ver. 2. For extensive or high risk work an REF is required to be submitted for approval with the application.

**Removal of trees and vegetation is not permitted. In cases where this may be necessary GMC will inspect the trees or vegetation and determine whether removal can proceed. GMC will condition any tree or vegetation removal to minimise environmental impact. The council tree removal offset policy can be found on the council website.**

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

## 1.5 Vehicular Access Way Design - Residential

The applicant must design and construct the sealed residential vehicular access way in compliance with the following;

- a) Must be designed to ensure that vehicles entering the site will not scrape/strike the surface of the carriageway, layback or vehicular access way. (Refer to Australian Standard AS 2890.1 Section 2.5.3(d) for maximum permissible change of grade)
- b) Must be designed in accordance with Council's Standard Drawings.
- c) Any utility pit within the driveway must be installed with a trafficable lid or be located 1000mm from the edge of the driveway.
- d) A minimum clearance of 1000mm from any power or lighting pole, sign, or kerb inlet pit lintel and 1500mm from any street tree.
- e) The driveway in the road reserve is to be 90 degrees to the road.
- f) The width of the vehicular access way at the property boundary and kerb/layback shall comply with the Council Standards. The driveway from the road to the boundary must be straight. Any twisting of the driveway access must occur entirely within the applicant's property boundary.
- g) The driveway profile shall be finished and constructed to prevent any water ponding and any stormwater from going into the garage.
- h) The driveway levels shall be in accordance with AS2890 and Council Standards.
- i) Where no footway exists, the nature strip on each side of the driveway must be battered smoothly to maintain acceptable stands for pedestrians and allow the future provision of concrete foot paving.
- j) Clearance to other services (if any) shall be by approval of the relevant service authority.
- k) **If any damage has occurred, all repair work required will need to be completed before the final inspection.**
- n) Clean debris from driveway pipe and nearby drains, pits and outlets to facilitate water flow.
- o) Remove all vehicle dirt/mud tracks from the road.
- p) Keep all documents on-site at all times (Notice of Determination, Conditions of Approval, TCP and Risk Assessment).
- q) **48 hours' notice must be given when booking inspections.**
- r) **Pouring of concrete driveways must not happen on the same day as the inspection as the assessing officer requires 24 hours to provide information on any issues with the pre-pour driveway inspection. No concrete works are to commence until issues identified are rectified.**
- s) Ensure driveway finish complies with AS4586-2013 for slip resistance.
- t) **At the completion of work, the applicant is to ensure that the area surrounding the driveway is backfilled, levelled and the verge top dressed and seeded to alleviate any pedestrian hazard. Any street trees removed are to be replaced at 1500mm from the driveway.**

## 1.6 Vehicular Access Way Design – Rural Residential

The applicant must design the sealed rural residential vehicular access in compliance with the following;

- a) Existing redundant vehicular access or gates to be removed and fenced appropriately to current council requirements.
- b) The sealed vehicular access way must be designed to ensure that vehicles entering the site will not scrape/strike the surface of the carriageway, layback or vehicular access way.
- c) The sealed vehicular access way must be constructed in accordance with Council's Standard Drawings.
- d) The driveway from the road to the boundary must be straight. Any twisting of the driveway access must occur entirely within the applicant's property boundary.
- e) The design of the vehicular access way must not permit stormwater runoff from the road to run into the site.
- f) The driveway in the road reserve is to be 90 degrees to the road.
- g) Reinstate all areas within Council's Road reserve to the conditions deemed necessary by the assessing officer.
- h) Clean debris from driveway pipe and nearby drains, pits and outlets to facilitate water flow.
- i) The requirement for installation of guideposts must comply with AS1742 and Council standards.

- j) Keep all documents on-site at all times (Notice of Determination, Conditions of Approval, TCP and Risk Assessment).
- k) Culvert pipe are to be installed in accordance with the AS 3725 and Council standards.

### **1.7 Additional Driveways**

- a) **A secondary driveway will only be considered if the applicant has a frontage greater than 20m in width, and the proposed spacing between driveways is greater than 6m.**
- b) Applications for a secondary driveway will need to provide a scaled drawing of the property frontage and meet Council's current Landscaping Ratio control for the front set back area for the resulting private property hardstand area proposed in conjunction with the second driveway works.
- c) If you are building an approved granny flat that requires direct vehicular access over the road reserve to the road which is separate to the existing driveway, this is classified as an additional driveway and an application is required.
- d) Multiple driveways on rural properties will need to be applied for and assessed, meeting Council Standards for rural driveways.

### **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 GMC assets (i.e. footpath, road verge, road pavement surface, street furniture, footpath, kerb and gutter, driveway, roadside drainage, street lightning or underground facilities etc.), report this damage immediately to GMC and the applicant will be responsible for any necessary repairs and associated costs. All damage must be repaired before the final inspection, or an unsatisfactory report will be issued, and the work may need to be reinspected. This will incur an additional inspection fee.

### **1.9 Reinstatement**

The applicant and any contractor, servant or agent of the applicant must reinstate all areas within the GMC 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. Verges must be backfilled, levelled, top dressed and seeded. All restoration works must be carried out in accordance with the Council's "Standards for Engineering Works" and AUS-SPEC specifications and must be to the satisfaction of the assessing officer and at no cost to GMC.

[Standards Australia](#) [GMC Standard Drawings](#)

Where the reinstatement works are not completed to the satisfaction of the assessing officer, GMC will notify the applicant in writing of the defects. It is the responsibility of the applicant to then rectify the defect immediately without cost to the GMC, otherwise a third party maybe engaged by GMC to complete the reinstatement works to a satisfactory standard at the applicant's expense, including all costs incurred by GMC. The damage bond may also not be returned to the applicant.

### **1.10 Non-Compliance**

If the applicant fails to comply with any of the requirements of this permit, GMC reserves the right to suspend all or any site works, within the GMC 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 to GMC.

GMC reserves the right to rectify any hazards caused by the works if the applicant fails to do so, and the GMC will recover all costs from the applicant, which are associated with the rectification works.

### **1.11 Inspections**

Council will undertake two inspections. One prior to the pouring of any concrete or prior to the excavation/opening/trenching, and the second and final one upon completion. The inspection fees per Council's schedule of fees and charges must be paid prior to booking the inspection. Inspections must be booked at least **2 business days** prior to inspection. **Works must not start until the day after the inspection.**

Any additional inspections will be charged at the additional inspection fee as per Council's schedule of fees and charges.

**Note:** Council may carry out random audits where works are undertaken within the Road Reserve. Failure to comply with the conditions as outlined on the Notice of Determination (NOD) will result in cancellation of s138 permit.

### **1.12 Rural Addressing Fee**

If the application is for a new rural driveway in a new location, the driveway may be required to be readdressed by council (this applies even if it is on a block with an existing driveway and/or address). If it is deemed that the driveway will need to be readdressed, A rural addressing fee will be charged as per Council's schedule of fees and charges. This does not apply for the upgrade of an existing rural driveway so long as the location remains the same.

### **1.13 Damage Bond General**

A public infrastructure damage deposit of \$3000 for a single Lot frontage or \$5000 for a corner Lot or \$5000 for road closure, road opening including footpath may be required to be paid to Council, determining on resolution of the application.

The relevant damage bond value will be imposed as a condition of consent. The payment of the damage bond to Council shall be accompanied by a completed damage bond application form which outlines accepted methods of payment.

The damage bond will only be eligible for refund upon satisfactory completion of all works. All costs associated with any reinstatement works required to be carried out by Council to rectify any damage caused by the works, shall be deducted from the damage deposit.

**Note:** A bond administration fee applies to the lodgement of this bond. Bond values and administration fees are calculated at time of actual lodgement in accordance with Council's adopted Fees and Charges and may differ from the above.

Any damage to Council's infrastructure and assets, caused by the undertaking of the works must be reinstated on a like for like basis and in accordance with Council's engineering standards prevailing at the time of the satisfaction of Council as the road's authority and prior to the issue of an Occupation Certificate.

### **1.14 Tree Bond**

Where a tree is required to be relocated, a Tree Bond of \$350 per tree, in accordance with Council's fees and charges required to be paid for prior to issue of the Notice of Determination.

### **1.15 Damage Bond Refund**

It is the responsibility of the applicant to advise Council that works are completed. The damage bond will be refunded once a written request has been received and a final inspection of the site deems the works completed to a satisfactory condition, as determined by the assessing officer. The refund payment will be by direct deposit to the original drawer. Council will request the bank details at the time of the refund. If the applicant requires the refund payment to be in another name, a written request must be forwarded to Council prior to refund of the bond.

## **1.16 Contacts**

**If further information is required, please contact Council on 02 4823 4444**

**Note:** you can write to Council at:

**Goulburn Mulwaree Council Locked Bag 22  
Goulburn NSW 2580**

Or

Email at; **[council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au)**

## **1.17 Declaration**

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

**Note: Please email the signed copy of completed permit application form to Goulburn Mulwaree Council.**

**Emails are to be sent to [council@goulburn.nsw.gov.au](mailto:council@goulburn.nsw.gov.au)**