

Application for Works on the Public Way

Section 138 Roads Act 1993



About this form

You can use this form to obtain approval or to amend a previous approval for works on the public way listed under Section 138 of the Roads Act 1993, including:

- Installation of street furniture
- Footpath renewal (minor works, e.g. 'make good' of existing site conditions)
- Street verge and tree planting
- Modifications/changes to kerb layout

Note: For driveway removal and/or construction where no other works to the public domain are proposed please complete the Driveway Application form instead.

How to complete this form

1. Ensure that all fields have been filled out correctly before submitting an application.
2. Please note that fields on this form marked with an * are mandatory.
3. Once completed submit this form by mail or in person. Please refer to the lodgement details section in Part 7 for further information.
4. Refer to the Public Domain Manual: <https://www.cityofsydney.nsw.gov.au/development/public-domain-works>

Fees and Charges

Please refer to the fees summary section in Part 4 accompanying this application. The City of Sydney's Schedule of Fees and Charges can be accessed at <https://www.cityofsydney.nsw.gov.au/council/our-responsibilities/fees-and-charges>

Refer to the public domain charges section: Section 138 Roads Act Approval – Public Domain.

Note: The application will only be accepted if the correct fee is paid and the relevant documentation and/or drawings provided electronically. If you require further information regarding this application form, please contact the Public Domain Team on 02 9265 9333 or email: publicdomain@cityofsydney.nsw.gov.au

Part 1: Site Details

Property number*

Street name*

Suburb*

Lot number (if known)

DP/SP (if known)

Development Application Number (if applicable)

Part 2: Applicant (Primary Contact)

Note: All correspondence will be directed to the applicant

Applicant Details*

First Name*

Last Name*

Business/Company Name *

Business/Company Address *

Business/Company Postal Address (if different from above)

Contact Number*

Email Address*

Part 3: Type of activity proposed

Please provide a detailed description of the proposed activity and cost of public domain works \$_____.

Part 4: Fees Summary (Fee is per frontage)

Please tick applicable box below and include number of frontages

For each frontage of Single Residential, Small Commercial or Industrial Property (less than 9lm frontage) \$310.00

Number of frontages:

For each frontage of Multi Unit Residential, Larger Commercial or Industrial Property (more than 9lm frontage) \$635.00

Number of frontages:

Total Fees Payable (Sum of applicable frontage fee x number of frontages)

Note:

- Prior to receiving approval a security bond will be required.
- A construction inspection fee will apply once the scope of works is determined and the fee will be based on the estimated cost of works.

Part 5: Applicant Checklist and Declaration

I have attached the following:

- | | |
|--|--|
| Email/USB of all plans & documents (see note 1) <input type="checkbox"/> | Site plan (see note 2) <input type="checkbox"/> |
| Location plan (see note 2) <input type="checkbox"/> | Specifications (see note 3) <input type="checkbox"/> |
| Applicant's signature <input type="checkbox"/> | Please complete the Application for Public Domain Levels and Gradients form (if applicable) <input type="checkbox"/> |

I declare that all information in the application and checklist is to the best of my knowledge, true and correct. I also understand that the electronic data provided is a true copy of all plans and associated documents submitted with this application and the data is not corrupted or does not contain any viruses. Each plan and document is supplied as a PDF file no larger than 20MB and is named in accordance with Council's [Digital Requirements](#) document. I understand that information provided via email or on the USB may be publicly available.

Conflict of Interest

To ensure transparency in Council's decision making process and to avoid potential conflicts of interest applicants are to make a declaration as to whether they are a Council employee or Councillor or are related to a Council employee or Councillor.

I am an employee/Councillor or relative of an employee/Councillor of City of Sydney Council No Yes

If yes, state relationship

Applicant's name (please print)

Applicant's Signature

Date

Part 6: Privacy & Personal Information Protection Notice

- Purpose of collection:** This information is being collected for the purpose of assessment and delivery of approvals under Section 138 Roads Act, 1993 in the City of Sydney Council area.
- Intended recipients:** City of Sydney employees. Any approved contractors required to provide this service.
- Supply:** The supply of this information is required by law. If you are unwilling to provide this information, the City of Sydney may be unable to provide access to City of Sydney services.
- Access/Correction:** Please contact Customer Service on 02 9265 9333 or at council@cityofsydney.nsw.gov.au to access or correct your personal information.
- Storage:** The City Planning, Development and Transport Unit at the City of Sydney, located at 456 Kent Street, Sydney NSW 2000, is collecting this information and the City of Sydney will store it securely.
- Other uses:** The City of Sydney will use your personal information for the purpose for which it was collected and may use it as is necessary for the exercise of other functions.

For further details on how the City of Sydney manages personal information, please refer to our Privacy Management Plan (<https://www.cityofsydney.nsw.gov.au/policies/privacy-management-plan>).

Part 7: Lodgement Details

You can lodge the completed application by:

EMAIL: applications@cityofsydney.nsw.gov.au

Digital copies of applications must be supplied on a USB memory stick if lodging by mail or in person.

MAIL: City of Sydney, GPO Box 1591, Sydney NSW 2001 **DX:** 1251 Sydney

IN PERSON: Town Hall House - Level 2, 456 Kent Street, Sydney
See our website for details of all customer service centres and opening hours:
<https://www.cityofsydney.nsw.gov.au/council/contact-us/customer-service-centres>

WHAT NOW: Once your application is received a Council Officer may contact you to discuss your proposal, which may include a request for further information and / or clarification of the proposal.

For further information regarding your application, please contact us by:

TELEPHONE: (02) 9265 9333 or visit our **WEBSITE:** www.cityofsydney.nsw.gov.au

Customer Service Use Only

Receiving Officer

Date Received

Receipt Number

RC308

Note 1 - **Digital requirements**

- All plans and documents, including the application form must be submitted in digital format via email or on a single USB.
- Each group of plan types, e.g. site plan, floor plans, sections, elevations and documents must be supplied as separate PDF files, not larger than 20MB in size and be named in accordance with Council's [Digital Requirements](#) document on the City of Sydney website
- Digital files must be virus free.

As all information provided via email or on the USB may be publicly available, personal information including credit card details must NOT be copied onto the email or the USB.

Note 2 - **Plan requirements**

- Plans shall be prepared in accordance with the City of Sydney's Public Domain Manual (available at: https://www.cityofsydney.nsw.gov.au/data/assets/pdf_file/0003/281523/Public-Domain-Manual.pdf) and shall include as a minimum:
 - A site plan drawn to a minimum scale of 1:500 shall show the relation of the public domain works to the boundaries of the adjacent allotment and buildings.
 - Plans shall be drawn to a minimum scale of 1:100 and shall show complete public domain works indicating the location of the proposed works in relation to the boundaries and proposed and/or existing buildings, plus elevations and cross-sections sufficient to indicate completely the proposed design and construction.

Note 3 - **Detailed written specification**

A detailed specification shall be submitted if not fully described on the plan.

Where any work of a structural nature is involved (footing, slabs, signs, street furniture, retaining walls etc.) sufficient details and information including where required, a certificate of design from a practising structural engineer issued under Section 93 of the Local Government Act (1993) must be provided. Sections 93 and 732 of the Local Government Act absolves the City of all liability by relying on a certificate of design and/or installation certificate.