

Application for Approval - Section 68 LGA 1993 & Section 138 Roads Act 1993

About this form

You can use this form to obtain approval for activities listed under Section 68 of the Local Government Act 1993 and Section 138 of the Roads Act 1993, including:

- * Management of waste (excluding sewage management systems);
- * Activities on community land;
- * Install or operate an amusement device;
- * Install an advertising sign, business sign or awning over a public road (footway)
- * Other activities as outlined by Section 68 of the Local Government Act 1993 (see Part 4).

How to complete this form

1: Ensure that all fields have been filled out correctly.

2: Once completed you can submit this form by email. Please refer to the Lodgement details section in Part 8 for further information.

Part 1: Site Details

Property number

Street name

Suburb

Lot number (if known)

DP/SP (if known)

Part 2: Applicant Details

Title

Given name/s

Family name

Organisation name

Address - postal

Note: Before this application can be lodged at least one contact number must be supplied.

Business number

Mobile number

Email address

Applicant name (please print)

Applicant Signature

Date

Note: If you are signing on behalf of a company please state your capacity within the company in the box to the right.

Capacity within the Company

Part 3: Registered Owner(s) Consent (see note 1 at the back of application form)

As the registered owner(s) of the above property, I/We give consent to this application.

Title	Given Name/s	Family Name
<input type="text"/>	<input type="text"/>	<input type="text"/>

Organisation/Company Name (if applicable)	ABN/ACN (if applicable)
<input type="text"/>	<input type="text"/>

Address

Home Number	Business Number	Mobile Number
<input type="text"/>	<input type="text"/>	<input type="text"/>

Email Address

Registered Owner(s) Signature(s) (see Note 1 at the back of application form)

Registered Owner Name (please print)	Position
<input type="text"/>	<input type="text"/>

Signature	Date*
<input type="text"/>	<input type="text"/>

Registered Owner Name (please print)	Position
<input type="text"/>	<input type="text"/>

Signature	Date
<input type="text"/>	<input type="text"/>

Registered Owner Name (please print)	Position
<input type="text"/>	<input type="text"/>

Signature	Date
<input type="text"/>	<input type="text"/>

Registered Owner Name (please print)	Position
<input type="text"/>	<input type="text"/>

Signature	Date
<input type="text"/>	<input type="text"/>

NOTE: For works that affect common property, the owners corporation's consent is required. Section 108 of the Strata Schemes Management Act allows for changes to common property if the owners corporation has passed a special resolution authorising the works. The applicant must ensure that the owners corporation has given a valid consent. The applicant should seek a copy of the minutes / resolution of a general meeting authorising the change to common property or letter on strata management letter head stating that the requirements of the Strata Schemes Management Act 2015 have been met.

Strata Stamp or Seal

Part 4: Type of activity proposed (Table to Section 68, LGA 1993)

Please tick the applicable box/es below which best describe the work for which you are seeking approval.

Water supply, sewerage and stormwater drainage work

Carry out water supply work (B1)

Draw water from a Council water supply or a standpipe or sell water so drawn (B2)

Install, alter, disconnect or remove a meter connected to a service pipe (B3)

Carry out sewerage work (B4)

Carry out stormwater drainage work (B5)

Connect a private drain or sewer with a public drain or sewer under the control of a Council or with a drain connected to any such device or facility (B6)

Management of waste

For fee or reward, transport waste over or under a public place (C1)

Place waste in a public place (C2)

Place a waste storage container in a public place (C3)

Dispose of waste into a sewer of the Council (C4)

Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility (C5)

Note: Complete the separate application form "Approval to Install / Operate a System of Sewage Management" which is available on Council's website.

Community Land

Engage in a trade or business (D1)

Set up, operate or use a loudspeaker or sound amplifying device (D5)

Deliver a public address or hold a religious service or public meeting (D6)

Public roads

Swing or hoist goods across or over any part of a public road (E1), use separate application form: 'Application for Hoisting Activity over a Public Road'.

Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road (E2) including signs and awnings (see Part 5)

Other activities

Operate a public car park (F1)

Operate a manufactured home estate (F3)

Install a domestic oil or solid fuel heating appliance, other than a portable appliance (F4)

Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations (F10)

Operate a caravan park or camping ground (F2)

Install or operate amusement devices (within the meaning of the Work Health & Safety Regulation 2017) (F5).

Note: Under Clause 71 of the Local Government (General) Regulation 2021, amusement devices that are not required to be registered under the WH&S Regulation 2017 can be installed and operated without the need to obtain approval under s68 of the Local Government Act. In circumstances where devices (registered or unregistered) are proposed to be installed/operated on a public road, an approval under sections 138/139 of the Roads Act 1993 is required.

Use a standing vehicle or any article for the purpose of selling any article in a public place (F7)

Detailed description of the proposed activity

Part 5: Signage and street awnings

Under the **State Environmental Planning Policy (Exempt and Complying Development Codes 2008 (the "SEPP"))** some signs can be erected without development consent, subject to meeting prescribed 'development standards' which are listed in the SEPP.

Alterations to existing street awnings and the installation of new awnings are also permitted under the SEPP where the development standards are satisfied, together with compliance with the City's **Awnings Policy**.

One of the prescribed development standards in the SEPP requires that approval must be obtained from the City to install signage and awnings over a public road, including footways. In addition to obtaining an approval through the lodgement of this application, approval by way of a complying development certificate (CDC) must also be obtained for:

- alterations to existing street awnings;
- installation of new street awnings;
- installation of projecting wall signs; and
- installation of freestanding pylon and directory board signs.

A CDC cannot be issued until an approval is granted by the City to allow signs or awnings to be installed or altered where located above a footway.

CDCs can be issued by either the City or a private accredited certifier. If you wish, a CDC application can be lodged together with this application for concurrent assessment (and approval). CDC applications can be lodged online via the NSW Planning Portal at <https://www.planningportal.nsw.gov.au/>

Further details on the SEPP controls are available on the NSW State Government legislation website: <http://www.legislation.nsw.gov.au>

Signage

a. Please indicate by placing an X in the box/es below of the type and number of signs you are seeking approval for:

Type of sign	Number to be installed	Wording of the sign
<input type="checkbox"/> Building identification sign	<input type="text"/>	<input type="text"/>
<input type="checkbox"/> Wall sign	<input type="text"/>	<input type="text"/>
<input type="checkbox"/> Fascia sign	<input type="text"/>	<input type="text"/>
<input type="checkbox"/> Under awning sign	<input type="text"/>	<input type="text"/>
<input type="checkbox"/> Top hamper sign	<input type="text"/>	<input type="text"/>
<input type="checkbox"/> Temporary event sign (see b. below)	<input type="text"/>	<input type="text"/>
<input type="checkbox"/> Projecting wall sign *	<input type="text"/>	<input type="text"/>
<input type="checkbox"/> Freestanding pylon and directory board signs *	<input type="text"/>	<input type="text"/>

* A CDC must be obtained before installation can commence.

b. What is the proposed period of temporary display?

Part 5: Signage and street awnings.....continued

c. If a building name sign is proposed, please identify the major tenant or owner in the building.

d. Where an under-awning sign is proposed, has an assessment been made of the condition and structural adequacy of the existing awning to support the proposed sign/s? If so, please provide the details below including any engineering reports or certificates. If a formal assessment has not been carried out, please provide details as to why you believe the awning is adequate to support the signs.

Street awnings

Please complete the following:

a. What is the type of awning to be installed or altered (e.g. fully cantilevered, tie-rod suspended, other?)

b. Type of fabric/material to be used (metal, glass, combination of metal and glass, flexible fabric e.g. canvas)?

c. Does the proposed awning or alterations to an existing awning comply with the City's **Awnings Policy**?

Yes No ►

If no, provide details of the areas where it does not comply*

*Note: A complying development certificate may not be able to be issued for the proposed works if variations to the Policy are not permitted.

Signage and street awnings Applicant Declaration

I declare that I have checked the development standards listed in the **State Environmental Planning Policy (Exempt and Complying Development Codes) 2008** applying to signage and/or awnings and confirm that the proposed signage/awning as detailed in this application and drawings complies with the SEPP.

NOTE: If it is established that the signage or awning given approval to be installed above the public road are not compliant with the SEPP and/or the determination (approval Permit), Council may revoke the approval under Section 108 of the Local Government Act 1993 and Section 140 of the Roads Act 1993 and an Order and/or a Direction may be issued to remove or modify the non-complying structures.

Applicant's name (please print)

Applicant's signature

Date

Part 6: Applicant Checklist and Declaration

I have attached the following:

Owner's consent (see note 1)

Location plan (see note 3)

Coloured or otherwise suitably marked elevations and sections (see note 3)

Specifications (see note 4)

Applicant's signature

Site plan (see note 3)

Part 6: Applicant Checklist and Declaration..... continued

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

I declare that all information in the application and checklist is to the best of my knowledge, true and correct 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 300MB and is named in accordance with the Building Certification digital file requirements, available on the Council's website. I understand that information provided may be publicly available.

Applicant's Name

Applicant's Signature

Date

Part 7: Privacy & Personal Information Protection Notice

Purpose of collection: This information is being collected for the purpose of assessing and determining applications under Section 68/94 of the Local Government Act 1993 and Section 138/139 of the Roads Act 1993.

Intended recipients: City of Sydney employees. Any other relevant state government agency and any approved contractors required to provide this service.

Supply: The supply of this information is voluntary. 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 8: Lodgement Details

You can lodge the completed application by:

EMAIL: applications@cityofsydney.nsw.gov.au

Email the completed form and supporting documents. If your files are over 25MB please email the completed form only and we will contact you for the supporting documents and required fees.

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

Application for Approval

Notes for completing the Application for Approval

Note 1 - **Property ownership**

It is the applicant's responsibility to demonstrate that all owners have consented to the lodging of the application. Council will not accept an application without the correct owners consent.

Strata title / body corporate - if the property is a unit under strata title, then in addition to the owner(s) signature the following must be provided if any works or proposed use affect the common property.

- The common seal of the owners corporation must be stamped on this form and witnessed by two members of the executive committee (where there is a determination by the owner's corporation), the secretary of the owner's corporation and another member of the executive committee, or the appointed strata managing agent; and
- One of the following:
 1. A letter on strata management letterhead stating that the requirements of the Strata Schemes Management Act 1996 have been met; or
 2. Copy of resolution or minutes showing that the special resolution has been passed at a general meeting or the owners corporation that specifically authorises the change to common property.

Company - If the owner is a company, the owners consent must be signed in accordance with the Corporations Act 2001 by:

- (a) one company director and company secretary; or
- (b) two company directors or
- (c) if a sole director/secretary company, the sole director.

The applicant must provide the ABN or ACN numbers, the names and positions of those signing the consent, an up to date (dated the day of lodgement or the day before) ASIC company extract (www.asic.gov.au) and any other required supporting documents.

Signing on owners behalf - if you are signing on the owner's behalf as the owner's representative, you must state the nature of your legal authority and attach documentary evidence (a full copy is required). Depending on the nature of your authority, the following evidence may be accepted: Power of Attorney, Trust Deed, Probate, Letters of Administration, Delegation Schedule, Letter (with organisation's letterhead) confirming your authority.

New Owners - if the property has recently been sold, documentary evidence of the sale must be provided.

Please provide (1) of the following:

- A copy of the Certificate of Title
- Previous owner's consent to the application

Note 2 - **Digital requirements**

- All plans and documents, including the application form must be submitted in digital format 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 on the USB may be publicly available, personal information including credit card details must NOT be copied onto the USB

Note 3 - **Plan requirements**

- > A site plan drawn to a minimum scale of 1:500 shall show the relation of the building to the boundaries of the allotment and any other buildings thereon.
- > Plans shall be drawn to a minimum scale of 1:100 and shall show complete floor plans, indicating the location of the proposed works in relation to the whole of the floor, plus elevations and cross-sections sufficient to indicate completely the proposed design and construction.
- > New work shown on plans shall be coloured or otherwise marked so as to adequately distinguish the new or altered work.
- > Where applicable the purpose for which all buildings and all rooms are to be used shall be shown on the plan.
- > For signs and street awnings drawings (plan view, elevations, sections) and other details which show all dimensions including heights above the footway surface and setbacks from the road kerb.

Note 4 - **Detailed written specification**

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

Note 5 - **Structural work**

Where any work of a structural nature is involved (footing, slabs, signs, awnings 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.

Note 6 - **Fire safety measures**

If the application relates to a proposal to carry out any structural work, alteration or rebuilding of, addition to, or change of classification of an existing building or part of a building, a copy of the annual fire safety statement for the building must be provided with the application.