



Road Opening Declaration – Online

Section 138 of the Roads Act 1993

OFFICE USE ONLY

Reference No.

About this form

Use this form to declare you are submitting a Road Opening permit to carry out excavation within a road, footpath, public reserve or public place for a lawful purpose.

Important Note: By submitting this document as the applicant you are accepting the responsibility for any and all charges relating to the opening. Applications and costs cannot be submitted on behalf of or transferred to another business, company or individual.

Important Information for Applications

COUNCIL IS TO BE NOTIFIED IMMEDIATELY AFTER THE OPENING HAS BEEN TEMPORARILY RESTORED.

9366 3769	For properties in: Banksmeadow, Botany, Daceyville, Eastgardens, Eastlakes, Hillsdale, Mascot, Pagewood and Rosebery.
9562 1500	For properties in: Arncliffe; Banksia; Bardwell Park; Bardwell Valley; Bexley; Bexley North; Brighton Le Sands; Carlton; Dolls Point; Kingsgrove; Kogarah; Kyeemagh; Monterey; Ramsgate; Ramsgate Beach; Rockdale; Sandringham; Sans Souci, Turrella and Wollie Creek.

Payment of Restoration Charges A permit will not be issued unless payment is received by Council for the cost of restoring the opening.

Cases of Emergency In cases of emergency (e.g. where damage or blockage has been caused to a water or sewer service outside normal business hours) work may proceed without obtaining a permit but a permit must be obtained the next working day.

Classified Roads On main roads, where it is proposed to open the road pavement, approval for the opening will need to be obtained from the Roads & Traffic Authority. In the Bayside Council LGA main roads can be found on the [Classified/regional roads](#) page

Regional or high traffic volume on some of Council's busy regional roads, hours of work may be restricted, or permission may be required from the Local Traffic Police before an opening can take place. Where high levels of traffic disruption may occur, other methods such as horizontal boring may be required. Restrictions to openings are likely to apply in the following streets: In the Bayside Council LGA main roads can be found on the [Classified/regional roads](#) page

Conditions for Road Opening Permits

Any permit granted is subject to the provision of the Roads Act 1993 and the requirements of Council as below:

Penalties

Failure to obtain a permit may result in a fine and the reporting of offenders to Licensing Authorities. Should an accident occur as a result of an illegal opening, it may void the insurance of the person or company who undertake the opening.

Permits Issued Only to Licensed Persons

As permits are issued for openings in places used by the public, Council requires that permit holders are adequately insured against possible claims if an accident occurs. Therefore, issue of permits is restricted to licensed persons or companies such as plumbers, drainers, builders etc. Other persons who wish to obtain a permit must demonstrate appropriate competence. A certified copy of the contractor's Certificate of Currency (valid for at least 3 months) verifying Public Liability Insurance of at least \$10,000,000 must be provided at the time of application.

Permit to be Carried at All Times

The person undertaking the opening must carry the permit with them so that Council staff can ascertain that the opening is approved. If the permit cannot be produced, the work may be stopped until a permit is sighted / obtained.

Postal address

PO Box 21, Rockdale NSW 2216
ABN 80 690 785 443

Bayside Customer Service Centres

Rockdale Library, 444-446 Princes Highway, Rockdale
Eastgardens Library, Westfield Eastgardens, 152 Bunnerong Road, Eastgardens

W www.bayside.nsw.gov.au
T 1300 581 299

Permit Holder Accepts Responsibility for Public Safety etc.

- The permit holder accepts full responsibility for public safety, injury to any person and damage to any property in carrying out, or as a consequence of the work.
- Adequate barriers and warning signs shall be provided around any opening and excavated material.
- Where the opening remains overnight, adequate lighting must be provided with a minimum of three lamps around the opening and excavated material.
- Safety protection will be in accordance with Australian Standard AS1742 parts 1 & 2 (1986) and part 3 (1985).
- Council will not accept responsibility for any damage caused to any mains or services due to the restoration works. Any damages are to be organised by the contractor with the respective Authority.

Permit Holder Liable for Extra Costs etc.

- The Permit Holder shall be liable for the cost of any extra restoration work, in addition to that paid for, to satisfy the conditions specified herein, or to restore adjoining or adjacent failed sections of road sub-grade or pavement as a consequence of such opening.
- In any case where an opening is made in excess of that for which the permit has been issued, the person responsible for the opening shall, not later than on the actual completion of the opening, make a further application for an additional permit in respect of the additional area opened. Failure to take out the additional permit may result in penalty charges in addition to the cost of the actual area opened.
- The calculation of the area to be restored, and the payments to be made, shall be in accordance with this form and Council's Fees and Charges

Conditions Relating to Work

- More than half of the width of any road pavement **CANNOT** be opened at any one time unless prior approval is given.
- All concrete road openings and all concrete footpath openings shall be sawn along all edges. The depth of saw cuts shall be the full depth of the concrete or bitumen. Saw cutting of interlocking pavers is not permitted.
- All services shall be laid to a depth of 500mm, except where otherwise specified by Council or Water Board.
- All excavated material shall be removed from the site immediately on completion of the excavation work.
- Back filling of openings shall be carried out in accordance with standard practice and to the satisfaction of Council.

Period for a valid Permit

The permit will be valid for six months from date of issue. If the permit is not required, a refund will be made if requested in writing, however Council will withhold an administration charge equivalent to the lodgement fee paid.

Calculation of Area for Restoration Charges

General

- The minimum area of a road reserve opening permit shall be as per the minimum charge table. Council will refund any monies where excess area has been paid for. The minimum area payment will be 1m².
- The minimum width of a road opening for calculation of the restoration charge shall be 600mm (road works), this is to ensure adequate compaction from compactor plates or similar are achieved whilst backfilling.
- Above the minimum width of 600mm, the width shall be measured in steps of 100mm.
- Special conditions exist for concrete openings, as specified below.
- Surface restoration will be calculated as being 150mm wider than actual excavation hole.

Concrete

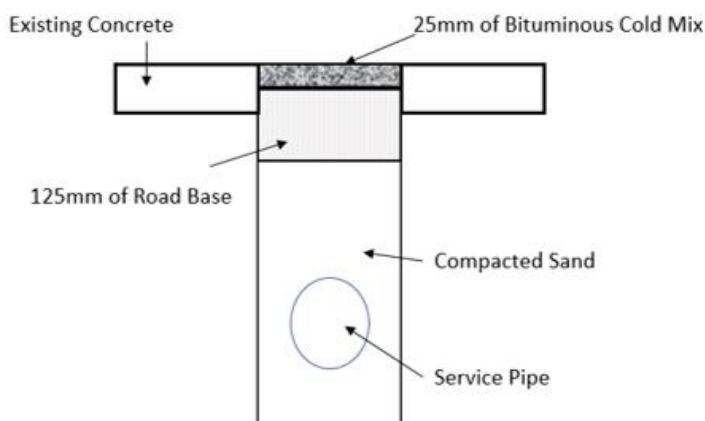
- All concrete road openings and all concrete footpath openings shall be sawn along all edges.
- Saw cutting is to be full depth for footpaths, road pavement or vehicular crossings.
- The area of concrete footpath to be restored shall include (in addition to the actual area opened) any concrete footpath adjoining such opening which is within 500mm of:
 - any edge of the concrete slab in which the opening is made
 - a construction joint in a concrete slab
 - any edge of a previous restoration.
- The area of concrete road pavement to be restored shall include (in addition to the actual area opened) any concrete road pavement adjoining such opening which is within 750mm of:
 - any edge of concrete slab in which the opening is made
 - any edge of a previous restoration.
- If reinforcement is cut, Council will remove and restore 300mm of the concrete slab on each side of the opening and this additional area shall be added to the original area for the purpose of calculating the restoration charge.
- Subject to prior arrangement, saw cutting can be carried out as part of the restoration subject, to

- payment of charges to be assessed by Council's Project Engineer.
- Restoration of a full slab may be adopted as a cheaper alternative to saw cutting.

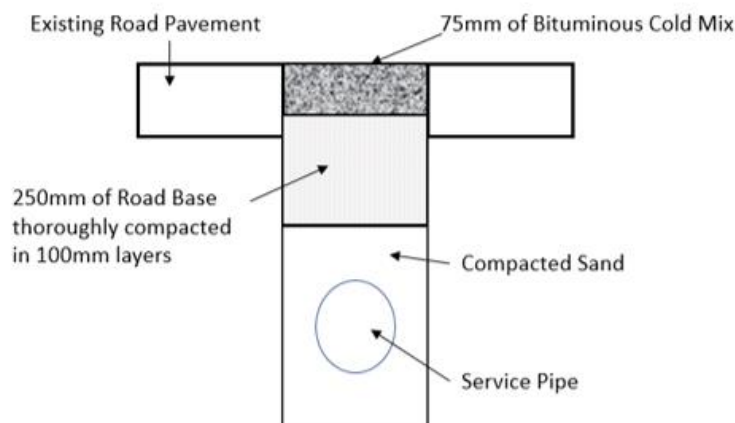
Should the footpath be considered by the applicant to be in such poor condition as to place in doubt the area chargeable to the applicant, the applicant should contact Council's Restorations Team Leader in order to organise an on-site inspection to resolve any doubt prior to the work commencing.

Code for Back filling Trenches

Driveway



Roadway



Notes

- All excavated material is to be removed from the site immediately on completion of excavation works.
- Excavated material is not to be used for back filling the trench unless it is of a granular type which has been approved by the Project Engineer.
- The sand for back filling is to be provided by the permit holder and is to be thoroughly damped down to ensure the sand is fully compacted.
- The road base is to be placed and thoroughly compacted in layers of 100mm.
- If the back filling of the trench is not carried out in accordance with this code, the permit holder will be liable for any extra costs incurred by Council in rectifying the work.
- Should the trench subside due to unsatisfactory back filling, the permit holder will be liable for the cost of the rectification work required.

Declaration

- I have read and understood Council's Conditions and I agree to carry out the above opening in accordance with these conditions.
- I agree to pay any additional restoration charges which may be incurred by Council as a result of this opening.
- I accept full responsibility for public safety and for injury to any person and damage to any property which may occur during the carrying out or as a consequence of the work.
- The submission of this form and accompanying payment receipt should be kept on site at all times and will act as the applicant's 'permit'. Works are able to commence once payment of Road Opening fees have been made to Council.
- The personal information required on this form may be available for public access under various legislation.
- Council collects a 3m2 charge for all Road Opening Applications. Openings less than this amount will be refunded upon completion. A minimum charge of 1m2 applies to all openings.
- The applicant is responsible for contacting Council to confirm completion of the opening and to arrange finalisation of additional fees or refunds.
- False or misleading information may lead to the permit being cancelled and may also impact any associated development applications.
- Councils' fees and charge are adopted by Council on a yearly basis, there is no discounting or negotiation of Councils adopted fees and charges.

Daytime Telephone No. (Home/Work):

Mobile No:

Applicant's Name

Applicant's Company (if applicable)

Applicant's Signature

Date

/

/

Privacy notification

The purpose of collection of this information is for processing your application. Provision of this information is voluntary and is required to help process your application. You are entitled to have access to this form to correct or amend it after you have given it to Council. This form will be stored electronically in Council's electronic document management system. Access to this information is restricted to Council officers. Members of the public will not be provided with access to the personal details contained on this form.