

What Works and Structures require consent:

The road reserve includes the footpath and road formation between opposite property boundaries:

Section 138 works and structures that require consent "138 (1) A

person must not:

- (a) erect a structure or carry out a work in, on or over a public road, or
- (b) dig up or disturb the surface of a public road, or
- (c) remove or interfere with a structure, work or tree on a public road, or
- (d) pump water into a public road from any land adjoining the road, or
- (e) connect a road (whether public or private) to a classified road otherwise than with the consent of the appropriate roads authority"

Advice to applicants for Road Opening Permit

The following information is provided to assist the applicant:

1. Payment of the application fee is required at the time of lodgement.
2. A Traffic Management Plan (TMP) showing proposed traffic signposting around the construction site in accordance with AS 1742.3 and the RMS manual for Traffic Control at Worksites current at the time of construction is to be submitted to Council at the time of lodgement and prior to approval being granted. The plan must be prepared and certified by a person holding the appropriate RMS accreditation. No work is to commence until the signage is erected in accordance with this TMP. Note that the plan is to address both motor vehicle traffic and pedestrian traffic.

Note: A Speed Zone Reduction (SZR) may need to be obtained from the Responsible Traffic Authority (Ph (02) 6778 6300) for RMS roads or for Council roads (Ph (02) 6778 6300) in order to reduce the existing speed limits to a specified speed limit, adjacent to a construction work site. A minimum of twenty (20) working days should be allowed for obtaining a SZR. No works are to be commenced until a copy of the SZR is forwarded to Council.

All traffic control including the setup and removal of traffic control devices and/or regulation of traffic is to be carried out by persons suitably accredited by the Roads and Maritime Services to Australian Standard AS1742.3 and the RMS Traffic Control at Work Sites. The contractor must produce upon request evidence that all staff involved in the above have such accreditation.
3. Public Liability insurance in an amount of \$20 million is to be maintained for the construction period. Written evidence of a current policy is to be provided at the time of lodgement and prior to approval being granted.
4. Upon request, the contractor must be able to produce evidence that all plant is registered and the subject of third party insurance.
5. The contractor shall meet all obligations under the Work Health and Safety Act 2011 or current equivalent legislation and relevant Work Cover requirements including appropriate traffic controls.
6. The disturbed area is to be restored to at least its original condition at the applicant's cost, and any damage caused to the road or drainage system is to be brought to the notice of Council.
7. The applicant will be responsible for the disposal of any excess material and restoring table drains, shoulder seal and culverts blocked or damaged as a result of the works
8. The works proceed to completion without undue delay.
9. Provision is made for service vehicles, residents etc. to gain access to properties at all times.
10. Affected residents are to be notified in writing indicating, at least seven days in advance of any full road closure, the reason for the road closure, the period of the road closure and a company contact name and a 24 hour contact phone number.
11. Work to be carried out as per the Armidale Engineering Design Codes in force at the commencement of works, otherwise works will be restored by Council at the applicant's cost.
12. Council's Director Infrastructure and Development is to be notified of works before execution.
13. Council is indemnified against all actions, suits, claims, demands, proceedings, losses, damages, compensation, costs (including legal costs), charges and other expenses which may be brought, made or awarded against, incurred or suffered by the Council for or in respect of any claim, loss, damage, accident or injury of whatsoever nature or kind occasioned or done at any time (whether before or after the date of execution hereof and whether to property or persons) by or in connection with the use of the road being occupied by the construction works or howsoever otherwise sustained by anything done or purporting to be done under this approval by or on behalf of relevant contractor, its servants, agents, invitees contractors and subcontractors.

Important Information

1. Access to information

The Government Information (Public Access) (GIPA) Act 2009 provides that persons are entitled to open access information about a Development Application. However, this does not extend to:
 - (a) The plans and specifications for any residential parts of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected, or
 - (b) Commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.