



Warringah Council

Permit to Place Building Materials on Footpaths

Application and conditions made under the Roads Act 1993 (Section 138)

Address the application to:

- The General Manager
Warringah Council
Civic Centre, 725 Pittwater Rd
Dee Why NSW 2099

Or

- Customer Service Centre
Warringah Council
DX 9118 Dee Why

If you need help lodging your application:

- Phone our Customer Service Centre on (02) 9942 2111

Or

- Come in and talk to us

Office Use Only

June 09

For applicable fees and charges, please refer to Council's website: www.warringah.nsw.gov.au or contact our Customer Service Centre

Privacy and Personal Information Protection Notice

The personal information requested in this form is required by or under the Roads Act 1993 and will only be used by Warringah Council in connection with the requirements of that Act and any other relevantly applicable legislation relating to the subject-matter of this application. If you do not provide the information, Council will not be able to process your application, and Council may even have the right to reject your application. Your application will be available to Councillors and Council Officers. Members of the public have certain rights of access to information and documents held by Council under the Freedom of Information Act 1989 (NSW), s.12 of the Local Government Act 1993 (NSW), and under the Privacy and Personal Information Protection Act 1998 (NSW) to the extent permitted by those Acts. Warringah Council is to be regarded as the agency that holds the information, which will be stored on Council's records management system or in archives.

You have a right to access information within the meaning of the Privacy and Personal Information Protection Act 1998 (NSW) on application to Council, and to have that information updated or corrected as necessary. Please contact Warringah Council if the information you have provided is incorrect or changes or if access is otherwise sought to the information.

In addition, a person may request that any material that is available (or is to be made available) for public inspection by or under the Local Government Act 1993 (NSW) be prepared or amended so as to omit or remove any matter that would disclose or discloses the person's place of living if the person considers that the disclosure would place or places the personal safety of the person or of members of the person's family at risk. Any such request must be made to Council's General Manager: see s.739 of the Local Government Act 1993 (NSW).

Warringah Council is responsible for managing public areas within the Warringah Local Government Area to ensure that vehicular and pedestrian access and safety is maintained. A permit to place building materials on footpaths is required when, due to site constraints, it is necessary to store building materials off-site.

This form includes four parts:

- Applicant's details
- Indemnity
- Insurance details
- Permit conditions

To apply for a permit, please complete all relevant sections and return with payment to the Customer Service Centre, Civic Centre, 725 Pittwater Rd, Dee Why NSW 2099.

Permits are issued subject to the attached conditions.

PART 1 Applicant Details

1.1 Applicant details

Applicant name

Business name

Business address

Postcode

Phone number

() B/H

Fax

 B/H

Mobile number

1.2 Address of property

Address

Postcode

Please note:

This address must be where the permit will apply.

Nearest cross road/street

Stand on (street name)

PART 2 Permit Details

2.1 Details of permit request

Size of area requested (in square metres)

Length (in metres)

Width (in metres)

Total Area (square metres)

Will pedestrians be affected? Yes No

If yes, provide details of safe pedestrian access along the frontage of the site.

DA/CC Number

2.2 Duration of the permit

Start date

 / /

End date

 / /

Total weeks required

I/We have read the conditions of the permit to stand plant and agree to abide by these conditions in full. I/We understand that failure to meet any conditions can result in the immediate cancellation of the permit and recovery of any associated costs.

Applicant Signature

Date ___/___/___

PART 3 Indemnity

Please sign

This indemnity form must be completed and signed before a permit can be issued.

Name of applicant

(referred to hereafter as the permit holder) holds Warringah Council (referred to hereafter as Council) harmless, and releases and indemnifies and keeps released and indemnified, from and against all actions, suits, claims, demands, costs, charges and expenses for which Council, its servants, agents or employees may be held liable in respect of any loss, damage, accident or injury of whatsoever nature or kind, and however, sustained or occasioned and whether to property or person(s) in connection with the use of this public area and any work connected therewith pursuant to this permit but excluding such liability arising from any negligent act, default or omission, on the part of Council, its servants, agents or employees either solely or in contribution thereto.

Applicant Signature

Date ___/___/___

PART 4 Insurance

Insurance information

Please fill in applicant's name

Permits will not be issued unless you have public liability insurance for the area you want to use. Please complete this form, giving details of your public liability insurance.

A certificate of currency must be provided to Council by the insurance company before a permit is issued.

I hereby declare that I as permit holder and Warringah Council are insured for legal liability to the public in respect of personal injury or property damage for a limit of indemnity of not less than \$10 million.

Name of insurance company

Public liability policy no.

Period of insurance from

 to

Limit of indemnity

 \$

I understand that this insurance shall not be cancelled or lapse without the agreement of Warringah Council and the policy document shall be endorsed to this effect.

This insurance includes the cross liability clause.

Applicant's Signature

Date ___/___/___

PART 5 Permit Conditions

- 5.1 General conditions
- ▣ Permits are issued for a minimum period of one (1) week.
 - ▣ Charges for occupation of the footpath are calculated according to the area required for placement of building materials or the area actually occupied by the temporary scaffolding, scissors lifts, small elevating work platforms or similar equipment.
 - ▣ No charges, apart from the application fee, apply where the footpath must be occupied to allow the planned overhead work to proceed safely (eg. awning maintenance, window cleaning, abseiling).
 - ▣ Extension of the time period may be made by arrangement with the Council.
 - ▣ Application permit fee must be paid.
 - ▣ Not all sites are suitable for placement of building materials. Council reserves the right to reject an application on the basis that it would cause access problems to pedestrians or vehicles.
 - ▣ The locality sketch shall be approximately to scale and shall show the proposed dimensions, location of existing building frontages, existing kerb line, footpath width and any other adjacent streetscape items such as parking meters, service poles, street trees and street furniture.

- 5.2 Site safety
- ▣ All traffic control shall be in accordance with either the current version of AS 1742.3 and its associated handbooks or the RTA Manual – Traffic Control at Work Sites. Plans modified from those that appear in the above mentioned documents shall contain a reference to the standard plan on which they are based.
 - ▣ Where the works to be undertaken are likely to affect vehicular traffic, the Police local area traffic branch is to be contacted for their approval.
 - ▣ Where the works to be undertaken are likely to affect vehicular traffic within 100m of any set of traffic lights, or on the roads listed in Section 4 of the Conditions, a road occupancy permit will be required from the RTA.
 - ▣ Pedestrian and vehicle access to private properties shall be maintained at all times.
 - ▣ Responsibility for pedestrian and other road users' safety rests with the applicant from the commencement of work until completion.
 - ▣ The permit holder must ensure that the site for placement of building materials is maintained and operated safely and that pedestrians have free access to the remaining area of the footpath. A clear passage of at least 1.5m must be maintained at all times in front of exit doorways from adjoining and adjacent premises.

All traffic control plans shall be available on-site at all times

- 5.3 Development consent
- ▣ Permits for the storage of building materials off-site will only be issued where appropriate development consent, (DA or CC), exists for the site concerned.

PART 5 Permit Conditions cont.

5.4 Environmental protection

- ▣ The permit holder is responsible for any environmental pollution resulting from the building materials. Should pollution occur, the permit holder is responsible, at their own costs, for returning the affected area to its condition prior to the pollution.
- ▣ If the permit holder does not comply, Council may undertake the necessary work and the permit holder will be required to reimburse Council for the cost of this work, plus overheads.
- ▣ On-the-spot fines of up to \$75,000.00 can apply to corporations or individuals who fail to prevent pollution of public land.

5.5 Drainage and infrastructure

- ▣ Building materials shall not cover or prevent access to public or private utilities and drainage pits.
- ▣ Building materials shall not, at any time, be stockpiled against tree trunks, buildings, fences or obstruct the free flow of water along gutters.
- ▣ Building materials shall not obstruct the view of advisory or regulatory signs and any traffic controls.

5.6 Reinstatement

- ▣ When the permit expires, the permit holder shall, at their own expense, remove all building materials and ensure the area is returned to its original condition.

5.7 Cancellation

- ▣ Council reserves the right to cancel the permit if the building materials do not conform with the description provided in the application, or the materials extend beyond the approved permit area. Council also reserves the right to cancel the permit should there be a change of Council's policy on this issue.

THE PERMIT SHALL BE RETAINED AT THE SITE AND PRODUCED FOR INSPECTION BY AN AUTHORISED COUNCIL OFFICER AT ANY TIME DURING THE PERIOD OF THE PERMIT.

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Card holder's name Amount \$

Signature Phone () daytime

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