CONDITIONS FOR ROAD OPENING PERMIT



This permission is issued subject other provisions of all relevant legislation, in particular, the Locar Government Act and Regulations, the Roads Act 1993 as amended, Environmental Planning and Assessment Act, OHS Act 2000 and Regulations 2001

- Applicant must submit a plan showing the proposed works and a signed declaration that the information is correct.
- Any changes to the Submitted Plan after Road Opening Permit is issued, requires approvals in writing.
- All excavations must be protected using warning signs and barricades in accordance with Australian Standard AS1742.3 Traffic Control Devices for Works on Roads and must comply with the provisions of the NSW Occupational Health and Safety Act 2000 and regulations 2001.
- No excavation is to be conducted until after confirming locations of underground services via Before You Dig Australia (1100) or other means.
- The excavator <u>must</u> prominently display a sign identifying the person or body responsible for the work with a 24 hour contact phone number provided on the sign.
- For work on or near TfNSW Regional or State Roads, a TfNSW Occupancy Certificate must be obtained before commencement and must be available on-site for inspection for the duration of the works (refer to list of State and Regional roads - provided with Application form).
- All excavations must be backfilled in accordance with AUSPEC Series #2 Specification 306/306U and finished with cold-mix and/or hot mix bitumen and level with surrounding assets.
- All surplus material beyond that required for settlement must be removed at once from the site.
- The Asset Planning Team <u>must be informed in writing, immediately when all works are completed and</u> photos supplied showing breakout areas, to email **Rrestore@cityofparramatta.nsw.gov.au**
- Failure to notify Council via email to (<u>Rrestore@cityofparramatta.nsw.gov.au</u>) within 7 days of Road Opening Permit end date will result in a late fee being automatically charged, as defined in Council's scheduled fees and charges (16.7.7 Late Fee – Ref No 1590).
- Any additional fees identified during site inspection, must be paid within 7 days of advice from the Asset Planning team. A late fee as defined in Council's scheduled fees (16.7.7 Late Fee – Ref No 1590) and additional charges may be applied after the due date.
- Failure to make the excavation site safe will result in Council carrying out all works deemed necessary at full cost to the permit holder.
- A copy of this Permit must be kept on site for inspection by authorised officers. Penalties apply for unauthorised excavations in Council assets.
- All Council footpaths adjacent to service stations are potentially contaminated with petrochemicals. Contractors
 are required to exercise caution and adopt appropriate OH&S measures and ensure appropriate exposure
 controls are in place.
- If the backfilling of the trench is not carried out in accordance with specification, the permit holder will be liable to any extra costs incurred by Council in rectifying the work. If the trench subsides at a future date due to unsatisfactory backfill, the utility authority or permit holder will be liable for the cost of the rectification work required
- This permit does not grant the holder permission to carry out permanent restoration. Permission to carry out
 permanent restoration must be sought in writing from Council's Asset Planning Team. All applications for
 permanent restoration will be considered on a case to case basis and will be subject to strict conditions and a
 degradation fee as per Council's Fees and Charges (16.7.10 Restorations Ref No 1594 or 1595).
- Concrete Restorations are measured to the nearest full slab or concrete kerb unit. Minimum 2.00sqm size.
- Asphalt Roadway Restoration will be charged with a minimum 300mm greater than disturbed area on all sides (DS37A). Minimum 3.00sqm asphalt. Size to be determined on site by Asset Planning Team.
- Asphalt Footpath Restoration is full width. Length will be measured the same as the width of footpath. Minimum 2.00sqm asphalt. Size to be determined on site by Asset Planning Team.

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CONDITIONS FOR TEMPORARY ROAD / FOOTPATH OCCUPANCY APPROVAL

THIS APPROVAL MUST BE KEPT ON-SITE AT ALL TIMES AS PROOF OF APPROVAL

- 1. A road occupancy permit must be obtained when undertaking any construction or maintenance work (except for a Works Zone or Hoarding) on a footpath or road in the Parramatta Local Government Area (except on roads controlled by the Roads and Traffic Authority). Failure to obtain a permit or non compliance with the permit conditions is a breach of the Local Government Act 1993 as amended, Environmental Planning and Assessment Amendment Act 2008, and/or the Roads Act 1993 as amended. Infringements will be issued in accordance with the regulations of these Acts.
- 2. A permit can be obtained for a maximum of 5 working days. However, permits can be issued for a longer period if the works involved with the construction or restoration of footpaths and/or road pavements.
- 3. A permit does not allow any variation to the Hours of Construction/Demolition imposed by any conditions in a Development Consent under the Environmental Planning & Assessment Act 1979 or Temporary Road Occupancy Permit.
- 4. It is the responsibility of the applicant (referred to hereafter as Permit Holder) to provide sufficient information to City of Parramatta Council (referred to hereafter as the Council) for the determination of the application.
- 5. A copy of the permit must be kept on-site at all times of occupancy.
- 6. The permit may be cancelled without notice should public or residential amenity be detrimentally affected.
- 7. The Permit Holder to ensure that all services (fire hydrants, etc) are kept free of any obstructions.
- 8. The Permit Holder is to advise emergency services (namely Police, Fire Brigades & St Johns Ambulance) of the proposed temporary road occupancy.
- 9. The Permit Holder and/or its representatives **must not occupy a road or footpath or install a temporary traffic control until the road closure has been affected**.
- 10. According to the Roads Regulation 2008, the Permit Holder must give at least 7 days notice of its intention to close a public road in the exercise of its functions under Part 8 of the Roads Act 1993 (as amended) by means of a notice published in a local newspaper, and conspicuous notices erected along the road. No such notice is necessary in the case of an emergency.
- 11. The Permit Holder is to provide and maintain appropriate and adequate traffic measures (including detour signs & traffic controller) for the safe movements of traffic and pedestrians.
- 12. To direct traffic on a road, Roads Regulation 2008 requires that the Permit Holders must appoint traffic controllers who must wear a badge or other distinguishing mark clearly indicating the traffic controller's authority from the roads authority.
- 13. The Permit Holder is to remove all barriers and signs associated with the road closure at the times nominated to re-open the street to traffic and pedestrians.
- 14. The Permit Holder holds 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 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 persons 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, agent or employees either solely or in contribution thereto.
- 15. The Permit Holder is to reimburse Council for the cost of repair of any damage caused to public way, or as a result of the activities.
- 16. The Permit Holder is to comply with any reasonable directive of Council's Law Enforcement Officers.
- 17. The Permit Holder is to meet all costs associated with the closure, and shall pay fees in accordance with Council's current Fees and Charges.
- 18. The applicant is to notify Council of any variation on the approved date and conditions of approval and obtain a revised permit on this matter.

19. A number of locations in the city of Parramatta local government area were previously identified in 2009 by the NSW Government's Department of Environment, Climate Change and water as areas that are known, or suspected, to be sites where asbestos waste materials were disposed of by James Hardie Industries. These 'legacy sites' were identified in reports released by the Department of Environment, Climate Change and water in 2009/2010, entitled "James Hardie Asbestos Waste Contamination Legacy" ("James Hardie Legacy Report"). A copy of that James Hardie Legacy Report is available here: http://www.epa.nsw.gov.au/clm/jameshardie.htm

In some instances, asbestos materials(both friable and non friable) have been identified in the soils of land adjacent to, or in the vicinity of, these legacy sites-for example, nature strips, roads& road related areas. Persons carrying out excavation of land adjacent to, or in the vicinity of, legacy sites should exercise appropriate caution, and have plans in place for safely and properly dealing with any asbestos encountered throughout works in the area.

Information specific to the Parramatta area can be found commencing at page 39 here: http://www.epa.nsw.gov.au/resources/clm/JamesHardie/120919JamesHardieReportAtt3.pdf

Council's Rangers will be advised of the above.





