



**CONSENT FOR WORKS AND/OR STRUCTURES IN A PUBLIC ROAD  
ROAD & FOOTPATH OCCUPATION**

*Issued pursuant to Section 138 of the Road Act 1993*

**Road Authority:** Kiama Municipal Council  
**Permit No:** 202.2025.1.1  
**Issued:** 8 January 2025  
**Permit Duration:** 26 January 2025  
(7 am to 12 pm)  
**Permit Holder:** Josh Douglas  
0438 376 233  
**Supervisor:** Josh Douglas  
**Approved Location:** Kiama Downs Surf Club  
LOT: 1027 DP: 232243  
150 North Kiama Drive KIAMA DOWNS 2533  
(In between of Merindah Ave and Johnson Street)  
**Approved Activities:** Surf Club Australia Day activities, out the front of surf club including games on the road.  
**Approval to regulate Traffic (s115 Roads Act):** Approved  
**Approval to alter the sign posted speed limit to 40km/h:** Not Approved

In accordance with Section 138 of the *Roads Act 1993*, conditional consent is given to the approved activities in accordance with the following documents as submitted to Council.

DOCUMENT	REF/SHEET NO.	PREPARED BY	DATED
Traffic Control Plan (TCP)	TCT1001762	M. Willard	28/10/2024
Public Liability Insurance	Pol. No: AU00007035LI21A	XL Insurance Company SE	Expiry: 07/10/2025

The permit has been issued subject to the conditions listed below/overleaf. The permit may be revoked pursuant to Section 140 of the *Roads Act 1993* for failure to comply with any relevant condition. It shall be noted that nothing in this consent shall be deemed to:

- prejudice or affect the rights of the public;
- authorise any nuisance to or permanent obstruction of the Road or any other public place;
- confer upon the Applicant exclusive right or title to that part of the Work within the Road;
- or in any way restrict or limit the powers of Council in respect of the Road.

## **Consent Conditions**

1. The Kiama Downs SLSC Australia Day event on Sunday 26 January 2025 from 7:00 AM to 12:00 PM be approved by The Local Traffic Committee subject to organisers complying with the following conditions:

- The event organiser complies with the Traffic Management Plans shown in Attachment
- Notification of the closures be given to bus operators, Police, local emergency services, businesses and affected residents.
- An advertisement be placed in the local media advising of the closure a minimum of seven days prior to the event.
- Notice placed on Council's website a minimum of seven days prior to the event.
- No access to North Kiama Dr signage at entrance to the carpark on Johnson Street between Johnson Street and North Kiama Drive.
- Consideration of a physical barrier (i.e. parked Traffic control vehicle) at the North Kiama Drive driveway of the carpark to ensure no vehicles can make it into the closed precinct.

## **2. Road Occupancy Licence required from Transport for NSW – Works within a State classified road**

Prior to undertaking any works within the road reserve, the Applicant must obtain a Road Occupancy Licence (ROL) from Transport for NSW. Occupation of the road reserve is based on dates and times stipulated in the Road Occupancy Licence (ROL).

## **3. Provision for Traffic**

The applicant must ensure the road is kept in a safe and trafficable condition at all times. Provision shall be made for emergency services, bus services, residents and customers to gain access to properties and businesses at all times.

Should the Permit Holder and/or Supervisor fail to comply with any conditions of this permit, the permit may be revoked by Council (Section 140 *Roads Act 1993*). Any "plant, machinery, material or structures" within the Road will be deemed to be an obstruction or encroachment (Section 107 of the *Roads Act 1993*) and shall be removed in a timeframe as directed by Roads Authority.

Temporary traffic control set up shall only be applied during approved Work Times. Existing conditions are to be reinstated outside of these hours. In this respect all signage is to be removed or covered over.

Traffic queues shall not exceed 250 metres measure along a single lane in any direction or 5 minutes. End of queue management is to be undertaken and appropriate signage deployed at all times. If traffic delays exceed this requirement, then all traffic control devices must be removed from the carriageway or covered over until normal traffic volumes resume.

Traffic control operations shall be co-ordinated with other roadwork within the vicinity of the approved Location.

## **4. Bus services**

Where the works are on a dedicated bus route, to assist in alleviating any disruption to service or timetable schedule, buses approaching the site must be given priority to pass through under the guidance of traffic control personnel.

## 5. Pedestrian Access

Safe Pedestrian access past the site is to be available at all times. Access past the site must be no less than 1.5 metres wide, of footpath, and must be maintained and free of obstruction to pedestrians at all times. Pedestrians must not be directed onto the roadway unassisted. Traffic Controllers must be on site and available to escort pedestrians at all times as required.

**Note:** The roadway must be reopened at the end of each shift. The work shall be arranged to ensure all trenching is backfilled by the end of each shift and/or **steel plates with slip-resistant coating** are placed over the work area to provide safe, hazard free passage past the work site. In situations where work is incomplete due to emergency or unforeseen circumstance, traffic control must remain in place and the worksite must be supervised under 24hr traffic control personnel.

## 6. Site Safety Management

This permit allows regulation of traffic in accordance with the submitted traffic guidance scheme (see Attachment 1). It is not an approval or certification of the traffic guidance scheme. A certified Traffic Guidance Scheme (TGS) must be in place prior to any works commencing. The TGS plan must be in accordance with Australian Standard AS1742 – Traffic Control Devices for Works on Roads and the Transport for NSW (TfNSW) Traffic Control at Worksites Manual.

The applicant is responsible for making the area specified in the Traffic Guidance scheme submitted with the application for this Consent safe for pedestrians and traffic.

The contractor must comply with the *Work Health and Safety Act 2011* and relevant Safe Work requirements including appropriate traffic controls. All work must be properly supervised by appropriately qualified persons.

## 7. Notification to Residents/Businesses/Bus operators

All neighbouring businesses, residents and public transport operators which will be impacted by the proposed works shall be notified in writing as soon as practicably possible but no less than 48 hours prior to work commencing. The works must be arranged to ensure access is provided for Businesses/Residents who ordinarily have driveway/right of ways/direct access to the section of road reserve impacted by the occupation.

The notification letter shall include, but not be limited to:

- a) The proposed work to be undertaken,
- b) The expected timeframe for the work,
- c) The restoration standard,
- d) An emergency contact number of the project manager shall be included with the notification letter.

## 8. Permit does not confer, imply for *EPA Act 1979*

This consent is issued under Section 138 of the *Roads Act* and covers works within the road reserve only. Approvals issued under the *Roads Act* do not confer or imply the granting of development consent for the purposes of the *Environmental Planning and Assessment Act 1979*.

**Note:** Where it is proposed to use neighbouring airspace to swing a jib of a crane and oversail into the neighbouring airspace, the adjoining owner's consent via a crane licence agreement or an access order from the court must be obtained. Failure to obtain approval may be considered trespass and construction may be stopped by a court order.

## 9. Trees and vegetation

Trees and all other significant vegetation (refer to Kiama Development Control Plan 2020) including their root systems, shall not be removed, cut, pruned or damaged without the explicit prior written

approval of Council. This Permit shall not be considered as an approval to do so in any way. Trees impacted by works may need to be relocated or replaced, as directed by Council.

#### **10. Prior to occupation of road - Roadway/Nature Strip/Footpath**

Prior to occupying the site and commencing works, photographic evidence of the area shall be taken, noting any existing damage within proposed works area and adjoining road reserve i.e. cracks, broken pits lids, potholes etc should be identified.

**Note:**

- a) It is the responsibility of the Applicant to keep a record of any existing damage that has occurred prior to works commencing to minimise risk or liability for unrelated damage,
- b) Any damage caused as a result of the works undertaken under this approval must be restored to Council Standards.
- c) Photos of exiting damage to be emailed to [council@kiama.nsw.gov.au](mailto:council@kiama.nsw.gov.au) prior to works commencing.

#### **11. Restoration of Nature Strip/Footpaths/Roads**

- a) Any hardstand areas disturbed by works shall be restored to Council standard. **Restoration of paths must incorporate complete segments. Partial restoration is not permitted.**
- b) Any grassed area within the road reserve disturbed by the trenching/installation works must be filled and suitably compacted. The areas shall be levelled with suitable debris free topsoil.
- c) Topsoil fill must be flush with existing footpaths and kerbs and new **turf must be placed** to ensure the area is immediately stabilised. Note: Topsoil and seeding is not supported, unless prior approval is given by Council.

**Note:** The roadway must be reopened at the end of each shift. The work shall be arranged to ensure all trenching is backfilled at the end of each shift and/or **steel plates with slip-resistant coating** are placed over the work area to provide safe, hazard free passage past the work site. In situations where work is incomplete due to emergency or unforeseen circumstance, traffic control must remain in place and the worksite must be supervised under 24hr traffic control personnel.

#### **12. Keep Road Reserve Clear**

Road Reserve to be kept clear of debris from worksite.

#### **13. Transport NSW (TfNSW) Accredited Traffic Controllers**

Traffic Control must be performed by qualified traffic controllers that are Transport NSW (TfNSW) accredited:

- a) Hold Traffic Control Certification Level 1 – Traffic Controller.
- b) Hold Traffic Control Certification Level 2 – Apply Traffic Control Plans.

#### **14. Comply with all Conditions of Consent**

The Applicant is responsible for complying with ALL conditions of consent. It is the Applicants responsibility to note the expiry date and ensure the approval is extended and appropriate fees paid if the work must continue. Extension of approval must be arranged prior to expiry of current approval. Failure to renew the approval may result in issue of infringement notice.

#### **15. Contractors Require Public Liability Insurance**

The Applicant/Principal Contractor of this road occupancy consent must ensure all sub-contractors working within the approved area have current public liability insurance to the value of 20 million dollars. The public liability insurance must be valid for the duration of the work.

## 16. Restoration in Roadway

As directed by the Roads Authority the Permit Holder must make good any damage caused to the Subject Road and associated infrastructure during the occupancy. All disturbed areas are to be restored to at least its original condition at the Permit Holders expense. Failure to do so may result in Council recovering restoration costs from the applicant in accordance with s101 of the *Roads Act 1993*.

### Where asphalt opened or road surface damaged by works:

- a) The final asphalt wearing course must be Surfaced with a top layer of 70mm AC10 (minimum) hot mix asphalt.
- b) Any trench within the road carriage way must be minimum 450mm (measured from lip of kerb) but ultimately, wide enough to cover the extent of installation plus asphalt restoration overlap.
- c) The trench backfill must be compacted with a vibratory plate compactor to achieve the most efficient compaction possible.
- d) The joint between new and existing asphalt shall be vertical and cut by diamond saw or milling machine. **The vertical face of the old asphalt shall be treated by bituminous tack coating.**
- e) Hot mix asphalt placed as restoration shall extend in plan providing **a minimum of 100mm overlap beyond the trench excavation.**
- f) The subgrade must be prepared to ensure support of rolling compaction.
- g) The back fill material of cement stabilised DGB (minimum 5% cement binder) must be used. Back fill must be Placed in 250mm layers (compacted height).
- h) Compaction of any base material must be to minimum 97% SMDD.

**Note:** When backfilling a trench, 7Mpa lean mix concrete may be used in place of compacted roadbase where access and compaction is too difficult. The AC wearing course will remain as 70mm AC10 minimum as stated above.

## Notes

### 1. Dial before you dig

Beware: Damage to cables and conduits can disrupt services and cost **YOU** money. For prompt location of cables and conduits please ring 1100. Calls to this number are free.

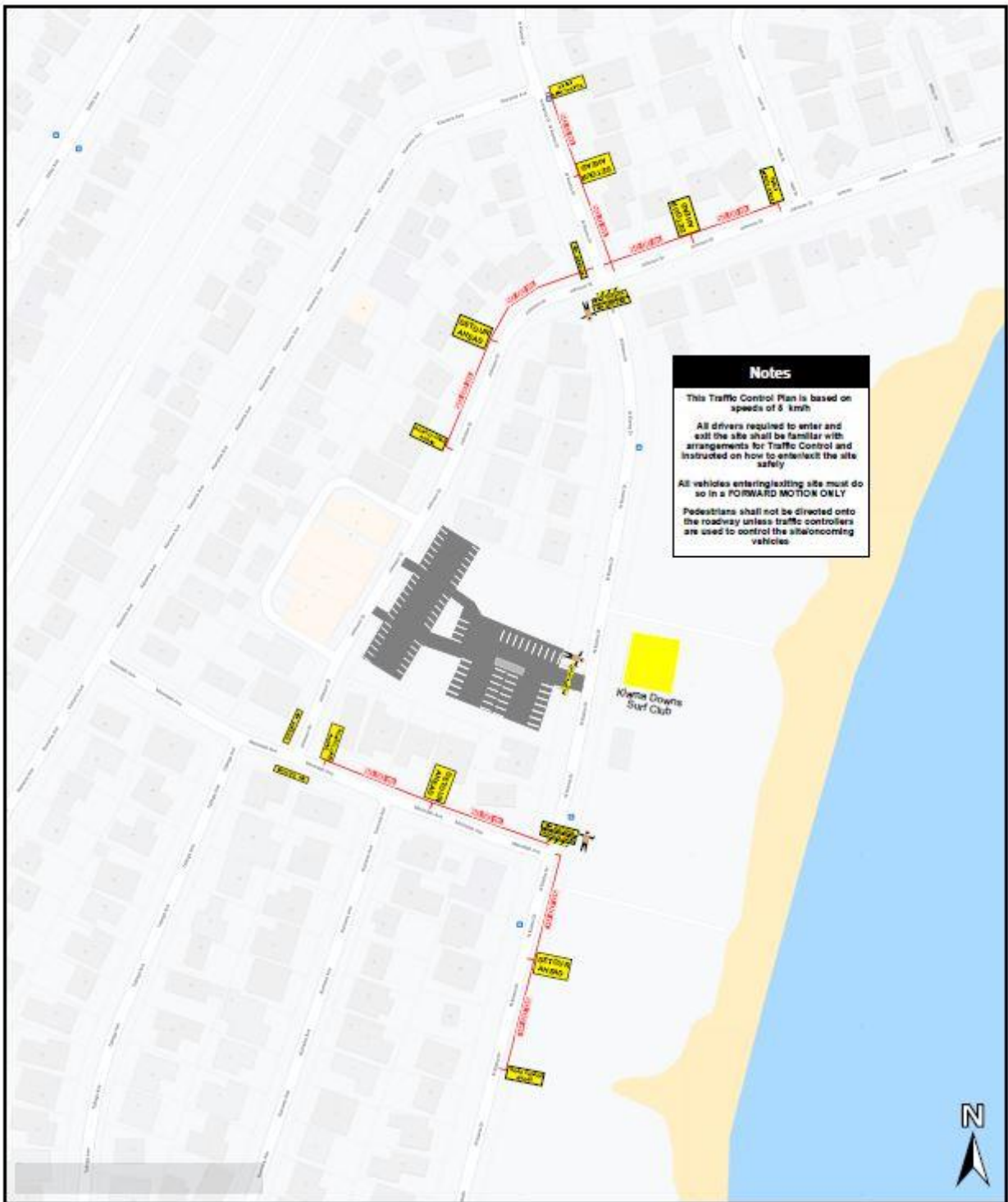
## Issued by the Roads Authority



Saad Aziz

**Graduate Engineer**

**Attachments:**



<b>Plan #:</b> 1		<b>Location:</b> 150 North Klama Drive Klama Downs, NSW, 2533		<b>Title:</b> Klama Downs Surf Club	
<b>Notes:</b> Note, all modifications made to this plan must be done by a TCMAP Team Leader that holds the relevant qualifications to amend Traffic Control Plans. If modifications are necessary to be made, make sure to amend the plan, sign and date. Note, this is a site specific plan that should be set up accordingly and if for any reason an amendment is required to improve site safety, do not hesitate to modify the plan.			<b>On-Site Contact:</b> Josh Douglas		
<b>Site Induction:</b>		<b>Date Drawn:</b> 28/10/2024		<b>License #:</b> TCT1001762	
<b>Posted Speed:</b> 50km	<b>Reduced Speed:</b> N/A	<b>Revision:</b> A	<b>Signature:</b> 		<b>Date and Time of Project:</b> Start: 26/01/2025 End: 26/01/2025 6.30AM 12PM

## Site plan for Kiama Downs Surf Club Australia Day Activities 26<sup>th</sup> January 2025

No structures are setup, only witches' hats to define areas.

Road is closed in front of Surf Club as per application for Road Closure.

