



KIAMA MUNICIPAL COUNCIL
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Permit Number: 202.2023.94.1
Expiry: 30/08/2024

PERMIT TO OCCUPY A PUBLIC ROAD
Issued pursuant to Section 138 of the Road Act 1993

Roads Authority	<i>Kiama Municipal Council</i> <i>Phone: 4232 0444 E-mail council@kiama.nsw.gov.au</i> <i>11 Manning Street Kiama NSW 2533</i>		
Permit No.	202.2023.94.1	Date of Issue:	19/03/2024
Permit Holder	Applicant	Ibrahim Hage el Hage	
	Phone:	0402196798	
	Email:	Ibrahim.hage1@bluestonebuilding.com.au	
Supervisor	Name:	Greg Lamont	
	Phone:	0467704864	
Permit Duration	From:	17/11/2023	
	To:	30/08/2024	
	Work Times:	7:00 a.m. to 5:00 p.m. Monday to Saturday.	
Expiry		30/08/2024.	
Approved Location	Subject Road:	Pacific Avenue, Gerringong	
	From:	Side Boundary Refer to Attachment 1	
	To:	Side Boundary Refer to Attachment 1	
Approved Activities	<i>Traffic control work on road reserve related to demolition and construction of Gerringong Surf Club.</i>		
Approval to dig up or disturb the road surface	<i>Not Approved</i>		
Approval to close a public road to traffic	<i>Not Approved</i>		
Approval to alter the sign posted speed limit to 40km/h	<i>Not Approved</i>		

The permit has been issued subject to the conditions listed below. 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*

All correspondence Chief Executive Officer PO Box 75 Kiama NSW 2533

Contacts P (02) 4232 0444

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11 Manning Street Kiama NSW 2533

ABN 22 379 679 108

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Conditions which apply to this permit

1. **Work should be carried out as per Signed Construction Contract Agreement.**
2. A copy of this permit shall be kept on site and displayed on the site fence or produced upon request where no site fencing is present.
3. This permit is not an approval of the traffic control plan submitted (see Attachment 1) with the application made. Prior to any occupation of the Subject Road, a traffic & pedestrian control plan (Plan) that complies with the Roads and Maritime Services (RMS) manual "Traffic Control at Work Sites" and Australian Standard AS 1742.3 and is certified by a person holding the appropriate certification shall be implemented. The Plan shall not be inconsistent with the intent of the plans in Attachment 1.
4. Prior to any occupation of the Subject Road, the Permit Holder shall have current at all times insurance in the sum of no less than **TWENTY MILLION DOLLARS** (\$20,000,000.00). The policy shall list Kiama Council as an interested party and shall indemnify Kiama Council from all costs and/or claims resulting from any actions of the Applicant, or their appointed representative.
5. The Supervisor shall keep the Subject Road in a safe and trafficable condition at all times.
6. All traffic controllers on site shall be accredited by SafeWork NSW. Upon request, the Permit Holder, or Supervisor, must produce evidence that all traffic controllers have appropriate accreditation.
7. Provision shall be made for emergency services, bus services, residents and customers to gain access to properties and businesses at all times.
8. Trees and all other significant vegetation (refer to Kiama Development Control Plan 2020) including their root systems, shall be not be removed, cut, pruned or damaged without the prior written approval of Council. This Permit shall not be considered as an approval to do so in any way.
9. 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.
10. 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.
11. 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.
12. Traffic control operations shall be co-ordinated with other roadwork within the vicinity of the approved Location.
13. 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.
14. The Subject Road shall not be used to store plant, materials, spoil or waste, including bins.
15. The Permit Holder cannot transfer this Permit to another organisation and person without written approval of the Roads Authority
16. The Permit Holder shall notify the Roads Authority in writing (council@kiama.nsw.gov.au) immediately if the Supervisor notated on this Permit has been replaced.

~~Conditions where "approval to dig up or disturb the road has been approved in this permit~~

- ~~1. The Permit Holder shall undertake a photographic survey of the Approved Location and submit this by e-mail to Council (council@kiama.nsw.gov.au) prior to any works commencing.~~

The submission shall include the permit number in the header. The survey shall be used to assess any necessary repairs prior to the return of the security deposit.

2. The works shall proceed to completion without undue delay. Any excavations shall be made safe and trafficable at the conclusion of the approved Work Time.
3. The Permit Holder will be responsible for the removal and disposal of any demolition waste, excess material and deposited soils on the Subject Road before the conclusion of the work day.
4. All work undertaken shall meet all relevant obligations under the NSW *Work Health and Safety Act 2011* and the *Work and Safety Regulation 2011* and all relevant WorkCover and RMS requirements.
5. Prior to any occupation works taking place, a detailed Soil and Water Management Plan (SWMP) designed in accordance with the requirements of *Managing Urban Stormwater: Soils and Construction Volume 1* (Landcom 2004) and *Managing Urban Stormwater: Soils and Construction Volume 2A Installation of Services* (Department of Environment and Climate Change 2008) shall be implemented. All works on the site must be in accordance with the approved SWMP for the full duration of occupation. Upon request, the Permit holder or Supervisor shall produce a copy of the SWMP.
6. Restorations of roads shall be undertaken in accordance with Council's Road Openings and Restorations Specification KMC_306U which can be found at <http://www.kiama.nsw.gov.au/residents/roads--traffic/driveways-and-footpaths/technical-specifications/technical-specifications>
7. The performance bond lodged with the application shall be returned subject to the following:
 - i. Council has been notified via email (council@kiama.nsw.gov.au) by the Permit Holder to undertake an inspection of the works; and the inspection is satisfactory;
 - ii. Where the work required opening of a carriageway, a copy of the compaction density has been provided; and
 - iii. The party that has lodged the security deposit has completed Council's Electronic Funds Transfer Form.

Conditions where “approval to close a public road to traffic” has been approved in this permit

1. Emergency services, bus companies, residents and businesses are to be notified in writing indicating, at least seven (7) 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 telephone number. The Roads Authority shall agree to the wording in the notification letter and the persons and organisations to be notified. The Permit holder shall provide confirmation that the notification has taken place by providing the Roads Authority with a statutory declaration at least seven (3) days in advance of any full road closure.
2. A Variable Message board Sign shall be placed at each end of the Subject Road approved work area at least seven (3) days in advance of any full road closure and shall remain in place till the completion of work. The Roads Authority shall agree to the content and timing of the messages broadcast on the VMS.

Conditions where “approval to alter the sign posted speed limit” has been approved in this permit

1. Speed restriction signs shall be removed or covered outside of approved Work Times.
2. 40km/h speed zones shall be restricted adjacent to the work zone and shall not exceed 500 metres in length (refer Table 8.2 – RMS Traffic Control at Work Site Manual).

Issued by the Roads Authority

Saroj Bastola

Date: 19/08/2024

Attachment 1

TGS SM121023-02

Signposted Speed Limit

PLAN NOT TO SCALE

Implemented By: _____
 Amended By: _____
 Ticket #: _____
 Date: _____
 Signature: _____

Note 1:
 Traffic control signage and devices shall be installed by suitably qualified and ticketed, RMS authorised personnel only.
 All signs and equipment shall COMPLY Australian Standard AS1742.3:2019 Manual of Uniform Traffic Control Devices Part 3: Traffic Control for Works on Roads.

All pedestrians are to be guided, either to use the other footpath or around the work area under Stop/Slow conditions.
 No pedestrian movements on the road pavement without vehicles STOPPED

Pedestrian Management must be used if works encroach on footpaths do not direct pedestrians onto roadways unless proper measures are in place to conform with RMS Worksite Manual V6.1 and AS 1742.3

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This plan shall be setup in accordance with AS 1742.3-2019 and Traffic Control Devices at Worksites The RMS "Traffic Control at Worksites Manual V6.1"
 STOP SLOW TRAFFIC CONTROL takes no responsibility for the implementation of this TGS when not directly involved in carrying out the subject works
 Sign locations may differ to what is represented on this Traffic Plan due to Bus Stops, Driveways & other various permanent fixtures
 Consider Pedestrian Management if works encroach on footpaths, do not direct pedestrians onto roadway unless proper measures are in place to conform with RMS Worksite Manual V6.1 & AS 1742.3

	TGS #:	SM121023-02	Client:	BLUESTONE BUILDING GROUP	
	Road Name:	PACIFIC AVENUE	Description of the works:	GERRINGONG SURF CLUB DEMOLITION AND TRUCK LOAD OUT PACIFIC AVENUE GERRINGONG	
	Suburb:	GERRINGONG			

REV	Date	Rev	Comments	Drawn By:
	12/10/23	00	Initial Design	Steve Murray
		01		TCT 0070603
		02		

Checked By:		
Allan Smith		
TCT 0003407		