

Minor Encroachment/Constructions within Road Reserve 2024/2025



(Includes Minor Construction not undertaken as part of a Development Application, excludes Driveways)

If you need help lodging your form, contact us				Office use only	
Email	council@northernbeaches.nsw.gov.au			Form ID	4033
Phone	1300 434 434			TRIM Ref.	2019/359348
Customer Service Centres	Manly Town Hall, 1 Belgrave Street, Manly NSW 2095	Dee Why Civic Centre, 725 Pittwater Road, Dee Why NSW 2099	Mona Vale 1 Park Street, Mona Vale NSW 2103	Last updated	June 2024
				Business unit	Transport and Civil Infrastructure
				Application no.	

Privacy Protection Notice	
Purpose of collection	For Council to provide services to the community
Intended recipients	Northern Beaches Council staff
Supply	If you choose not to supply your personal information, it may result in Council being unable to provide the services you seek
Access/correction	Please contact Customer Service on 1300 434 434 to access or correct your personal information

Payment options	
In person	Visit one of our Customer Service Centres (listed above) to apply and pay over the counter:
Via post	Send the completed application form and cheque payment to: Northern Beaches Council, PO Box 82, Manly NSW 1655. Please allow extra time for this option.
Via email	Send the completed application form to council@northernbeaches.gov.au and we will call you for payment. Please allow extra time for this option and note the application is not approved until payment is received.
Please note, all credit / debit card payments attract a 0.5% surcharge.	

What classifies as an encroachment?
<p>Examples of minor encroachments on Council's public road reserve include on ground concrete pathways and stairs to provide pedestrian access to private property, small garden beds and landscaped areas, low retaining walls (<600mm high) and letter boxes. This form should NOT be used for works associated with private drainage works, driveway construction, permanent structures or works associated with Development Consent (e.g. work zones, storage of materials, hoardings on road reserve, skip bins or stand plant, etc).</p> <p>About this application form:</p> <ol style="list-style-type: none"> Once this application form is submitted, it will be assessed by Council. Approval of this application by the Road Authority (Council) must be obtained before the work can proceed. The submission of this application does NOT constitute an approval to commence or proceed with any work. The applicant must provide a plan showing the distance of the encroachment to the kerb/road and the property boundary and the area of Council's road reserve they wish to carry out works on. The survey plan should be drawn at an appropriate scale and clearly distinguish the encroachment or lease area. Suitable drawings and specifications are required to allow consideration of the application. Appropriate Engineering certification and appropriate approvals (such as Development Application) are to be included. It is important that we are able to contact you if we need more information. Please give us as much information as possible. If the application is made on the owner's behalf, a written authority from the owner is required. Other relevant information in support of the application should be provided on the reverse side of this form, or attached. Work may only commence following receipt of the written consent from Council. The consent must be kept on site at all times during the works. This consent will include standard conditions of approval (refer to page 4).

Part 1: Applicant details

Title	Mr <input type="radio"/>	Mrs <input type="radio"/>	Ms <input type="radio"/>	Other:
First name				
Last name				
Company name <i>(attached business card if relevant)</i>				
Address				Postcode
Phone			Mobile	
Email				

Part 2: Fees

Application fee	\$300
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Part 3: Address of the property

Unit		House number	
Street			
Suburb		Postcode	
DA number (where applicable)			
Legal property description (this information must be supplied)			
Lot number		Section	
DA or Construction Certificate number		DP/SP number	

Part 4: Application details

Description of proposed encroachment
Purpose of proposed encroachment

Applicant name			
Signature		Date	

Owner's consent name			
Signature		Date	

Part 5: Comments in support of this application

Plans attached?	Yes No
A survey identifying property boundaries, improvements and area of Road Reserve required is to be submitted with this application, as stated at beginning of this application form.	

Part 6: Sketch

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N

Part 7: Standard conditions (if approved)

Encroachment agreement

Council gives consent for the work specified in your request, subject to the following conditions.

1. Pursuant to Section 142 of the Roads Act 1993, the Work is to be maintained by the property owner in a safe and satisfactory condition.
2. Pursuant to Section 140 of the Roads Act 1993, if Council requests the Work be removed, it shall be removed promptly by the property owner at their cost, and the area restored to the original condition.
3. If any modifications or maintenance work are requested by Council, at any time, they are to be completed promptly by the property owner at their cost.
4. The Work is to comply with the appropriate current Standards and be of sound construction.
5. If the work is new, before construction commences, a Work Method Statement is to be completed and all risks identified are appropriately managed. For example, a "Dial Before You Dig" enquiry is essential, a Traffic Control Plan is required, all necessary licences and insurances are to be current.
6. Council and any other public utility/authority retain the right to undertake Work within the public road reserve. Council is not liable to make good any damage to the Work arising from works by a public utility.
7. This Agreement does not alter the provisions of "The Codes and Practices for Street Openings", which provides a guide to permit the installation and maintenance of underground utility services.
8. Council is to be indemnified for any public liability claims that may arise from the Work or the completed encroachment.
9. If the property ownership is transferred, the new owner is to be notified of this Agreement.