



Lease / Licence to Occupy Council Roadway

Under Section 153 of the *Roads Act NSW, 1993*.

Effective from July 2022 to June 2023

About this form

Use this form to apply for a Lease or Licence to occupy part of a Council Roadway adjoining your property, in accordance with Council's Policy and Procedures for Leasing and Licensing of Council Controlled Land, which can be viewed on Council's website at: www.woollahra.nsw.gov.au or be obtained from our Customer Service Centre.

Council will consider the application but may resolve to grant or not to grant a Lease or Licence at its discretion. Council will only consider granting a Lease or Licence to the owner of the property immediately adjacent to that portion of roadway.

For further information, please contact Customer Service Centre on (02) 9391 7000.

Applicant's (owner) details *(The applicant must be able to provide evidence of ownership)*

Title:

Full name:

Company name:

(if applicable)

Company contact:

(if applicable)

ABN / ACN:

Address:

Phone:

Email:

Conditions

- 1) Council's application and processing fees must accompany the application.
- 2) A Lease or Licence will be subject to a market rent. This rent will be determined by an independent Valuer.
- 3) Prior to the issue of a Lease or Licence, the applicant must pay Council's valuation and legal costs, including any Stamp Duty incurred in granting the Lease/Licence.
- 4) Prior to the issue of a Lease or Licence, the applicant must obtain a Public Risk Insurance Policy in the amount of twenty million dollars (\$20,000,000) or other such amount as the Council may require from time to time against any action that may arise from damage to property or injury to any person using the footway. Council must be nominated as an 'Interested Party' on the policy and indemnified against any claim.
- 5) The issue of a Lease / Licence will be in accordance with Council's Policy and Procedures for Leasing & Licensing of Council Controlled land, and in respect of a classified (main) road will be subject to the concurrence of Transport for NSW (TfNSW).

Applicant's checklist

- Council's application fee enclosed
- Agreement to pay additional costs including legal costs incurred by Council
- Copy of Development Application / Consent enclosed

Applicant's declaration and signature

I, declare I am the owner of the property at

I apply to Lease / License a portion of Council Roadway adjoining my property. I have read and accept the conditions set out above and in Council's policy. I declare that all the information given is true and correct. I also understand that:

- If incomplete or inaccurate information is supplied, the application may be delayed or rejected, and/or
- More information may be requested after the date of lodgement

Applicant's signature

Date

Fees *(Fees are valid until June 2023)*

Type	Cost	Receipt code
Application fee	\$1,125.00 plus hourly rate	T121

If approval is granted and a lease or licence agreement is required to be entered into by condition of approval, all legal and valuation costs of approximately \$5,000 will also be payable. These fees are calculated on the hourly rate and are payable before the release of any legal agreement. Protracted negotiations over 15 hours will be charged at \$79 per hour.

Privacy

For more information about Privacy & Personal Information Policy: www.woollahra.nsw.gov.au/privacy.

Lodgement details

Mail to: Woollahra Municipal Council
PO Box 61 Double Bay 1360

In person: Council Chambers
536 New South Head Road
Double Bay NSW 2028

Email: records@woollahra.nsw.gov.au

Telephone: (02) 9391 7000

Website: www.woollahra.nsw.gov.au

Payment can be made at our Customer Service Department by the following methods: cash, EFTPOS, Money Order cheque (make cheques payable to Woollahra Council), or credit card – American Express, MasterCard or Visa.

Credit card payments will incur a processing fee.

OFFICE USE ONLY

Application fee (T121) - \$1,125.00

CSO name:

Date: