



# Road Opening Permit

Consent under Section 138 of the [Roads Act 1993](#) is required for any works or activities in a public reserve, public road way or footpath (nature strip or verge).

The types of work requiring s138 approval includes, but is not limited to:

- opening a road (digging up or creating a trench through or under a kerb, footpath or road);
- erecting, removing or interfering with a structure, work or tree on a public road (includes using small and/or large machinery on a public road);
- driveways (where any vehicle crosses a kerb or footpath);
- creating a temporary vehicle crossing;
- connecting a road (whether public or private) to a public road.

For further information please see [NSW Planning Portal](#).

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