

Submitting a Section 138 Application

This guide provides steps on how to submit a Section 138 of the Roads Act (Section 138) application online to participating roads authorities via the NSW Planning Portal (the Portal).

To submit a Section 138 application via the Portal, you will need an NSW Planning Portal account. If you do not already have an account, please refer to our *Registering for the NSW Planning Portal* quick reference guide.

Overview

- A roads authority is the consent authority that assesses and determines Roads Act applications. The roads authority is most commonly a council, but it can also include State agencies.
- Applicants can apply under one or more sections (Sections 125, 138, and 144) of the Roads Act in one application.
- Applicants can apply for a new approval or renew an existing one.
- The roads authority will assess and determine each section of the Roads Act separately.

Throughout the online application form, there are four commonly used symbols and links.

Symbol	Description
*	A red asterisk indicates a mandatory field.
	A blue triangle in the bottom right-hand corner of a field indicates predictive text. As you begin to type, this feature makes suggestions based on what you have typed so far. Select the correct option from the list.
0	An Information icon indicates a tooltip. When you hover your mouse over the icon, helpful information will display.
What is this?	This is a hyperlink. When you click on this link, additional information will display. Click on the $\boxed{\times}$ in the top right-hand corner of the field to close it.



Creating a new application	
 Log in to the NSW Planning Portal and select Roads Act from the New drop- down menu. 	+ New Complying Development Certificate Planning Certificate 10.7 Private Tree Permit RoadsAct (S125, S138, S144)
The Roads Act screen displays.	
Applications under the NSW Roads Act 1993 are assessed and detarmined by either a local council or the NSW Governm Select the site of the development * Inter address OR e.g. 66 Harrington Street, Sydney NSW 2000 Address did not display ? Address did not display ? Mat type of application are you applying for? * I am seeking a new approval I am seeking renewal of existing valid Roads Act approval	rent. To ensure that your application is submitted to the correct Roads Authority, please provide the following information:
 2. Enter the site address or Lot/Section number/Plan of the works or activities being proposed. As you type, the system will auto-suggest addresses or the lot/section number/plan based on the information entered. Select the correct address or lot/section number/plan from the list. You may enter additional site 	Select the site of the development * Enter address 85 Vincent 85 VINCENT STREET CESSNOCK 2325 1 85 VINCENT ROAD LAKE ALBERT 2650 3 85 VINCENT ROAD LAKE ALBERT 2650 4 85 VINCENT ROAD LAKE ALBERT 2650



The site address will direct your application to the appropriate roads authority for assessment.

e.g. 66 Harrington Street, S	Sydney NSW 2000	Ũ	Ŭ.		e.g. 4/-/DP1044304
Address did not display ?	0				
ease select "Land adjacent to ijacent to the selected lot(s) e. Street address	selected lot" checkbox if g. a driveway crossing of LGA	there is proposed work to be the footpath. Land adjacent to selected lot	located on land	Primary address	Map Satellite
35 VINCENT STREET CESSNOCK 2325	CESSNOCK		7/—/DP214069		Short St g Hill Park Q

Note: If the site address is registered, a map will appear on the right-hand side of the screen, and planning controls affecting the property will appear below the address.

3. Indicate the primary address for this Land adjacent to Lot/Section/Plan selected lot Primary Street address LGA addres application, the lot/section/plan 85 VINCENT STREET CESSNOCK 2325 CESSNOCK 7/----/DP214069 number and whether any work and structures are proposed in the land adjacent to the lot(s). It is mandatory to select a Primary address and the Lot/Section/Plan. You can delete the address by clicking on the bin icon 🗍 . The bin icon will only display if the primary address tick-box is not selected. Note: If your address is not registered, select Select the site of the development . the 'Address did not display?' tick-box and e g. 66 Harrin ton Street, Sydney NSW 2000 enter the address manually in the added text field, Enter address. Enter address Select local gov This will disable the predictive text feature Council nam and map functionality. Identify the primary address and enter and select the relevant local government area or State agency from the list. Note: If the site address is registered, you Planning controls affecting property can view the planning controls affecting the 85 VINCENT STREET CESSNOCK 2325 Summary of planning controls property by clicking on the arrow next to the Land Application LEP Cessnock Local Environmental Plan 201 property address. Land Zoning B3: Commercial Core Height of Building 12 m Floor Space Ratio (n:1) 1.5:1



4. Indicate the type of application you are seeking.	What type of application are you applying for? * I am seeking a new approval I am seeking renewal of existing valid Roads Act approval
Note: If you are applying to renew an existing v to enter details regarding your current Roads A	valid Roads Act approval, you will be prompted Act application.
5. Select Section 138 – Works and structures as the approval type.	What section of the Roads Act is approval being sought under? * What is this? Roads Act – Outdoor dining (Section 125) Roads Act – Works and structures (Section 138) Roads Act – Road events (Section 144)
Note : You can apply for one or more sections (sone application.	Sections 125, 138, and 144) of the Roads Act in
In cases where the appropriate roads authority applications through the Portal, an information instructing you to contact that authority. What type of application are you applying for? * I am seeking a new approval I am seeking a new approval I am seeking on every applying for? * The address you have entered is within a Local Government Area that is not currently receiving Roads Act application approvals through the Portal. If you wish to approvals through the roads author ity.	y is not currently receiving Roads Act in message will display after you click Next atoms via the NSW Planning Portal. You will need to contact the roads authority directly to complete this application. Durity is only receiving some of the Roads Act oply for an approval that is not listed, please
What type of application are you applying for? * I am seeking a new approval I am seeking renewal of existing valid Roads Act approval What section of the Roads Act is approval being sought under? * What is this? Roads Act – Road events (Section 144) The address you have entered is within a Local Government Area that is currently receiving applicat Act approvals.	tions only for the above Roads Act approvals. You will need to contact council directly for any other Roads
6. Click Next to continue to the next step.	Next
Note: You cannot return to this screen after c	clicking Next.

Applicant



The Applicant details screen displays. The system assigns a unique reference number with an RA prefix that displays at the top of the screen.

	6 Act Reference num	ber RA-2022-209 n progress		A	Actions ~ Close and home
	Pre-I	odgement		Submission	
1. Applicant details	2. Application details	3. Roads Act – Works and structures (Section 138) details	4. Payer details	5. Requirements and uploads	6. Review and submit

For a Roads Act application, you will need to complete six steps for a Section 138 and another step for each additional section requiring approval, if any, as follows:

- 1. Applicant details
- 2. Application details
- 3. Roads Act Outdoor dining (Section 125) details
- 4. Roads Act Works and structures (Section 138) details
- 5. Roads Act Road events (Section 144) details
- 6. Payer details
- 7. Requirements and uploads
- 8. Review and Submit.

Capturing Applicant details

Some Contact details fields are populated automatically based on your registration profile, but you can change them as needed.

7. Verify (and edit, if needed) the primary applicant's contact details including first and family name, contact number and a valid email address.

The email address provided should be the same email address the primary applicant uses to log in to the Portal. This email address will receive all correspondence sent via the Portal.

This person will receiv	e an ure system generated notification emans in relation to the application.
Contact d	etails
Please Select V	
First given name ★	
Wilbur	
Other given name/s	
Family name *	
Pickle	
Contact number	
0123456789	



8. Enter your postal address. As you type, the system will auto-suggest addresses based on the information entered. Select the correct address from the list.



Note: If you would like to enter a Post Office Box address, you will need to enter it manually as the system does not offer an auto-suggest feature.

9. Indicate if the applicant is a business / company.	Is the applicant a business / company? * What is this?
 If Yes: Search for the company by selecting ACN, ABN, or Name from the drop-down options Enter the ACN, ABN, or company name in the search field Click Search Select the business from the list provided Enter the Company email and postal address. 	No Is the applicant a business / company?* What is this? Yes No ACN ∨ Enter here and search Name ABN ACN Trading name Company email * Address - postal *
10. Select Add applicant to add an applicant.	Add applicant
Note: If you are adding more than one applican enter the additional applicant's information.	t to this application, follow the prompts to
 11. Indicate if there are any security or site conditions which may impact the inspection (e.g., locked gates or animals). If Yes, please provide details in the added text box. 	Are there any security or site conditions which may impact on the perso Yes No Please provide details *

Applicant

12. **Enter** details of the person that will provide access to the site, if they are different to the primary applicant.

Please Select V		
First given name	Other given name/s	Family name
Contact number	Email	
Mobile phone number preferred. Format: xxxxxxxxxxxx		

Save and continue

13. Click Save and continue to progress to the next step.

Note: You can also click Cancel to exit, or Save and exit to save all information entered to date, and return to your Dashboard. Save and exit will work only if you have completed all mandatory fields.

The Application details screen displays. Your selections made on the first screen will display here in a read-only format, including the type of application, the section(s) of the Roads Act and the site(s) of the works and structures.

Roads Act Reference number: RA-2022-209 In progress	Actions ~ Close and home
Pre-lodgement	Submission
I. Applicant details 2. Application details 3. Roads Act – Works and structures (Section details	138) 4. Payer details 5. Requirements and uploads 6. Review and submit
Application details What type of application are you applying for? I am seeking a new approval What section of the Roads Act is approval being sought under? * What is this? Roads Act – Outdoor dining (Section 125) Roads Act – Works and structures (Section 138) Roads Act – Road events (Section 144)	
14. Indicate if the Section 138 application relates to an existing Complying Development Certificate (CDC) or Development Application (DA) or select No related application.	Is this Roads Act application related to a development application (DA) or Complying Development Certificate (CDC) Development Application (DA) No related application
Note: In the case of an existing CDC or DA, you number. If you submitted the CDC or DA via th application to the CDC or DA.	will be prompted to enter the reference e Portal, the reference number links this
 15. Indicate whether the applicant or owner is a staff member or councillor of the council assessing the application. If Yes, please provide a description in the added text box. 	Is the applicant or owner a staff member or councillor of the council Yes No Please provide a description (name of person, role in council) *



Applicant



Does the applicant or owner have a relationship with any staff or councillor of the council

Please provide a description (name of person, role in council, relationship to the person)

Save and continue

Previous

16. Indicate whether the applicant or	
owner has a relationship with any staff	
or councillor of the council assessing	
the application.	

If Yes, please provide a description in the added text box.

17. **Click** Save and continue to progress to the next step.

Note: If you need to go back to the previous screen to make changes, **click** Previous in the bottom left-hand corner of the screen.

Capturing Section 138 details

V 1				
Pre-lodgement			Submission	
1. Applicant 2. Application details 3.	Roads Act – Works and structures (Section 138) letails	4. Payer details	5. Requirements and uploads	6. Review and submit
Works and structures withi	n the road reserve			
8. Select from the list the you are proposing.	type(s) of work	What t	ype of work are you	proposing? ★
You may select as many types of work as required.			Water related wo	rk
			Sewer related wo	ork
			Driveway constru	uction
			Stormwater conn	ection
9. Enter a description of th	ne proposed	Please	provide a descriptic	on of works ★
works.		Pleas	se provide a descri	ption of works (

YesNo



 20.If known, enter the work start and completion dates or select dates by clicking on the calendar icon.
 Please provide work start date

 Please provide work completion date
 Image: Please provide work completion date

 2/05/202
 Image: Please provide work completion date

 0/05/2022
 Image: Please provide work in days 4

Note: The system will calculate the duration of work in days once both start and completion dates are entered.

21. **Enter** the estimated cost of works in numerical value.

Please provide the estimated cost of the works * What is this? Enter a numerical value including decimal places. Please c

Step **22** and Step **23** are optional, though if known, the information may be helpful to the roads authority.

22. **Indicate** if the principal contractor is a company.

If Yes:

- Search for the company by selecting ACN, ABN, or Name from the drop-down
- Enter the ACN, ABN or company name in the search field
- Click Search
- **Select** the business from the list provided.

Principal contractor				
Details of the principal contractor needs to be provided for any proposal to conduct work				
Is the principal contractor a company?				
• Yes				
No				
Company details				
ACN V Enter here and search Search				
Name				



23.Enter the contact details for the principal contractor.	Contact details Title Please Select ✓ First given name Other given name/s Family Name Contact number Mobile number preferred Email Address - postal License no
24.Indicate if you have a current public liability insurance policy.If Yes, enter the policy details. A copy of your public liability insurance policy will be a required upload at the end of this application.	Public liability insurance Do you have a current public liability insurance? * Yes No Early provision of public liability insurance will accelerate the process Insurance policy company Policy number Value \$ Enter a numerical value including decimal places. Please do not Expiry date Image: Description of public line including decimal places. Please do not
25. Click Save and continue to progress to the next step.	Save and <u>c</u> ontinue



Capturing Payer details

The fees are calculated according to the roads authority's policy.

After you submit your Section 138 application, the roads authority will review it for completeness of information, calculate the fees payable, and then contact you to arrange payment. Fee payment will take place outside the Portal

Note: If the fees are not paid, the application may be returned.

		208 III plogless				C	Actions +		ciose and
	Pre-lodgement				Subm	ission			
1. Applicant details	2. Application details	3. Roads Act – Works and structure details	es (Section 138)	4. Payer details	5. Requirements a uploads	and	6. Review submit	v and	
Payer d	letails								
26. Indicate made b busines similar	e if the fee pa y an individua ss, governmer body.	yment will be Il or a company, It entity, or other		ayment will be Individual A company, b	made by (select usiness, goverr	the opt	tion that is a	applica ther si	a ble): milar b
ou select l ails. Howe	Individual, the ever, you may	payer details wil nominate anothe	l automa er payer k	itically p by editing	opulate ba g the exist	ased	l on you conter	ur ap nt.	oplic
ou select i ails. How	Individual, the ever, you may ndividual	e payer details wil nominate anothe	l automa er payer k	itically p by editing	opulate ba g the exist	ased	l on you conter	ur ap nt.	oplic
ou select l ails. Howe	Individual, the ever, you may ndividual A company, business, govern iplicant details have been pre	e payer details wil nominate anothe ment entity or other similar body	l automa er payer k	ntically p by editing	opulate ba g the exist	ased ing	l on you conter	ur ar nt.	oplic
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ou select ails. How The ap	Individual, the ever, you may ndividual A company, business, goverr pplicant details have been pre p v iven name *	e payer details wil nominate anothe ment entity or other similar body sopulated below. To amend the informa	l automa er payer k	tically p by editing	opulate ba	ased	Family name	ur ar	oplic
ou select ails. How The ap Title Mr First g	Individual, the ever, you may ndividual A company, business, govern splicant details have been pre p viven name * ur set number *	e payer details wil nominate anothe ment entity or other similar body populated below. To amend the informa	ttion within the field	ntically popy editing	opulate ba	ased ing o	Family name Pickle	ur ar	oplic
ou select ails. How The ap Title Mr First g Wilbu Conta	Individual, the ever, you may ndividual A company, business, govern splicant details have been pre p view name * ur act number * 3456789	e payer details wil nominate anothe ment entity or other similar body sopulated below. To amend the information g	ttion within the field	ntically p by editing 4, please type over t mailinator.com	opulate ba	ased ing (Family name Pickle	ur ap	oplic
ou select ails. How The ap Title Mr First g Wibb Conta	Individual, the ever, you may ndividual A company, business, govern pplicant details have been pre p v iven name * ur act number * 3456789 address *	e payer details wil nominate anothe ment entity or other similar body populated below. To amend the informa	l automa er payer k	ntically p by editing , please type over t	opulate ba	ased ing (Family name Pickle	ur ap	oplic

Applicant



 If you select a company, business, government entity or other similar body: Search for the company by selecting, ACN, ABN, or Name from the drop-down options Enter the ACN, ABN or name in the search field Click Search Select your business from the list provided Enter the Company email and billing address. 	Name Name ABN ACN ABN ACN Trading name Billing address * e.g. 66 Harrington Street, Sydney NSW 2000
27. Click Save and continue to progress to	Save and <u>c</u> ontinue

Requirements and Uploads

Listed under Required documents, the Portal identifies which documents you must upload as part of your Section 138 application and any other section approvals that may be required. However, the applicable roads authority may require additional documents, in which case you should contact them or visit their website to find out what they need you to include in your application submission.

	Pre-lodge	ment		Submission	
1. Applicant details	2. Application details	3. Roads Act – Works and structures (Section 138) details	4. Payer details	5. Requirements and uploads	6. Review and submit
Require	ments and up	loads			

The maximum file size is 300MB.

To amend attachments, please delete the original and upload a replacement document.

Applicant



28.To upload your document(s), click Upload.	Upload
29. Click Select files to navigate to the file(s) saved to your computer. Alternatively, you can drag and drop files directly in the space provided.	Attach Documents ×
30.After selecting the relevant file(s) to upload, the file(s) will appear in a list	Attach Documents ×
as indicated.	
Click the Category drop-down menu	Drag and drop files here
and select the appropriate category to	or (Select file(s))
correspond to each file.	Name * File Category
	Description of Works Description of Works dock Select.
	Driveway Plans Driveway Plans docx Select.
	Public Liability Insurance Public Liability Insurance door Select.
	Cancal Attach
Notes: The name of the document has a maxim	um of 150 characters. If the name of your file

Notes: The name of the document has a maximum of 150 characters. If the name of your file exceeds this limit, you can change the document name to bring it within the 150-character limit.

When applying for more than one section of the Roads Act, please label your documents accordingly.

31. Click Attach.	Attach
32. Click Save and continue to progress to the next step.	Save and <u>c</u> ontinue



Reviewing and submitting

Pre-lodgement	Submission
1. Applicant C 2. Application details details details details	ion 138) 4. Payer details 5. Requirements and uploads 6. Review and submit
 33.Review the information entered on your application by expanding each of the sections. This information is readonly. If changes are needed, click the Previous button (bottom left of screen) to navigate to the previous screens. 	 > Applicant details > Application details > Roads Act – Works and structures (Section 138) details > Payer details > Link a totic
34.Once you have reviewed the informatior bottom of the page by selecting each ti	n entered, complete the Declarations at the ck-box or clicking Select all.
 34.Once you have reviewed the information bottom of the page by selecting each ti bottom of the page by selecting each ti selectations * Select all I declare that all the information in the application and accompanying documents is for a select all I declare that all the information. I acknowledge that the information may be used for a understand that if incomplete, the consent authority may request more information. I agree to appropriately delegated assessment officers attending the site for the purport The consent authority may use the information and materials provided for notification information related to the application and supporting documentation may be (NSW) (GIPAAct) under which it may be required to release information. By using the NSW Planning Portal, you agree that the Department may copy, comm property that you upload to the NSW Planning Portal for (a) the purpose for which it and (b) more generally for any purposes that are consistent with the EPAAAct. You intellectual property rights in material that you upload to the NSW Planning Portal the public and otherwise use that material for the purpose for which it was uploaded 	Uploaded files Oploaded files O



The Consolidated application form displays. This completes the Pre-lodgement stage. Consolidated application form Reference number RA-2022-209 Submitted Copy to new application Request related application ~ Actions ~ Close and ho Pre-lodgement Success - Your application has been submitted. Thank you, your Roads Act application has been submitted to the relevant roads authority. The roads authority will review the application and may contact you if additional information is required. You can track the progress of your application via your NSW Planning Portal dashboard using the reference number RA-2022-209 Please provide your feedback 🖬 🗭 📢 Documents Payer details Analytics Related cases Applicant details > Application details Roads Act - Works and structures (Section 138) details > Declarations

When you click Submit:

- The system creates a Consolidated application form that has a unique identifying number with the prefix 'RA' (RA-YYYY-XXX).
- The Consolidated application form, a <u>read-only</u> application, allows you to apply for one or more sections of the Road Act in one application. Please note that you cannot perform any actions from the Consolidated application form.
- The system also creates a <u>separate</u> application for <u>each section</u> of the Roads Act that requires approval. Links to these section applications are available in the Related Cases tab.
- Each section application is also assigned a unique RA identifying number.

As an example, if you apply for one section of the Roads Act, say a Section 138, then the system will assign two unique RA identifying numbers, one for the Section 138 application and one for the Consolidated application form.

Alternatively, if you apply for two sections of the Roads Act at the same time (say Section 125 and Section 138), then the system will assign three unique RA identifying numbers, one each for Sections 125 and 138, as well as one for the Consolidated application form.

- The system generates a Roads Act (RA) application form, which includes details of all sections of the Roads Act that require approval.
- You can find your Section 138 application in Active work on your Dashboard and the Consolidated application form in Completed work also on your Dashboard.



- Five tabs will display:
 - Case details contains information entered by you during the pre-lodgement stage.
 - Documents will include links to all documents uploaded by you, the roads authority and any system-generated documents.
 - o Payer details
 - Analytics this is a high-level milestone marker.
 - Related cases includes links to the Consoldated application form, the Section 138 application and any related section applications that require approval. As the section application(s) progress, this tab will also include links to any child/sub cases created such as requests for information and referrals to agencies.

The information contained in the tabs is read-only and for the Section 138 application will grow as the application progresses. These tabs can also be viewed by the roads authority.

1. To review the information entered, click the Case details tab and click

Expand by the details.

Case	details	Documents	Payer details	Analytics	Related cases
>	Applica	ant details			
>	Applica	ation details			
>	Roads	Act – Outdoor di	ining (Section 125)	details	
>	Declara	ations			



2.	As yo ac	s soon as you submit your application, u can perform any of the following tions:	Copy to new application Request related application ~ Actions ~
	a.	Copy to new application – start a new Roads Act application. The system will copy the details from this application to a new one.	Copy to new application
	b.	Request related application – start a Complying Development Certificate or a Development Application related to your Roads Act application.	Request related application ~ Actions Complying Development Certificate Development Application
	C.	Actions menu: From the Consolidated application form, your only option is to Refresh your screen. From the Section 138 application, which you can open from the Related cases tab or from Active work on your Dashboard, you can provide additional information to the roads authority or withdraw the Section 138 application.	Actions menu in the Consolidated application form



Viewing Documents

You can find all documents in the Documents tab of both the Section 138 application and the Consolidated application form.

The Consolidated application form includes all documents you uploaded during the prelodgement stage. The system-generated Roads Act (RA) application form is also included.

1. To open your Section 138 application from the Consolidated application form, **click** on the Section 138 ID link in the Related cases tab.

	: RA-2022-209 Submitted Copy to new application Request related a	pplication ~ Cl	ose and home
✓ Pre-lodgement		Submission	
Case details Documents Payer details Analytics Related cases			
Description	ID	Status	
	RA-2022-209	Submitted	
	RA-2022-210	Pending lodgement	

2. To view the documents uploaded with your application, **click** the Documents tab of

✓ Pre-lodgement ase details Documents Refresh Documents Payer details Document type Fil No items	Analytics Related cases	Lodgement	Detern Uploaded by	nination
Ase details Documents Payer details Refresh Documents Document type Fil No items	Analytics Related cases		Uploaded by	Unloaded Date
Refresh Documents Occument type Fil No items	e name		Uploaded by	Unloaded Date
Document type Fil No items	e name		Uploaded by	Unloaded Date
Document type Fil	e name		Uploaded by	Uploaded Data
No items				opioaded Date
	i			
Documents from Relation	ited Cases			
✓ Consolidated application form (RA)	-2022-209)			
Document type	File name		Uploaded by	Uploaded date
Description of works	Description of Works.docx		Wilbur Pickle	13/03/2022 2:23 PM

your Section 138 application and then, **click** to expand the subsection – 'Documents from Related Cases'.



What happens Next?

- Your Section 138 application will workflow to the appropriate roads authority.
- The system generates two email notifications for the Section 138 application, one to the applicant and any additional contacts and the second to the appropriate roads authority.
- In cases where you have requested approval for more than one section of the Roads Act, the roads authority will assess and determine each section separately.
- To respond to any requests for information made by the roads authority regarding your Section 138 application, you must do so via your Section 138 application and <u>not</u> the Consolidated application form.
- Should your Section 138 application be accepted for assessment, you will be notified by email. In addition, the system will generate an RA lodgement form, which includes information relevant to your Section 138 application.

End of steps.

If you need more information

- Click the Help link at the top of the screen to access the NSW Planning Portal help pages and articles.
- Review the Frequently Asked Questions https://www.planningportal.nsw.gov.au/help/frequently-asked-questions and / or contact ServiceNSW on 1300 305 695.