



**Title:** Hoardings on Council Land Requiring Approval

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**Category:** Service design or definition

**Key words:** Hoardings design, approval, maintenance and regulation

**File number:** H-4-1

**Policy owner:** Director City Planning (Development Assessment)

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**Authorisation:** Approved by Executive 16 February 2016

**Review date:** December 2018

**Modification history:** This is a new policy

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**Related legislation:** Local Government Act 1993;  
Local Government (General) Regulation 2005;  
Protection of the Environment Operations Act 1997;  
Work Health and Safety Act 2011;  
Work Health and Safety Regulation 2011;  
Environmental Planning and Assessment Act 1979;  
Environmental Planning and Assessment Regulation 2000;  
Roads Act 1993;  
Roads Regulation 2008;  
Building Code of Australia

**Related policies:** Enforcement and Prosecution Policy.

**Related procedures:** Nil

**Related forms:** [Hoarding Application](#)

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## 1. Purpose

It is important that temporary structures erected in public places are designed and installed to cause the least possible impact on the city's appearance and the safe movement of vehicles and pedestrians. This policy describes the way Council will assess and determine applications to erect hoardings on public land pursuant to the provisions of s68 and s94 of the Local Government Act 1993 and s139 of the Roads Act

### Background

The city undergoes continual change through the construction of new buildings and alterations and additions to existing buildings. Maintenance work on the city's substantial existing building stock is also a significant activity.

Temporary structures such as work area protective structures (*hoardings*), perimeter scaffolding systems and site perimeter fencing are a necessary part of development and maintenance activity. *Hoarding* structures are typically required to isolate the work area from the public place and to provide adequate protection and safety of the public. Other temporary structures such as scaffolding systems are also required to screen and isolate work sites and to provide a work platform.

### Rationale

A significant aspect of temporary structures in terms of public access and amenity is the impact that these structures can have on pedestrian movement, motor vehicles and bicycle usage and associated public safety in vicinity of a work site. Poorly designed temporary structures have adverse visual impacts on the streetscape.

## 2. Objectives

The Policy aims to:

- a) provide practical controls for the design, approval, maintenance and regulation of *hoardings*, erected on or over the City's land within the City of Canterbury local government area;
- b) ensure that temporary structures do not have an adverse impact on pedestrian amenity, public safety and vehicle and bicycle movement within the road reserve including access for persons with disabilities and other pedestrians with special needs such as people with strollers, older persons and users of mobility scooters;
- c) provide the design requirements for temporary structures that will be erected on the City's property; and

## 3. Scope

This policy specifically relate to approvals required under s68 of the Local Government Act 1993 and s115 and s138 of the Roads Act 1993.

Where a temporary structure is erected on a classified road the concurrence of the NSW Roads and Maritime Services (RMS) must also be obtained (s138(2) of the Roads Act). A list of classified roads is available on the RMS website.

Where a temporary structure is proposed to be placed on or above a classified road the City must refer the application to RMS for their concurrence. It is therefore important that

applicants allow sufficient time in the work program to obtain the required concurrences and approvals.

Site perimeter fencing located wholly within a property allotment is not regulated through this policy and does not require approval if associated with approved development or building activity that is exempt development. In these cases fencing must comply with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

## 4. Definitions

All defined terms used in these Guidelines are italicised for ease of reference and use.

***authorised person:*** an employee of Council (the City) generally or specially authorised in respect of or whose duty it is to deal with, or to act in regard to, any acts, matters or things in relation to which the expression is used. (Local Government Act 1993).

***cantilevered facade-mounted materials landing platform:*** a fixed or retractable platform attached to a building facade or building perimeter that overhangs a road and which is used to hoist and land material and equipment to and from a workplace, typically a floor of a multi-level building using site-based or mobile hoisting devices such as cranes.

***cantilevered work platform:*** a temporary platform generally consisting of structural elements such as needle beams and decks attached to a building and on which scaffolding may be erected to undertake work on a building.

***City:*** The Council of the City of Canterbury.

***classified road:*** (Roads Act 1993) includes:

- a main road;
- a highway;
- freeway;
- a controlled access road;
- a secondary road;
- a tourist road;
- a tollway;
- a transitway; and
- a State work.

***control measure:*** in relation to a risk to health and safety, means a measure to eliminate or minimise the risk. (Work Health and Safety Regulation 2011)

***crossing:*** the portion of a driveway or vehicular accessway between the carriageway of a road and property boundary (frontage).

***footway:*** the part of a road that is set aside or formed as a path or way for pedestrian traffic (whether or not it may also be used by bicycle traffic). (Roads Act 1993)

***hoarding:*** a temporary structure located on the City's land (footway/roadway) that separates a workplace from the public place and may also provide an overhead protective barrier to protect the public place from objects that may fall from a work area.

***Permit:*** an approval in force under the Local Government Act 1993 and Roads Act 1993.

***person conducting a business or undertaking:*** (Section 5 of the Work Health and Safety

Act 2011), for the purposes of these Guidelines, is the holder of a determination (Permit) for a temporary structure; a builder; a contractor; or other person involved in placing a temporary structure in a public place.

**public liability insurance:** insurance where the insurer agrees to indemnify the insured for legal liability owed to another person who suffers loss, damage, injury or death by reason of the insured's activities.

**public place** means:

- (a) a public reserve, public bathing reserve, public baths or public swimming pool, or
- (b) a public road, public bridge, public wharf or public road-ferry, or
- (c) a Crown reserve comprising land reserved for future public requirements, or
- (d) public land or Crown land that is not:
  - i. a Crown reserve (other than a Crown reserve that is a public place because of paragraph (a), (b) or (c)), or
  - ii. a common, or
  - iii. land subject to the Trustees of Schools of Arts Enabling Act 1902, or
  - iv. land that has been sold or leased or lawfully contracted to be sold or leased, or
- (e) land that is declared by the regulations to be a public place for the purposes of this definition.

**road:**

- (a) highway, street, laneway, pathway, footpath, cycleway, thoroughfare, bridge, culvert, causeway, road-ferry, ford, crossing, by-pass and trackway, whether temporary or permanent; and
- (b) any part of a road and any part of any thing referred to in paragraph (a), and
- (c) any thing forming part of a road or any thing forming part of any thing referred to in paragraph (a). (Local Government Act 1993)

**scaffolder:** a person engaged in erecting, altering or dismantling scaffolding. (AS/NZS 4576:1995 'Guidelines for Scaffolding')

**scaffold:** (scaffolding): a temporary structure specifically erected to support access or working platforms.

Note: Where the word 'scaffolding' appears in this Policy it refers to 'perimeter scaffolding' erected on or above the City's property (a road). It does not apply to scaffolding erected on private property associated with construction, demolition or maintenance activity on a building or other structure.

**temporary structure:** any or all of the following placed on or above a public place:

- Type A hoarding – a plywood sheet fence, with or without scaffolding used to enclose or isolate a work area from the public place;
- Type B hoarding – an overhead protective structure that provides a barrier from objects that may fall from a work area onto the public place and where necessary, to also enclose a work site by means of a plywood sheet fence;
- Cantilevered work platforms; and
- Scaffolding.

**Town Centre:** For the purposes of this Policy, a town centre can generally be considered to be the extent of land which is zoned either B1 Neighbourhood Centre or B2 Local Centre.

If unsure, please contact Council's Duty Planner to confirm requirements for any specific location.

**WorkCover:** the NSW WorkCover Authority constituted under the Workplace Injury Management and Workers Compensation Act 1998.

**workplace:** a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. (Work Health and Safety Act 2011)

**works zone:** a space on a road dedicated to the temporary standing of vehicles associated with a work site to allow the delivery and removal of material, plant and equipment to and from a workplace.

Note: Works zones are not granted as part of a temporary structures approval and therefore require a separate application and approval.

## 5. Principles

When assessing and determining an application pursuant to s68 and s94 of the Local Government Act 1993 and s139 of the Roads Act for a proposed hoarding intended to be conducted on Council land, Council's Officers will:

- Not approve any application for a hoarding as it would not comply with the requirements of any relevant legislation.
- Ensure the protection of public health, safety and convenience.
- Protect the public interest.
- Ensure the protection of the environment

## 6. Responsibilities

The Fire Safety Officer located in the Assessment and Certification Team of City Planning is responsible for the assessment and approval of hoarding applications.

Council's Rangers are responsible for the enforcement of the conditions of approval for approved hoardings and identification of any unauthorised hoardings that have been erected

## 7. Procedures

### 7.1 Design Requirements – Specific Types of Hoardings

The erection of hoardings on Council land serves to protect the public from the hazards of adjacent construction, excavation or demolition works and as such, all building sites within the City of Canterbury. All hoardings are required to be made secure to prevent unauthorised entry and to provide safe access as per the WorkCover's Code of Practice-Overhead Protective Structures 1995. The City of Canterbury classifies hoardings into 2 categories being Type A and Type B which is detailed in the following sections.

Note: Site fencing which is not located on Council's land is not considered a hoarding and may be of open cyclone mesh form with dust preventative measures and must be a minimum of 2100 mm in height.

### 7.1.1 Type A: Fence and Traffic Barriers

The requirements for Type A hoardings (examples of Type A hoardings include fences, jersey curbs, etc) depends on the location (within our city centres or other areas) and must comply with the criteria set out below and WorkCover's Code of Practice 1995 which has been outlined:

#### 7.1.1.1 Type A Hoarding located within Town Centres:

- (a) The fence is required to be a minimum height of 2100 mm.
- (b) The fence is required to be constructed of solid timber panels, a minimum of 17 mm thick, securely fixed with no protruding bolts and nails, the panelling fixed flush and evenly.
- (c) The unfenced footpath, nature strip or Council's land width is to be a minimum of 1500 mm to allow for continued pedestrian passage.
- (d) The quality of the pedestrian passage surfacing provided is required to be rendered so as to be of the same quality/standard as what existed prior to the hoarding being erected.
- (e) Must not obstruct the view of traffic lights or signage.

#### 7.1.1.2 Type A Hoarding located outside Town Centres:

- (a) At a minimum an open style fence is required to be a minimum height of 2100 mm.
- (b) The remaining footpath width is to be a minimum of 1500 mm to allow for continual pedestrian access.
- (c) Must not obstruct the view of traffic lights or signage.
- (d) The quality of the pedestrian passage surfacing provided is required to be rendered so as to be of the same quality/standard as what existed prior to the hoarding being erected.

### 7.1.2 Type B:

Type B Hoardings can either be stand-alone or associated with site shed/offices and must be erected where it is proposed to construct, demolish, carry out façade remedial works or maintenance to a building adjoining a public way, which

- (a) Is 7500 mm or greater in height and less than 3500 mm from the street alignment or other property boundary.
- (b) Has a vertical height above footpath or other adjacent ground level of less than 4000 mm ; or
- (c) The least horizontal distance between footpath or other adjacent property boundary and the nearest part of the structure is greater than half the height of the structure.

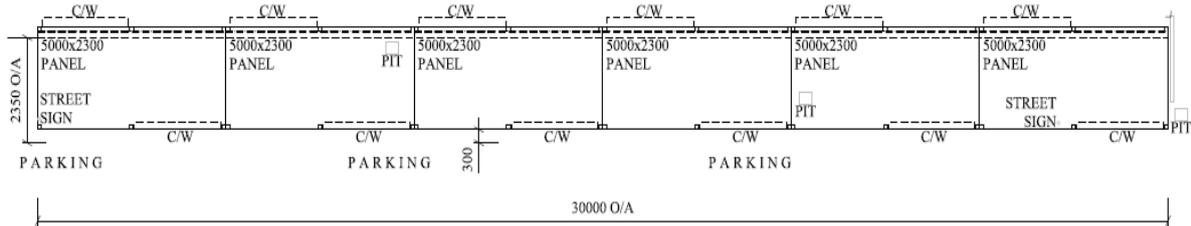
Type B Hoardings must comply with WorkCover's Code of Practice 1995 and the following:

- (a) Have a minimum clear distance of 250 mm from the edge of the kerb to any part of the structure or any part attached to it. If this distance is greater than 400 mm, pedestrian access between the structure and the kerb is to be blocked off at each end.
- (b) Have a minimum overhead clearance of 2200mm to any bracing, beams or any other part of the structure.
- (c) Street side should be open for at least two-thirds of its height for the full

- length of the structure to prevent a “tunnel effect”.
- (d) A clear span of 1500 mm is required for continual pedestrian access at all times.

**Note:** All Type B hoardings are required to be constructed in accordance with the above design criteria regardless on whether the hoarding is located within the CBD or not. Below in Figures 1-5 examples of site, elevation and section plans have been provided for Type B hoardings and Type B with site sheds.

Figure



Street Name

Figure 1: Typical Site Plan for Type B Hoardings

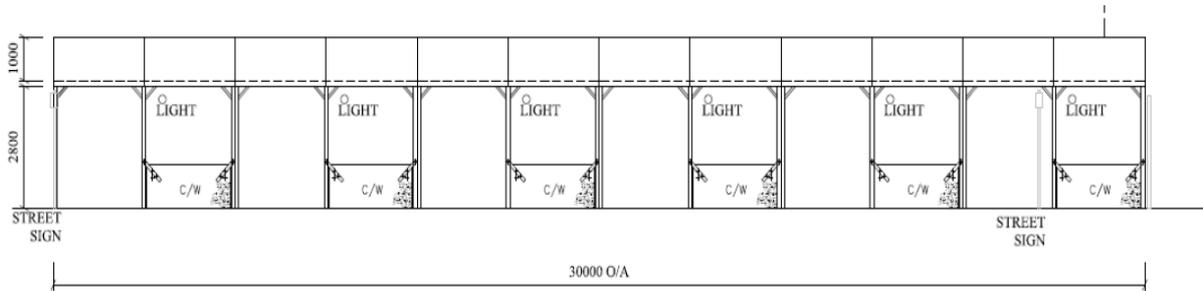


Figure 2: Typical Elevation for Type B Hoarding

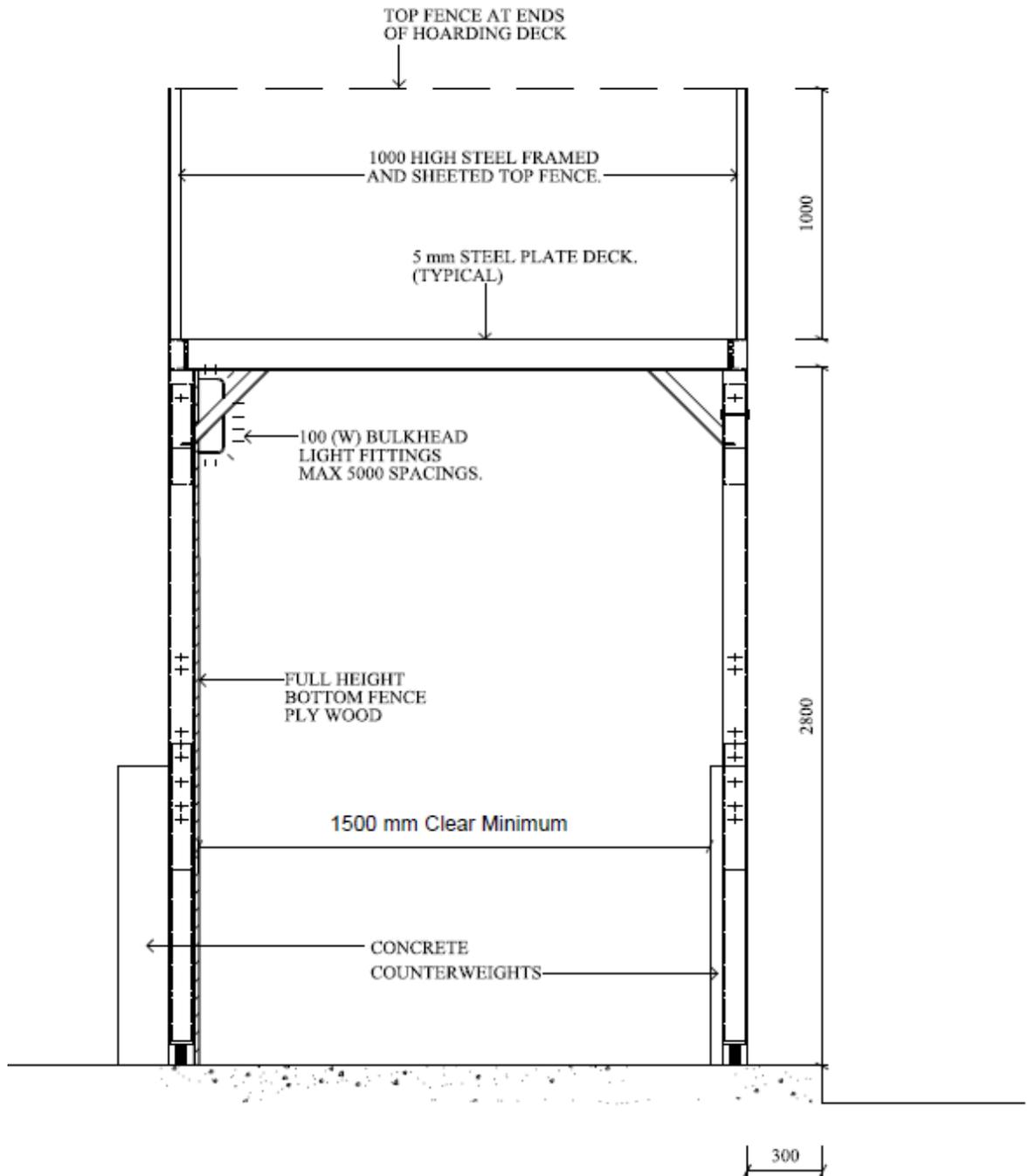


Figure 3: Typical Section for Type B Hoarding

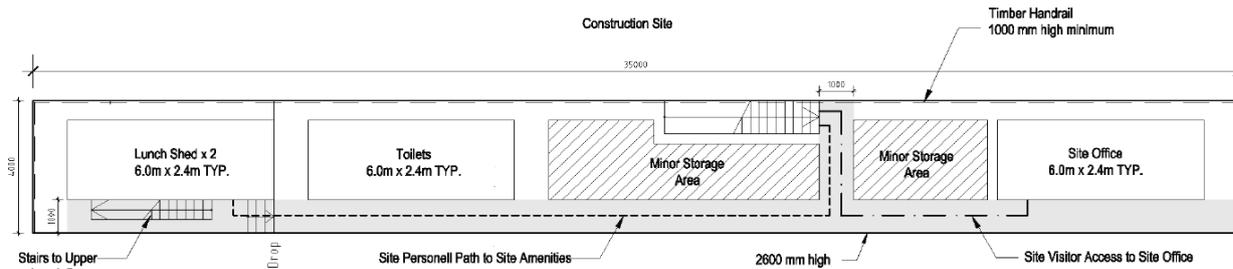


Figure 4: Typical Site Plan for Type B hoarding with Site Sheds

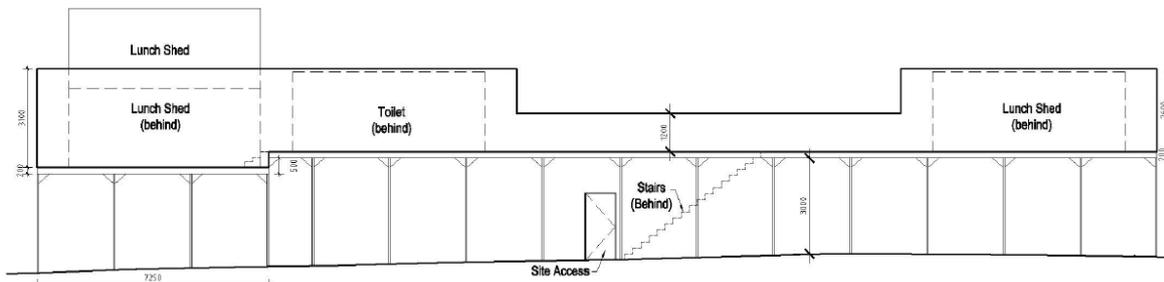


Figure 5: Typical Elevation for Type B Hoarding with Site Sheds

### 7.1.3 Prohibited forms of Type B hoardings in Town Centres

The City will not permit Type B' overhead protective structures constructed of pipe scaffolding or created by the use of structures such as converted shipping containers in town centres.

These types of hoarding systems cannot satisfy the key provisions of the Guidelines, including:

- minimal physical and visual obstruction of the footway;
- providing a tidy, uncluttered and visually pleasing structure;
- eliminating elements that permit easy climbing;
- maximising the clear width of the footway between supporting columns particularly for wide footways;
- protecting the structural adequacy of the hoarding (particularly pipe scaffolds) if impacted by a vehicle;
- minimising the size and number of soleboards and baseplates that can cause trip hazards; and
- difficulties of integrating counterweights within the structure in a visually uncluttered manner.

## 7.2 Specific Requirements for Hoardings

### 7.2.1 Barrier Fencing:

Fencing required for a temporary period to protect open trenches, the construction of pathways, kerb and gutters, driveways, pipe laying etc is to be provided to protect the public from injury. Such barrier fencing or barricades are to be well constructed, lit and sign posted with warning and directional signs as required. The said works are to be programmed to expedite completion and removal of the temporary fencing and barricades.

### **7.2.2 Provision of Lighting to Hoardings:**

Lighting connected to mains power supply is to be provided to Hoardings to ensure the enclosed passageway is well lit for pedestrians and equal to the levels and distribution pattern of the existing street lighting in the area. Where pedestrian hazards associated with the hoarding are present, significantly higher lighting levels are required. All lighting associated with Hoardings must not impact on surrounding traffic.

### **7.2.3 Site Elements:**

#### **7.2.3.1 Materials Not Permitted in Hoardings:**

Demountable open panel fencing ie. ATF fencing, reinforcing mesh or similar structures and structures not permanently fixed shall not be permitted to form part of a Hoarding Structure situated on Council's road reserve.

All materials used in Hoardings must be solid in construction and provide a smooth finish to a minimum height of 2.1 meters to prevent injury to persons. The material used must enable appropriate fixing to secure against movement.

#### **7.2.3.2 Office Sheds**

All site office and work sheds are to be located onsite. Where this is not possible a Type B Hoarding is to be erected to facilitate this requirement. Sheds placed above Type B Hoardings are to be a minimum of 2.4 metres in height and are to be tied down to the deck by suitable structural fixings and certified by an engineer.

The office sheds are to be provided with a boarding material to conceal the office sheds from public vision.

#### **7.2.3.3 Use of Cranes**

A crane must not be used to convey material over a public way unless a Type B Hoarding is in place and an appropriate approval has been obtained from Council.

The usage of cranes, hoists, and concrete pumps shall not be placed upon the public way unless prior approval has been obtained from Council. All inquiries are to be directed to our Customer Contact centre (02)9789-9300

#### **7.2.3.4 Restoration of the Public Way**

Upon removal of all hoardings Council's footpath, roadway and ancillary infrastructure assets such as litter bins, public seating and signage are to be restored fully to their original condition. The condition of Council's footpath will be assessed against the completed dilapidation report.

#### **7.2.3.5 Protection of Council Street Trees**

The Hoarding is to be designed with relation to such matters as location of posts, counter weights, crossings, overhead decking etc so as to avoid or minimise any adverse impact on these trees.

Where such impact on trees is identified due to the Hoarding, preservation measures will be required depending on the circumstances. No tree cutting, lopping or removal is permitted without the consent from the Council . It is recommended you contact Council's

Customer Service on 9789-9000 for further information.

#### **7.2.4 Safety Elements:**

##### **7.2.4.1 Protective Footway Crossings**

Prior to the construction or demolition of a hoarding the footpath required for vehicle crossing shall be protected, maintained and must not cause a tripping hazard or danger to the public.

Temporary pump-lines used on a daily basis must not be placed across the *footway* unless there are special constraints or construction needs of the site. Where applicants wish to place lines at *footway* level, specific details (and reasons) including the installation of ramps to allow pedestrians to pass safely and conveniently over the pipe must be provided. An application for a pedestrian ramp on the *footway* must be made and approval obtained before installation.

##### **7.2.4.2 Location of Utility Services**

Hydrants, utility services and sewer manholes etc are not to be obstructed by the structures and are to be freely accessible at all times by utility operators.

Consultation with the appropriate Authority is to occur to ensure no adverse bearing pressure will result from the proposed work.

Electrical hazards may result from the structure being in close proximity to overhead electricity wires. Consultation must take place with the electrical authority if the structure is within two metres of wiring. All electrical distribution boards required for site works are to be located within the site and are not to be attached externally to the structure.

##### **7.2.4.3 Provision for People with Disabilities**

Detours or alternative pathways required for pedestrians are to be designed to take into account accessibility issues for people with disabilities. These routes must provide for widths, levels, gradients, tactile indicators and colour schemes to assist people with disabilities in their movement.

Pathways are to be maintained at their original condition and repaired immediately if the pathway for pedestrians has been damaged and is putting safety at risk.

No obstruction to the footpath is to occur until Council approval has been obtained. This includes obstruction to the footpath resulting from a proposed concrete pour, the laying of cables, conduits, drainage pipes or service lines necessary to facilitate work on the site.

### **7.3 General Application Requirements for Hoarding Construction**

#### **7.3.1 Relationship with applicable legislation**

Clause 5 lists legislation, codes, policies and other documents that may also be relevant to the design, assessment and approval of temporary structures associated with work activity. Temporary structures are used for a number of purposes including isolating or protecting the public place from the work area and also as a work platform (scaffolding on decks of Type B *hoardings*).

In terms of protecting the public place the principal statutes that regulate a workplace in NSW including managing and minimising risks associated with objects that may fall from

a work area are the Work Health and Safety Act 2011 and Work Health and Safety Regulation 2011.

### 7.3.2 What information is required to be submitted when applying for a hoarding?

To allow sufficient time to assess proposals, applications must be lodged at least two (2) weeks prior to the date of the proposed installation. Note: Allow more time for proposals that may affect infrastructure works.

Where an approval under s115 of the Roads Act is required (such as the placement of barriers on roadways and/or changes to traffic control signage) at least four (4) weeks must be allowed for assessment and determination.

Where a temporary structure is proposed to be installed on a classified road additional time should also be allocated to allow for required concurrences to be obtained from Roads and Maritime Services.

### 7.3.3 Drawings and details

The following must be provided with an application:

- (a) two (2) sets of architectural drawings fully dimensioned site plan at a minimum scale of 1:100 showing:
  - the footway finish and widths including the accurate location of the hoarding and utility pits in the footway and other infrastructure such as poles;
  - the site fence and scaffolding (where proposed) fully dimensioned including an elevation drawing of the extent of the proposed scaffold;
  - site sheds including their accurate position on Type B hoardings;
  - proposed or approved works zone on the roadway;
  - existing building entrances, emergency egress exits and existing sprinkler/hydrant booster connections located on the building facade;
  - street trees (trunk diameter and dimensions of tree pits); and
  - street furniture accurately plotted on drawings with clearances to site fences etc. clearly shown;
- (b) accurate and detailed sections and elevations clearly showing:
  - the hoarding heights to the underside of the deck and bracing for Type B hoardings including the various heights where hoardings are located on sloping footways/roadways;
  - clear footway width dimensions and the location of the site fence including showing the proposed encroachment onto the footway where required for specific construction or access needs;
  - and
  - detailed written justification for any site fence encroachment on the footway (refer to the application form);
- (c) the location of public art or graphics proposed or required to be installed on the temporary structure
- (d) the lighting system for Type B hoardings (location of luminaires);
- (e) details setting out the length of time that the hoarding will be installed as

well as the nature of the works that are to be undertaken during this period (refer to the application form);

- (f) details of any required temporary pedestrian pathways (on roadways) past work sites including any required changes to street parking and traffic control signage;
- (g) an indication (in the application form) if other temporary structures (other than hoardings and scaffolding) such as cantilevered facade-mounted materials landing platforms associated with crane hoisting activity that project over a public place are proposed. Note: a separate application/ approval is required for platforms and hoisting activity;
- (h) two (2) sets of structural drawings that include:
  - the location of the proposed temporary structure including any relevant items such as:
    - scaffolding and access stairs;
    - location of site sheds;
    - any construction equipment such as mast-climbing work platforms, construction hoists and suspended scaffolds (swinging stages) proposed to be placed on the deck of Type B hoardings.

Note: Hoisting activity over a public road requires a separate application and approval under s68 of the Local Government Act.

typical section/s, details of connections/ties (including site fence, deck, vehicle and worker access gates, etc.) and elevation/s including any required bracing for lateral stability, counterweighting and hoarding fascias;

- (i) structural certification for design and where scaffolding, site sheds and other structures are proposed on Type B hoardings, certification confirming the hoarding will support the superimposed loads and not exceed the loads specified in the WorkCover 'Code of Practice for Overhead Protective Structures';
- (j) street trees – The site plan must clearly and accurately show in plan and elevation the location of street trees including accurately recording the height and canopy volume/diameter and significant branches of all street trees in the vicinity of the proposed temporary structure. If trees are likely to be affected, the structure must be designed to accommodate the tree/s without the need to prune major branches or limbs. Where it is not possible for a hoarding design to accommodate tree canopies, applicants must contact the City's Tree Preservation Officer prior to finalising design drawings and lodging an application to discuss any design constraints;
- (k) where temporary structures are likely to impact on parking signage stems and parking ticket machines or cause a reduction in the clear space for pedestrian movement, the City may require their temporary removal or relocation at the applicant's cost. Any required relocation must be identified in the application; and
- (l) where street furniture must be removed to accommodate a temporary structure all costs must be borne by the applicant. Separate specific approval for changes to street furniture and other infrastructure is required in addition to obtaining an approval (Permit) to erect a temporary structure.

### **7.3.4 Area to which this policy applies**

This policy and its requirements apply to all of the City of Canterbury Local Government Area.

### **7.3.5 Application and Payment of Fees**

An application to erect a Hoarding, as required by the Roads Act Section 138 and Environmental Planning & Assessment Act Section 91, is to be made on the prescribed form and accompanied by appropriate fees as adopted by Councils Schedule of Fees and Charges. Further information regarding our current fees and charges and our application process/forms may be obtained by either calling our Customer Contact Centre on 9789-9300 or by visiting the City of Canterbury web page [www.canterbury.nsw.gov.au/Home](http://www.canterbury.nsw.gov.au/Home).

### **7.3.6 Payment of Hoarding Bond**

A bond is required to be paid for all hoardings located within the City of Canterbury based on the type of hoarding (ie A,B,C) its location (ie City centre or Non city centre) and the number of street frontages which will be used. Refer to Council's Schedule of current Fees and Charges. Further information regarding our current fees and charges may be obtained by either calling our Customer Contact Centre on 9789-9300 or by visiting the City of Canterbury web page [www.canterbury.nsw.gov.au/Home](http://www.canterbury.nsw.gov.au/Home).

### **7.3.7 Further Enquiries and Pre-lodgment Meetings**

Applicants are encouraged to contact Councils Certification Team to meet and discuss submission requirements prior to lodgment. At this time, applicants can ask any questions they may have regarding this policy and their application. Contact can be made by contacting our Customer Contact Centre on 9789-9300.

### **7.3.8 Public Liability Insurance**

The City of Canterbury must be indemnified for the period of construction and until the removal of the temporary structure. The indemnity is for third party claims arising from injury to persons and, damage to property (including consequential loss) in the course of works. Such indemnity must be for a minimum amount of \$10,000,000 (including the excess on the policy for any one accident or event).

A certificate of currency must be submitted with the application and can be in the form of the sample attached to this policy. It is the applicant's responsibility to ensure that insurance is current whilst the hoarding is erected on Councils property. The Hoarding approval is considered void should the insurance lapse prior to a new current copy being provided to Council.

## **7.4 Other matters relating to approvals**

The approval for the erection and placement of temporary structures on the road reserve does not automatically permit the use of equipment (cranes and hoists) to swing or lift material across or over any part of a public road and the establishment of an associated works zone.

A separate approval under Part E1 of the Table to Section 68 of the Local Government Act must also be obtained for hoisting activity associated with:

- the erection of temporary structures; and
- the development site or work.

#### **7.4.1 Conditions of Development Consent**

Hoarding approvals must be read in conjunction with any conditions of development consent pertaining to the site. Specific conditions relating to the protection of Council's assets, street trees, site management and construction layout may impact on the hoarding design and or approval.

#### **7.4.2 Amendments to the Approval**

Modifications to an approved hoarding design cannot occur until an amended submission is made to Council. An amended application must include reasons for the modification and amended architectural and structural details as required. Amendments include replacement of one Type of Hoarding for another.

#### **7.4.3 Renewal of Applications**

The application for a hoarding permit is to be renewed prior to the application lapsing. The application is to detail the extended period required for the hoarding and list any proposed changes from the original approval granted.

The application is to include payment for the extended period as adopted in Council's fees and charges. Failure to renew the application can cause all building or demolition works to cease on site. The applicant is to renew the Hoardings permit, prior to it lapsing. Failure to renew the Hoardings permit prior to lapsing may result in initiating the enforcement options listed in Section 11.1.

#### **7.4.4 Councils Assets**

Council's infrastructure including the drainage system shall not be interfered with or damaged during the construction or operation of the Hoarding.

The use of the roadway for storage of materials, loading and unloading is not permitted at any time unless a Council approval has granted. For information regarding the required approval process please contact our Customer Contact Centre on 9789-9300.

Kerb stones and gutters must not be cut or damaged. Prior approval from Council is required for any modification required to Council's infrastructure.

Vehicles must not cross the footpath to gain access to the site unless a temporary crossing is constructed to the satisfaction of Council.

#### **7.4.5 Traffic and Pedestrian Plan of Management**

Where a Hoarding in its construction, operation or removal phase will impact on pedestrian or traffic movement a Traffic/Pedestrian Management plan is to be prepared by an accredited traffic engineer and submitted with the application for Council approval. Specific submission requirements on plans can be made by contacting Council's traffic engineers via our Customer Contact Centre 9789-9300.

These details must consider Council, Police and RTA requirements. Special consideration will apply especially in high traffic areas of the City and in the vicinity of pedestrian malls, and bus, rail interchanges.

The loading and unloading of heavy material, plant etc is required to have approval. For

further information regarding the required approval process please contact our Customer Contact Centre 9789-9300

Provisions should be made for traffic control by referring to the Guide to Traffic Engineering Practice and AS 1742 Part 3 Manual of Traffic Control devices. Such details should be included in a traffic management plan as required.

A copy of the Traffic Management Plan must be available onsite at all times for the inspection of an authorised officer of Council, Police or the RTA.

#### **7.4.6 Obstruction to Traffic Lights, RTA Camera and CCTV Cameras**

All hoardings must be constructed so that they will not obstruct either motorists or pedestrian's view of traffic lights.

Visibility from driveways, pedestrian's crossings and intersections also must not be constricted.

The applicant must detail on the application site plan the location of all traffic lights, RTA monitoring Cameras, Closed Circuit Television cameras and the like. The submission must demonstrate no interference in the operation of these facilities to the satisfaction of Council and the relevant state government authorities.

Referrals to the appropriate authority or private organisations may be required to ensure no interference will result.

#### **7.4.7 Graffiti and bill posters**

Hoardings must be fully maintained for the entire duration that they are in place. Hoarding site fences must be kept free of graffiti and bill posters and the structural frame of Type B hoardings must be kept clean, tidy and in good condition.

Graffiti and bill posters must be removed within 48 hours of being placed on hoarding site fences and, where the surface has been damaged, the site fence repaired and repainted. general wear and tear on site fences and the hoarding structure will require periodic repair and/or re-painting throughout the duration.

In cases where a hoarding is repeatedly targeted by bill posters the fixing of steel mesh to site fences may be permitted. Meshing however will only be permitted in problematic areas and in extreme cases of continual poster attachment.

### **7.5 Penalties for Non Compliance**

#### **7.5.1 Enforcement Options**

As indicated within Section 9.5 Application and Payment of Fees of this policy a Hoarding Permit is issued under Part 1 Approvals s68 of the Local Government Act (the Act).

Section 672 of the Act states that a non-compliance with an approval issued under the Act is a breach of the Act.

For the purposes of this Policy the Hoarding Permit includes not only any conditions of the permit applied by Council approval but also include plans and documentation submitted in support of the application.

Where a breach of a Hoarding permit does occur, Council can deal with any non-compliance in one or (depending on circumstances) more, of the following ways;

- Issue penalty infringement notices for failing to comply with the approval
- Have a non-compliance with an approval dealt with by means of a Court Attendance Notice returnable to the Local Court. The Local Court can -imposed penalties of up to \$11,000 for a Corporation or \$5,500 for an individual.
- Issue Orders requiring compliance with a Permit including conditions of that permit or requirements of this Policy. The failure to comply with such an Order can result in either of the above legal options being taken
- In those circumstances where Council has issued an Order requiring compliance with the issued Permit and the terms of the Order have not been complied with Council can carry out the terms of the Order eg to remove graffiti and recover the costs of doing the work required by the Order.

#### **7.5.2 Hoardings previously approved**

If approval has expired on a hoarding which was previously approved a letter will be issued outlining that the applicant will be invoiced for the outstanding fees unless the hoarding has been removed or renewed within 48 hours from the date of the letter. At the end of this timeframe a follow up inspection will be conducted to determine if the letter has been complied with and if not consideration will be given to initiating the enforcement options listed in Section 11.1.

#### **7.5.3 Retain approvals on site**

A copy of all approvals must be available onsite at all times for inspection by Council and WorkCover personnel. The Hoarding must be erected in accordance with this Policy and conditions contained in the approval.

### **7.6 Conditions of Hoarding Approval**

#### **7.6.1 Certifications to be submitted upon completion of works**

Upon completion of the erected hoardings the supervising structural engineer is to certify that the structures have been erected in accordance with the submitted design intent statement. Such documentations are to be submitted to Council prior to the commencement of development works.

#### **7.6.2 Gates**

Gates associated with Type A Hoardings must swing inwards. Dispensation may be provided to the above requirements where the works are minor or short term in nature requiring temporary barricades. Each request will be based on its merits.

#### **7.6.3 Site Fencing and Access**

Sites are to be fully enclosed with a Type A, B, or C Hoarding as required prior to the

commencement of any site works. Sequencing or staging of the Construction of Hoardings is not permitted. Hoardings must remain fully in place until the construction or demolition of the building is completed.

Vehicle access gates must be of solid durable material, be affixed to an adequate frame, and remain closed if not in use.

#### **7.6.4 Working Hours**

Erection of Hoardings may only occur during Council's normal adopted hours for Building Works and as contained in conditions of development consent.

#### **7.6.5 Monitoring Program**

Hoardings erected for longer than six months are to be recertified by the applicant's inspecting structural engineer to ensure the structural integrity of the erected structure has been maintained. A certificate of Structural integrity is to be kept on site and made available to any authorities on request.

#### **7.6.6 Dilapidation Report**

A dilapidation report detailing the condition of the footpath, kerb, gutter and road shoulder is to be undertaken by the applicant and submitted with the application for the hoarding permit.

The report will be verified by the inspecting officer and form the basis to ensuring all damage is rectified upon removal of the Hoarding structure.