



## 1.0 Purpose

The Hoardings and Scaffolding Policy (Policy) sets out the requirements for when development and building work approval is sought from Canterbury-Bankstown Council (Council) for the construction of a temporary structure erected on, adjacent to, or above public place within the Canterbury-Bankstown Local Government Area (LGA).

The Policy provides Council's position on temporary structures in relation to the design, approval, maintenance, and regulation of hoardings and scaffolding. It also aims to protect Council's footway and road reserve from building site hazards by minimising adverse impacts on traffic movement, public safety, and pedestrian amenity.

## 2.0 Scope

This Policy applies to temporary structures erected on, adjacent to, or above Council-owned land. Approval for these structures is required under s68 and s94 of the *Local Government Act 1993*, and s138 and s139 of the *Roads Act 1993*.

This Policy does not apply to site perimeter fencing located wholly within a property allotment.

## 3.0 Terms and Definitions

In this Policy, the terms below have the following meanings:

Term	Definition
<b>Cantilevered Work Platform</b>	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.
<b>Development Application</b>	An application for consent under Part 4 of the <i>Environmental Planning and Assessment Act 1979</i> to carry out development but does not include an application for a complying development certificate.
<b>Footway</b>	The part of the road that is set aside or formed as a path or way for pedestrian traffic.
<b>Road</b>	An area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles.
<b>Road Reserve</b>	A road reserve is the area between property boundaries. It can be made up of road, verges, cycle lanes, footpaths and other areas constructed for public travel.
<b>Public Place</b>	Includes:  (a) A public reserve, public bathing reserve, public baths or public swimming pool;



- (b) A public road, public bridge, public wharf, public road-ferry or public boat ramp;
- (c) A Crown reserve comprising land reserved for future public requirements.
- (d) Public land that is not Crown Reserve, common, or land that has been sold or leased or lawfully contracted to be sold or leased land.

## **Hoarding**

A temporary structure located on, adjacent to or above Council's Road Reserve that separates a work site from the public place. It may also provide an overhead protective barrier to protect the public place from objects that may fall from a work area.

## **Scaffolding**

A temporary structure erected on, adjacent to or above Council's Road Reserve specifically erected to support access or working platforms.

## **Temporary Structure**

Any or all of the following placed on, adjacent to or above a public place:

- Cantilevered work platforms;
- Hoarding; and
- Scaffolding

## **4.0 Policy Statement**

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Council is committed to public safety by ensuring temporary structures erected on, adjacent to or above public places are designed and installed to allow for the safe movement of vehicles and pedestrians, and the protection of public infrastructure, whilst minimising the impact on the City's visual appearance.

The applicant is liable for all costs associated with the application, design, construction, operation, maintenance, and removal of all temporary structures on and over the road reserve.

This Policy is aligned to the *Liveable and Distinctive* destination of the CBCity 2036 Community Strategic Plan.

## **5.0 Policy Criteria**

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The following criteria capture Council's approach to managing temporary structures across the LGA:

### **5.1 Hoarding and Scaffolding application requirements**

- a. A Hoardings Application Form shall be lodged with Council for temporary structures erected on, adjacent to, or above a public place.
- b. Applicants shall ensure they address the requirements set out in the *Hoarding Permit Information Sheet*, prior to submitting an application.
- c. A fee shall be paid for all hoardings proposed in the LGA. The fee is based on the type of hoarding, the perimeter, and the period the hoarding will be in place. For information regarding the relevant fees, refer to Council's current *Schedule of Fees and Charges*.



- d. 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 road, and the establishment of an associated works zone. A separate approval shall be obtained for such activities.
- e. Council shall 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. A certificate of currency for public liability insurance for a minimum amount of \$20,000,000 is required, and shall indicate Canterbury-Bankstown Council as the interested party and should accompany the application.
- f. It is the applicant's responsibility to ensure that insurance is current whilst the hoarding is erected on, over or adjacent the public place. The Hoarding approval is considered void should the insurance lapse prior to a new current copy being provided to Council.
- g. Prior to the erection of any temporary structure on, adjacent to or above the road reserve, a formal *Public Domain Work Permit application* (Footway Damage Inspection) is required to be lodged with Council. A *Footway Damage Inspection Report* will outline the condition of Council's road reserve prior to the erection of any temporary structure.

## 5.2 General conditions of approval

Approvals will be subject to Council conditions. A copy of all approvals shall be available onsite at all times for inspection by Council, SafeWork NSW personnel, and NSW Police. The hoarding or scaffolding shall be erected in accordance with this Policy and conditions contained in the approval.

- a. Upon removal of all hoardings, Council's footway, road and ancillary infrastructure assets such as litter bins, public seating and signage, are to be restored to their original condition. All other material shall be removed, and road reserve left in good order and condition. The condition of Council's footway will be assessed against the *Footway Damage Inspection Report*.
- b. The applicant(s) will be held responsible for any damage caused from work or activity associated with the occupation of the road reserve or public place. Further, the applicant will be required to pay for the re-instatement of any portion of the road reserve that may be disturbed or damaged by the operations.
- c. Modifications to an approved hoarding design cannot occur until an amended application is made to Council. The application shall include reasons for the modification and amended architectural and structural details as required. Additional reviewing fees may be required.
- d. The applicant is to renew the Hoardings permit, prior to it lapsing. Failure to renew the Hoardings permit prior to lapsing may result in enforcement actions, as listed in Section 5.4 of this Policy.
- e. Applicants may be able to extend their permit. The application to renew a permit shall detail the extended period required for the hoarding or scaffolding and list any proposed changes from the original approval. Additional monthly fees will apply as per Council's *Schedule of Fees and Charges*. Failure to renew the application can lead to all building or demolition works being ordered to cease on site.



## 5.3 Council Assets: specific conditions

Hoarding approvals shall 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.

### 5.3.1 Street Signage

All existing street signage shall remain clearly visible to the public. In cases where the proposed temporary structure will obscure signage; the signs must have prior approval from Council to be relocated to a secure location where it is clearly visible. Additional sign relocation fees will apply.

### 5.3.2 Protection of Council Trees

The proposed temporary structure shall be designed to minimise impact on Council's street trees and vegetation. Tree protection measures shall be placed where street trees are impacted. No removal or pruning of street trees is permitted without prior approval from Council.

### 5.3.3 General

Council's infrastructure including the stormwater drainage system shall not be interfered with or damaged during the construction or operation of the hoarding or scaffolding. The use of the road reserve or road for storage of materials, loading and unloading is not permitted. Approval for a works zone is required for the use of the road or footway for material storage, loading, and unloading.

Kerbs and gutters shall not be cut or damaged. Prior approval from Council is required for any proposed modification to Council's infrastructure. Vehicles shall not mount the kerb to access the footway to gain access to the site unless approval for a temporary crossing is constructed to the satisfaction of Council.

### 5.3.4 Traffic Signals and Cameras

All hoardings shall not obstruct motorists or pedestrian's view of traffic signals. Visibility from driveways, pedestrian's crossings and intersections shall not be compromised.

The applicant shall provide a site plan with the application lodgement showing the location of all traffic signals TfNSW monitoring cameras, Closed Circuit Television Cameras (CCTV) and the like. The submitted site plan shall demonstrate no interference in the operation of these facilities to the satisfaction of Council and the relevant authorities.

Referrals to the appropriate authority or private organisations by the applicant may be required to obtain their approval that no interference will result.

### 5.3.5 Advertisements, Artwork, Graphics and Images

Advertisements and posters are not permitted. However, the display of artwork, graphics and images on temporary structures is strongly encouraged. In certain circumstances this will be a requirement from Council as a Condition of Consent for the development. The display of artwork and graphics minimises adverse impacts, adds visual interest and increases the presence of creativity in the streetscape. Artwork and graphics also discourage graffiti and bill poster attachment by eliminating blank surfaces.

As temporary structures are placed on land owned by Council, Council reserves the right to require an applicant to display specific artwork, graphics or community information about Council initiatives, in lieu of an



applicant's proposed artwork. This includes major projects, special events, festivals and other initiatives undertaken by the Council from time-to-time.

Any site requiring any form of graphics on their hoardings will need to obtain written approval from Council officers prior to installation of graphics. Applicants using Council supplied artwork will also need to agree to terms and conditions of use for the artwork.

Hoardings must be maintained in a clean, tidy and good condition, free from advertisements and posters, while they are in place. Where the surface has been damaged, the hoarding must be repaired and/or repainted by the applicant.

Graffiti and bill posters shall be removed within 48 hours of detection or Council notification. Applicants may affix a "Bill Posters will be Prosecuted" sign on the hoarding. Where the hoarding is repeatedly targeted by bill posters, the fixing of steel mesh may be permitted at Council's discretion.

Applicants may erect a 1800mm x 1200mm sign stating the builder's/architect's name.

### 5.3.6 Pedestrian Safety

Detours or alternative footways required for pedestrians are to be fully accessible including for those with a disability. These routes must provide for widths, levels, gradients, tactile indicators and colour schemes to assist pedestrians in their movement. Pedestrian crossings shall not be obstructed and shall always be accessible.

Where vehicles are required to cross footways, the builder shall provide adequate pedestrian sight triangles for exiting and entering vehicles to provide sufficient warning to pedestrians or traffic.

Footways are to be maintained at their original condition and repaired immediately if the footway for pedestrians has been damaged and/or is placing them at risk.

### 5.4 Permit Non-Compliance

Hoarding permit breaches will be addressed by Council as follows:

- a. Issue a penalty infringement notice (PIN) for failing to comply with the approval;
- b. Issue a Court Attendance Notice (CAN) returnable to the Local Court;
- c. 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 options; or
- d. 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 and recover the costs of doing the work.

### 5.5 Expired Approvals

If a Hoarding Approval has expired, an applicant shall be required to resubmit a hoarding application, or compliance action will be taken in accordance with Section 5.4 of this Policy.



## 6.0 Approval and Review

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### 6.1 Policy Owner

Manager Infrastructure Services

### 6.2 Authorisation

Adopted by Canterbury-Bankstown Council on [DD/MM/YYYY].

### 6.3 Reviews and Modifications

The next review is due on [DD/MM/YYYY].

## 7.0 Related Documents

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### 7.1 Laws and Standards

- *Environmental Planning & Assessment Act 1979 (NSW)*
- *Environmental Planning & Assessment Regulation 2021 (NSW)*
- *Local Government Act 1993 (NSW)*
- *Roads Act 1993 (NSW)*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (NSW)*
- *Work Health and Safety Act 2011 (NSW)*
- *Work Health and Safety Regulation 2011 (NSW)*

### 7.2 Policies and Procedures

- Bankstown Demolition and Construction Guidelines
- Bankstown Development Control Plan 2015
- Canterbury Development Control Plan 2012
- Hoarding Application Form
- Hoarding Permit Information Sheet
- Schedule of Fees and Charges
- Work Permit Information Sheet
- Works Zone Application