

Council Policy

Placing of Hoardings and Scaffolding at Construction or Demolition Sites

Policy Statement

This policy is to ensure a suitable temporary hoarding and or scaffolding (“*hoarding*”) is erected within the road reserve to protect the public from the hazards of building construction, alteration or demolition as such, across the Northern Beaches Local Government Area.

This policy aims to give force to Council’s Hoarding Guidelines that prescribe the design, installation and maintenance criteria which are used by Council in assessing hoarding applications. Council’s Hoarding Guidelines serve to ensure minimal impact to pedestrians, vehicles and street trees in addition to ensuring the public is protected from the hazards of construction.

Principles

Council will administer the Placing of Hoardings and Scaffolding at Construction or Demolition Sites policy (“the Policy”) in accordance with the following principles:

1) Hoarding Permit Application

A Hoarding Permit Application must be lodged to seek approval to erect a hoarding on the road reserve, as required by the Local Government Act 1993 and s138 of the Roads Act 1993. An appropriate fee is to be paid with the application in accordance with the Council’s Annual Fees and Charges.

Council may require the relevant documents and supporting information demonstrating compliance with Council’s Hoarding Guidelines to be submitted with the application as prescribed on the Hoarding Permit Application form.

2) Granting an approval

An approval to erect a temporary hoarding may be granted under s94 of the Local Government Act 1993 and s138 and s139 of the Roads Act 1993. The approval must be read in conjunction with any conditions of an approved development consent if applicable.

In addition to the Hoarding Guidelines requirements, all hoardings must be erected and installed in accordance with relevant Codes of Practice, including but not necessarily limited to the Code of Practice – Overhead Protective Structures from SafeWork NSW, Construction Work – Code of Practice from Safe Work Australia and the specifications of Council.

3) Amending and extending an approval

Before an application for approval is determined, an applicant for approval may make a minor amendment to the application or any matter accompanying the application in accordance with s 87 of the Local Government Act 1993.

An approval may be extended or renewed under s107 of the Local Government Act 1993 if Council has good reason to do so and whereby the hoarding in question has been erected and maintained in accordance with the approval and all other ongoing requirements are to Council’s satisfaction including but not limited to structural adequacy and insurance coverage.

4) Enforcement of approval

When a breach of a hoarding approval does occur, an officer delegated by Council to issue directions under the Roads Act 1993 or the Local Government Act 1993 may issue penalty notices, give orders and undertake other compliance actions.

5) Revoking the approval

Council may revoke an approval under s 108 & s109 of the Local Government Act 1993 if the approval was obtained by fraud or misrepresentation, if a reason arises after an approval is granted which would have caused Council not to have originally granted the approval, for a failure to comply with a requirement of the Local Government Act 1993 relating to the approval or for a failure to comply with a condition of the approval. An approval granted under the Roads Act 1993 may be revoked under s 140 for any reason.

6) Cost recovery

Council reserves the right to recover the cost if there is any damage of Council's infrastructure during the course of the erection/demolition of the hoarding.

Scope and application

This policy applies to every hoarding in Northern Beaches Local Government Area.

References and related documents

Council's Fees and Charges (as issued annually)

Local Government Act 1993- s94, s108 and s109

Roads Act 1993 – s138, s139 and s140

Code of Practice – Overhead Protective Structures, SafeWork NSW

Construction Work – Code of Practice, Safe Work Australia

Definitions

Hoarding: a temporary structure including a scaffolding placed on the footway that provides an overhead protective barrier to protect the public by separating construction or demolition sites from the footway

Footway: the part of road as is set aside or formed as a path or way for pedestrian traffic

Responsible Officer

Executive Manager, Environment & Climate Change

Review Date

March 2024

Revision History

Revision	Date	Status	TRIM Ref
1	17/12/2019	First draft Hoardings – placing of Hoarding at Construction or Demolition Sites policy	2019/681334
2	24/07/2020	Second draft - Hoardings & Scaffolding – Placing of Hoardings and Scaffolding at Construction or Demolition Sites	2019/681334
3	04/09/2020	Third draft - Placing of Hoardings and Scaffolding at Construction or Demolition Sites	2019/681334
4	14/09/2020	Fourth draft - Placing of Hoardings and Scaffolding at Construction or Demolition Sites	2019/681334
5	17/03/2021	Fifth draft – Placing of Hoardings and Scaffolding at Construction or Demolition Sites	2019/681334