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1. PREAMBLE

1.1 Background

Councils need to keep public infrastructure in good repair, maintaining public safety and ensuring maximum public use and value.

The *Local Government Act 1999* (the Act) specifies legal obligations placed on councils in this regard and sets a framework for management of public infrastructure.

Works to properties maybe undertaken which involve erecting hoardings, scaffolding or equipment (other structures) that encroach on public infrastructure. These hoardings may affect both the community’s access to and use of the public infrastructure as well as their safety when in the vicinity of the structures. From time to time these works may cause damage to Council owned public infrastructure.

1.2 Purpose

This policy provides a framework whereby the City of Holdfast Bay (Council):

- a. maintains general public access to public infrastructure while allowing works to be undertaken such as the construction of buildings, renovations and maintenance that may otherwise encroach on that public infrastructure; and
- b. may seek remediation for damage to public infrastructure.

1.3 Scope

This policy refers to all works that may encroach upon or cause damage to any Council owned public infrastructure by any person, organisation, business or other entity undertaking works such as, construction or maintenance works which may also involve hoarding within the Council area.

HOARDING PERMITS AND BUILDER DAMAGE POLICY

1.4 Definitions

Works means any activity including construction or maintenance activities undertaken by an individual, business, company or other entity including owner builder activities.

Hoarding means temporary fencing or other barriers set up or erected by the management of construction sites.

Scaffolding means a temporary structure on the outside of a building made of wooden planks and metal poles.

Public Infrastructure means infrastructure owned by the Council that is located in a public place for general use and includes (but is not limited to):

- a. kerbs and footpaths
- b. roads
- c. street trees
- d. street furniture

1.5 Strategic Reference

Placemaking: Creating Lively and Safe Places

2. PRINCIPLES

- 2.1 Where works and/or hoarding do have to encroach on or affect public infrastructure, Council will seek to minimise impact through the issuing and enforcing of specific permits or licences to applicants. Applicants wishing to place hoarding, scaffolding or equipment on a public road or footpath must complete Council's application form (pursuant to section 221 of the Act). Where such activities are permitted specific time frames and conditions will be specified in any permission. Council may levy a fee for encroaching on public infrastructure.
- 2.2 Council will encourage applicants to comply with permits or licences issued by Council through support and education.
- 2.3 Where applicants fail to comply with permits, licences or conditions, Council will take such action deemed appropriate to the circumstances and conditions.

3. REFERENCES

3.1 Legislation

- *Local Government Act 1999*

3.2 Other References

- Application to Place Hoarding, Scaffolding or Equipment on a Public Road or Footpath