

Hoarding Policy

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1. Scope

- 1.1 This Policy applies to the installation of Hoardings on or above a Public Road within the City of Parramatta Council (**Council**) Local Government Area (**LGA**).

2. Purpose

- 2.1 The purpose of this Policy is to establish a framework for regulating the design and placement of Hoardings on or above a Public Road in the LGA, which must include a Visual Activation component.
- 2.2 Council aims to maintain a high standard of Hoarding installation by ensuring approved designs are used across the LGA. This Policy further prescribes Visual Activation embellishment requirements for Hoardings, intended to ensure visual amenity and promote the city.

3. Policy

- 3.1 All Hoardings installed on or above a Public Road in the LGA are subject to Council approval. There are no exempt activities available.
- 3.2 All costs associated with producing and maintaining Hoardings are at developers' own expense.
- 3.3 Council approval for the placement of Hoardings on or over a Public Road is granted pursuant to section 68 of the *Local Government Act 1993* (NSW) (**LG Act**), and section 139 of the *Roads Act 1993* (NSW) (**Roads Act**). An Approval will be granted by Council to allow a Hoarding to be installed and used in a specific way, as prescribed by Council's Hoarding Design and Installation Guidelines (**Guidelines**), and as set out in the conditions of the Approval.

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- 3.3.1 After an Approval is granted, Council must be further consulted regarding all Visual Activation requirements and commitments. Council will provide approval to proceed with embellishment designs and production.
- 3.4 Approved Visual Activation for Hoardings must be implemented within 28 days after the installation of the Hoarding, by the developer beneficiary of the Approval.
- 3.5 The following principles for the installation of Hoardings will be taken into consideration during Council's review and issuing of Approvals:
- (a) To minimise the adverse visual impact of Hoardings through the installation of approved Visual Activation.
 - (b) To minimise pedestrian, cycleway, and vehicular obstructions and inconvenience resulting from the placement of a Hoarding on or above a Public Road.
 - (c) To maintain safe passage and high amenity, including maintaining the pavement surfaces in front of worksites.
 - (d) To maintain pedestrian visual ability when using footways adjacent to or under Hoardings.
 - (e) To screen and secure development areas from public access, to ensure pedestrian and vehicle safety from work, tools, and materials used in the excavation and construction of the development.
 - (f) To ensure fascias are installed to conceal site sheds on hoarding decks.
 - (g) To ensure suitable gates and controls are in place for truck and worker access/egress points in Hoardings, to enhance public safety.
 - (h) To provide effective lighting under Hoardings for public safety, and to illuminate graphics on site fences.
 - (i) To ensure the placement of Hoardings does not breach any of Council's tree or vegetation protection requirements and tree protection zones.
- 3.6 An Approval does not automatically permit the use of equipment (tower cranes or hoists) to swing or lift material across or over any part of a Public Road. A separate tower crane approval will be required, as per Council's Tower Crane Policy.
- 3.7 Council may, upon request, determine to extend an Approval under section 107 of the LG Act, if it is satisfied there is a need to do so. An extension requires the submission of a further application to Council.

An Approval may not be extended by Council where Hoardings are:

- (a) structurally unsound;
- (b) not being satisfactorily maintained in accordance with the Guidelines;
- (c) non-compliant with the Approval; or

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- (d) not maintaining a current public liability insurance policy for a Hoarding Approval, including where the policy has been withdrawn by the insurer.

3.8 Council may revoke an Approval under section 108 of the LG Act for any circumstance set out in section 109 of the LG Act. An Approval may also be revoked, for any reason, under section 140 of the Roads Act. Council may exercise its powers under these Acts to revoke an Approval where any of the following apply:

- (a) The person holding an Approval fails to act on directions to rectify a Hoarding, particularly in relation to structural inadequacy or other public safety risks.
- (b) An Approval has lapsed, and an application has not been lodged to extend an Approval.
- (c) The person holding an Approval fails to comply with that Approval, including conditions of the Approval.
- (d) A public liability insurance policy for a Hoarding subject of an Approval is not current or has been withdrawn by the insurer.
- (e) Any other circumstance as determined by Council.

3.8.1 In circumstances where an Approval has been revoked, Council reserves the right to take action to have the unauthorised Hoarding removed and recover all associated costs

3.9 An Authorised Person may issue a direction, give an Order, issue a penalty infringement notice (**PIN**), or initiate court action for non-compliance with or breaches of this Policy, an Approval, or other related legislation, including the LG Act, Roads Act, or *Environmental Planning and Assessment Act 1979* (NSW), and prosecute for associated breaches.

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

3.9.2 Parties not acting in accordance with this Policy or an Approval may be given notice in writing to comply, before a PIN is issued. However, Council reserves the right to immediately issue a PIN or Order, without first issuing a written notice to comply, depending on the seriousness of the non-compliance or breach, and at the Authorised Person's discretion.

4. Delegations

4.1 There are Administrative and/or Legislative Delegations applicable to this Policy, which are provided for in Council's Delegations Manual.

5. Procedure

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- 5.1 This Policy must be read in conjunction with Council's Hoarding Design and Installation Guidelines, which provide specific procedures and requirements regarding Hoarding installation. Applicants should have regard to the Guidelines when completing an application for an Approval, as Council will refer to the Guidelines when assessing such applications.
- 5.2 Conditions set out in an Approval must be read in conjunction with any conditions of development consent pertaining to the development of the particular site.
- 5.3 Approval to install Hoarding is subject to payment of an application fee and a monthly fee, as set out by Council's Schedule of Fees and Charges. Fees are also applicable for applications to extend an Approval. Applicable fees will be determined as part of Council's assessment of an application.
- 5.4 All applications to install Hoarding must be submitted to Council via the Council Website. Applications must be lodged at least three weeks prior to the date of the proposed installation.
- 5.4.1 Council will provide applicants with design examples and templates for any required Visual Activation components to be applied to Hoardings.

6. Definitions

Approval	Refers to a permit issued by Council for the placement of Hoarding on or over a Public Road in the LGA.
Hoarding	The use of suitable materials and/or other standing structures fit for purpose to secure the boundary of a construction site, adjacent to and above a Public Road, ensuring the safety of pedestrians, cyclists, and vehicle operators.
Public Road	A road opened or dedicated for the free right of passage of the public on foot, in a vehicle, or otherwise, and declared to be a public road for the purposes of the Roads Act and includes a Road Related Area.
Road Related Area	As defined in section 4 of Part 1.2 of the <i>Road Transport Act 2013</i> (NSW), includes but is not limited to: (a) an area that divides a road. (b) a footpath or nature strip adjacent to a road. (c) an area that is open to the public and is designated for use by cyclists or animals. (d) an area that is not a road and that is open to or used by the public for driving, riding, or parking vehicles; or (e) a shoulder of a road.

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Visual Activation	Refers to the required use of graphics, photos, images, and/or branding, as approved by Council, which intend to improve public amenity of a construction site Hoarding.
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REFERENCES	<i>Environmental Planning and Assessment Act 1979 (NSW)</i> <i>Local Government Act 1993 (NSW)</i> <i>Roads Act 1993 (NSW)</i>
ASSOCIATED POLICIES	Public Tree Protection During Works Policy Schedule of Fees and Charges Tower Crane Policy
ATTACHMENTS	Hoarding Design and Installation Guidelines

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