CITY OF FREMANTLE

LOCAL PLANNING POLICY LPP 1.10

CONSTRUCTION SITES

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AUTHORITY: LOCAL PLANNING SCHEME NO.4

INTRODUCTION

Construction sites can impact upon the amenity of the surrounding locality and must be properly managed to preserve a safe and healthy environment for residents, workers and visitors to Fremantle. This policy recognises the need to balance the interests of the Fremantle public with that of the property development industry.

SCOPE

This policy applies to construction sites where there is limited capacity to contain construction related activities on site.

OBJECTIVES

The objectives of this policy are:

- To reduce the impacts of construction sites on the occupants of adjacent sites and nearby sensitive land uses;
- To maintain a safe and pleasant inner City environment for the public;
- To assist developers of large scale residential and commercial buildings understand the City's expectations with regard to construction site management;
- To protect road reserve infrastructure that could be damaged as a result of construction related activities;

DEFINITIONS

“AS” means Australian standard
“Builder” means the builder whose name appears on a building permit issued by the City under the Building Act 2011.
“Construction and demolition waste” means waste resulting from the construction, alteration, repair or demolition of a building and includes liquid wastes.
“Construction related activities” means activities within the road reserve relating to the construction, demolition, alteration or repair of a building.
“Construction site” means the lot or land on which construction or demolition works or earthworks are being carried out.
“Construction work” has the same meaning given to it in the Environmental Protection (Noise) Regulations 1997
“Gantry” means an overhead structure used in conjunction with scaffolds and elevated work platforms to provide over head and side protection to a walkway.
“Hoardding” means a temporary structure erected around a construction site to separate the site from adjoining land.
“Infrastructure” means all structures, kerbs, signs, furniture, surfaces, soil and vegetation within the road reserves and includes underground and overhead services.
“Street tree” means a tree within the road reserve and includes shrubs exceeding one metre in height.
“Waste receptacle” includes a skip bin, commercial bulk rubbish container, and household waste or recycling bin of capacity 240L or greater or other suitable receptacle designed to receive and contain wastes.

**POLICY**

1.0 Legal implications

1.1 The requirements of this policy are the minimum standards for construction sites (may also be referred to as “site” or “sites”) captured within the scope of this policy. Permits traditionally issued by the City in relation to the use of the road reserve are not required for construction sites captured under this policy provided the requirements of this policy are met.

1.2 Where an applicant is able to demonstrate that a requirement of this policy cannot be reasonably met, i.e. due to special circumstances, the City may approve a variation to any requirement of this policy. Any departure from the requirements of this policy without express written permission from the City may result in prosecution against liable parties.

1.3 Compliance with this policy is not a substitute for compliance with other laws. A person carrying out building work is responsible for obtaining all necessary consents or permits.

2.0 Documentation required

2.1 All gantries and hoardings are to be structurally certified by a “Professional Engineer” as defined by part A1 (INTERPRETATION) of volume one of the current National Construction Code with written certification being forwarded to the City prior to any overhead work being commenced on the site.

2.2 Any changes to gantries and hoardings during the construction period of the site are to be approved by a "Professional Engineer".

2.3 Before commencing work within or above the road reserve; including but not limited to excavations, erection of structures and signs, storage of materials and dewatering operations, the builder or responsible contractor must obtain a public liability insurance policy noting the City of Fremantle as an interested party, with cover of not less than *ten million dollars* ($10,000,000.00) and indemnifying the City against any claim for damages.

**General requirements for construction sites**

3.0 Parking bays for construction related activities
3.1 The City will allocate all parking bays within the limits of the street frontage of the site, for the term of construction for construction related activities including deliveries and storage of materials, skip bins, site offices and contractor parking.

3.2 Where there are no parking bays adjacent to a site, an application may be made to the City to use a part of the road or a loading zone for construction related activities.

3.3 The perimeter of the allocated area is to be fenced to height of minimum 1.8m with visually permeable fencing (e.g. temporary fencing) which should not encroach more than 500mm onto a footpath and in any case a minimum effective footpath width of 1.2m is to be maintained.

3.4 The fencing must not impede pedestrian/traffic sightlines and must be illuminated so as to be clearly visible from the hours between sunset and sunrise.

3.5 Parking bay hire fees will apply at commercial rates in accordance with the City’s Fees and Charges Schedule in fee paying locations.

3.6 No storage of materials or equipment is permitted outside of the allocated area.

3.7 Use of the area must not impede the movement of pedestrians or road users.

4.0 Protection of infrastructure within the road reserve

4.1 All reasonable care must be taken during the term of construction to protect infrastructure (see definition) within the road reserve.

4.2 A bond shall be paid to the City in accordance with the City’s Fees and Charges Schedule in respect to the protection of infrastructure within the road reserve prior to the commencement of works.

4.3 Where it is essential to relocate any infrastructure within the road reserve to enable access to a construction site or for any other reason deemed appropriate by the City, the City may remove or relocate any infrastructure within the road reserve at the builder’s cost to enable vehicles to enter and leave the site.

4.4 Any damage to infrastructure within the road reserve as a result of construction related activities shall be made good by the builder within a time specified by the City. In the event, that the builder fails make good any damage, the City may carry out such repairs as necessary and recover all appropriate costs from the builder.

5.0 Street trees

5.1 Street trees are considered assets to the City that contribute to the wellbeing of the community and the natural environment. Street trees shall be protected during all phases of development in accordance with AS4970-2009 - Protection of Trees on Development Sites.

5.2 Where a tree or part of a tree is required to be removed to enable access to a construction site or for any other reason deemed appropriate by the City, the removal or pruning of trees shall not be undertaken except by the City’s staff or City contractor.

5.3 Street tree removal shall be assessed by the City in accordance with the City’s street tree policy.

5.4 If a tree is damaged during development works then any pruning, removal and/or replacement costs shall be at the expense of the land owner.
5.5 Where trees are authorised for removal as part of a development application, the land owner shall fund the full cost of the tree removal and pay for the cost of two replacement trees on the verge of the property the following planting season.

6.0 Security fencing around construction sites

6.1 All construction sites are required to be secured and fenced to a height of 2.1m - 2.4m.
   In some instances, the City may require a solid barrier such as a hoarding around a construction site in the interests of preserving the amenity of the surrounding area.
6.2 A fence or hoarding must not encroach more than 500mm onto the road reserve.
6.3 A fence or hoarding must not obstruct pedestrian and motorist sightlines and must be clearly visible during the hours between sunset and sunrise.
6.4 All fencing and hoardings are to be maintained to a high standard at all times.

7.0 Gantries

7.1 Where scaffolding is erected upon or above a footpath, a suitably designed overhead gantry and protective barrier (scaffold side) shall be provided along the length of the scaffold to protect pedestrians from falling objects.
7.2 A minimum width of 1.2 metres and a headroom clearance of at least 2.40 metres are required for pedestrian access.
7.3 Gantries shall be setback a minimum of 750mm from the kerb and designed so as not to collapse or cause injury to any person when subjected to vehicular impact.
7.4 Gantries shall incorporate a continuous guardrail fixed between columns 800mm above the footpath and incorporate adequate overhead lighting for pedestrians.
7.5 On narrow footpaths where a gantry setback and 1.2 metre footpath width cannot be achieved, the City may approve an alternative arrangement.

8.0 Access to site by construction vehicles

8.1 All vehicle crossings to a construction site are required to be separated from any infrastructure within the road reserve by
   (a) a minimum of 2.0 metres in the case of street trees;
   (b) a minimum of 1.2 metres (in the case of bus shelters, traffic management devices, parking embayments or street furniture), and
   (c) a minimum of 1.0 metre in the case of power poles, road name and directional signs.
8.2 Upon application, the City may consider approval to a lesser distance in cases where:
   (a) no practical alternative location is available for the crossover, and
   (b) the infrastructure/tree is not damaged by the proposal, and
   (c) safe and adequate traffic sight distances are maintained.

9.0 Contact Details
9.1 In addition to the requirements of the Building Services (Registration) Regulations 2011, the following details shall be displayed prominently on the site:
(a) The name of the main contractor or builder;
(b) Name of company responsible for structures over the street;
(c) Contact telephone numbers;
(d) Site address; and,
(e) Expected completion date of construction

10.0 Site offices

10.1 Where it is not possible to situate a site office on a construction site, a site office may be situated within the allocated parking area or on a suitably designed gantry structure.

10.2 Upon application, the City may approve a site office in an alternative location.

Environmental Management

11.0 Noise - Construction Work and Deliveries

11.1 Construction work is limited to the following hours:
- Monday to Saturday: 7:00am – 7:00pm;
- Sundays and Public Holidays: no work permitted.

11.2 Deliveries to the site shall occur without disruption to the surrounding locality. Any deliveries to the site outside of these hours shall comply with the neighbourhood noise limits imposed by the Environmental Protection (Noise) Regulations 1997.

11.3 The City cannot permit construction work outside of permitted hours unless an application is made in writing to the CEO in accordance with the Environmental Protection (Noise) Regulations 1997. Construction work outside of permitted hours shall not unreasonably impact upon the surrounding locality.

12.0 Sand drift and dust management

12.1 Any activities likely to generate sand drift or dust; including but not limited to demolition, earthworks and the cutting or sawing of materials, shall be conducted in a manner that minimises the generation and movement of sand or dust off the site.

12.2 Sand and dust shall not be permitted to accumulate in excessive amounts on the road reserve adjoining the site.

13.0 Waste management

13.1 Except for allocated parking bays (see 3.0), the road reserve adjoining construction sites is to be maintained free from rubbish and construction and demolition wastes including liquid wastes at all times.

13.2 All wastes generated on site are to be contained in waste receptacles which are to be emptied as required.
13.3 Suitable measures are required to prevent waste blowing out of receptacles during windy conditions, e.g. the use of lids or relocation of bins to protected areas of the site.

14.0 Dewatering

14.1 Dewatering of a site shall not occur without approval from the City.

15.0 Traffic management

15.1 Any disruption to traffic movement involving lane closures, deviation of vehicles from their normal progress or path, or other complex traffic arrangements requires a traffic management plan to be prepared by a person accredited by Main Roads WA in accordance with Main Roads Western Australia’s Traffic Management for Events and or Works on Roads Code of Practice and AS1742.3.

15.2 A traffic management plan shall be submitted to the City’s Technical Services section at least 21 days prior to the date of the traffic disruption to allow advertising to occur.

16.0 Works affecting pedestrian areas

16.1 Whether a footpath is present or not, portions of the road reserve adjacent to construction sites are to be maintained in a safe condition at all times.

16.2 Temporary crossings to building sites shall be constructed in a manner that enables the safe passage of pedestrians over the crossing.

Where interference or obstruction to the normal use of a footpath occurs or is planned to occur, appropriate traffic control devices/signs complying with the requirements of AS 1742.3 are to be provided in appropriate locations to inform and guide users of the footpath safely through, around or past such works.