

Attachment D

<h2>Summary of Submissions and City Responses</h2>

Ref	Submission from	Submission (summary of key matters raised)	Code clause/s	Officer comments	Outcomes
1	Individual (resident)	<p>(a) Concerned about the duration of hoarding placement on public land particularly when development/construction projects are progressing slowly or have stalled. Raised issues about hoardings obstructing footways including shared paths - provides an example of a cyclist accidentally striking a woman pushing a pram due to the hoarding narrowing the pathway width.</p> <p>(b) Suggests that tighter time limits be applied to hoarding installations where projects are not progressing promptly or have ceased construction. Also suggests that greater road occupation fees should be applied for slow works to incentivise completion of development/works to speed the removal of temporary structures.</p>	1.19.4	<p>This clause deals with matters relating to extending an approval permitted under Section 107 of the Local Government Act.</p> <p>The provision in the draft CoP lists several reasons where the City may decide not to extend an approval and includes a general sub-clause highlighting that the City can determine not to extend where there are 'any other matter as determined by the City'. This could include refusing to extend an approval due to:</p> <ul style="list-style-type: none"> • an unacceptable duration of temporary structure placement where works have ceased for extended periods; and/or • where works are not progressing at an acceptable pace. <p>To address these matters an additional subclause is recommended for inclusion in the Code. Subclause (d) has therefore been included. This will make it clear to holders of an approval that in circumstances where works stall or cease the City may require removal of a temporary structure (where safe to do so).</p> <p>In relation to establishing greater footway occupation fees as a means to encourage the removal of temporary structures, this matter will be considered in the annual review of City's Revenue Policy (fees and charges) in 2026.</p>	<p>An additional subclause (d) in 1.19.4 has been included as follows:</p> <p>"(d) a development and/or works have stalled or ceased and the temporary structure is no longer required for its approved purpose and the City requires its removal or modification".</p>
2		(a) The draft Code is a comprehensive body of work.	-	Noted.	-

	Company (hoarding supplier)	(b) The draft Code is more a regulatory compliance document rather than a guideline (a reference to the City's current adopted <i>Guidelines for Hoardings and Scaffolding</i> which the draft Code will replace).	-	Noted. The title of the draft Code could be considered a more formal 'compliance' document, however, both the current <i>Guidelines for Hoardings and Scaffolding</i> and the draft CoP have equal status in terms of enforcement through the Local Approvals Policy.	No change required.
		(c) Queries whether independent external structural engineering advice/expertise has been sought from practising engineer/s during the development of the document.	2.8	Independent advice from a practising engineer has not been sought. It is a requirement of clause 2.8 (structural design, certification and eligibility) that temporary structures must be designed to comply with applicable Australian Standards including the AS/NZS 1170 series relating to structural design (imposed loads, wind actions and earthquake actions). The draft Code also stipulates that design and certifying engineers must hold minimum qualifications and registration with the industry body, Engineers Australia.	No change required.
		(d) Points out that: " <i>ultimately any prescriptive elements will have an engineering implication and one would assume that these would be thoroughly understood and considered whilst generating such a comprehensive document</i> ".	-	The submission does not specifically identify parts of the draft Code that have an "engineering implication". It is a requirement of the draft Code that the design of temporary structures must be assessed for structural adequacy against applicable Australian Standards (refer to comments above). Any aspects of a structure's design that cannot achieve compliance with the objectives in the Code and/or referenced standards must be identified in an application and proponents must set out reasons why compliance cannot be achieved including seeking a variation (as permitted in the Code).	No change required.

				The City may seek independent structural engineering input at any point in relation to the application of the draft Code including during assessment of a proposal and application.	
		<p>(e) Provides comments on three specific aspects:</p> <ul style="list-style-type: none"> a proposed counterweight height of 2.1m for vertical counterweights is problematic as most weights are 2.2m tall. concerned about taller counterweights needing to be used to address structural stability aspects and how this is to be addressed through the Code; and a proposed maximum limit of three grouped columns – questions the limitation and suggests that up to four grouped columns should be permitted to avoid the usage of rolled steel column members. 	3.9.3(a)	<p>A 'deemed-to-comply' provision is nominated in the draft Code to set a standard (maximum height 2.1m for vertical counterweights). The submission indicates that most standard counterweights have a height of 2.2m. Following a review of this component of hoarding design provisions it is considered appropriate that a height not exceeding 2.3m be permitted. The increase of 200mm (2.1m to 2.3m) will not overly increase the bulk and scale of a Type-B hoarding along the kerbside of footways.</p> <p>In relation to counterweighting exceeding a height of 2.3m (for essential structural stability purposes), the Code permits this subject to 3.9.3(e) which requires plywood enclosure and the display of graphics on all four surfaces to mitigate adverse visual impacts.</p>	<p>The subject clause has been adjusted to nominate a maximum height of 2.3m as a deemed-to-comply control.</p> <p>No change necessary – addressed in the Code.</p>
			3.8.2(d)	<p>The restriction of grouped columns (maximum of three) has been established as a 'deemed-to-satisfy' provision to set a prescriptive control. Where there are justified reasons for the use of more than three grouped columns the proposed Code permits variations where a proponent can justify variations and the proposed design meets the objectives set out in the Code.</p>	No change required.
3	Company (hoarding supplier)	Concerned with the proposed height control (2.1m) for vertical counterweights noting that the	3.9.3(a)	A 'deemed-to-satisfy' provision is nominated in the draft Code to set an acceptable maximum standard height for vertical counterweights. The	The subject clause has been adjusted to

		supplier's current counterweight height is 2.25m.		<p>submission indicates that most standard counterweights have a height of 2.25m.</p> <p>As noted in submission 2 (above) it is considered appropriate that a height not exceeding 2.3m be applied (as a deemed-to-comply standard) which will not overly impact on the bulk and scale of these elements of Type-B hoardings on kerbside of footways.</p>	nominate a maximum height of 2.3m.
4	Company (manufacturer of recycled composite panels / boarding)	<p>(a) Seeks to include clauses to allow the use of 'engineered recycled composite panel' such as the product 'saveBOARD' for hoarding fencing. The standard Code requirement for fencing is 17mm (min.) thick structural-grade plywood.</p> <p>(b) The inclusion of the suggested generic term would capture the saveBOARD product (produced commercially in Warragamba – details can be found here: https://www.saveboard.com.au/).</p> <p>(c) Details included as part of the submission are summarised below:</p> <ul style="list-style-type: none"> • a high-performance, carbon-negative building panel manufactured entirely from 100% upcycled Australian waste streams; • includes used drink cartons, construction-related soft plastics, and wood fibre, sourced predominantly from local construction clients, 	3.10 – Objectives and 3.10.2(d)	<p>The product has undergone several tests including strength and impact resistance. An assessment of combustibility has also been undertaken and a professional opinion obtained (based on deemed-to-satisfy criteria in the Building Code of Australia) which indicates that the product is considered acceptable for use within buildings.</p> <p>The product details and specifications (from the saveBOARD website) have been reviewed by the City's Sustainability and Resilience team and the following points (environmental aspects) are highlighted:</p> <ul style="list-style-type: none"> - positive from an environmental standpoint (no apparent reporting of issues with the material composition); - VOCs are in-line with Green Star requirements; - potential for the release of potential toxins when exposed to fire (Note: This is also common with plywood); and - absence of information regarding material wear when exposed to weathering and product degradation that may lead to release of microplastics. 	<p>The objectives and applicable clause have been adjusted to include:</p> <ul style="list-style-type: none"> • an objective to highlight the need for the re-use or recycling of fencing materials; and • a 'Note' in subclause (d) of 3.10.2 to highlight that the City may consider forms of site fence boarding material (other than structural-grade plywood) on a case-by-case basis and where a material meeting the 'objectives' including satisfying the City's requirements as part of the application assessment processes.

		<p>container deposit schemes, and industrial partners;</p> <ul style="list-style-type: none"> • further product information is available at: https://www.saveboard.com.au/multi-use-panel; • the product has been engineered to meet the durability, safety, and performance requirements expected of construction materials including AS/NZS 2269:2012 (plywood) for performance and impact-tested to AS 4687.3: 2022 (Temporary fencing and hoardings). <p>(d) The submission further highlights that product aligns strongly with the City of Sydney's <i>Sustainable Sydney 2030–2050</i> strategic vision, particularly its focus on circular economy practices including the use of low-impact and environmentally responsible construction materials. It also complements existing provisions in the draft Code, such as Clause 6.1.10 which encourages the use of 100% recyclable printable banner materials for the display of graphics on hoardings.</p>		<p>From a sustainability perspective (recycling waste products and reuse/recycling of panels), the product performs very well. It also aligns with circular economy principles.</p> <p>The current form of hoarding fencing material is plywood which is typically recovered and re-used (subject to satisfactory condition) when a hoarding is dismantled. Plywood has been used on hoardings for many decades and has performed well. The material can be easily maintained (cleaned) and repainted to maintain a satisfactory visual appearance.</p> <p>From discussions with a representative of <i>saveBOARD</i> there has been no similar long-term usage of the board in an outdoor heavy construction site environment to confirm satisfactory performance including exposure to variable weather conditions (rain and wind) and sun exposure.</p> <p>Ideally, in situ testing should be undertaken to determine long-term durability and resistance to various elements including general wear & tear from heavy construction works/activities.</p> <p>The <i>saveBOARD</i> company has approached a large construction firm to trial the product as part of a hoarding structure (site fence) installation however, at this point this has not been confirmed.</p>	
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5	Government (TfNSW – Operations Planning Coordinator-General Division)	Suggests that all diagrams show a kerb face to hoarding column setback dimension without stating “min.” and include notes explaining that variations are permitted. The notes should also state a preference to provide 800mm kerb setback adjacent to bus corridors (kerb lane).	3.8.4 (e) and (f); 3.12.5(h)	<p>It is noted that a column/counterweight setback greater than 300mm is helpful to bus drivers when moving along kerb lanes particularly transitways. Setbacks greater than 300mm can also be helpful when manoeuvring from through-traffic lanes into kerb lanes where kerbside parking is permitted, particularly near bus stop zones.</p> <p>Column and counterweight setback distances from a kerb must respond to local conditions including the footway width, pedestrian density, footway infrastructure (litter bins, bench sets, street light poles), and street trees.</p> <p>A key provision and aim of the current controls (and the proposed Code) is to minimise the footprint of a hoarding and thereby maximise the unencumbered footway space (width) to ensure safe and convenient movement of pedestrians.</p> <p>The Code requires a minimum hoarding setback of 300mm from the kerb to provide clearance for the safe passage of vehicles along the kerb lane including clearance for side-mounted rear vision mirrors. The 300mm setback also maximises the clear width of a footway for pedestrians.</p> <p>There are also needs of builders that must be considered such as their statutory obligations to afford overhead protection to objects that may fall from work area above a footway. A setback of 800mm as suggested by TfNSW may conflict with public safety needs and contractor WHS obligations. There are solutions to address this area of conflict such as cantilevering the hoarding deck from columns that are setback from the kerb. An example is shown in Figure 3.17 in the draft Code, although such a design is not suited to all footway conditions.</p>	<p>Several provisions have been included to address the matter raised by TfNSW. This includes requirements for hoarding designers / contractors to consult TfNSW and seek feedback to minimise impacts on bus transport operational needs. Details of consultation undertaken must be lodged with applications to the City. This will be considered in the assessment of a hoarding proposal.</p> <p>Furthermore, this aspect of hoarding design will be included in the City’s standard application form to clearly identify that this matter must be addressed. Contact details of the relevant TfNSW team will also be included in the form to facilitate effective consultation.</p>
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