

Building Site Code of Practice



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1. Preamble

Hobsons Bay City Council has developed this Building Site Code of Practice (Code) to ensure that any person who is responsible for building sites and building works in the municipality understands the minimum acceptable standards under which they must operate.

Problems commonly encountered at and around building sites include:

- Storage of materials and equipment on roads, footpaths and nature strips;
- Waste materials and litter not stored or removed in a responsible manner;
- Wind-blown waste, litter, wrappings, containers, plastics, styrene etc;
- Silt, sand, mud and litter fouling storm water systems and polluting the environment;
- Traffic and pedestrian hazards because of waste, mud, materials and equipment being left on roads;
- Noise and anti-social behaviour;
- Illegal parking affecting neighbouring residents/businesses; and
- Unauthorised damage to and interference with Council assets such as nature-strips, footpaths, kerb and channel, trees, drains etc.

2. Objective

The objective of this Code is to assist builders in managing building sites to ensure:

- activities on and related to building sites complement the safety and amenity of the public and the community;
- protection of the local environment from harm arising from building works; and
- damage to Council assets is minimised and where it does occur, is remediated efficiently and effectively.

3. Scope

This Code applies to any person wishing to conduct building activity within the City of Hobsons Bay. It also applies to all Council Officers involved in the issuing of related permits under the Local Law, or enforcement there-of.

The Code should be read in conjunction with Part 7 of the Local Law, which can be found at www.hobsonsbay.vic.gov.au under Local Laws.

4. Relationship with Community Local Law 2025

This Code has been incorporated by reference into the Council's Community Local Law 2025 (the Local Law).

Clause 7.1 of the Local Law provides that:

“The Person in charge of building works or a building site must, in respect of the building works or building site, comply with Council’s *Building Site Code Practice*, being a document incorporated by reference and forming part of this Local Law”.

5. Definitions

Any word or term defined in Community Local Law 2025 has the same meaning in this Code. Words or terms not set out in the Local Law but used in this document or which have a different meaning in this document, are defined as set out below.

Word/s	Meaning
Bond	Means an amount of money paid by a builder and held by Council as a guarantee.
Builder	Means a person engaged by or on behalf of the Owner or Occupier of a Building Site to carry out, manage or arrange the carrying out of Building Works. It includes a Person in charge of a building site or activity.
Building	Includes: a structure, temporary building, temporary structure and any part of a building or a structure; fences, walls, out-buildings, service installations and other appurtenances of a building; and a boat or a pontoon, which is permanently moored or fixed to land.
Construction	Includes: To build, rebuild, erect or re-erect; to repair; to make alterations; to enlarge or extend; to place or relocate; or to demolish.
Local Law	Means the Hobsons Bay City Council Community Local Law 2025.
Notice to comply	Means a notice issued to a person in accordance with clause 2.4 of the Local law.

Word/s	Meaning
Owner	<p>Means:</p> <p>In relation to land or a building - the person/s who is registered on the relevant Certificate of Title as the Owner or the person/s who is entitled to exercise any rights of Ownership to the Land.</p> <p>In relation to a Motor Vehicle or Trailer - has the same meaning as in the Road Safety Act 1986.</p>
Penalty unit	Has the same meaning as in Section 110(1) of the Sentencing Act 1991.
Permit/s	<p>Means:</p> <p>a permit authorised or required under the Local Law and granted in accordance with the provisions of the Local Law;</p> <p>a permit issued under the Planning and Environment Act 1987, Environment Protection Act 2017 or the Road Management Act 2004.</p>
Permit holder	Means a person to whom a permit has been granted under the Local Law.
Person/s	<p>Means:</p> <p>a natural person;</p> <p>a body corporate;</p> <p>an association (incorporated or unincorporated); or</p> <p>a partnership.</p>
Person in charge	Includes the owner of and any person who has the care, custody or control, whether temporary or otherwise, at the relevant time and place, of any building site, building work or other activity related to a building site.
Site identification	Means a sign, which is at least 600 millimetres in height and 400 millimetres in width, is erected at the entrance to a building site and is clearly visible from the road that the building site abuts.

6. Vehicle Crossings

Entry to site

- 6.1. On any land where building works are to be carried out, vehicle entry/exit to the land must only take place across either an existing permanent vehicle crossing or a temporary vehicle crossing.

- 6.2. When setting up a site for construction, it is important that the builder inspect the site and determine the most practical point/s for vehicle entry/exit. If any existing vehicle crossing is not suitable, the builder must seek Council permission before constructing either a temporary or permanent crossing in a different location.
- 6.3. If any existing vehicle crossing is to be used, steps should be taken to protect it from any damage that might reasonably be expected to arise from the building process. If any damage occurs to a crossing, the builder will be required to make it good, under the provisions of the asset protection permit applicable to the site.
- 6.4. Generally, only one vehicle entry/exit point should be provided to each site. On larger sites, or sites with more than one street frontage, a second vehicle entry/exit point may be approved. Builders should request permission for this additional access point when applying for their asset protection permit.
- 6.5. It is acknowledged that the need for an additional vehicle entry/exit point may sometimes not arise until after construction has commenced. In these cases, builders can apply for an amendment to their permit.

Temporary vehicle crossings

- 6.6. When a temporary crossing is proposed at a building site, check your requirements and then develop a site plan for the proposed crossing. The site plan should show:
 - a) the location of the proposed crossing
 - b) the location of any existing crossing to the site
 - c) any existing council assets or infrastructure including footpaths, kerb and channel, street trees, stormwater drains, street signs, pedestrian crossings
 - d) Assets of any other agencies – utility pits, manholes fire hydrants etc
 - e) Proximity to any existing adjacent vehicle crossings
 - f) Engineering details of the construction of the temporary crossing.

Application assessment

- 6.7. Before deciding upon an application, a council officer will take into consideration:
 - a) any loss of on-street parking for the greater community and demand in the immediate area
 - b) the proposed access point and vehicular movements
 - c) safety impacts on pedestrians, road users and the public
 - d) whether the location is a local or main arterial road
 - e) any impacts upon utility services, infrastructure and public assets, including street trees, and
 - f) any other matter that is relevant.

- 6.8. If an asset protection permit has not yet been issued for the site, the builder can seek to have a temporary vehicle crossing approval included in that permit. If the asset protection permit has already been issued, a separate vehicle crossing permit will be required. In all cases, a separate permit will be required for construction of a permanent vehicle crossing. See section 6 for information about asset protection permits.

Vehicle crossing permits - How to apply

- 6.9. Further information and permit applications can be found here: [Greenlight OPM - Applicant Portal](#)

7. Asset protection permits

- 7.1. A builder requires an asset protection permit prior to commencing, carrying out or allowing to be carried out any building construction or associated works on land.
- 7.2. Associated works include delivery of materials/equipment to a site or construction of a vehicle crossing onto the site. Fencing of the site is not associated works.

Builder obligations

- 7.3. When a builder applies for an asset protection permit, they must:
- a) notify Council in writing of the proposed building construction works at least seven (7) days before building works commence;
 - b) provide written notice of any prior damage to any part of the road, kerb and channel, vehicle crossing, footpath, nature-strip or any other adjacent council assets (including street trees) at least seven (7) days before any building construction work commences or the delivery of any equipment or materials to the land; and
 - c) notify Council in writing of the completion of the building construction works, within one (1) business day of such completion.

Permit conditions

- 7.4. Depending on the type of construction work to be undertaken and the requirements a builder might be seeking at a particular site, an asset protection permit may contain any or all the following conditions:
- a) requirement to maintain a public liability insurance policy with a cover of not less than \$20 million per claim, for the duration of the building works;
 - b) requirement that a copy of the permit always be available on the building site;
 - c) to pay a security bond or guarantee in accordance with the provisions of the Local Law;
 - d) require that all works and deliveries are carried out in accordance with any relevant and specified Construction Standards that Council may have adopted;

- e) require that no works or deliveries affect access to, or the safe navigation of, a road or a road related area may be undertaken, unless prior approval is granted by an authorised officer;
- f) require that materials may not be stored on a road or a road related area or reserve, unless prior written approval is granted by an authorised officer;
- g) require that, where permission is granted to undertake works or material storage on a road, road related area or a reserve, such area must be restored to a safe, clean and tidy condition to Council's satisfaction, by conclusion of the works;
- h) require that tree protection fencing be installed to ensure a Tree Protection Zone (TPZ) is provided to all street trees;
- i) require that any or all public assets or infrastructure damaged because of the works or deliveries be repaired, replaced or re-instated within a specified time, in accordance with the Local Law;
- j) require that Council be notified prior to the commencement of any works or deliveries, in accordance with the provisions of the Local Law;
- k) require that Council be notified of any pre-existing asset damage prior to the commencement of any works or deliveries, in accordance with the provisions of the Local Law;
- l) require that Council be notified when works have been completed;
- m) require that a temporary vehicle crossing be installed to Council's specification before commencement of any building works or deliveries;
- n) require that construction of any permanent vehicle crossing be completed within a specified time, in accordance with any construction standards Council has in place; and
- o) a waiver of the requirements for onsite refuse containers.

Permit expiry

7.5. Asset protection permits expire on the date specified in the permit, or if not specified, 12 months after the date of issue.

7.6. Builders can apply for an extension or renewal of a permit. The process is like applying for a new permit (see Sub-clause 7.7 below.)

How to apply

7.7. Further information and permit applications can be found here: [Greenlight OPM - Applicant Portal](#)

8. Construction or demolition works – normal working hours

8.1. Construction or demolition works may only be carried out during the normal working hours set out below:

a) Commercial and industrial construction and demolition:

- i. 7.00am and 6.00 pm Monday to Friday (excluding public holidays)
- ii. 7.00am and 1.00 pm Saturday
- iii. Sundays and public holidays – no works permitted.

b) Residential construction and demolition:

- i. 7.00am and 6.00 pm Monday to Friday (excluding public holidays)
- ii. 9.00am and 1.00 pm Saturday
- iii. Sundays and public holidays – no works permitted.

Note: Residential construction and demolition includes conversion of commercial and industrial sites to residential use.

Varying hours of work

8.2. Variations to these times may occur if different times are allowed in a permit issued under:

- the Local Law;
- the Environment Protection Act 2017;
- the Planning and Environment Act 1987; or
- any regulations made under those Acts.

8.3. Builders may also apply for different times to be allowed in their asset protection permit, in the following situations:

- a) where the builder can demonstrate exceptional circumstances that apply to the particular site; or
- b) for a particular aspect of the construction that will occur for a limited period, for example a large concrete pour occurring over 1-2 days.

9. Civil works permits (Road opening/occupation)

9.1. A civil works permit will be required if a builder needs to occupy (whether wholly or partially) **Council land** or open a **road** or **road related area**, for any work/s that involve/s:

- i. fencing off part of the road
- ii. erecting a hoarding, scaffolding or overhead protective awning

- iii. using a *mobile crane, elevated work platform, ladder, concrete pump, mobile scaffolding or a scissor lift* for any building works
- iv. making a hole or excavation (road opening)
- v. connecting any land to the storm water system
- vi. reinstating a hole or excavation or
- vii. leaving or storing any building, paving or other construction materials or any tools, machinery, plant or equipment or
- viii. for any other non-road purpose which does not involve a public space event.

Additional criteria for grant of a permit

9.2. Check your requirements and then develop and submit a site plan for the proposed civil works. The site plan should show:

- i. the exact location of the proposed works
- ii. road intersections within 20 metres of the proposed works
- iii. any existing council assets or infrastructure including vehicle crossings, footpaths, kerb and channel, street trees, stormwater drains, street signs, pedestrian crossings
- iv. Assets of any other agencies – utility pits, manholes fire plugs/hydrants etc
- v. Proximity to any existing adjacent vehicle crossings
- vi. Engineering details of the construction of the temporary crossing.

An example site plan is shown at Schedule 1.

Traffic management requirements

9.3. If the proposed works will impact on traffic/pedestrian movements in the area, the site plan must show traffic management arrangements – see Schedule 1. The plan must also comply with the State Government's *Code of Practice for Worksite Safety – Traffic Management*.

Application assessment

9.4. When considering an application for a *civil works permit*, Council will have regard to:

- the nature and duration of the works;
- the likely hazard that the works may constitute to users of the road;
- the impact of the works on the amenity of the adjoining area;
- whether an indemnity/guarantee has been provided to Council;
- whether a security bond is required in the circumstances; and

- has the applicant conducted 'dial before you dig' investigations; and
- any other matter relevant to the circumstances of the application.

9.5. It's therefore important that permit applications and site plans contain as much detail as possible about how builders will address these matters, whilst undertaking the works.

How to apply

Further information and permit applications can be found here: [Greenlight OPM - Applicant Portal](#)

10. Civil works permit exemptions

10.1. Civil works permit requirements *do* not apply to the works of service authorities:

- a) in an emergency or urgent circumstance as defined by the **Road Management Act 2004**
- b) when works are being carried out in accordance with the **Road Management Act 2004** or
- c) to the works of contractors undertaking any works within a **road** or **road related area** for or on behalf of **Council**.

10.2. Nothing in sub-clause (10.1) exempts a person from an obligation to notify *Council* of the location of the works prior to them beginning or, in an emergency or urgent circumstances, on the next working day following the works beginning.

How to apply

Further information and permit applications can be found here: [A-Z Forms, Permits & Fees - Hobsons Bay](#)

11. Security bonds and guarantees

11.1. Where Council requires a security bond or guarantee under an asset protection permit or civil works permit, the value of the bond or guarantee will be proportionate to the likely cost of repairing potential damage to council assets in the vicinity of the proposed works.

11.2. The bond or guarantee will need to be paid before the permit is issued.

11.3. In the event that a permit holder breaches or fails to comply with the permit conditions attached to the permit or the Local Law, Council may apply so much of the security bond or guarantee as necessary to remedy that breach or failure to comply and repair any damage caused by that breach or failure to comply - **Local Law Clause 7.11 (2)**.

- 11.4. In the event that the security bond or guarantee is insufficient to remedy the breach or failure to comply and repair any damage caused by that breach, the person to whom a permit is issued will be liable for the additional cost of the repair.

Refund of bonds and guarantees

- 11.5. Unless Clause 7.11(2) of the Local Law applies, bonds and guarantees will be refunded on completion of works.

12. Waste management

- 12.1. A bulk waste container must be provided on a building site, for disposal of builders' waste. The container must be located within the building site, unless Council has issued a permit allowing it to be located elsewhere.
- 12.2. Builders must ensure that all waste, other than sand and soil, is placed in the bulk waste container and prevented from leaving the container without human assistance (e.g. being windblown). For example, the bulk waste container could have a lockable lid fitted.
- 12.3. Builders need to ensure the bulk waste container is emptied whenever it is full and, if necessary, provide a replacement bulk waste container during any emptying process.
- 12.4. The bulk waste container may be placed on Council land for short periods as necessary to empty it, however it must be returned to site immediately upon being emptied.
- 12.5. When placed on Council land, the container must be closed and locked, to prevent escape of the waste.
- 12.6. All waste on a building site must be removed within seven (7) days of completion of works, the granting of an Occupancy Permit or the issue of a Certificate of Final Inspection – whichever comes first.
- 12.7. At all times, the site must be kept clear of any waste/rubbish that may be transported from the site by wind.

13. Surrounding site protection

- 13.1. The builder must take steps to ensure that their site does not have any detrimental impact on the environment. Polluted stormwater run-off is one of the most common ways in which building sites can damage the environment. Council therefore has several requirements that builders need to follow, to minimise stormwater contamination.

- 13.2. Builders must ensure that a site is managed to minimise the risk of stormwater pollution through run-off by chemicals, sediments, animal wastes or gross pollutants. This can be achieved by adopting measures to:
- a) minimise the amount of mud, dirt, sand, soil or stones deposited on the abutting roads or washed into the stormwater system;
 - b) prevent building cleanup, wash down or other waste being discharged off-site or allowed to enter the stormwater system; and
 - c) prevent mud, dirt, sand, soil or stones or similar materials to leave the site on the wheels of any vehicles.
- 13.3. The builder must also ensure that:
- a) no materials are deposited on any part of a road without the approval of Council; and
 - b) any builders' waste which has spilled onto a road, nature strip or surrounding area is removed as soon as practicable.
- 13.4. They must also ensure that any footpaths and nature-strips adjacent to the building site or land likely to be affected by the building work, are always kept clear of mud and dirt.

Site fencing and tree protection

- 13.5. The City of Hobsons Bay is committed to protecting and expanding the tree canopy across the municipality. Builders are required to assist Council in this commitment, by taking steps to protect trees on Council land abutting their construction sites.

Site fencing

- 13.6. Builders must ensure that before works commence and then for the duration of those works, the site is provided with adequate site fencing or gates of a temporary or permanent nature, that:
- a) extend along all boundaries of the site, unless there is an existing permanent boundary fence in place, that meets the following criteria;
 - b) Fences /gates are not less than 1800mm in height and are contained wholly within the site, including any bases/feet used to support fencing – see image below;
 - c) can ensure all materials and waste from the building site are contained within the boundaries of the building site and cannot be transported from the building site by wind;
 - d) generally, have no more than one vehicle entry/exit opening to the building site, which has a width not greater than 3600mm, is fitted with a 1800mm high gate/s which can prevent litter from being transported from the site by wind;

- e) ensure the entry/exit points about the location of the existing or temporary vehicle crossing/s for the building site, and gates are always closed when building work is not in progress; and
- f) site fencing and gates do not protrude into or onto any land other than the building site.

NOTE: See section 5 for further information about vehicle entry/exit points, including options for more than one vehicle entry/exit point.



- 13.7. Where a builder is responsible for adjoining building sites, they may enclose more than one building site within the boundaries of a continuous site fence.

Tree protection zones

- 13.8. The builder must ensure that, prior to the commencement of any works and then for the duration of those works, a tree protection zone (TPZ) is provided, with adequate temporary fencing around any tree within the adjacent road reserve, Council reserve or other adjacent Council land, including nature strips.
- 13.9. A TPZ must comply with the requirements set out in Schedule 2 of this Code.





14. Site identification

- 14.1. The Builder or person in charge of a site must ensure that site identification signage is provided before works commence at the site.

14.2. Site identification means a sign, which is at least 600 millimetres in height and 400 millimetres in width, is erected at the entrance/s to the building site, clearly visible from the road the entrance abuts, and includes:

- the site address, as described on the Certificate of Title relevant to the land;
- the name of the Person/s in Charge and their contact telephone number(s);
- Registration number and contact details of the builder;
- Registration number and contact detail of the relevant building surveyor; and
- Building permit number and date of issue.

Sign example:

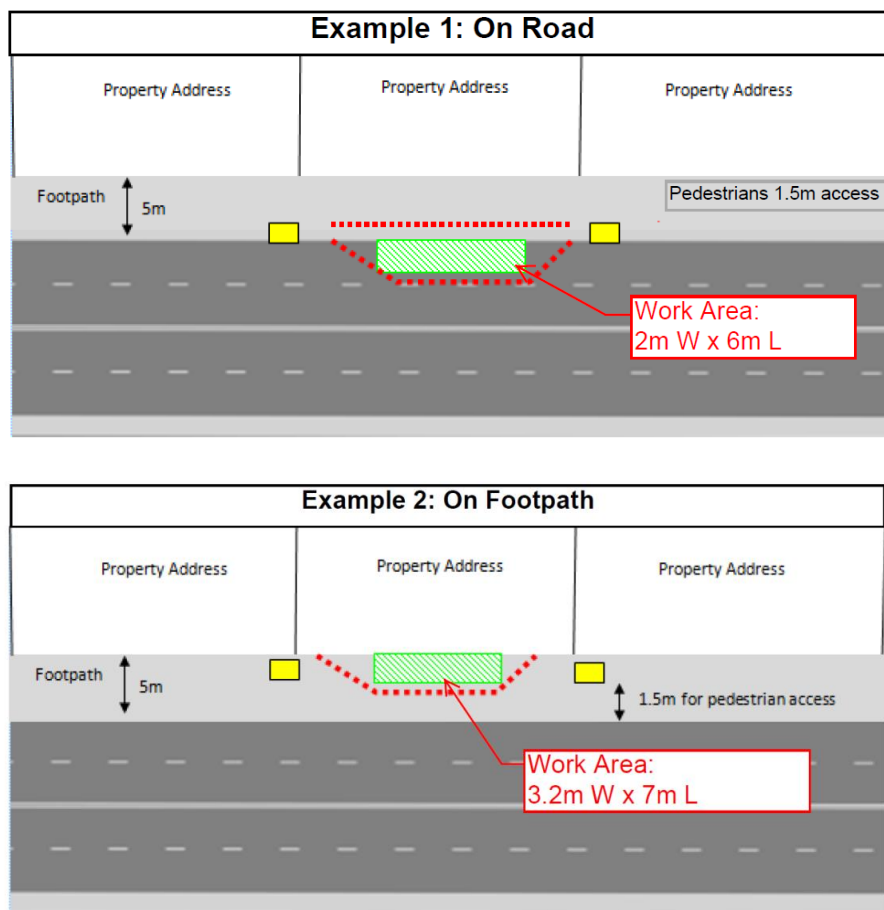
Your Logo Here		
Site address: _____		
Builder: _____ Contact No.: _____		
Registration number: _____		
Building Surveyor: _____ Contact No.: _____		
Registration number: _____		
Site Manager: _____ Contact No.: _____		
Project Manager: _____ Contact No.: _____		
	 THIS PROTECTIVE EQUIPMENT MUST BE WORN ON THIS SITE	In case of emergency call 000
All workers must be site inducted. All visitors must report to site office.		

Schedule 1




Road Occupation / Traffic Management Plan Example

Traffic management plans must show all safety features for vehicle and pedestrian safety

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Legend:

-  = work area
-  = bollards /tape
-  = signage

The following must be included in your ROP/TMP:

- Work location (site address)
- Street names and any intersecting streets/ or laneways
- Nature of activity e.g. – connection to water supply
- Length and Width of the work area you propose to occupy
- Appropriate safety signage, for example “pedestrian watch your step”, or “use other footpath”
- Bollards/tape or similar around your work area
- Pedestrian clearance (minimum 1.5m to allow for access).
- Council assets near your work area e.g.- trees, bus stops, bicycle hoops

1.1. **Complex jobs may require professional traffic management consultation. Refer to:** State Government's *Code of Practice for Worksite Safety – Traffic Management*.

Schedule 2 Tree Protection Zone

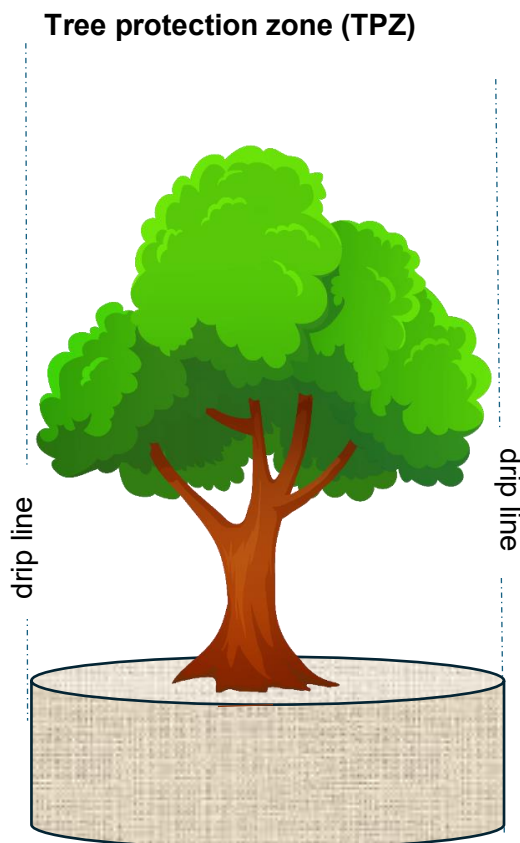


Figure 1: Diagram of ideal fencing required for Tree Protection Zone exclusion with no permanent structures in the vicinity.

TPZ = Circumference at breast height (CBH) x 3

CBH= trunk circumference measured at 1.5 m aboveground.

If tree is multi-stemmed, circumference includes all stems at a height of 1.5m.

TPZ further explained

If the circumference of a tree trunk, measured at a height of 1.5 metres from ground level is 110cm, this number is multiplied by 3:

$$\text{CBH : } 110\text{cm} \times 3 = 330\text{cm (3.3M)}$$

The diameter of the required Tree Protection Zone is therefore 3.30 metres. This diameter may be varied/reduced to allow for existing permanent infrastructure already in place. Minimum height of TPZ should be 1.2m.

Existing infrastructure includes:

- Footpaths
- Driveways
- Fire hydrants/fire plugs
- Australia Post Letter boxes
- Power poles or streetlight poles
- Fences
- Pedestrian/school crossings
- Roads and road related areas
- Street furniture including seats, bicycle racks, waste bins.