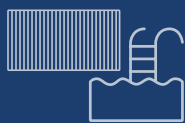
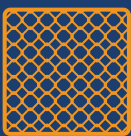







City of
KINGSTON

Guidelines for Public Safety and Amenity When Building in the City of Kingston



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Introduction



Example of Wall Art on new development in Moorabbin

The City of Kingston has an ongoing commitment to provide a vibrant, safe and healthy environment for its community.

These guidelines have been developed to highlight some of the responsibilities for builders, tradesman, property owners and developers when undertaking construction works in the City, with a view to:

- minimising the risk of injury to the public
- preventing stormwater pollution from building sites
- controlling nuisance around building sites
- protecting Council's assets
- improving the construction quality of buildings
- providing guidance in complying with the relevant local laws and regulations
- provision of a list of permits that may be applicable for your construction works.

These guidelines clarify the responsibilities and obligations that come with construction and development in our City.

Construction and development can have far reaching impacts on adjoining properties, pedestrians, traffic, neighbouring residents, businesses and Kingston's environment. If not appropriately managed, issues such as construction noise, stormwater pollution, sediment control and dust from demolition sites can have a negative impact on neighbourhood amenity, safety and the natural environment.

Please take the time to read through these guidelines prior to commencing construction in order to ensure compliance with the relevant requirements.

Asbestos in Buildings



Asbestos was commonly used in many building materials between the 1940s and late 1980s because of its durability, fire resistance and insulating properties.

It is important that individuals do not undertake asbestos removal themselves due to the increased health risks of handling the material.

Visit asbestosawareness.com.au for information on how to safely manage asbestos in and around the home.

For a list of licensed asbestos removalists, please contact WorkSafe Victoria or visit www.asbestos.vic.gov.au

WorkSafe Victoria assists with complaints regarding the handling, treatment or removal of asbestos undertaken by an asbestos removal company and potential asbestos risks in a workplace. For further information, call WorkSafe Victoria on 1800 136 089.

Council's Environmental Health Services team can also assist with enquiries or complaints about the incorrect removal or disposal of asbestos.

☎ 1300 653 356



Asset Protection



An **Asset Protection Permit** is required for all works, from commencement to completion of the development. There can be several stages to a development, including demolition, construction, pool installation and landscaping.

An owner or builder can take out one permit to cover all stages of the development. One Asset Protection Permit can be issued to the applicant to cover multiple stages of work. Alternatively, individual applications can be made for each stage. The security deposit will be reimbursed to the applicant at completion and approval of repair works for the demolisher/builder/landscaper/pool company upon completion of each stage. In this case, three to four permits may be required for the development of works.

Damage to Council assets is ultimately the applicant's responsibility. All damages reported at the final inspection will be the applicant's responsibility if works commenced prior to an asset protection permit being issued.



Protection of Council drainage pit in Cheltenham

When is an Asset Protection Permit required?

Works requiring an Asset Protection Permit are:

- works deemed by Council to pose a risk to Council assets, e.g. damage to footpaths, kerb and channel, nature strip, street trees, roads and drains, street furniture, council lighting, parks and reserves
- most works covered by a building permit. Some lightweight construction activities may be granted an exemption from the need to obtain an Asset Protection Permit, providing it can be reasonably demonstrated to Council that the works do not pose a risk to Council infrastructure/assets. In this case, Council needs to be satisfied that all activities associated with the movement of materials and equipment from the road or reserve onto the property will not pose a risk to Council infrastructure/assets.

Damaged infrastructure/assets must be reinstated to current Council standards. If reinstatement works are required, then Council officers must inspect pre-pour of all infrastructure reinstatements. Information on Vehicle Crossing/Road Opening Permits can be downloaded from Council's website.

For further information visit kingston.vic.gov.au/assetprotectionpermits

Related documents:

- Asset Protection Permit
- Community Local Law
- City of Kingston Standard Drawings
- Vehicle Crossing Permit
- Footpath & Road Opening Permit.



Basement Guidelines

The City of Kingston is committed to the management of buildings and other structures with below ground level elements for the benefit of the whole community.

The **Kingston Basements and Deep Building Construction Policy** outlines the approach, methods, principles and procedures that Council will follow in order to manage the construction of underground structures to ensure consistent, equitable and transparent outcomes are achieved.

This policy is applicable to all properties in the City of Kingston. This includes all private, Council and government-owned properties involving significant excavation for structures below natural surface levels. Examples include, but are not limited to, basements, underground car parks, dwellings, tanks, swimming pools and retaining walls.

All areas of Kingston have potential issues with groundwater for deep constructions as the predicted water table varies between 0 and -5 metres from the natural ground surface. Some areas are known to be very high risk due to a high water table and related issues such as the prevalence of acid sulphate soils. Prior to application for a building permit, developers must conduct a site investigation to assess the local hydrology. The results of the site investigation must be presented to Council in the form of a **Groundwater Assessment Report (GAR)**.

In addition, regulation 604(3) of the *Building Regulations 2006* states that before and during the carrying out of building work all excavations must be fenced or otherwise guarded against being a danger to life or property.

Protection of Adjoining Properties

There are requirements for protection of adjacent properties during construction works. Please refer to Section 22 for further details. For further information visit kingston.vic.gov.au/engineeringassessments



Basement Concreting works at a development in Main St, Mordialloc



Basement works at a development in Balcombe Rd, Mentone

Related documents:

- Basements and Deep Building Construction Policy
- Basements and Deep Building Construction Guidelines
- Part 7, Sections 84-101 of the *Building Act 1993*.

Boat Sheds on Crown Land



Any repairs or alterations to existing boatshed and bathing boxes need approval from Council's Property Services Department.

Depending on the type of works undertaken, minor maintenance works may not require a building permit. If any structural work is involved, Council permits may need to be obtained. A Planning Permit may also be required, please contact Council's Statutory Planning Department for further advice if a planning permit is required or not. Please contact Council's Property Services team for any clarification.

Any repairs or alterations to boatsheds and bathing boxes should be in accordance with the Department of Environment Land Water and Planning (DELWP) Draft Guidelines and Building Code of Australia. Consent from DELWP is also required.

Replacement structures will only be considered if the current structure is no longer safe and cannot be repaired.

If asbestos removal is to be undertaken, registered asbestos removalists must be used in public places and disposed of in accordance with EPA legislation and relevant codes.

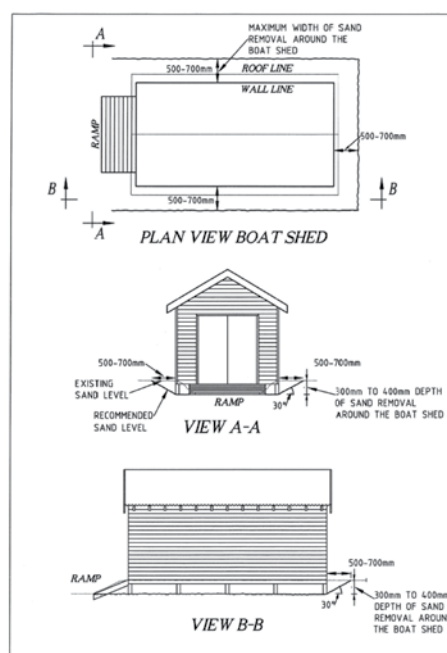
A Local Laws Permit is required for vehicular access to any foreshore in the City of Kingston.

For further information visit [kingston.vic.gov.au/boatsheds](https://www.kingston.vic.gov.au/boatsheds) or contact Property Services.

Related documents:

- Boat Shed Policy
- Local Laws Permit for work on foreshore.
- Planning Permit Application

Appendix 1
Plan showing clearance of sand around boatshed at 30-degree horizontal fall.



Plan showing clearance of sand around boatshed requirements

Build Over Easement

If the proposed location of a building structure (i.e. fence, shed, garage, pergola, dwelling, office, shop, factory etc.) is over a drainage and/or sewerage easement, you are required to make an application for **Report and Consent** to Council's Building Department under Regulation 310 of the *Building Regulations 2006*.

Regardless of whether the structure requires a building permit, in most cases a Report and Consent is mandatory. Additionally, if you obtain approval via a Report and Consent, you are then required to obtain a building permit – even for structures that are normally exempt.

What is the purpose of an easement?

An easement is a section of land registered on your property title, which gives someone the right to use the land for a specific purpose even though they are not the land owner. An easement may or may not contain an asset such as a sewer main and/or stormwater drain which may belong to different authorities. Just because a property has an easement does not mean there is definitely an asset contained within it, in some cases the easement may have been created as an overland flow path which may result in Council not allowing any structures to be built on it.

Does City of Kingston allow buildings to be constructed over an easement?

The City of Kingston does not allow the construction of habitable buildings over an Easement regardless of whether there is a Council asset contained within the easement. Council may allow the construction of any of the following over an easement upon submission of the Report and Consent application after detailed investigation of suitability.

- Garages / Carports
- Decks
- Sheds
- Building Eaves

Approval will not always be granted as each application is assessed on its merits. Council reserves the right to refuse to grant approval for any proposed structure type due to operational procedures.

Approvals from external authorities

You will also require approvals from any other authorities that may have an interest in your easement, such as South East Water or Melbourne Water. You will have to contact these authorities (as referenced on the title) to obtain approval where required, prior to commencement of any works over the easement.

Additional information regarding assets and the necessary approvals is also available on the South East Water website sew.com.au

For further information visit kingston.vic.gov.au/buildingforms

APPLICATION FOR REPORT AND CONSENT CONCERNING REGULATIONS 310, 302 & 308

How to Use This Form

Regulation 310 – Building Over an Easement
Regulation 302 – Land Subject to Inundation
Regulation 308 – Designated Overflow Area

Signature: _____ Date: _____

NOTES

Note 1: This is not an application for a Building Permit. You must obtain a Building Permit in addition to this application.
Note 2: This is not an application for a Planning Permit. If required, you must obtain a Planning Permit in addition to this application.
Note 3: Please refer to the Planning and Building Department website for further information.

DOCUMENT CHECKLIST CONCERNING REGULATIONS 310, 302 & 308

Please ensure you provide each item of information on this checklist and the form of the fee for submitting your application. Incomplete applications will not be considered. Please sign below to confirm that you have provided a copy of each item requested and that you have read and understand the additional information provided by the relevant Building Authority.

- ☐ Completed Report and Consent Application Form
- ☐ Report and Consent Fee (\$300.00 per Regulation)
- ☐ Covering Letter (if applicable)
- ☐ Two Sets of Plans (Site, etc.)
- ☐ Full Copy of Title (if applicable)
- ☐ Copy of South East Water Approval (for Building over an Easement Reg. 310)
- ☐ Copy of Melbourne Water Approval (for Regs. 302 & 308)
- ☐ Signed Indemnity Form (for Regs. 310, 302 & 308)
- ☐ Copy of Planning Permit (if applicable)

Additional Information: Complete Building Authority Form (if applicable) and Building Regulations. Please refer to the Planning and Building Department website for further information.

Report & Consent Application - City of Kingston Page 2

Related documents:

- Report and Consent, Flood Prone Areas/ Designated Land or Works & Build Over Easement.

Building Permits



The issuing of a **Building Permit** is the final step to allow works to commence on site. The permit contains detailed construction drawings and technical documents to allow the works to be constructed in accordance with the **Building Regulations** and associated standards.

Permits should be obtained from a private Building Surveyor, as the City of Kingston's Building Department is currently not issuing Building Permits until further notice.

Visit consumer.etoobox.buildingcommission.com.au/Pages/Search.aspx to search for multiple types of Registered Building Practitioners, including builders and draftspersons.

Do I need a Building Permit?

The *Building Act* requires that a Building Permit must be issued prior to undertaking building work. Penalties apply to companies and individuals for illegal building work undertaken without a permit.

Issuing of a Building Permit ensures that the building complies with building legislation, including practitioner registration and insurance. It is important that a property owner can provide building permit and inspection details during the sale of a property. Illegal building works can create significant problems during the sale of a property and may affect the outcome of any insurance claim.

Building Permit exemptions

Some minor building work is exempt from the requirement for a Building Permit. To obtain further information regarding the type of building work that may be exempt from the requirements of a Building Permit, please refer to Schedule 8, *Building Regulation 2006*.

Protection of adjoining properties

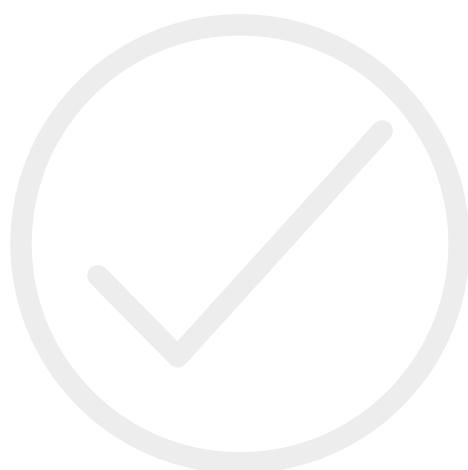
There are requirements for protection of adjacent properties during construction works. Please refer to Section 22 for further details.

For further information visit kingston.vic.gov.au/buildingpermits



Related documents:

- Application for Report & Consent Part 4 – Siting
- Application for Hoarding & Public Protection
- Practice Note 2006-25
- Kingston Building Surveying Complaints Form
- Part 7, Sections 84-101 of the *Building Act 1993*.





Burning Off and Fire Prevention

The City of Kingston is serviced by both the Metropolitan Fire Brigade (MFB) and Country Fire Authority (CFA) to fight fires, attend road traffic accidents and raise fire awareness.

A person must not, without a Council permit, light, allow to be lit, or allow to remain alight, a fire in the open air or burn off any building materials.

Non-compliance can result in an on the spot fine and/or prosecution under the Local Law.

For further information visit kingston.vic.gov.au/burningoff

Related documents:

- Permit to Burn Application
- Community Local Law (Section 9 – Fires).



Commercial Use of Council Land



Council's **Commercial Use of Council Land Policy** provides guidelines for any commercial activity including construction projects that require the occupation of Council owned-land and buildings (including Council-owned reserves, parks and carparks).

The policy provides appropriate regulations for these activities to ensure that the commercial use does not adversely affect public amenity and causes minimum disruption to all members of the community.

For further information visit kingston.vic.gov.au/commercialuseofland

Related Documents:

- Commercial Use of Council Land Application Form
- Commercial Use of Council Land Policy.



Image courtesy of Bayside Food Truck Fiesta



Construction Management Plans (CMPs)



Council requires the careful management of excavation, demolition and building works in Kingston. To achieve this, some builders and developers with larger or more complex developments are required to prepare a **Construction Management Plan (CMP)**.

A development requires a CMP if it meets any of the following criteria:

- it is within an activity centre
- the project value exceeds \$2 million
- it is greater than or equal to a 10-unit development
- it is on a main road managed by VicRoads
- it is in close proximity to a level crossing
- it is a Constrained Site:
 - a one-way road
 - a No Standing Zone in front of a development
 - there are limited options for construction vehicles to access site.
- it is located in Sensitive Areas such as those in close proximity to schools, child care centres, aged care facilities, or hospitals.
- or upon Council's request as deemed required.

Why is a CMP required?

The need for a CMP depends on the nature of work, likelihood of disruptions, impact on local amenity, dangers or risks involved, traffic management, or any other relevant issues required to be addressed under the Planning Permit. A CMP must be submitted to fully address each new stage of construction.

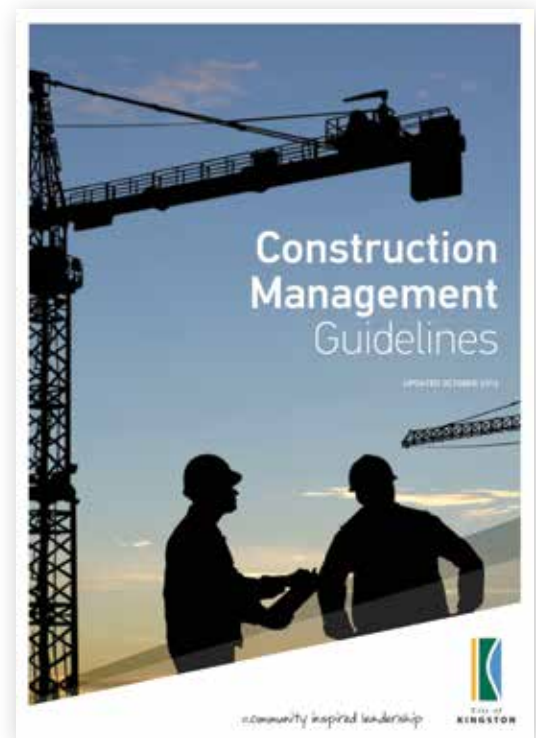
CMPs are necessary to ensure that construction, demolition and excavation sites (often referred to as 'building sites') do not adversely affect health, safety, amenity, traffic or the environment in the surrounding area. Approved CMPs are a contract between the developer and Council and address the temporary site management controls relevant during building activity.

The requirement to prepare a CMP may be specifically stated in the planning approval for a site or can be requested by Council as per Community Local Law 137A – Construction Management.

For further information visit kingston.vic.gov.au/construction

Related documents:

- Construction Management Guidelines V2.0
- City of Kingston Checklists for Construction Management Plans
- Community Local Law.



Demolition



Council is currently not issuing **Demolition Permits** at this point in time. These must be obtained from a private building surveyor.

An application for demolition to a private building surveyor must be accompanied by a 'consent to demolish' under Section 29A of the *Building Act 1993*. This consent is based on a building volume or fascade test and must be obtained by the applicant/agent from Council's Building Department. A Planning Permit may also be required to demolish a building e.g. if a Heritage Overlay applies to the site.

Developments requiring a Construction Management Plan (CMP) must include the demolition stage in their CMP that is submitted to Council. The applicant should ensure that prior to demolition commencement relevant Council permits have been obtained, and any Traffic Management Plans (TMPs) are approved for demolition machinery that may require partial or full road closure and/or road occupancy during the demolition phase.

Site activities during the demolition phase should be carried out to minimise any impact on the local amenity, including the following considerations:

- implementation of site measures to minimize any dust emitted from site
- ensuring activities are taking place during the construction hours permitted by the EPA regulations
- ensuring that noise levels are kept to an acceptable level where possible
- ensuring demolition activities do not cause any damage to Council assets (e.g. footpaths, nature strips, road pavement, nature strip trees etc.)
- ensuring any nearby residences or businesses that may be impacted by the demolition works are notified accordingly
- ensuring that any aspects of the demolition are not in conflict with other construction projects in the vicinity. Please contact Council's Construction Liaison Officer to resolve any issues that may arise during demolition.

Protection of adjoining properties

There are requirements for protection of adjacent properties during construction works. Please refer to Section 22 for further details. Demolition permits do not include the right to remove trees. Refer to the Trees section for more information.

For further information visit kingston.vic.gov.au/propertyforms



Demolition of Moorabbin Reserve Pavilion.

Related documents:

- Section 29A – Alter/Remove/Demolish a Building Permit
- Construction Management Guidelines V2.0
- Part 7, Sections 84-101 of the *Building Act 1993*.



Dust from Construction Sites



Dust suppression during construction is important not only to the environment but also the developer or builder. Dust generation can cause detrimental effects to the health and amenity of neighbours and employees, reduced visibility on site, increased wear on machinery/equipment and can cause complaints.

Where building work generates dust, all reasonable and practicable measures should be taken to minimise dust. Council requires the implementation of both proactive and reactive dust management and suppression techniques at all times during construction.

Dust management and suppression should be implemented in a timely manner to minimise or prevent reasonably foreseeable air quality impacts on surrounding land uses, either as a consequence of weather during construction or the specific works being undertaken.

Actions to suppress dust

Dust suppression measures should include, but are not limited to:

- minimising the area to be disturbed
- maintaining earthworks stockpiles in a condition that minimises windblown dust
- rehabilitating disturbed areas as soon as practicable
- restricting vehicle movements to specified routes and adhering to speed limits
- using water sprays and commence landscaping as soon as practicable
- performing progressive rehabilitation/stabilisation on distributed areas as soon as practicable
- restricting vegetation clearing ahead of construction activities
- removing material tracked onto pavement surfaces at the end of each working day
- implementing a hardstand material and/or rumble grids at site exit points onto public roads to minimise the tracking of soil onto pavement
- regularly maintaining trafficable areas of the site
- establishing vegetation on soil stockpiles if they will be undisturbed for longer than three months
- stripping topsoil when there is sufficient moisture content in the soil
- not leaving plant and equipment idling when not in use
- restricting or ceasing dust-generating activities on extremely windy or dry days
- designing perimeter fencing to minimise the impact of dust on the public and adjacent areas
- using crushed rock or similar at site exit points onto public roads to minimise the tracking of soil onto pavement
- ensuring that all equipment used on site is maintained in good working order and in accordance with manufacturers' specifications to minimise emissions.

For further information visit kingston.vic.gov.au/construction



Water Tanker in operation to suppress dust emissions at a construction site in Chelsea Heights



Related documents:

- Construction Management Guidelines
- Community Local Law.

Fencing and Fencing Disputes

Front fences

Depending on the type of material you are using to construct your fence, the height and the location of the fence determines if a Planning Permit, Building Permit and/or a Report and Consent is required to be obtained.

Property boundary fences

Unless specified within a relevant Planning Permit or endorsed plans, fencing between two properties is generally a private matter between the property owners concerned. The rights and responsibilities of owners and the design and construction of jointly-owned boundary fences are administered by the *Fences Act 1968*, which is not under Council's jurisdiction.

The cost of constructing a dividing fence is usually shared by the property owners. In some cases, difficulties may arise where adjoining neighbours cannot agree on the need for a new fence or the design of the fence. Before entering into an agreement to build, replace or repair an adjoining boundary fence, it is recommended that you both agree on the type of fence and how much money each party will contribute to its construction. This can avoid increased costs, delays and possible legal action.

Boundary fencing disputes

If you are unable to find a solution to your problem, you can contact the Dispute Settlement Centre of Victoria (DSCV). Disputes between neighbours involving dividing fences are the most common disputes dealt with at the DSCV. The DSCV can arrange free mediation sessions and provide information about fencing notices and obtaining court orders in relation to fencing costs.

For further information visit kingston.vic.gov.au/fencing



FENCING HEIGHT GUIDE

Types of Fences	Building Permit Required	Report & Consent Required	Notes
Side or rear boundary fencing < 2.0m high	No	No	1
Side or rear boundary fencing > 2.0m high	Yes	Yes	1
Lightweight front fence < 1.5m high	No	No	1
Lightweight front fence > 1.5m high	Yes	Yes	2
Masonry front fence < 1.2m high	No	No	1
Masonry front fence between 1.2m & 1.5m high	Yes	Yes	1
Masonry front fence > 1.5m high	Yes	Yes	2
Fence on a corner allotment that is < 1.0m high within 0.5m of the intersection of both street alignments	No	No	1
Fence on a corner allotment that is > 1.0m high within 0.5m of the intersection of both street alignments	See Notes	Yes	1
Chain mesh fence surrounding tennis court	No	No	1
Any fencing surrounding a swimming pool/type	Yes	See Notes	1 & 2

Note 1: Part 4 of the Building Regulations including siting requirements, wall height restrictions, setbacks, etc. must be adhered to. A Report and Consent will be required for designs that are not within the scope of Part 4 of the Building Regulations.

Note 2: A Planning Permit may be required in lieu of a Report and Consent.

Please Note:
A Planning Permit may be required for the construction of a fence if it is sited within a specific 'Planning Overlay' (Please check with the Planning Department).

If your property is located within a General Residential Zone 1 (GRZ1) or Zone 2 (GRZ2) as defined under the Planning and Environment Act 1987, the maximum front fence height is 1.2m for 'any other street' and maximum 2.0m height applicable for 'a declared road' as defined by the council. (Please check your area in the Mapkey and refer to the local regulations).

To apply for a building permit you will need to engage the services of a Registered Private Building Surveyor. To search for a Registered Building Practitioner please visit www.bsa.vic.gov.au and find a Practitioner.

To apply for a Council Report and Consent please visit www.kingston.vic.gov.au and go to Council Building Form under Property & Development, Review and Download Application for Report & Consent Part 4 - Siting

Legend

- 1 Refers to the maximum 1.5m height applicable for 'any other street' and maximum 2.0m height applicable for 'a declared road' as defined by the council. (Check your area in the Mapkey and refer to the local regulations).
- 2 If you live on 'any other street' and your proposed front fence height is to exceed 1.2m (GRZ1 or GRZ2) and 1.5m (GRZ2) in height, you will require a Council Report & Consent for Regulation 429 - Front Fence Height.
- 3 If you live on 'a declared road' and your proposed front fence is to exceed 2.0m in height, you will require a Council Report & Consent for Regulation 429 - Front Fence Height.
- 4 Refers to height LIMITS
- 5 Refers to height LOCATION LIMITS

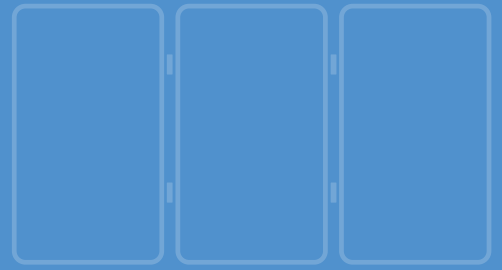
Fencing Order Guide: City of Kingston Page 1

City of Kingston Fencing Height Guide

Related documents:

- Boundary Fences between Neighbours
- A Guide to Fencing and Notice to Fence
- Fencing Height Guide.

Gantries and Hoarding



Developments requiring a gantry, hoarding or scaffolding on Council land require an application for **Road Occupation & Works Permit** to Council's Traffic & Transport Department for assessment.

This includes the provision of a **Traffic Management Plan (TMP)** to indicate how pedestrians are managed or diverted whilst the gantry is in place and what signage will be present. Council's Traffic and Transport team will assess the impact of the proposal on local amenity and with due consideration of local traffic knowledge. Conditions may be imposed or the application refused if the proposal does not meet Council's requirements and related legislation.

In addition to applying for the Road Occupation & Works Permit, the builder must have the structural integrity assessed to ensure compliance with current building legislation. This requires lodging an **Application for Hoarding & Public Protection** with Council's Building Department for assessment.

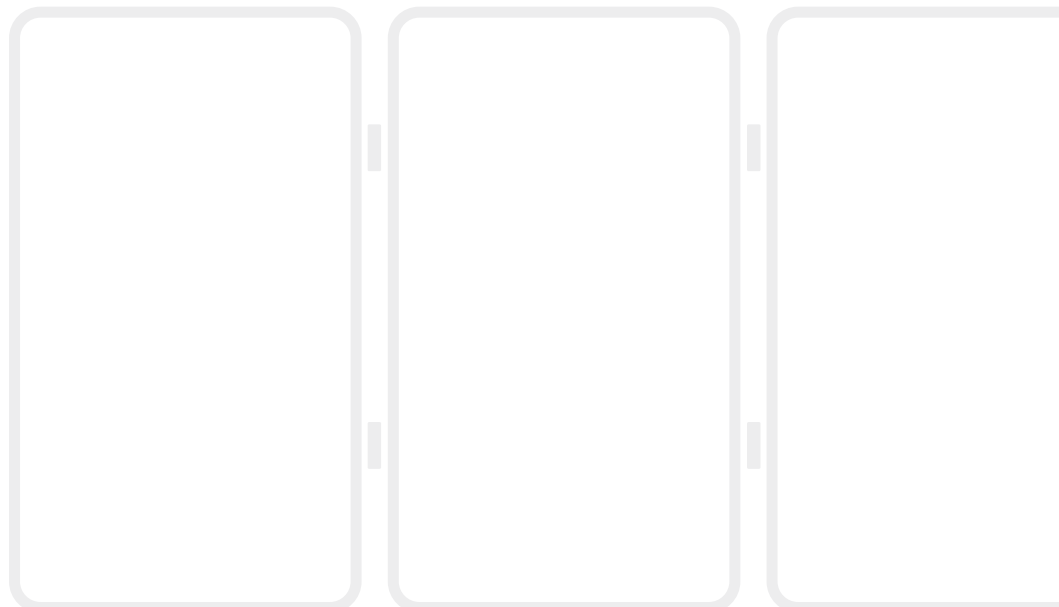
For further information visit kingston.vic.gov.au/buildingforms



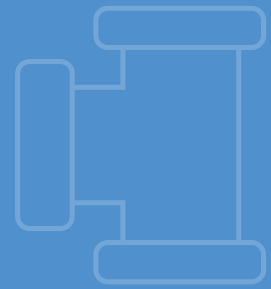
Historic photos on shade cloth on fence at a Mordialloc building site.

Related documents:

- Application for Hoarding & Public Protection
- Application for Road Occupation & Works Permit.



Legal Point of Discharge



The **Legal Point of Discharge** is a point specified by Council where stormwater from a property must be discharged. It is usually to a Council-managed drain or the street kerb and channel.

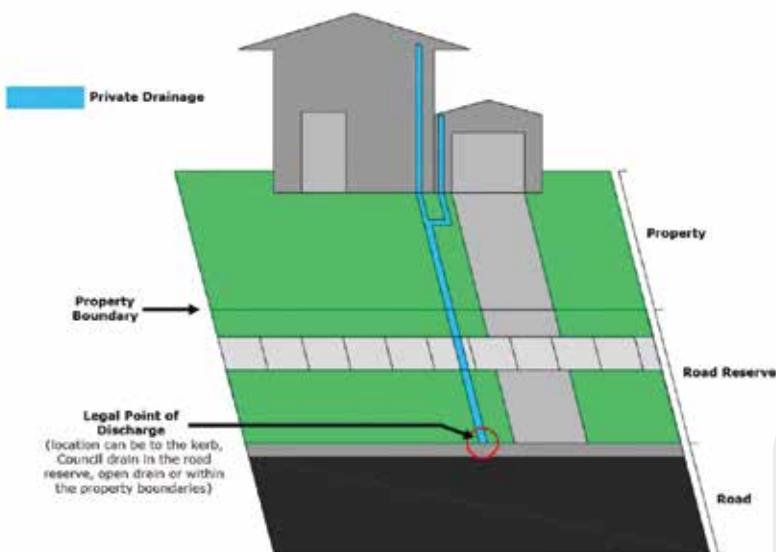
All developments must obtain the Legal Point of Discharge from Council, who will nominate a connection point for the property to legally drain once the development is completed. This could be a Council stormwater drain, a pit, an easement drain, on site infiltration system or the kerb and channel. Council only permits connection to this point once the development is completed. For discharge of surface water during construction, a **Temporary Discharge Permit** is required.

The Legal Point of Discharge does not include approval to physically connect to Council's assets. The applicant must obtain a **Stormwater Connection / Stormwater Connection Permit**, which involves an inspection by a Council Officer to ensure that the connection to Council's assets complies with all standards and that no damage occurs to Council's assets.

For further information visit kingston.vic.gov.au/buildingforms

Related documents:

- Stormwater Legal Point of Discharge (LPD)
- Temporary Discharge Permit (TDP)
- Stormwater Connection.



Plan showing private property and legal point of discharge

Materials Delivery and Storage for Construction Works



All activities relating to the loading and unloading of materials for construction works is to take place from within the property boundaries.

The only exception to this would be in the following circumstances:

- a Construction Management Plan (CMP) and Traffic Management Plan (TMP) have been approved by Council allowing unloading/loading from the road reserve
- a Road Occupation and Works Permit has been obtained to undertake these activities from the road reserve, which includes a TMP approved by Council's Traffic and Transport Department

Any persons conducting loading/unloading activities in local streets without Council approval will be subject to the appropriate penalties.



The Builder obtained Council approval to use Council land for their materials delivery.



Noise



Noise from Large Residential Developments

Council Officers are frequently called on to investigate claims of noise nuisance associated with demolition or construction sites. The *Environment Protection (Residential Noise) Regulations 1997* list specific types of equipment and times that their use is prohibited. These regulations also apply to radios and other electrically amplified sound coming from sites.

The times depend on the type of equipment being used and the day of the week. Even if noise is being emitted within the permitted times, it may still be considered unreasonable if the volume and duration are excessive.

Generally, noise from tools and equipment used on residential building or demolition sites is permitted within the following times:

- **Monday to Friday:** 7am to 6pm
- **Saturdays:** 9am to 1pm
- **Sundays and public holidays:** not permitted.

For further information contact the EPA 24-hour hotline on 1300 372 842, visit epa.vic.gov.au or contact Council's Environmental Health Department on 1300 653 356.



Related documents:

- Construction Management Guidelines
- Community Local Law
- Section 48A, Unreasonable noise from residential premises of the *Environment Protection Act 1970*.

Noise from Industrial or Commercial Building Sites

For commercial construction sites (e.g. shops, supermarket, offices, factories) EPA's State Environmental Protection Policy No. 1 and the Noise Control Guidelines apply. The guidelines can apply to large scale demolition sites.

EPA provides the guidelines as a reference document for government and industry to manage noise impacts and working hours. The guidelines should be read in full, because they cover work hours, noise management and community notification expectations.

Councils generally manage construction site issues, including commercial construction site noise. They can apply the guidelines through permits and local laws, or as a reference in compliance decisions.

Normal work hours for commercial construction and demolition sites:

- 7am to 6pm on **weekdays**
- 7am to 1pm on **Saturday**.

The guidelines also allow for some flexibility for work hours depending on the circumstances of the noise. For example, quiet work such as painting in the evening may be allowed (see the guideline for more information).



Occupying or Opening Council's Roads and Footpaths

Road Occupancy & Works Permit

To occupy any surface contained within the road reserve including footpath, nature strip, kerb and channel and road pavement, a **Road Occupancy & Works Permit** must be obtained from Council's Traffic & Transport Department. Examples of reason for occupancy include the placement of scaffolding, hoardings, cranes and delivery trucks unloading/loading building materials.

An approved Traffic Management Plan will be required as part of the permit to coordinate the flow of vehicles, bicycles and pedestrians. \$10 million public liability insurance cover is also required prior to the permit being issued.

For further information visit kingston.vic.gov.au/traffic

Related documents:

- Road Occupation & Works Permit
- Community Local Law
- *Road Management Act.*

Road Opening / Footpath Opening Permit

Prior to undertaking any works within the road reserve or Council asset, consent must be obtained from Council and VicRoads (if on a main road).

All trenches or excavations within the road reserve (including nature strips, footpaths, road pavement and right of way) require a **Road Opening Permit** which may include works for a water tapping, storm water pit/pipe tapping, storm water repair and connection. The permit includes a number of conditions that must be adhered to. This permit can be obtained from any of Council's Customer Service Centres.

For further information visit kingston.vic.gov.au/vehicleroadpermits

Related documents:

- Road Opening/Footpath Opening Permit
- Stormwater Tapping
- Vehicle Crossing
- Community Local Law
- *Road Management Act.*

Vehicle Crossing Permit

Although on Council land, vehicle crossings are to be maintained by property owners, as they are primarily constructed to ensure vehicles can access the property in a safe manner.

To ensure that vehicle crossings are constructed to a safe, consistent and practical standard, Council has developed standard drawings that can be downloaded from Council's website.

All new and amendments to existing vehicle crossings require a **Vehicle Crossing Permit**. The conditions of the permit must be adhered to at all times and can be obtained from any of Council's Customer Service Centres.

A copy of the Vehicle Crossing Permit or Asset Protection Permit, with proof of payment, must be on site at the time of inspection. Failure to provide proof of payment may result in a failed inspection.

For further information visit kingston.vic.gov.au/vehicleroadpermits

Related documents:

- Vehicle Crossing
- Road Opening / Footpath Opening Permit
- VX Diagram (S201, S202 & S203)
- Community Local Law
- *Road Management Act.*



The diagram below illustrates the property owner's area of responsibility for a typical vehicle crossing.

Out of Hours Work Request

In unforeseeable/unavoidable circumstances where it is a necessity to work outside of the hours nominated in the approved Construction Management Plan (CMP), you will need to obtain approval from Council's Planning Department and/or Local Law Permit.

This application must be lodged more than seven days prior to the proposed commencement to allow adequate time for assessment, payment and notification.

For further information visit kingston.vic.gov.au/construction

Related documents:

- Out of Hours Work Request/Planning Guide and checklist
- Section 48A, Unreasonable noise from residential premises of the *Environment Protection Act 1970*.





Parking During Construction

Parking regulations and traffic controls around building sites must be complied with.

Council encourages developers and builders to use public transport where possible. If parking is necessary, workers should source alternative parking solutions for their employees. These may be nearby churches, hotels, sports clubs or the development's basement once constructed (if applicable).

If parking on-street, workers should use unrestricted areas that don't impact on local residents' amenity. Builders must also ensure that their vehicles and delivery vehicles do not park across or block residents' driveways.

Enforcement patrols will be increased where there is a noted increase in non-compliance of parking regulations. Construction sites are regularly monitored to ensure compliance with road safety legislation, Council's Community Local Law and any approved Construction Management Plan (CMP).

For further information visit kingston.vic.gov.au/construction



Related documents:

- Construction Management Guidelines
- Community Local Law
- *Road Management Act.*

Planning Permit and Compliance



Planning regulations and the Planning Act, together with the Kingston Planning Scheme, are designed to protect the urban character of our City.

When do I need a Planning Permit?

If you are considering any kind of building, constructing a fence, erecting a pergola or changing the use of a building, you may require a planning permit. There are many factors that may trigger the need for a Planning Permit including lot size, planning controls and site location.

The easiest way to find out if your building project or use of a site requires a planning permit is to contact us. Our City Development Team is available from 8:30am to 5pm Monday to Friday and is located at Level 1, 1230 Nepean Highway, Cheltenham. Alternatively, you can call us at 9581 4131, and one of our City Development Officers will be able to assist.

Current legislation allows Council to but is not limited to:

- regulate the use and development of land
- protect vegetation where appropriate
- meet agreed community objectives.

As with any other law or regulation, the Kingston Planning Scheme is only effective if the requirements of the scheme are enforced, with action being taken in relation to any breaches of the current planning legislation.

To ensure compliance with the Kingston Planning Scheme, Council's Planning Compliance team investigates possible breaches of the Planning Regulations and Planning Permits.

For further information visit kingston.vic.gov.au/planning

City of Kingston
Planning Department
Phone: 9581 4131
Web: www.kingston.vic.gov.au
Email: planning@kingston.vic.gov.au

Application for Planning Permit

Privacy notice: any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of the planning process under the Planning and Environment Act 1987. If you have any concerns please contact Council's Planning Department on 9581 4131.

Need Help? - If you need help to complete this form, read: [How to complete the application for planning permit form available at: www.kingston.vic.gov.au/submitting](http://www.kingston.vic.gov.au/submitting)

Questions marked with an asterisk (*) are mandatory and must be completed

1. Pre-application meeting

Have there been a pre-application meeting with a council planning officer?

☐ No ☐ Yes ☐ If yes, with whom? ☐ Date address/office

2. The Land

Address of the land. Complete the street address and one of the formal land descriptions.

Street Address *

Unit No: St No: St Name:
Suburb: Postcode:

Formal Land Description *

A Lot No:
☐ Lodged Plan ☐ Title Plan ☐ Plan of Subdivision No:

OR

B Crown Allotment No.: Section No.:
Parish/Township Name:

This information can be found on the certificate of title

Application for a Planning Permit Page 1 of 3

Related documents:

- Application for a Planning Permit
- Application to Amend a Planning Permit under Secondary Consent Provisions
- S72. Application to Amend a Planning Permit
- Construction Management Guidelines V2.0
- Community Local Law.
- Fees Schedule

Protection of Adjoining Properties



Adjoining properties are protected under Part 7, Sections 84-101 of the *Building Act 1993*. The legislation requires builders and developers to make owners aware of the proposed works and potential issues that may occur during construction.

The requirement for this process is determined by the relevant building surveyor and a further determination by that building surveyor may be made once statutory timeframes have been met.

When serving **Protection Work Notices** (as per forms 3 and 4 of the Building Regulations) it is extremely important that the correct construction techniques and development plans are provided to the affected adjoining owner/s so that they can respond appropriately.

Private developments affecting Council-owned land or assets require Protection Work Notices. This must be provided to Council's Engineering and Asset Protection departments for assessment.

Further questions regarding Protection Work Notices must be directed to your building surveyor, as they will have a thorough understanding of your project and the techniques surrounding the protection of nearby properties.



Protection of the Public Before and During Building Work – Gantries and Hoarding



A **Road Occupation & Works Permit** is required to occupy Council land. This includes roads, footpaths and nature strips.

A **Hoarding Permit** is also required to ensure public safety and the proper placement and storage of material and equipment in public spaces, including building materials.

At least 1.5 metres of footpath width must be kept clear for pedestrians and the area occupied must be securely barricaded for public safety. The width may be reduced to 1 metre depending on the circumstances.

No occupation of Council land is permitted without a valid Road Occupation & Works Permit and Hoarding Permit.

For further information visit kingston.vic.gov.au/buildingforms



Example of Hoarding to protect the public in Cheltenham

Related documents:

- Application for Hoarding & Public Protection
- Application for Road Occupation & Works
- Application for Road Occupation & Works Extension.



Example of overhead scaffolding for Cheltenham Development

Road and Footpath Closures



To ensure that pedestrians and motorists are kept safe and disruptions to traffic are managed effectively during works, a road closure proposal and Traffic Management Plan (TMP) may be required to be submitted to Council's Traffic department for assessment.

Fees may apply in relation to the assessment and a minimum of five business days are required for Council to assess the application.

The following information is required by Council in relation to the proposed closure:

- details of proposed closure (timeframes, background, reasons for closure)
- evidence of VicRoads' approval if the closure is on a main road
- an outline of any access issues, i.e. will local access be available during the closure?
- if and how the closure will affect pedestrians
- whether an alternative path will be provided. If yes, outline how the alternative path meets DDA requirements for pedestrian access
- the impact on any other works or developments in the area
- whether the closure will impact any local businesses or schools etc. If yes, outline the impacts
- a list and map showing affected residents and businesses to be notified at least 48 hours prior to the closure
- a copy of the letter at least 48 hours prior to the closure
- site contact details for the day of the closure details of notification to Public Transport Victoria (PTV) and the relevant bus company if the closure is on a bus route.

For further information visit kingston.vic.gov.au/trafficmanagement or submit details of the proposed closure to info@kingston.vic.gov.au



Related documents:

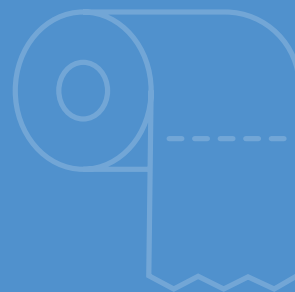
- Road and Footpath Closure Fact Sheet
- Application for Road Occupation & Works
- Construction Management Guidelines
- Community Local Law
- Road Management Act.



All examples of an approved road closure to conduct sewer connection in Chelsea Heights



Sanitary Facilities on Building Sites

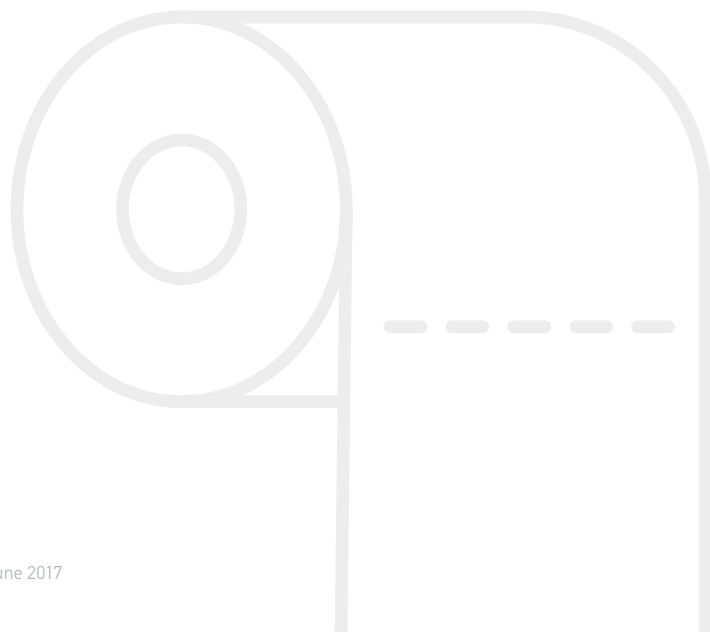


All construction and demolition sites must be provided with appropriate toilet and handwashing facilities that are regularly serviced and maintained.

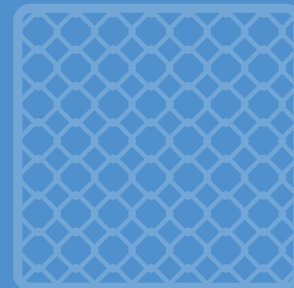
The toilet type must be approved by Council and can be either self-contained or connected to a sewage system. Portable toilets should be chemically treated with freshwater flush and water seal.

For hygiene reasons, the toilets should be located a reasonable distance away from property boundaries to the satisfaction of Council.

Non-compliance can be considered an offence under the Community Local Law 143 – Temporary Toilet Facilities on Building Sites, and may result in an infringement or possibly prosecution.



Securing Building Sites and Vacant Land



The owner of a building site must ensure that adequate security is provided to the site to prevent unauthorised public access.

The *Building Regulations 2006* states that all excavations must be fenced or otherwise guarded against being a danger to life or property before and during works. The relevant building surveyor must inspect the site to ensure that adequate protection is provided for the public.

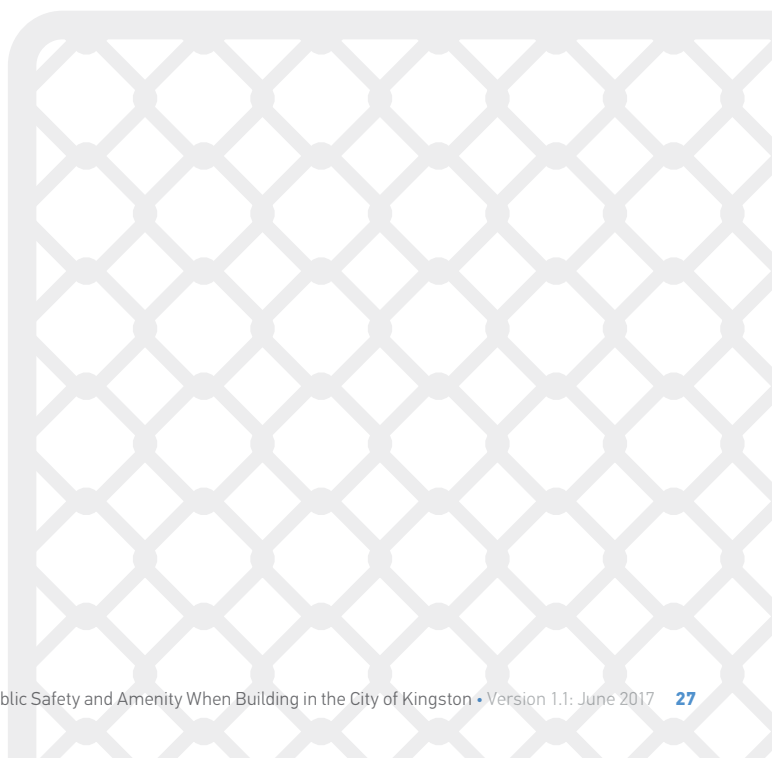
Council or any authorised person may, by notice in writing, direct either the owner or the occupier of vacant land or of a building site to erect, repair, replace or modify fencing enclosing the vacant land/building site.



Example of Solid Hoarding and secure building site in Mentone



Fence at development site in Moorabbin.



Stakeholder Awareness



Builders and developers need to be mindful of the proximity and types of stakeholders surrounding their development. In certain situations, such as developments with a construction management plan in place they will be required to undertake consultation before and during the construction period to keep local residents and stakeholders informed of works and the potential impact on the local area.

Potential stakeholders could include:

- residents
- businesses
- schools and childcare centres
- community buildings and clubs
- aged care facilities
- places of worship
- Public Transport Victoria (PTV), Metro Trains and bus operators.



Methods of communication

Useful communication methods include letter drops, project updates, newsletters, community forums and site tours. This additional consultation ensures stakeholders are kept informed and provides them a sense of engagement with the project. Projects with informed and satisfied stakeholders generally run more smoothly.

In certain situations, conflicts may occur between the builder and stakeholders. These can be resolved easily by maintaining clear and effective communication between all parties and responding in a timely manner.

Activity centres and major development sites

Due to the nature of larger or more complex construction sites in Kingston's activity centres, there is potential for issues to arise with local businesses.

Council's Economic Development department works closely with local businesses and may be able to help you resolve any related issues that may arise during construction. Please contact the Economic Development team or Council's Construction Liaison Officer on 1300 653 356 for guidance.

For further information visit kingston.vic.gov.au/business

Related documents:

- Construction Management Guidelines.



Stormwater



Temporary Discharge during Construction

Council does not permit the discharge of any surface water or groundwater to Council's stormwater system during construction.

Should surface water need to be pumped from the site (i.e. from basement excavations) during construction, the builder needs to apply for a **Temporary Discharge Permit** from Council's Infrastructure department which may specify a Council pit/drain, maximum pump discharge rate, settlement tank installation and/or other specific conditions.

A permit may not be granted for all cases.

Should Council refuse to grant a temporary discharge permit then alternative options include discharging to the sewer with consent from the relevant water authority, or removing water from the site via a disposal truck.

For further information visit kingston.vic.gov.au/construction

Related documents:

- Temporary Discharge Permit (TDP)
- Stormwater Legal Point of Discharge (LPD)
- Stormwater Tapping
- Application for Drainage/Civil Approval
- Basements and Deep Building Construction Policy
- Basements and Deep Building Construction Guidelines.

Legal Point of Discharge

Please refer to page 16 for further information.

Sediment Control

Sediment leaving a site not only pollutes waterways, but can be a danger to pedestrians and cyclists.

Installing sediment fences along the low side of a site before commencing any building work can reduce stormwater pollution. The fence traps the sediment while allowing water to leave the site. It can consist of timber or steel posts and rails, with a manufactured geotextile filter fabric between the rails and posts.

It is important to check sediment fences and any other control methods regularly, especially after storm events, as they may stop trapping sediments if they can become dislodged or sag.

Other methods of sediment control can include:

- diverting water around the work site and stabilising channels, and ensuring that the diversion path does not flood or cause a nuisance to adjoining property
- stockpiling topsoil within the sediment controlled zone
- retaining a vegetated border on the site that can filter low levels of sediments in runoff
- ensuring that all trenches have been compacted and filled in immediately after services have been laid
- ensuring there are adequate site waste receptacles such as mini skips, bins, dust control measures and wind proof receptors
- sweeping the road, laneway and footpath whenever materials have left the site and on a daily basis, and placing all soil and other building materials in waste receptors – never sweep or hose sediments down stormwater drains
- installing temporary side-entry sediment/litter trap (similar to silt pits)
- installing the drainage system before construction activities commence.

For further information visit kingston.vic.gov.au/stormwaterguidelines

Related documents:

- Building Stormwater Code Practice
- Building Site Management Booklet
- Sediment Control Factsheet
- What is Stormwater?
- Protecting Stormwater Building Materials on Naturestrip Application.

Stormwater (continued)



Stormwater Management

Construction sites should apply Australian best practice to manage stormwater runoff, sediment and erosion during construction.

Implementing Water Sensitive Urban Design (WSUD) principles is strongly encouraged for all developments to ensure a sustainable approach to managing rain and stormwater runoff.

Developers should adopt stormwater management systems and practices to protect WSUD assets before and during construction.

The benefits of WSUD include:

- improvements to stormwater quality
- water conservation
- reducing local inundation
- outcomes that closely mimic the natural pre-developed system.

For further information visit kingston.vic.gov.au/engineeringassessments

Related documents:

- Civil Design Requirements for Developers: Part A: Integrated Stormwater Management
- Civil Design Requirements for Developers: Part B Roadworks Construction Management Plan Requirements
- Water Sensitive Urban Design
- Standard Specifications for Civil Works
- Standard Drawings
- Kingston Building Stormwater Code of Practice
- Kingston Building Site Management Booklet
- Kingston Industry Stormwater Guidebook
- Kingston Fact Sheet: Sediment Control.

Stormwater Tapping

All trenches or excavations within the road surface require a **Road Opening Permit**. This includes water tapping, stormwater pit tapping, stormwater repair and connection. The permit can be obtained from any of Council's Customer Service Centres.

This permit allows a builder to physically connect to a Council drain, pit or kerb and channel, and requires an inspection by a Council Asset Officer to ensure the asset is not damaged during the connection and that the connection is in accordance with Council's standards.

For further information visit kingston.vic.gov.au/vehicleroadpermits

Related documents:

- Stormwater Legal Point of Discharge (LPD)
- Temporary Discharge Permit (TDP)
- Stormwater Tapping
- Application for Drainage/Civil Approval
- City of Kingston Works in Road Reserves Road Openings & Reinstatement Guidelines
- City of Kingston Standard Drawings.



Street Furniture



Contractors undertaking building works should not cause impact on, damage to or removal of any Council-owned street furniture in the nature strip, streetscape or road reserve.

This includes all traffic signs, street lighting, parking signs, information signs, street name signs, seats, bollards and guardrails, bicycle stands, planters and bus shelters.

Any damage that occurs to any street furniture due to construction works will result in applicable costs being recovered from the builder and/or taken out of the security deposit paid for the Asset Protection Permit.

Removal of street furniture for building works should be avoided at all times, however if the need arises for safety reasons please contact Council's Roads and Drains team for guidance.

For further information visit kingston.vic.gov.au/roadinfrastructure



Related documents:

- Asset Protection Permit.



Swimming Pools and Safety Barrier Fencing



A Building Permit is required for the construction of a swimming pool or spa and barrier fencing. You can obtain a Building Permit by applying through a private building surveyor.

Swimming pool and spa owners are required by law to meet government standards and regulations for safety barriers under the *Building Regulations 2006*. This includes swimming pools and spas that are in-ground, above ground, inflatable and temporary.

All swimming pools and spas that are capable of containing a depth of water exceeding 300mm must have suitable and compliant child-resistant safety barrier. Spas with a lockable cover are not deemed a compliant child-resistant safety barrier under building legislation.

Council conducts regular swimming pool inspections to ensure compliance with current Australian standards and legislation and to promote safety awareness.

For further information visit

kingston.vic.gov.au/pools

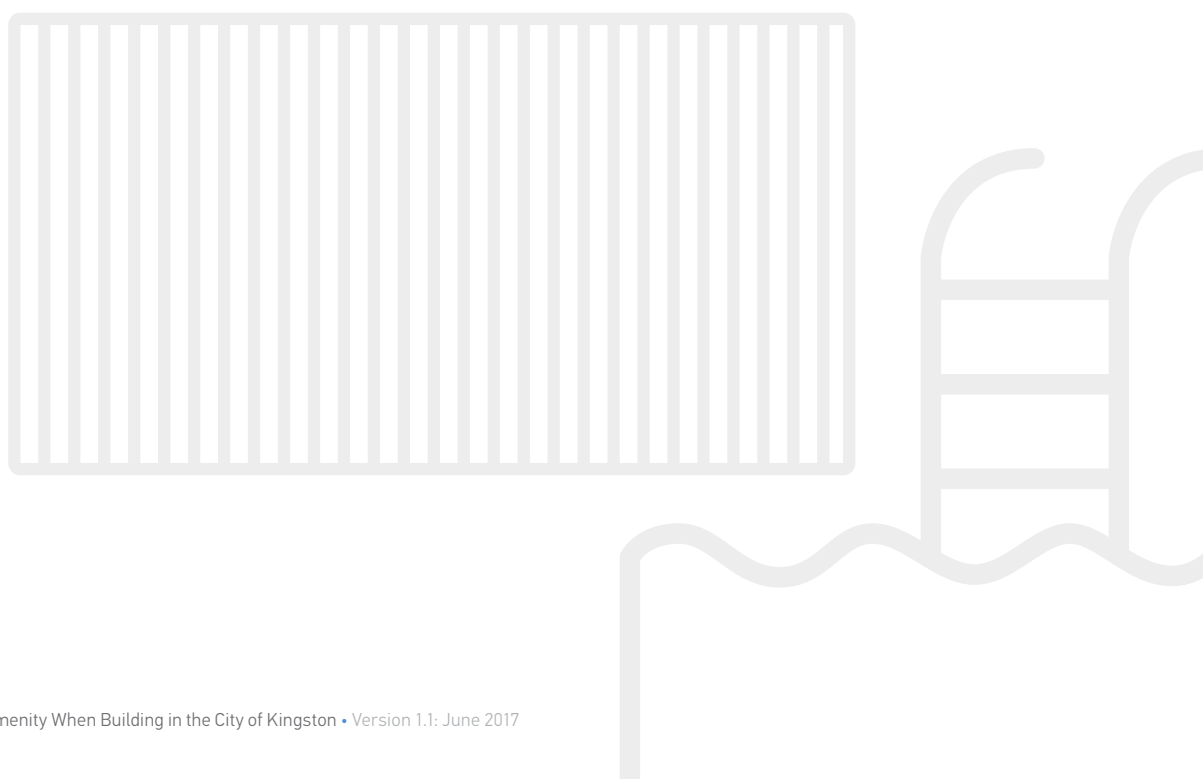
kidsafevic.com.au

vba.vic.gov.au



Related documents:

- DIY Swimming Pool & Spa Barrier Checklist
- Victorian Building Authority's Swimming Pool and Spa Safety Barrier Practice Note
- Council's In-house Swimming Pool and Safety Barrier Guide
- Kidsafe Victoria – Pool Fencing Laws.



Traffic Management

Traffic Management Plans (TMPs)

Any works affecting the road reserve, including the pavement, nature strip and footpath, require a **Traffic Management Plan (TMP)** to be submitted to Council's Traffic and Transport Team for approval.

TMPs should be produced by a suitably qualified traffic management organisation and are valid for three-months. You may apply to Council for an extension, depending on the circumstances.

The TMP should:

- detail all vehicle, pedestrian and cycle access around the site and all other affected roads
- ensure pedestrian and vehicular traffic is directed to a safe route by suitably qualified traffic management controllers
- ensure footpaths and pedestrian access is maintained at all times
- ensure no heavy lifts are used over a footpath in the presence of pedestrians
- ensure property and vehicle access is maintained at all times
- ensure bicycle access is maintained at all times
- ensure the closure of laneways and rights of way is undertaken only at night, and with permission of Council
- detail appropriate traffic management signage for any inconvenience generated by construction, including truck signs
- comply with AS1742.3 – 2009 Part 3 Traffic Control Devices for Works on Roads, the *Road Management Act 2004* and Code of Practice - Worksite Safety, Traffic Management
- ensure all vehicles must be parked in accordance with the *Road Rules 2009*.
- include evidence of VicRoads approval if works are on main roads.
- comment on interruptions to local services, such as bus routes.

Additional TMPs are required for concrete pours or mobile cranes located on the road reserve, or deliveries made from the road reserve. Restriction on the hours of operation of these activities may apply during peak times.

For further information visit kingston.vic.gov.au/traffic

Works Zone

A Works Zone is a parking area on the road adjacent to a construction site for exclusive use by vehicles engaged in works. Under Victorian road rules, a driver must not stop in a Works Zone unless they are engaged in construction work, such as the drop off or pick up of materials and for panel lifts and concrete pumping.

To obtain approval to implement a Works Zone, builders must lodge an **Application for Road Occupation & Works**.

Once approved, Council arranges for the Works Zone signage to be produced and installed on site. Works Zone sign timings will be stipulated by Council's Traffic Engineers.

Council may refuse the Works Zone application under the following circumstances:

- there is currently 'No Standing' signage in place
- the road width is not sufficient to allow trucks and the safe passage of through vehicles
- the Works Zone has been requested in front of another property.

Please note:

- damaged or stolen signs will be replaced at the applicants' expense
- Works Zones are for construction vehicles only – not for staff parking
- Works Zones can extend up to the width of the subject site frontage only, or as specified in this document
- enforcement of Works Zones will only be undertaken following a complaint as Traffic Officers cannot identify trade vehicles parked illegally.

For further information visit kingston.vic.gov.au/traffic

Related documents:

- Application for Road Occupation & Works
- Application for Road Occupation & Works Extension
- Construction Management Guidelines
- *Road Management Act*
- Sample letter to residents for Traffic Management Plan.



Related documents:

- Application for Road Occupation & Works
- Application for Road Occupation & Works Extension
- Construction Management Guidelines
- Community Local Law
- *Road Management Act*
- *Environmental Protection Act 1970*.

Traffic Management (continued)



Road Occupation & Works Permit

The **Road Occupation & Works Permit** is a one-stop permit for builders to gain Council approval for the occupation of Council land for construction activities. It may also include the following items:

- Assessment of Traffic Management Plans (TMPs)
- Application for a Construction Works Zone
- Application to occupy Council land for a Gantry/Hoarding
- Application to occupy Council land for Shipping Containers
- Application to occupy Council land for any other construction activities.

Fees apply for the above and are stated within the permit. Should builders need to extend their permit dates, they can apply for additional time using the **Application for Road Occupation & Works Extension**.

For further information visit kingston.vic.gov.au/traffic

Related documents:

- Application for Road Occupation & Works
- Application for Road Occupation & Works Extension
- Construction Management Guidelines
- Community Local Law
- *Road Management Act*
- *Environmental Protection Act 1970*.

Shipping Containers

Council approval is required for the placement of shipping containers or site sheds on Council land for construction purposes. A builder must complete the **Application for Road Occupation & Works Permit** and submit the requested information to Council's Traffic & Transport Department for assessment, including payment of the applicable fees.

Council fees for shipping containers are updated annually and are currently:

- 20ft shipping containers – \$26 per day
- 40ft shipping containers – \$51 per day.

For further information visit kingston.vic.gov.au/construction

Related documents:

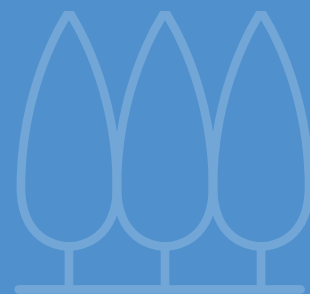
- Application for Road Occupation & Works
- Application for Road Occupation & Works Extension
- Construction Management Guidelines
- Community Local Law
- *Road Management Act*
- *Environmental Protection Act 1970*.



The Builder for a development in Mordialloc applied for a road occupation permit to place site sheds on Council land.



Trees



Trees located on both public and private land are an important and valued attribute to our City. Protection of trees and the urban canopy are priorities for Council.

The removal, pruning or works within the vicinity of trees on private property is regulated by either the Kingston Planning Scheme or the Kingston Community Local Law.

Nature strip trees also require protection. In some instances, a tree located on the nature strip may be approved for removal. This will be specified in the planning or building permit being used to develop the land.

Please contact Council if you are unsure or have any questions regarding tree protection or removal.

Trees in Nature Strips and Parks

Anyone building in the City of Kingston is not allowed to damage, remove, interfere or tamper with any trees or vegetation in the nature strip and/or within Council parks and reserves, unless they have Council approval.

Street tree removal is to be undertaken by Council at the cost of the developer or owner of the land requesting for the tree to be removed. Street tree removal will often be considered during the planning permit process.

Where a street tree is to be retained, the tree must be protected through the installation of an approved tree protection barrier at a specific distance outlined by Council. All work and equipment is not to be placed around a street tree, within the tree protection zone or the the drip line of the canopy.

Where vehicle crossings are to be constructed in proximity to street trees, tree protection barriers are to be installed and sensitive digging methods are required to be undertaken during construction to ensure the health of the tree is not impacted. No roots over 50mm are to be cut and branches are not to be damaged.

For further information visit kingston.vic.gov.au/trees

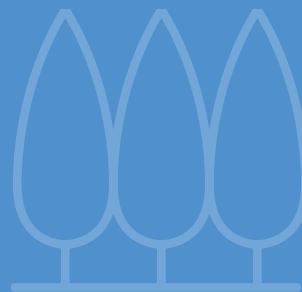


Trees opposite construction site in Mordialloc

Related documents:

- Naturestrip Guidelines
- Tree Management Policy.

Trees (continued)



Trees Protected by the Kingston Planning Scheme

Trees may be protected under a number of provisions of the planning scheme, the most common of which is the Environmental Significance Overlay (ES03).

Council has established a Significant Tree Register to help identify and conserve trees of importance to the community. The Register aims to preserve the municipality's leafy neighbourhood character, cultural heritage, history, and biological diversity.

Trees included on the Significant Tree Register are protected by the Kingston Planning Scheme, Environmental Significance Overlay (ES03). A planning permit is required to prune, remove or carry out any works within the Tree Protection Zone (TPZ) of these trees.

Further information and a list of the significant trees and the property addresses affected can be found at:

planning-schemes.delwp.vic.gov.au/schemes/kingston

Trees may be protected by other areas of the Kingston Planning Scheme. The retention of trees is an objective of a number of sections of the Kingston Planning Scheme.

All trees on neighbouring properties are to be protected and retained.

For further information visit kingston.vic.gov.au/trees

Related documents:

- Significant Tree Register.

Trees Protected by the Community Local Law

Trees not protected by the Planning Scheme and which have a trunk circumference at ground level of 110 cm or greater are protected by the Community Local Law.

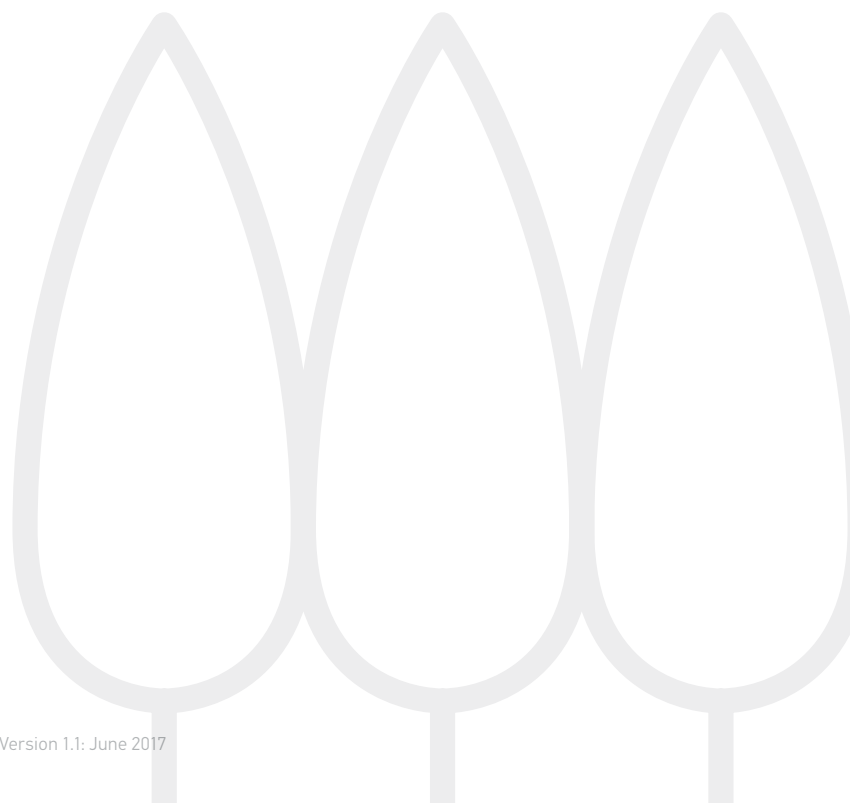
A **Local Law Permit** is required to remove, prune or undertake works to any tree (including multi-stemmed trees) with a trunk circumference of 110cm or more measured at ground level. A permit is also required for works within the Tree Protection Zone (TPZ).

The TPZ is calculated by multiplying the diameter of the trunk at 1.4m above ground level by 12.

For further information visit kingston.vic.gov.au/trees

Related documents:

- Application for Tree Removal / Pruning
- Tree Removal Fact Sheet
- Significant Tree Register
- Community Local Law
- Kingston Planning Scheme
- Arboricultural Reporting Guidelines for Planning & Developments
- Kingston Landscaping Guide for Development Applications.



Unightly Land and Buildings



Under the *Community Local Law*, the owner or occupier of any premises must not keep the premises or allow the premises to be kept in a manner which is or which results in the premises being dangerous or unsightly.

In determining whether there has been a breach and if any enforcement action should be taken, an Authorised Officer must have regard to whether:

- there are any materials or substances on the premises that are kept in such a way that they may be dangerous, flammable or explosive
- the way in which the premises is kept or items are stored on the premises may constitute or contribute to it being a health hazard
- the condition of the premises, or any part of it, may promote the presence of vermin and pests
- the appearance of the premises is one of neglect and is out of character with other premises in the vicinity
- in any other condition determined by Council to be dangerous or likely to cause danger to health, life or property.



Accumulation of rubbish opposite a construction site in Highett

Related documents:

- Community Local Law.

Waste Management



Waste Disposal

Builders must develop a **Resource Recovery and Waste Management Plan** for use during construction.

For further information visit kingston.vic.gov.au/waste

Related documents:

- Construction Management Guidelines
- Community Local Law
- *Environmental Protection Act 1970.*

Materials Efficiency

With the cost of waste disposal on the rise, it is no longer cost-effective or socially acceptable to send waste to landfill.

Separating waste on site creates recycling opportunities, reduces the costs associated with disposal and potentially provides a source of income. Building materials such as metals, timbers, bricks and roof tiles can often be reused on a building, providing approval is obtained from the relevant building surveyor.

ASPIRE – A system for Processing, Information and Resource Exchange, is an opportunity to cut costs and the amount of waste going to landfill through an online marketplace that matches businesses with potential purchasers or recyclers of waste and by products.

Council encourages construction management planning to utilise the ASPIRE project to reduce waste to landfill and reuse/recycle waste construction materials wherever possible.

To access ASPIRE visit aspire.csiro.au

Bin Skips

Residents can arrange to have a bin skip container placed on a road or nature strip within the City of Kingston through an accredited bin skip provider. Accredited companies are required to comply with all of the legal requirements regarding insurance and safety-related matters.

No permit is required for bin skips on private property. The Community Local Law for bin skips is 181-183.

For further information visit kingston.vic.gov.au/binskip

Related documents:

- Accreditation for placement of bins or skips
- Use of Bin Skips within Kingston (Information for Residents)
- Community Local Law.





Wind and Inclement Weather

The City of Kingston, like all coastal regions, can be prone to extreme weather conditions and severe winds. Builders must be prepared to minimise the effect of adverse weather on the local area originating from the construction site.

All builders working on construction sites should:

- secure all signage on roads and nature strips with weights and sand bags
- ensure skip bins and rubbish bins are covered to prevent rubbish from flying around
- ensure all temporary fencing or hoarding is secure and relevant permits have been obtained (if required)
- not leave unsecured building materials on the nature strip
- implement practices to minimise and suppress dust.

For further information visit [kingston.vic.gov.au/waste](https://www.kingston.vic.gov.au/waste)

Related documents:

- Recycling and Waste Disposal
- Construction Management Guidelines
- Community Local Law
- *Environmental Protection Act*
- Accreditation for placement of bins or skips
- Use of Bin Skips within Kingston (Information for Residents).



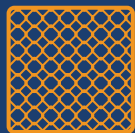
Example of Shade Cloth protection installed at a building site in Cheltenham

WorkSafe Procedures

The owner of a building site, the person accountable for the building work and all persons carrying out building work must comply with all relevant WorkSafe standards and codes of conduct.

Unsafe practices can be reported to WorkSafe Victoria. For further information on WorkSafe procedures or to report a matter, call WorkSafe Victoria on 1800 136 089 (toll free) or visit [workcover.vic.gov.au](https://www.workcover.vic.gov.au)





City of
KINGSTON

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 kingston.vic.gov.au