

## Tower Crane Guidelines

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### 1. Scope

- 1.1 These Guidelines apply to all Tower Cranes subject to City of Parramatta Council (Council) approval, as established by Council's Tower Crane Policy.

### 2. Purpose

- 2.1 These Guidelines support the implementation of Council's Tower Crane Policy.
- 2.2 The purpose of the Guidelines is to outline clear and consistent requirements for seeking approval to install and operate Tower Cranes in the Parramatta Local Government Area.
- 2.3 The Guidelines will be used by Council in the assessment of applications requesting to install or operate Tower Cranes over Public Roads.

### 3. Procedure

#### Administration of Tower Crane Approvals

- 3.1 Council's Regulatory Services Unit is responsible for processing applications for the installation of Tower Cranes.

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- 3.2 Council will consider and assess applications to install a Tower Crane through the framework established by the Tower Crane Policy, in accordance with section 68 of the *Local Government Act 1993* (NSW) (**LG Act**) (an activity under Part E(1) of the table to that section) and section 139 of the *Roads Act 1993* (NSW) (**Roads Act**). An Approval will be issued with conditions, which must be complied with.
- 3.3 Council reserves the right to randomly audit:
- (a) certified documentation lodged at the application and the installation stage; and
  - (b) installations of Tower Cranes, including inspecting associated structures.
- 3.4 Where deemed necessary, Council may commission an independent assessment by a structural engineer or other person to act on behalf of Council.
- 3.5 Where access is required to undertake inspections of a Tower Crane, the applicant must not prevent or obstruct an Authorised Person or independent auditor, acting on behalf of Council, from accessing a workplace, subject to satisfying the relevant visitor access provisions under the *Work Health and Safety Act 2011* (NSW).

#### Application for a Tower Crane Approval

- 3.6 All applications to install a Tower Crane must be submitted online via Council's website, [www.cityofparramatta.nsw.gov.au](http://www.cityofparramatta.nsw.gov.au). To allow sufficient time to assess proposals, applications must be lodged at least three weeks prior to the date of the proposed installation. Applicants should allow additional time for complex proposals and/or where infrastructure works may be affected, or in circumstances where multiple agreements are required from private property owners.
- 3.7 These Guidelines do not override State or Federal legislation. Applicants should check other relevant legislation and adopted codes of practice and, where necessary, consult the appropriate State and Federal Government departments and agencies to ensure that the Tower Crane complies and satisfies all statutory requirements, including in particular work health and safety obligations.
- 3.7.1 Examples of legislation and codes relevant to the design of Tower Cranes, which should be considered when preparing an application and maintaining a Tower Crane include, but are not limited to, the:

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- (a) AS1742.3:2019 Manual of uniform traffic control devices, Part 3: Traffic control for works on roads;
- (b) Building Code of Australia (2022);
- (c) *Environmental Planning and Assessment Act 1979* (NSW);
- (d) Guide to Traffic Management Part 8: Local Area Traffic Management (2016);
- (e) *Local Government Act 1993* (NSW);
- (f) *Protection of the Environment Operations Act 1997* (NSW);
- (g) *Roads Act 1993* (NSW);
- (h) SafeWork Australia, *Guide to Inspecting and Maintaining Cranes* (December 2015);
- (i) WorkCover NSW, *Code of Practice – Overhead Protective Structures* (20 March 1995);
- (j) *Work Health and Safety Act 2011* (NSW); and
- (k) *Work Health and Safety Regulation 2017* (NSW).

3.8 Applicants for a Tower Crane Approval should be aware that there are several provisions relevant to the management of tower cranes from the *Work Health and Safety Regulation 2017* (NSW) that a person conducting a business or undertaking must satisfy. The Regulation also sets out penalties for non-compliance with these provisions. Relevant provisions include:

- Clause 34 – Duty to Identify Hazards
- Clause 35 – Managing Risks to Health and Safety
- Clause 54 – Management of risk of falling objects
- Clause 55 – Minimising risk associated with falling objects
- Clause 235 – Major inspection of registered tower cranes

3.9 The following documentation is required to be provided with an application:

3.9.1 Drawings and details:

- (a) Architectural-type drawings – site plan at a minimum scale of 1:100 showing the:
  - i location of the proposed Tower Crane on the site;
  - ii area on the Public Road from which material will be hoisted over; and
  - iii relevant sections, elevation/s, and footing plans.

Tower Cranes must be installed in accordance with manufacturers' designs and specifications.

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- (b) Drawing showing the slewing and/or luffing radius over Public Roads and surrounding properties. Tower Cranes must not be erected or encroach on any public land or neighbouring properties. Where a Tower Crane is proposed to overhang, hoist, or slew over public land or another party's premises/property, the applicant must obtain written approval from the relevant person prior to use of the Tower Crane, with Council receiving evidence of this written approval. Any concerns or requirements raised by the affected party must be resolved or accommodated, prior to use of the Tower Crane.

3.9.2 A copy of the current public liability insurance policy held in the name of the applicant (applicants should refer to paragraph 3.10 of the Guidelines for details regarding the requirements for sufficient public liability insurance).

3.9.3 Details setting out the length of time that the Tower Crane is proposed to be installed, as well as the nature of the works that are to be undertaken during this period (i.e. the approved development application reference number).

3.9.4 Street trees: The site plan must clearly and accurately show in plan and elevation the location of street trees, including accurately specifying the height and canopy volume/diameter and significant branches of all street trees in the vicinity of the proposed Tower Crane. If trees are likely to be affected, the Tower Crane must be designed to accommodate the trees without the need to prune major branches or limbs. Where it is not possible for a Tower Crane design to accommodate tree canopies, applicants must contact Council's Public Tree Management Officer, prior to finalising design drawings and lodging an application, to discuss any design constraints.

3.10 Conditions contained in a Tower Crane Approval must be read in conjunction with any conditions of development consent pertaining to the development of the particular site. Specific conditions in a development consent relating to the protection of Council's assets, street trees, site management, and construction layout, may impact on the Tower Crane design, and this must be complied with. Failure to adhere to any development conditions will constitute a breach of that consent.

3.11 If the Tower Crane is installed in close proximity to overhead electricity wires, electrical hazards are likely. Applicants must consult the appropriate utility authority to ensure that there is no adverse impact on infrastructure from the proposed work.

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### 3.12 Public Liability Insurance

As per Council's Tower Crane Policy, applicants for a Tower Crane Approval must hold sufficient public liability insurance.

#### 3.12.1 Indemnity during the installation, use, dismantlement, and removal of Tower Cranes

Council must be indemnified for the duration of a Tower Crane's installation, use, dismantlement, and removal, against any claims for injury to persons; damage to adjoining properties and/or public places; and any excess payable under an insurance policy, arising out of any claim made against that policy.

Such indemnity must be expressed in the applicant's public liability insurance policy, with a minimum amount of \$20,000,000 payable for any individual claim that may be made against that policy.

The insurance policy must be held in the name of the person or business holding the Approval, and must cover the duration of the Tower Crane's installation, use, dismantlement, and removal.

Where an insurance policy will expire prior to the Tower Crane being removed, Council must be provided with a copy of the certificate of currency, at least two weeks prior to the insurance policy expiring.

#### 3.12.2 Indemnity - Change of entity holding an Approval

The person holding an Approval for a Tower Crane must, in the case of the transfer of the project to another person or company, advise the proposed new entity to lodge a fresh application together with evidence of their new public liability insurance policy, to seek approval to allow the Tower Crane to remain in place, and for the Approval to be held in the name of the new entity.

### 3.13 Applicants will be required to pay the following fees, as set in Council's Schedule of Fees and Charges:

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- (a) Relevant application fee: Application fees will be determined as part of the assessment process. Applicants will be advised of the required monies payable shortly after an application is lodged. The approval will not be issued and have no effect until all fees and bonds are paid.
- (b) Monthly Tower Crane fee: Ongoing fees vary depending on whether the Tower Crane is being used with a works zone or without a works zone.

#### Tower Crane Installation, Dismantlement, Removal, Certification, and Operation

3.14 Before installing or dismantling and removing a Tower Crane, applicants must advise Council of the following:

- (a) Installation of temporary barricading to control pedestrians and traffic at the work area in which the Tower Crane will be erected or dismantled and removed.
- (b) The proposed days and work times for installation or dismantlement and removal.
- (c) Any hoisting of the Tower Crane or components to and from a vehicle situated on the Public Road, within authorised kerb-side parking spaces.

3.15 Tower Cranes must be dismantled and removed as soon as practicable after they are no longer required.

3.16 Requirements when installing, dismantling, and removing Tower Cranes

3.16.1 Installation or dismantlement and removal of a Tower Crane must be undertaken safely and not damage infrastructure including footways, kerbing, street trees, and street gardens.

3.16.2 Installation or dismantlement and removal must be during the hours approved under conditions of the development consent pertaining to the development of the particular site. Installation or removal outside of these hours will require an extended work hours approval. A separate Extended Work Hours Application must be lodged and approved prior to installation or removal.

3.16.3 Public Road surfaces must be maintained by the applicant in a safe and tidy condition at all times, including when installing or dismantling and removing a Tower Crane.

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### 3.17 Certification

3.17.1 Council requires a certificate from an appropriately qualified person confirming that the Tower Crane complies with the Guidelines, including the structural adequacy requirements. Council will also require a certificate at completion of the installation of the Tower Crane to verify its structural adequacy and compliance with the approved plans, details, and conditions of Approval. An installation certification must be lodged within 72 hours after completing the installation. The Tower Crane must not be used until the required certification is provided to and accepted by Council.

3.17.2 Where a Tower Crane Approval exceeds six months, Council will require a certificate every 6 months from an appropriately qualified person confirming that the Tower Crane continues to comply with the Guidelines, including the structural adequacy requirements.

3.17.3 Council or the responsible Minister under the LG Act must rely on such a certificate if it is from an appropriately qualified person and is furnished by a public authority.

Sections 92 and 93 of the LG Act specify circumstances in which a council does not have to form an independent judgment about some aspect of an activity for which approval is being sought but may rely on an accreditation or certification of a competent person. A component, process, or design relating to an activity may be accredited in accordance with the procedure set out in Division 5 of Part 1 of Chapter 7 of the LG Act.

Section 732 the LG Act exempts a council, councillor, or employee of a council from liability that would otherwise be incurred as a consequence of relying on an accreditation or certification, in accordance with sections 92 and 93 of the LG Act.

### 3.18 Operation

3.18.1 Tower Cranes must only be operated during the operating hours prescribed by the relevant development consent pertaining to the development of the particular site.

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3.18.2 Any installed Tower Crane imagery must not be illuminated.

3.19 A copy of the Tower Crane Approval must be available onsite at all times for inspection by Council and WorkCover personnel.

#### 4. Definitions

Approval	Refers to a permit issued by Council for the installation and operation of a Tower Crane which, while carrying out hoisting and slewing activities, will overhang or weathervane over Public Roads.
Authorised Person	An employee of Council generally or specially authorised by Council in respect of or whose duty it is to deal with, or to act in regard to, any acts, matters or things in relation to which the expression is used.
Public Road	A road opened or dedicated for the free right of passage of the public on foot, in a vehicle, or otherwise, and declared to be a Public Road for the purposes of the Roads Act, and includes a Road Related Area.
Road Related Area	As defined by section 4 of Part 1.2 of the <i>Road Transport Act 2013</i> (NSW), includes but is not limited to: (a) an area that divides a road; (b) a footpath or nature strip adjacent to a road; (c) an area that is open to the public and is designated for use by cyclists or animals; (d) an area that is not a road and that is open to or used by the public for driving, riding, or parking vehicles; or (e) a shoulder of a road.
Tower Crane	For the purpose of this Policy, refers to a tower crane that is installed via fixation to the ground and/or a building, during the course of the construction or maintenance of a multi-level building.

REFERENCES	AS1742.3:2019 Manual of uniform traffic control devices, Part 3: Traffic control for works on roads
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	Austroads - Guide to Traffic Management Part 8: Local Area Traffic Management (2016) Building Code of Australia (2022) <i>Environmental Planning and Assessment Act 1979 (NSW)</i> <i>Local Government Act 1993 (NSW)</i> <i>Protection of the Environment Operations Act 1997 (NSW)</i> <i>Roads Act 1993 (NSW)</i> <i>Road Transport Act 2013 (NSW)</i> SafeWork Australia, <i>Guide to Inspecting and Maintaining Cranes</i> (December 2015) WorkCover NSW, <i>Code of Practice – Overhead Protective Structures</i> (20 March 1995) <i>Work Health and Safety Act 2011 (NSW)</i> <i>Work Health and Safety Regulation 2017 (NSW)</i>
<b>ASSOCIATED POLICIES</b>	City of Parramatta Schedule of Fees and Charges Hoarding Policy Regulatory Enforcement Policy Tower Crane Policy
<b>ATTACHMENTS</b>	Nil

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