

❖	TITLE:	BUILDING SITE MANAGEMENT CODE OF PRACTICE
❖	ADOPTED BY:	Glen Eira City Council
❖	DATE ADOPTED:	24 November 2009
❖	REFERENCE IN LOCAL LAW 2009:	Clause 330

PART 1 – INTRODUCTION

1.1 Objective

The objective of this policy is to:

- (1) encourage the better management of Building Sites and amenity issues arising from building site activity preventing the escape of Potential Stormwater Pollutants from Building Sites;
- (2) provide a physical environment which aims to minimise hazards to health amenity and safety of persons attending Building Sites and those adjacent, opposite or passing building sites;
- (3) define the standards to which persons engaged in Building Works or landscaping should adhere; and
- (4) educate and encourage persons involved in Building Works or landscaping to act responsibly to reduce the extent of litter and pollution for the benefit of the wider community.

1.2 Definitions used in this policy

Terms defined in the Local Law 2009 have the same meaning as in that Local Law.

'Appointed Agent' means the person authorized in writing by an Owner of a Building or land to make an application, appeal, referral or representation on their behalf.

'Builder' means a person who has been nominated as the builder on the building permit, and if no such application has been made, the Person in Charge of the Building Works or landscaping being carried out.

'Builders' Refuse' includes any Potential Stormwater Pollutant, solid or liquid domestic or commercial waste, debris or rubbish, and without limiting the generality of the above, includes any glass, metal, plastic, paper, fabric, wood, food, vegetation, soil, sand, concrete, rocks and any other waste material, substance or thing generated by or in connection with Building Works or landscaping.

'Facility' means a suitable rubbish receptacle capable of restricting debris and other waste from leaving the Building Site.

'Minor Building Works' has the same meaning as in the Glen Eira Local Law 2009.

‘Minor Landscaping Work’ means landscaping valued at less than \$5,000.

‘Owner’ in relation to a building means the owner of land on which the Building is situated.

‘Potential Stormwater Pollutant’ means any material that upon entering the Stormwater System, degrades the quality of stormwater to the detriment of the environment, including litter, sediment, soil, mud, concrete and concrete washings, plaster, brick and tile dust, paint, thinners and acid.

‘Person in Charge’ means the Builder or the Owner or the person in control of the Building Site if that person is not the Builder or the Owner and in the case of a company each director of that company

‘Stormwater System’ means Stormwater System which provide for the conveyance of stormwater run-off including kerb and channel, open channels, underground pipe systems and natural waterways.

PART 2 - STORMWATER PROTECTION

- (1) Where any Building Works or landscaping is being carried out on any land, the Owner, Builder or Appointed Agent must manage the Building Site to ensure:
 - (a) no Potential Stormwater Pollutant will escape from a Building Site; and
 - (b) any Potential Stormwater Pollutant is contained or stored in a manner such as to prevent it escaping from the Building Site.
- (2) Building Works must be contained entirely within the Building Site and/or within an area approved by Council or an Authorized Officer.

PART 3 - CONTROL OF BUILDERS' REFUSE

3.1 Containment of Builders' refuse

- (1) Where any Building Works or landscaping (other than Minor Building Works or Minor Landscaping Work) is being carried out on any land, the Owner, Builder or Appointed Agent must:
 - (a) ensure litter and rubbish from a Building Site or an approved area where Building Works or landscaping are being conducted does not escape the site or approved area;
 - (b) provide a Facility for the purpose of disposal of Builders' Refuse and to the satisfaction of Council, its size, design and construction will be at the discretion of the Builder;
 - (c) place the Facility on the land and keep it in place (except for such periods as are necessary to empty the Facility) for the duration of the Building Works or landscaping;
 - (d) not place the Facility on any Council Land, Road, bridge or ford, footpath, bicycle path or nature strip, or any culvert, kerbing or other land or works forming part of a Road without Council consent;

- (e) empty the Facility whenever full and if necessary, a replacement Facility should be provided during the emptying process.
- (2) The requirement to provide a Facility may be waived at Council's discretion.

3.2 Disposal of Builders' Refuse

During Building Works or landscaping, the Owner, Builder or Appointed Agent must ensure that:

- (1) all Builders' Refuse which requires containment is placed in the Facility referred to in clause 3.1(1)(b);
- (2) Builders' Refuse is not deposited in, or on any land other than in accordance with clause 3.1; and
- (3) Builders' Refuse is not deposited in or over any part of the Stormwater System.

3.3 Removal of Builders' Refuse

- (1) On any land where Building Works or landscaping is being, or has been carried out, the Owner, Builder or Appointed Agent must remove and lawfully dispose of all refuse including, without limiting the generality of the above, the Builders' Refuse in the Facility referred to in Clause 3.1, within 7 days of completion of the Building Works or landscaping or issue of an occupancy permit, whichever occurs last.
- (2) The driver of any vehicle involved in placing or removing Builders' Refuse facilities must access the Building Site by way of a temporary vehicle crossing unless otherwise permitted by Council and in accordance with that permission.

PART 4 – OFFENCES

Failure to comply with any provision of this policy, without obtaining a permit to do so, constitutes an offence under clause 330 of the Local Law 2009.

Council may issue a direction to an Owner, Builder or Appointed Agent to comply with this policy under clause 303 of the Local Law 2009 and it is an offence not to comply with such a direction.

In addition to its general powers to issue infringement notices and undertake enforcement proceedings, Council has power under clauses 806 and 807 of the Local Law 2009 to take urgent action to remedy breaches of this policy in some circumstances and to recover the costs incurred from the Owner, Builder or Appointed Agent.