



# **PROCEDURE FOR PLACEMENT OF SKIP BIN CONTAINERS IN PUBLIC ROAD RESERVES**

## **1. DEFINITIONS**

“Skip Bin” (Building Waste Storage Container) means a container that is designed:

- (i) to be used and re-used for the temporary storage and subsequent conveyance and disposal of builder’s rubble, waste, tree lopping’s, household or other rubbish or earth (but not for the storage of putrescible or dangerous waste); and
- (ii) to be removed from, returned to and carried by a vehicle that, when carrying the container, may lawfully be used on a public road.

“Public Street” means any street, road, lane, thoroughfare, footpath or place open to or used by the public, and includes any place at the time open to or used by the public on payment of money or otherwise.

“Road Reserve” means the area between adjacent property boundaries.

“Supplier” means an organisation and/or individual who contracts or otherwise enters into an agreement with another party to place convey and dispose of material by virtue of the placement of a building waste storage container.

## **2. APPLICATION**

As detailed in Section 68 of the Local Government Act 1993, “*A person may place a building waste storage container in a public place ONLY with the prior approval of Council*”. Hence, suppliers require the consent of Council to place a building waste storage container on a public road reserve by registering with Council on the attached Annual Registration Form. The registering, licensing and relevant fees are for an annual basis and an application as a one-off placement approach is not acceptable.

### 3. GENERAL CONDITIONS

- 3.1 The supplier shall be deemed responsible for all placements of building waste storage containers/skip bins within Council's Road Reserve.
- 3.2 The supplier shall not place a building waste storage container in a public road reserve without first notifying Council on the appropriate Form (see Section 5).
- 3.3 The maximum width of a building waste storage container shall be 2m and not exceed 3m in length. Skip bin containers exceeding these dimensions shall be placed within private property.
- 3.4 Only one (1) skip bin container shall be placed outside any property at any given time, and shall be outside the property of the hirer/owner. The skip bin container shall be lifted into and out of place.
- 3.5 There are certain areas of the road reserve where sitting of skip bin containers are either prohibited or where positions are potentially unsafe. Details are:

#### **Prohibited Locations On-Roadways**

- Skip bins are not permitted where signposted kerbside restrictions apply. These include "No Stopping", "Clearway", "No Standing", "No Parking", "Construction Zones", "Loading Zones", etc.
- Skip bins are not permitted where motor vehicles are prohibited under the general Motor Traffic Regulations. These prohibited locations are often not signposted and include approach and departure zones at bus stops and pedestrian crossings, intersections, double yellow lines, at intersections etc.

#### **Prohibited Locations On-Footpaths**

- On driveways or in areas that obstruct vehicular traffic entering or leaving premises.
- In locations which obstruct pedestrians from entering or leaving premises
- In locations that obstruct access to utility services or other devices that require servicing eg- traffic signal boxes, Telstra pillars, Post boxes, etc.

#### **Potentially Unsafe Locations or Places That May Cause Public Inconvenience**

Other situations may not be prohibited by regulation but potentially increase the risk of accidents or can cause unnecessary public inconvenience. If in doubt about the placement of skip bins, please contact the Council.

However, skip bin suppliers and drivers need to act responsibly and be aware of local conditions or circumstances, which may create unsafe or undesirable conditions for vehicles, cyclists, school children, pedestrians, disabled persons or the local environment.

Whilst the following list is not exhaustive it endeavours to provide guidance as to potentially unsafe locations or places that may cause public inconvenience:

- Classified and arterial/sub-arterial roads;
- High volume pedestrian footpath areas;
- Clear access to laneways and right of ways must be maintained at all times;
- Reasonable access to, or egress to private driveways, must be maintained;
- Obstruction to delivery vehicles or domestic waste collection vehicles;
- Positioned as close to and parallel to the kerb as practicable;
- Not to be positioned on a hill or curve where the view is not clear for at least 100 metres; and
- Not interfere with the sightline of drivers entering or leaving premises.

**3.6** The building waste storage container shall bear the name, address and 24 hour phone number of the supplier of the skip bin container.

**3.7** The building waste storage container shall be in good condition, to the satisfaction of Council, and shall be properly cleaned prior to placement.

**3.8** If a building waste storage container blocks a pedestrian footpath, an adequate alternative pedestrian access shall be provided. It should be noted that a building waste storage container will not be allowed to block vehicular traffic

**3.9** The building waste storage container shall be clearly visible at night having the appropriate reflectors as indicated at Appendix A, to ensure the safety of pedestrians and road users.

**3.10** The building waste storage container shall only be filled to capacity level and shall be emptied within 1 day of reaching this level. No waste shall spill out of the container at any time.

**3.11** Council reserves the right to order the removal of the building waste storage container. The granting of approval shall be subject to such right if the building waste storage container, or any activity associated with such container, shall in the opinion of Council constitute a nuisance or hazard.

**3.12** The granting of an approval by Council shall be subject to the supplier accepting responsibility for all reimbursement. All repair costs for any damage incurred to the road pavement, kerb and gutter, footpath, footpath verge, trees and/or street furniture, resulting from the placement or removal of a building waste storage container shall be borne by the supplier.

**3.13** The granting of an approval by Council shall be subject to the supplier accepting liability for any damage or injury occasioned as a result of the placement and/or conveyance of a building waste storage container and/or any debris emanating from a building waste storage container.

**3.14** The supplier shall, during the period of consent for the placement of a building waste storage container, have an effective policy for public liability insurance of not less than twenty million dollars (\$20,000,000).

## 4. FEES AND DEPOSIT

4.1 Any supplier shall need to be licensed by registering with Council on the attached Registration Form, and pay the required Deposit and Annual Fee. Application and approval for a one-off placement is unacceptable as suppliers must be registered annually by paying the Annual Fee

4.2 The Deposit and Annual Fee shall apply as detailed in Council's, "Annual Fees and Charges".

### 4.3 Deposit

- (a) Council may use the deposit for reimbursement of the actual cost of restoration of damage occasioned as a result of the containers placements. In such cases, once the Deposit amount is below half the amount lodged, the supplier's registration with Council will be cancelled. Consideration for renewal will be based on the particular supplier's performance and payment to restore the Deposit to the amount set in the current "Fees and Charges".
- (b) The Deposit amount shall apply regardless of what time of the year it is paid.
- (c) Once paid, the amount shall be reviewed at two (2) yearly intervals and any difference to the amount previously paid, shall be paid by the supplier to maintain registration.
- (d) *At the two (2) year anniversary date, the supplier shall contact Council to ascertain the current amount of Deposit and pay any difference within four (4) weeks of the anniversary date. Failure to abide by this Condition shall void the registration and license as per Section 6 (Non-Compliance).*
- (e) The Deposit is refundable, on the request of the supplier, but once refunded the supplier will no longer be registered and licensed for operation in this Council area.

### 4.4 Annual Fee

- (a) The Annual Fee shall be paid annually, is not refundable and may be adjusted annually by Council.
- (b) *In the week of the 1st July each year, the registered suppliers shall contact Council to ascertain the Annual Fee relevant to that financial year. By the end of the 2nd week of that same month of July, the supplier shall lodge the Annual Fee with Council via the attached Annual Registration Form.*
- (c) If the Annual Fee is not paid as per 4.4 (b) above, the supplier will no longer be registered and licensed for operation in this Council area.

- (d) If a supplier applies for registration in the 2nd half of a financial year, the Annual Fee shall be halved. This is not applicable to renewals.

## **5. NOTIFICATION OF SKIP BIN CONTAINER PLACEMENTS BY REGISTERED SUPPLIERS**

**5.1** Within one (1) working day of placing the skip bin container in the public domain area. The supplier shall notify Council with the completed Notification Form by **hand delivery** to our Customer Service Team Monday-Friday or by **faxing** anytime (24/7) to fax no: (02) 9366 3777.

**5.2** Failure to comply with 5.1 will initiate the Non-Compliance procedures as per Section 6.

## **6. NON-COMPLIANCE**

**6.1** In the event a building waste storage container is placed on a public street without prior written approval from Council and/or in contravention of this Procedure:

- a) Council's Ordinance Inspectors will issue an Infringement Notice with associated fines and/or proceed to prosecution, or
- b) Impound the building waste storage container and charge a recovery fee for its return.

**6.2** If the procedures as per 4.3 (d) (updated Deposit difference) and 4.4 (b) and (c) (Annual Fee renewal), are not abided by, it will be deemed Non-Compliance and result in the actions as per 6.1.

**6.3** If a supplier registered with Council frequently non-complies with this Procedure, Council may deny acceptance of the annual fee and remove the supplier from the list of registered suppliers permitted to operate within the Council area. Council shall advise the supplier, in writing, before taking such action. Council will refund any remaining Deposit. If the supplier continues to operate in the Council area, after receiving the Council notification letter, the actions as per 6.1 will apply.



**NOTIFICATION FORM FOR PLACEMENT OF SKIP BIN CONTAINERS ON A PUBLIC ROAD RESERVE**

Notification must be submitted to Council within one day of placing the skip bin container at a property site.

**Registered Supplier's Name:**.....

**Address:**.....

..... **Telephone Number:** .....

**Placement Address:**.....

**Date of Placement:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**Probable Duration of Placement** .....days (Total)

**Supplier's Signature:**.....**Date:**.....

**NB:** Placement of skip bin containers is subject to the "*Procedure for Placement of Skip Bin Containers in Public Road Reserves*"

**Faxed to Council on:**.....(02) 9366 3777

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COUNCIL USE ONLY

- Received on .../.../...
- Received by .....
- Copy forwarded to Manager Assets & Environment - →



**ANNUAL REGISTRATION FORM FOR LOCATING  
BUILDING WASTE STORAGE CONTAINERS/SKIP  
BINS ON PUBLIC ROAD RESERVES**

**Supplier's Name:**.....

**Address:**.....

..... **Telephone Number:** .....

Application/Registration for placement of a building waste storage container upon Council's road reserve is subject to the conditions specified in the "*Procedure for Placement of Skip Bin Containers in Public Road Reserves*"

**Details of Public Liability Policy (current):**.....(copy attached)

**Deposit Required:** \$..... -updated difference/new/already paid (cross out whichever does not apply). See Clause 4.3 of Procedure.

**Annual Fee Required:** \$ ..... See Clause 4.4 of Procedure.

**Applicant's Signature:**.....**Date:**.....

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