NEWCASTLE CITY COUNCIL

BUILDING WASTE CONTAINER POLICY

(Amended 25th June 1991 Minute No. 167/91)

1. CITATION AND COMMENCEMENT

This Policy may be cited as the "Policy for the Placement of Building Waste Containers on Roads within the City of Newcastle" and shall take effect from 14 May 1991.

2. OBJECTIVES OF POLICY

The objectives of this Policy are:

   a) To provide for the orderly placement of building waste containers on public streets so as to avoid obstructions or hazards to vehicular or pedestrian traffic;
   b) To provide facilities for disposal of builder's and householder's waste in an environmentally acceptable manner;
   c) To protect the Council from claims arising from the use of streets for the placement of containers;

3. DEFINITIONS

In this Policy, unless inconsistent with the context or subject matter:

"Building Waste Containers" means a container that is designed:

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

"Container" means a building waste container as defined in this Policy.

"Council" means Newcastle City Council.

"Prescribed Form" means any application form for a registration or approval which may be from time to time be provided by the Director of Health and Building Services.

"Supplier" means a person or organisation who is registered with the Council to lease or hire a building waste container to a user or hirer.
“User” or “Hirer” means an individual or organisation who leases or hires a building waste container from a supplier for a specified period of time.

Public “Road or Street” are synonymous terms and mean the whole of a road, including the footway and carriageway.

4. APPLICATION

This Policy applies to building waste containers proposed to be placed on the carriageway or footway of any public road within the City of Newcastle.

Containers placed on private property do not require Council approval.

5. PRINCIPLES TO BE APPLIED

The following principles shall be used as guides to the intention of this Policy.

a) The principal consideration shall be the safety of users of the public roads within the City of Newcastle;

b) The supplier shall accept responsibility for the location of the container on a public road, its management while on the public road and its removal at the conclusion of the site placement period;

c) The supplier shall be responsible for obtaining Council’s permission in writing to place the container on the public road;

d) The user or hirer shall be responsible for ensuring that non-putrescible and non-hazardous waste generated on household, commercial or industrial sites is placed within the container and that spillage and littering is avoided;

e) Containers shall not be placed on public roads if they can be placed on private property;

f) The Council shall furnish registered suppliers with details of classified and other major public roads where Council must obtain concurrence of the Newcastle City Traffic Committee before giving any approval. (APPENDIX A) Same day approval in these cases may therefore not be available.

g) The Interim Guidelines and any subsequent Guidelines for the Placement of Building Waste Containers issued by the Roads and Traffic Authority (APPENDIX B) shall be adopted and implemented as part of this Policy with advisory recommendations being adopted as mandatory requirements.
6. REGISTRATION OF SUPPLIERS

A supplier shall not place any building waste container on a public road unless such supplier is registered with the Council. To register a supplier shall:

a) Make application in writing to the Council.

b) Furnish satisfactory evidence of all public liability insurances to an amount determined by Council from to time (currently $10,000,000) or as otherwise required by law to indemnify Council from any claims arising from the placement of any building waste container on a public road. The Policy shall be endorsed to the effect that "It is hereby agreed that the indemnity given by this Policy is extended to Newcastle City Council in respect of building waste containers located within the Newcastle City Council area of control".

c) Pay any registration fee that may from time to time be prescribed by Council.

Any registration, unless sooner cancelled or suspended, shall remain in force for twelve (12) months from the date of approval. The Council shall always have the power to direct the supplier to remove any container from a public road.

7. PLACEMENT APPROVALS

A supplier registered with the Council shall not place any building waste container on a public road unless prior approval for such placement has been obtained from the Council. To receive approval the supplier shall:

a) Make application for approval to Council on the prescribed form;

b) Certify by signature on the prescribed form to comply with the requirements of this Policy.

c) Pay any placement fee that may from time to time be prescribed by Council.

If the registered supplier so desires a monthly account may be issued by the Council to cover all placement fees falling due for the particular month.

An approval issued by the Council shall be based on the information given by the supplier.

A container not on hire or between hireings shall not be placed on a public road but shall be stored at the supplier’s registered place of business.
8. CLAUSE 8: SIZE OF CONTAINERS

"The Council has selected the following dimensional constraints as being acceptable for building waste containers for safety reasons. The dimensions fall within the maximum sizes approved by the Roads and Traffic Authority.

<table>
<thead>
<tr>
<th>Location</th>
<th>Length</th>
<th>Width</th>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carriageway</td>
<td>5.4m</td>
<td>2.5m</td>
<td>1.6m</td>
</tr>
<tr>
<td>Footway</td>
<td>3.0m</td>
<td>1.5m</td>
<td>1.2m</td>
</tr>
</tbody>
</table>

Applications for larger sized containers will be refused because they are currently not acceptable to the Council".

9. CONDITION OF CONTAINERS

All containers placed on public roads must be maintained in a clean, well painted condition, free from sharp projections which might damage persons or property.

Although company identification colours may be used for front and side panels of containers the rear panel facing the on-coming traffic shall be painted in bright colours (such as yellow, orange or white).

Rear marking plates and reflectorised tape shall be used and in badly lit areas battery operated flashing yellow lights shall be mounted for added protection.

The supplier shall be responsible for ensuring that the visibility requirements of the Guidelines are observed.

10. SUPPLIER TO BE IDENTIFIED

The supplier’s name and telephone number shall be prominently displayed on each container and be readily discernible.

11. OBSERVANCE OF LEGISLATION

The provisions of The Road Transport (Mass, Loading and Access) Regulation 1996, which apply to load limitations and the cartage of loose materials, shall be observed at all times by the Supplier.

The provisions of Section 68 Part C Local Government Act 1993 – Management of Waste – requires an approval for the placement of all waste storage containers in a public places. The Supplier will be responsible for the submission of the prescribed application, complete with all details, before placement of the container.

Any offence under these provisions may result in legal action via the issue of infringement notices or the initiation of legal proceedings without warning.
12. REPAIR TO DAMAGE

Damage to carriageways or footways caused by the placement or removal of containers, or damage to public utility access points shall be repaired at the supplier’s expense under the supervision of and to the satisfaction of the Council or the relevant public utility.

13. PROHIBITED LOCATIONS

In addition to the prohibited and undesirable locations set out in the Guidelines, locations which obstruct access to utility service access points such as manholes, hydrants, valves or devices which require servicing, whether on carriageways or footways shall be prohibited locations.

The Council is not authorised to grant permission for a waste container to be placed on a carriageway in any prohibited or undesirable location or the carriageway of any Classified, Arterial or Sub-Arterial road without the prior consent of the Newcastle City Traffic Committee.

14. USER OR HIRER’S RESPONSIBILITIES

From the time that the container is delivered and placed on the public road and until it is collected by the Supplier the user or hirer shall ensure that:

a) No putrescible, hazardous or dangerous substances are placed in such containers. If such material is placed in a container it shall be removed immediately;

b) No liquid waste is placed in any container;

c) The container and its surrounding area is maintained clean and tidy and free from spillage, litter and any environmentally offensive material;

d) No litter or debris is allowed to escape by being windblown from the container whilst it is on a public road.

In the event of an offence, infringement notices or legal proceedings may be issued or taken without warning.

15. HOURS OF DELIVERY AND REMOVAL

The supplier shall deliver and remove containers only between the hours 7am and 6pm on weekdays and 8am and 6pm on Sundays and public holidays.

16. NOISE SUPPRESSION

The supplier shall exercise all care and precautions in delivering and removing containers all shall ensure that noise is reduced to a minimum. If noise is caused by the use of a container, the Council may require its removal or relocation.
17. COVERING OF CONTAINERS

The supplier shall ensure that no material placed in a container is allowed to fall from or escape from the container during its carriage on public roads.

18. ENFORCEMENT

The implementation of the Policy shall be enforced by authorised officers of the Council who will report instances where containers have been placed on streets:

a) For periods longer than the approved period;

b) Contrary to the guidelines and this Policy and relating to such matters as size of containers, condition of containers, identification of bins, failure to repair damage to public roads and prohibited locations;

c) Contrary to other requirements for which the supplier should normally be aware.

In the event of any breaches of the matters outlined in this Clause a warning letter shall be forwarded in the first instance. A repeated infringement may result in the withdrawal of registration as an authorised supplier. Infringement Notices or legal proceedings may be issued or taken where specifically provided.
SCHEDULE OF CLASSIFIED ROADS

STATE HIGHWAY 9 – NEW ENGLAND HIGHWAY

From the intersection with the Pacific Highway (SH 10) at Hexham to Western City Boundary at Beresfield.

STATE HIGHWAY 10 – PACIFIC HIGHWAY

From the southern City Boundary in City Road at Adamstown Heights hence via City Road, Stewart Avenue, Hunter Street and Maitland Road to northern City Boundary at Hexham.

STATE HIGHWAY 23

1) From southern City Boundary in Charlestown Road, Kotara hence via Lookout Road to roundabout at John Hunter Hospital at New Lambton Heights.

2) From the intersection of Newcastle Road and Bluegum Road Jesmond, hence via Bluegum Road, Hugo Road, Vale Street, Sandgate Road and Wallsend Road to intersection with Pacific Highway (SH 10) at Sandgate.

MAIN ROAD 82

From the intersection of King Street and Darby Street (MR 188) at Newcastle via King Street, Parry Street, Donald Street, Griffiths Road and Newcastle Road to the intersection with Thomas Street (MR 217) at Wallsend.

MAIN ROAD 108

From Industrial Drive at Mayfield West via Tourle Street, Cormorant Road, Teal Street, Stockton Bridge and Fullerton Street to northern City Boundary at Stockton.

MAIN ROAD 188

From King Street (MR 82) at Newcastle via Darby Street, Glebe Road, St James Road, Royal Road, Lambton Road, Durham Road, Karoola Road, Lloyd Street to Newcastle Road (MR 82) Lambton; thence from Newcastle Road (MR 82) via Edith Street and Lorna Street to Maud Street (MR 605) at Waratah.

MAIN ROAD 217

From the southern City Boundary in Lake Road Wallsend, hence via Lake Road, Thomas Street, Longworth Avenue and Sandgate Road to State Highway 23 at Shortland.
MAIN ROAD 223

1) From Belford Street (MR 604) at Broadmeadow via Lambton Road, Alma Road and Russell Road to Lookout Road, New Lambton.
2) From roundabout (SH 23) at John Hunter Hospital via Lookout Road and Croudace Road to Newcastle Road (MR 82) at Lambton

MAIN ROAD 316

From the Pacific Highway (SH 10) at the intersection of Stewart Avenue and Hunter Street, Newcastle West via Hannell Street and Industrial Drive to the Pacific Highway (SH 10) at Mayfield West.

MAIN ROAD 326

From City Road (Pacific Highway – SH 10) at Adamstown Heights via Northcott Drive, Bridges Road, Turton Road, Platt Street, Hanbury Street and Vine Street to Industrial Drive (MR 316) at Mayfield.

MAIN ROAD 588

From the New England Highway (SH 9) at Beresfield via John Renshaw Drive to the western City Boundary.

MAIN ROAD 603

From Bridges Road (MR 326) at New Lambton via Carnley Avenue to Charlestown Road (SH 23) at New Lambton.

MAIN ROAD 604

From City Road (Pacific Highway – SH 10) at Adamstown Heights via Brunker Road, Belford Street and Tudor Street to Hunter Street (Pacific Highway – SH 10) at Newcastle West.

MAIN ROAD 605

From Industrial Drive (MR 316) at Mayfield West via Werribi Street, Maud Street, Lorna Street, Queen Street and University Drive to State Highway 23 at Jesmond; thence from State Highway 23 via Wilkinson Avenue and Tillie Street to Sandgate Road (MR 217), Wallsend.

**MAJOR SUB-ARTERIAL ROADS**

(Other than Classified Roads)

1. From Hannell Street (MR 316) Newcastle West, via Hunter Street and Scott Street to Watt Street Newcastle.
MINOR SUB-ARTERIAL ROADS

1. COUNTY ROUTE 6

From Pacific Highway (SH 10) at Merewether Heights via Scenic Drive, Frederick Street, Helen Street, Memorial Drive, High Street, Reserve Road, Ordnance Street and Watt Street to Scott Street Newcastle.

2. WATKINS STREET

From Helen Street Merewether to Glebe Road The Junction.

3. KING STREET

From Darby Street Newcastle (MR 188) to Watt Street Newcastle

4. GORDON AVENUE

From Pacific Highway (SH 10) at Stewart Avenue Hamilton South to Tudor Street (MR 604) Hamilton.

5. ELIZABETH STREET

From Pacific Highway (SH 10) at Maitland Road Tighes Hill to Hannell Street (MR 316) at Tighes Hill.

6. INGALL STREET

From Pacific Highway (SH 10) at Maitland Road Mayfield East to Industrial Drive (MR 316) at Mayfield East.

7. From Griffiths Road, (MR 82) Broadmeadow, via Broadmeadow Road, Clyde Street, Chinchen Street and Hubbard Street to Maitland Road Islington (Pacific Highway - SH 10).

8. PARK AVENUE

From State Highway 23 (Charlestown Road) Kotara to Glebe Road (MR 188) Adamstown

9. COWPER STREET

From Thomas Street (MR 217) Wallsend to Longworth Avenue (MR 217) Wallsend.

10. ANDERSON DRIVE

11. MINMI ROAD
From Sandgate Road (MR 217) Wallsend to Woodford Street Minmi.

12. From southern City Boundary to Minmi, via Woodford Street, Lenaghans Drive and Wheatleys Drive to New England Highway (SH 9) at Beresfield.

13. UNION STREET
From Hunter Street Newcastle West to Glebe Road The Junction.

14. CARDIFF ROAD
From western City Boundary, New Lambton Heights, to Lookout Road (SH 23) New Lambton Heights.