



Building Site Amenity Requirements

Council implemented Community Local Law 2023 on 25 September 2023.

Community Local Law 2023 includes strengthened regulations around building site amenity following an increased number of community complaints related to waste from construction, hazardous conditions and practices – alongside an increase in development within the shire in general.

Who needs to know?

All landowners of building projects, builders (including owner builders), contractors, subcontractors and their employees need to familiarise themselves with the strengthened regulations around building site amenity. It is a legal requirement to comply with the regulations in place under Council's *Community Local Law 2023*. Anyone found not complying with these regulations risks facing significant penalties for breaches of the Local Law, including possible fines or prosecution.

What are the changes?

The requirements are outlined in Clauses 30 – 34 of Council's *Community Local Law 2023* as follows:

30. Asset Protection Permit

An owner of a building site or person in charge of building works on a building site, must obtain an asset protection permit before commencing those works, unless an asset protection permit is not required under Council's Asset Protection Policy.

31. Building Site Amenity

The owner of a building site or a person in charge of building works on a building site must ensure that prior to commencing building works the building site has in place:

- (a) sanitary facilities to the satisfaction of the Authorised Officer;
- (b) an adequate refuse facility that contains all building rubbish on the site to the satisfaction of the Authorised Officer;
- (c) adequate fencing within the perimeter of the building site to the satisfaction of the Authorised Officer;
- (d) a sign at the main entrance to the building site which:
 - (i) is at least 600 millimetres in height and 400 millimetres in width;
 - (ii) is placed in a location which is clearly legible in normal lighting conditions from the road immediately adjacent to the front boundary and contains the lot number as described in the relevant certificate of title; and
 - (iii) identifies the name, postal address and the 24 hour contact number or numbers of the person in charge of the building work.



32. Refuse on Building Sites

During the course of carrying out building works, the owner of the building site, person in charge of carrying out the building works, and each employee, agent, contractor or sub-contractor of the builder must ensure that:

- (a) a suitable refuse facility is placed on the building site for the deposit of building refuse;
- (b) the refuse facility is designed and constructed so as to prevent any building refuse within the refuse facility being blown out of it;
- (c) the lid on the refuse facility remains closed at all times except when placing building refuse within it;
- (d) the refuse facility is emptied immediately once it becomes full or at the discretion of an Authorised Officer;
- (e) all wind blown building refuse created or accumulated on the building site is deposited into the refuse facility upon the building refuse being created or accumulated;
- (f) the refuse facility is removed from the building site within 7 days of the cessation of building work;
- (g) all materials and refuse for or from the building site are contained within the building site; and
- (h) any vehicle exiting the building site does not carry any mud or slurry onto the adjoining or nearby road.

33. Sanitary Facilities on Building Sites

Where any building work is carried out on a building site, the owner of the building site or person in charge of carrying out the building works must ensure that:

- (a) a temporary toilet with hand washing facilities is provided on the building site at all times, and is of a type approved by Council; and
- (b) the temporary toilet is serviced, maintained and placed in a suitable location on the building site to the satisfaction of Council.

34. Site Fencing on Building Sites

Where any building work is carried out on a building site, the owner of the building site or person in charge of carrying out the building works must ensure that a fence is erected around the entire perimeter of a building site which:

- (a) is maintained throughout the duration of the building works;
- (b) is not less than 1500mm in height; and
- (c) is capable of preventing litter from being transported from the building site by the wind.

Council takes a no tolerance approach to compliance in this area. Please familiarise yourself with the updated requirements at mrsc.vic.gov.au/local-laws

Alternatively, for enquiries please contact the Local Laws team on 5422 0333.

Examples of compliance and noncompliance are included on the pages following.



Examples of non-compliance – Council will issue legal directions and/or infringements for sites like these:



Non-compliant fencing enables rubbish and debris to blow into neighbouring land and is a hazard for pedestrians.



Non-compliant fencing and refuse storage enables rubbish and debris to blow into neighbouring land and properties and is a hazard for pedestrians.



Vehicles entering and exiting the building site have left mud/slurry/debris on the crossover, which has also entered the adjoining road and will eventually end up in our waterways.



Non-compliant fencing and refuse storage on site enables rubbish and debris to blow into neighbouring land and properties. In addition, the unsafe placement of the toilet and insecure fencing poses potential dangers to site workers and pedestrians.



Lack of an adequate secure refuse storage facility on this site will mean this building refuse and rubbish will likely end up blowing around into neighbouring properties and polluting our environment.



**Macedon
Ranges**
Shire Council



Examples of compliance – Council encourages building sites like these:



Secure site fencing, adequate refuse storage and sanitary facilities and clean site area (free from any loose refuse and rubbish).



Secure site fencing, adequate refuse storage and sanitary facilities and clean site area including crossover (no rubble/refuse left to wash into our waterways).



Secure site fencing, adequate refuse storage and sanitary facilities and clean site area (free from any loose refuse and rubbish).



Secure site fencing, adequate refuse storage and clean site area (free from any loose refuse and rubbish).

ABN 42 686 389 537
PO Box 151 Kyneton Victoria 3444
T 03 5422 0333 F 03 5422 3623 E mrsc@mrsc.vic.gov.au
www.mrsc.vic.gov.au

*Macedon Ranges Shire is located on Dja Dja Wurrung,
Taungurung and Wurundjeri Woi Wurrung Country.*