



CASEY.VIC.GOV.AU

BUILDING AND WORKS CODE OF PRACTICE

Attachment to Casey
Community Local Law 2023

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CITY OF CASEY - BUILDING AND WORKS CODE OF PRACTICE

PART 1 - INTRODUCTION

PREAMBLE

- (1) This ***Building and Works Code of Practice*** (the Code) has been developed as a tool to manage the effects of building development within the City of Casey.

The Code establishes requirements for the protection of the public and **Council** assets adjoining **building sites**.

Whilst **Council** encourages appropriate construction, public and environmental protection are of paramount importance.

Unsafe building practices are a cause of great concern to the community and **Council**. Residents who live near **building sites** often endure significant inconvenience and loss of amenity as a result of the conditions which prevail. Problems commonly encountered include:

- Broken footpaths, kerb and drainage pits.
- **Road** pavement damage.
- Storage of materials and equipment on **roads**, footpaths and nature strips.
- Waste materials and litter not stored or removed in a responsible manner.
- Windblown litter, wrappings, containers, plastics, styrene etc. polluting the environment and surrounding public land, **private land** and associated waterways.
- Silt, sand, mud, dirt and various debris fouling the **road** pavement and stormwater systems.
- Traffic and pedestrian hazards as a result of waste, mud, materials and equipment being left on **roads**, footpaths and nature strips.
- Unauthorised damage to and interference with **Council** infrastructure assets.

OBJECTIVES

- (2) The objectives of the Code are to:

- minimise the risk of injury to the public;
- protect public assets and infrastructure during **building works**;
- effectively control nuisance associated with **building works**; and
- minimise environment impacts during **building works**.

RELATIONSHIP WITH CASEY COMMUNITY LOCAL LAW 2023

- (3) The ***Building and Works Code of Practice*** has been incorporated by reference into Casey Community **Local Law 2023**.

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Clause 17(1) of the Casey Community **Local Law** provides that:

“A person in charge of a **building site** or a **works** site for which a **building permit** or **works** permit has been issued must comply with the requirements in the **Building and Works Code of Practice**.”

The **Building and Works Code of Practice** referred to in that clause is this Code of Practice.

DEFINITIONS

- (4) Any word or term defined in the Casey Council Community **Local Law 2023** has the same meaning in this Code of Practice.

Further, in this Code of Practice:

builder's refuse	Includes any 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, food wrappers and containers, vegetation, soil, sand, concrete, rocks and any other waste material, substance or thing generated by or in connection with building works .
building	Includes any structure, whether temporary or permanent, or any part of such structure within the meaning of the definition of “building” in the <i>Building Act 1993</i> .
bulk excavation	Means the removal of large amounts of soil, rock or other material from a site that is typically required for site and/or drainage preparation.
Bulk rubbish container (referable to a building site)	Means a container that is designed for the containment of builder's refuse referable to a building site , and which: <ul style="list-style-type: none"> (a) is of robust construction; (b) is not less than one cubic metre in volume; (c) has a lid which is attached to the container with hinges; (d) has its lid closed at all times to prevent its contents escaping from the container; (e) is locked after hours or when works on the building site are not in progress; and (f) is emptied regularly, and not overfilled at any time.
person in charge for the purposes of the code means	Owner, builder, or appointed agent
sanitary facilities	Means sanitary facilities provided for the use of persons working on a building site , including: <ul style="list-style-type: none"> (a) toilets; (b) hand basins; and (c) the supply of clean water to toilets and hand basins.

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<p>site fencing</p>	<p>Means an enclosure that separates a building site from adjacent properties, public land or a road during building works that:</p> <ul style="list-style-type: none"> (a) is not less than 1500mm in height; (b) is capable of preventing litter from being transported from the building site by wind; and (c) has not more than one access opening to the building site which: <ul style="list-style-type: none"> (i) is located to correspond with the location of the vehicle crossing for the building site, (ii) is kept closed at all times when building works are not in progress; and (iii) opens inwards into the building site.
<p>site identification</p>	<p>Means a sign, which is at least 600 millimetres in height and 400 millimetres in width, that is erected at the entrance to the building site and is clearly visible from the road, and includes the:</p> <ul style="list-style-type: none"> (a) lot number, as described on the Certificate of Title relevant to the land; (b) name of the person in charge; and (c) contact telephone number or numbers for the person in charge.
<p>stormwater system</p>	<p>Means a stormwater system which provides for the conveyance of stormwater run-off, including kerb and channel, open channels, underground pipe systems and natural waterways.</p>
<p>temporary vehicle crossing</p>	<p>Means a temporary structure or material that extends from the road to the property boundary or to within the property boundary, sufficient to minimise the damage to public assets such as kerbs, nature strips and footpaths; and to stabilise ground so as to minimise the amount of mud or debris being trafficked by motor vehicles and materials entering and leaving the property during building works.</p>

PART 2 – ENTRY TO A BUILDING SITE

ENTRY TO A BUILDING SITE

- (5) The point of entry to a **building site** must be by way of the **vehicle crossing** or permitted **temporary vehicle crossing** referable to the **building site** where the **building works** are being carried out.

PART 3 – SITE CONTAINMENT AND IDENTIFICATION

SITE CONTAINMENT

- (6) The person in charge of a **building site** must ensure that:
- (a) all **building works** are contained entirely within the **building site**;

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- (b) prior to the commencement of any **building works**, the **building site** is provided with **site fencing**;
- (c) **site fencing** is erected on the boundary of the **building site** and does not protrude into or onto any land other than the **building site**, unless permitted by **Council**;
- (d) if a **builder** has more than one adjoining **building site** then the **site fencing** may enclose all of the **building sites** under the **builder's** control;
- (e) each section of the **site fencing** is to be erected as close as practicable to vertical at all times;
- (f) **site fencing** remains erected and in place until the completion of the **building works**; and
- (g) building materials and equipment relating to the **building works** are stored on the **building site**.

The requirement to provide **site fencing** under this clause may be waived or varied at **Council's** discretion.

SITE IDENTIFICATION

- (7) The person in charge of a **building site** must provide **site identification** at the entrance to the **building site** that is clearly visible from the abutting **road**.

PART 4 – PUBLIC AND ENVIRONMENTAL PROTECTION

NOISE

- (8) The person in charge of a **building site** must have regard to any policies, standards and guidelines issued from time to time by the Environment Protection Authority in relation to noise.

ENVIRONMENTAL & PUBLIC PROTECTION

- (9) Where any **building works** are being carried out, the person in charge of the **building site** must ensure that the **building site** is developed and managed to minimise the risks of environmental pollution, through the contamination of run-off by chemicals, sediments, waste or gross pollutants or other associated **builder's refuse**. This includes adoption of measures to:
 - (a) prevent mud, dirt, sand, soil or stones being deposited on the **road** or adjoining **land** or washed into any **stormwater system**;
 - (b) prevent building cleanup, wash down or other wastes and **builder's refuse** being discharged offsite or allowed to enter the **stormwater system**;
 - (c) ensure all **vehicles** delivering materials to the **building site** are prevented from depositing mud, sand, soil, or stones onto **Council's road** network;
 - (d) ensure that any waste which has spilled onto the **road**, nature strip or surrounding area is removed as soon as practicable so that any residues are prevented from entering the **stormwater system**; and

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- (e) ensure that any footpath adjacent to the **building site** is not affected by the **building works** and is kept clear of mud, dirt and debris at all times.

DUST

- (10) Where any **building works** are being carried out, the person in charge of the **building site** must ensure that the **building site** is managed to minimise the risk of detrimental effects to the health and amenity of nearby residents through reduced visibility, reduced air quality and the effects of deposition of dust generated from the **building site**.

CONTAINMENT AND REMOVAL OF REFUSE

- (11) Where any **building works** are being carried out, the person in charge of the **building site** must:
 - (a) provide a **bulk rubbish container** for the purpose of disposal of **builder's refuse**,
 - (b) place the **bulk rubbish container** on the **building site** and keep it in place for the duration of the **building works** (except for such periods as are necessary to empty the facility);
 - (c) not place a **bulk rubbish container** on any **Council land** unless permitted by **Council**;
 - (d) keep the **bulk rubbish container** closed to prevent **builder's refuse** and/or **litter** escaping from the **bulk rubbish container**; and
 - (e) empty the **bulk rubbish container** whenever full and, if necessary, provide a replacement facility during the emptying process.
- (12) During **building works** the person in charge of the **building site** must ensure that:
 - (a) all **builder's refuse** which requires containment is placed in the **bulk rubbish container**;
 - (b) **builder's refuse** is not deposited in or on any **land** other than in accordance with clause (11);
 - (c) **builder's refuse** is not deposited in or over any part of the **stormwater system**; and
 - (d) any materials produced from **bulk excavation** are stored on the **building site** or disposed of lawfully.
- (13) The person in charge of a **building site** where work is being or has been carried out must remove and lawfully dispose of all **builder's refuse** within seven days of completing the **building works** or issuing of an occupancy permit, whichever occurs later.
- (14) The requirement to provide a **bulk rubbish container** may be waived at **Council's** discretion.

POLYSTYRENE BUILDING PRODUCTS

- (15) A **person** in charge of a **building site** must ensure that any polystyrene materials on the **building site**:

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- (a) are, from the point of delivery, adequately secured on the **building site** in a suitable manner that prevents polystyrene from leaving the **building site**; and
- (b) that are residual in nature are removed from the **building site** within 48 hours of any slab being poured or as soon as framework has commenced, whichever is earlier.

PART 5 – SANITARY FACILITIES

SANITARY FACILITIES

- (16) The person in charge of a **building site** must not undertake or carry out any **building works** unless **sanitary facilities** are provided.
- (17) The **sanitary facilities** must not be installed or erected outside the boundaries of the **building site** on which the **building works** are occurring without the written consent of **Council**.
- (18) **Sanitary facilities** must not be installed or erected in a location where they are offensive or cause a nuisance.
- (19) Notwithstanding clause (16), where **building works** are taking place on adjacent **building sites** simultaneously by the same builder, **Council** may allow the use of shared **sanitary facilities** between **building sites**.