

Manningham Works Code of Practice



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What is a Works Code of Practice?

Private and public building and construction works are carried out in all municipalities and often improve the infrastructure and services available to the wider community.

Manningham City Council encourages safe and responsible building and construction practices that minimise negative impacts on the community, protect Council assets, and maintain public amenity and safety, in line with best practice principles across Victorian municipalities. Council is committed to working with builders, contractors, developers and property owners to ensure that the development, construction, maintenance and demolition process is smooth, safe and environmentally friendly. The principal objective of this Code of Practice is to identify the key issues likely to arise when undertaking works within Manningham.

The Works Code of Practice:

- Defines standards to be observed when undertaking works
- Promotes work practices that to reduce damage to the City's infrastructure and reduce costs to the community and developers
- Encourages owners, builders, contractors and suppliers to act responsibly when undertaking works
- Defines roles and responsibilities of the parties involved in works
- Encourages protection of the environment by reducing pollution
- Ensures public safety around work sites, adjacent roads and open spaces
- Improves the presentation of work sites for existing property owners and those considering purchasing in the area.

The Code applies to all parties involved in construction, demolition, maintenance and infrastructure works on public and private property, including: property owners, builders, contractors, sub-contractors, appointed agents of land, building surveyors, councils, developers, service authorities and utility providers. Works could include demolition, construction, road openings, drainage, or footpaths, landscaping, or vehicle crossings.

Complying with the Code of Practice

- This Code of Practice was developed to provide direction and guidance to the building and construction industry when carrying out works in Manningham, in accordance with *Manningham's Community Local Law 2013*

The Code of Practice does not replace State legislation, regulations, environmental policies and local planning requirements. All contractors, builders and developers are responsible for ensuring compliance with all legal obligations. However, this Code is supported by legislation and regulations, including the following:

- *Building Act 1993*
- *Building Regulations 2006*
- *Domestic Animals Act 1994*
- *Domestic Animals Regulations 2015*
- *Environment Protection (Residential Noise) Regulations 2008*

- *Environment Protection Act 1970*
- *Flora and Fauna Guarantee Act 1988*
- *Local Government Act 1989*
- *Manningham's Community Local Law 2013*
- *Planning and Environment Act 1987*
- *Planning and Environment Regulations 2015*
- *Public Health and Wellbeing Act 2008*
- *Public Health and Wellbeing Regulations 2009*
- *Road Management Act 2004*
- *Road Safety (Traffic Management) Regulations 2009*
- *Road Safety Act 1986*
- *Road Safety Road Rules 2009.*

All property owners, contractors, builders and developers must comply with this Works Code of Practice, Council's Local Laws, planning requirements and relevant State legislation when undertaking building and construction works in Manningham. Council provides onsite advice and can attend work sites at the commencement of a project to advise contractors of the requirements of this Code of Practice.

Enforcing the Code of Practice:

Council will work with property owners, contractors, builders and developers to achieve the requirements of this Code. However, Enforcement Officers conduct regular spot checks of work sites and will issue on the spot compliance and infringement notices when contractors, builders, owners or developers fail to meet these requirements. In some circumstances, officers will enter building sites to conduct an investigation.

1 Council Permits

When undertaking works within Manningham City Council, the following permits may be required.

1.1 Planning Permit

To ensure appropriate use or development of a parcel of land that is consistent with the Manningham Planning Scheme requirements.

1.2 Building Permit

To ensure buildings are constructed to approved amenity and safety standards.

1.3 Asset Protection Permit

To minimise the likelihood of damage to Council property, to maintain public amenity and safety throughout the duration of works, and to ensure that any damaged property is reinstated.

1.4 Septic Tank Permit

Required for installation of or alterations to a septic tank system where reticulated sewerage is not available. Works may include home extensions or landscaping works that could impact on a septic tank system.

1.5 Vehicle Crossing Permit

To ensure vehicle crossing installation or widening works on land owned or occupied by Council is undertaken safely and in accordance with approved permit conditions.

2 Keeping the Site and Surrounds Safe and Clean

All contractors are expected to maintain building and construction sites and the surrounding area in a condition that protects the community and the environment. In particular:

- Excavations and holes in public areas must be kept safe at all times, including being properly lit and either barricaded or temporarily levelled and compacted with suitable materials;
- Loose sand, debris and mud must be cleared from road surfaces and footways;
- Site fencing is required for construction of new buildings, extensions to existing buildings and/or when building materials are stored on property frontages to deter access and to contain the site;
- Building materials must be stored and contained on private property and be kept in a neat, tidy and safe condition;
- Plant and equipment is not permitted to be placed or stored on Council reserves, roads or footways;
- Bulk litter containers used on site must be removed immediately once filled;
- No fires may be lit on the building site at any time, unless a Council permit has been obtained;
- Appropriate internal and external signage and traffic controls must be in place for pedestrians, road users and contractors;
- An approved vehicle crossing (driveway) should be available to allow access to the work site. Temporary crossings may be approved by Council and maintained in a safe and serviceable condition throughout the duration of any works;
- Suitable signage, lighting and/or safety measures must be put in place where necessary, to minimise risk to the public;
- Environmental controls are required onsite to prevent any soil, sand, cement, slurry or silt washing off the construction site. (See also Section 5.2); and
- All litter must be effectively contained within the site in a lidded receptacle. (See also Sections 5.2 & 5.3).

2.1 Parking

All vehicles associated with works, including construction worker and contractor vehicles, must be parked in a safe manner and must comply with road safety regulations and Council on street permit requirements.

3 Protecting Our Assets

3.1 Asset Protection Permit

An asset protection permit aims to minimise damage to Council and community infrastructure, with costs of damage being recovered from the permit holder.

An Asset Protection Permit must be obtained prior to commencement of any works that require a permit under the *Building Act 1993*.

To enable Council to administer the permit, an application fee is payable and a security bond is held until the approved completion of works. Bonds range from between \$1000 and \$3000 for residential works and between \$5000 and \$20,000 for commercial developments, depending upon the nature and extent of proposed works.

The security bond is refundable upon completion, provided that Council has not had to remedy any breach of the permit conditions or reinstate damaged assets.

Heavy penalties may be imposed for not complying with permit requirements and failure to obtain a permit may result in enforcement under *Manningham's Community Local Law 2013*.

For further information and application form contact Council's Engineering Operations Unit on 9846 0500 or visit www.manningham.vic.gov.au

4 Managing Activity and Traffic on Roads, Footpaths and Council Land

4.1 Vehicle Crossing Permit

Before constructing, widening, altering or renewing a vehicle crossing, a Vehicle Crossing Permit is required. An inspection will be undertaken to ensure that the construction meets Council standards. Fines of up to \$2,000 may apply where permits are not obtained.

For further information and application form contact Council's Customer Service Unit on 9840 9333 or visit www.manningham.vic.gov.au

5 Protecting the Environment

Manningham City Council is committed to achieving high quality environmental outcomes through implementing best practice environmental management systems. This Code of Practice aims to protect and preserve the environment by ensuring that works within Manningham are undertaken in a manner that has minimal impact on the natural environment.

Environmental considerations include, but are not limited to: waterways, discharges to sewer, native and heritage flora and fauna, air quality, litter, noise pollution, waste minimisation and disposal of dangerous goods. All work practices are to be undertaken in a manner that does not cause any form of land contamination.

5.1 Waste Management

Manningham City Council encourages builders and developers to reduce the amount of waste sent to landfill from development sites and waste products should be recycled or reused. Where it is not feasible to reuse waste, it must be disposed of legally, to a licensed landfill site. No waste products are to be illegally dumped or left on site. Council uses surveillance cameras to monitor illegal disposal of waste across the City.

For further information contact Council's Waste Management Unit on 9846 0575 or visit www.manningham.vic.gov.au. To find out more about waste minimisation visit www.ecorecycle.vic.gov.au.

5.2 Waterways and Stormwater

Soil, sand, rubbish and other building materials can easily be washed, blown or carried off site into gutters and drains which subsequently end up polluting waterways, and blocking drains and stormwater pipes. This increases the potential for flooding and making footpaths and roadways dangerous for both pedestrians and vehicles.

All efforts must be made to ensure that no pollutants enter the stormwater drainage system. Environmental management procedures are required on building and construction sites for:

- Washing vehicles and equipment
- Storing of materials and prevention of erosion, including the installation of silt fences or straw bales preventing soil being washed off site onto roads and into the stormwater system
- Prevention of unsecured litter being blown or washed off site
- Ensuring footpaths and roadways are not slippery and dangerous for both pedestrians and vehicles.

Soil, mud, clay, sand, rock, debris, concrete, cement and any other building material are often carried on vehicle tyres. Excess material must be removed from tyres before vehicles leave site. Costs may be incurred for cleaning this material from adjacent roads and footpaths.

Further information on waterways and stormwater is available at www.clearwater.asn.au/stormwater

5.3 Litter

All litter must be contained within the work site. Facilities and containers with lids to hold litter must be provided and maintained in a clean and tidy condition.

5.4 Discharge to Sewer

Toilets must be provided at all times, on any site where people are employed to carry out building or other work. The toilets must be seweried or portable, closed system or freshwater flush toilets with water seal. Disposal of waste to the sewer system and installation of plumber toilets can only occur in accordance with Yarra Valley Water guidelines and approval.

For further information and application form for installation of onsite portable toilets, contact Council's Engineering Operations Unit on 9846 0500 or visit www.manningham.vic.gov.au.

5.5 Native and Heritage Flora and Fauna

Significant native vegetation and vegetation that is of historical importance must be protected and cannot be removed without Council's written consent. Council staff are available to provide advice on the removal or possible damage to trees, shrubs or areas containing native grasses or aquatic plants.

Native fauna and their habitat are to be protected at all times. This includes large trees that provide habitat for fauna and wetlands that provide habitat for birds and aquatic creatures. Any works that may impact on native flora or fauna habitat must not be undertaken without written approval from Manningham City Council

Vegetation protection measures should also be undertaken when carrying out work in road reserves and in rural areas. Council can provide advice on vegetation removal and replanting options.

For further information contact Council's City Strategy Unit on 9840 9333 or visit www.manningham.vic.gov.au

5.6 Air Quality

Burning of rubbish, vegetation or other matter in incinerators or open spaces is not permitted without a burning off permit from Council.

For more information visit www.manningham.vic.gov.au/burning-off

5.7 Noise

To ensure that construction equipment does not impact on neighbourhood amenity, it must be operated in accordance with the *Environmental Protection Act 1970* and its associated regulations, associated State environment policies and *Manningham's Community Local Law 2013*. Where required, equipment must be fitted with noise control devices.

5.8 Dangerous Goods

All products and chemicals classified as dangerous or hazardous are to be handled, labelled, stored and disposed of in accordance with dangerous goods regulations.

WorkSafe officers may issue an infringement notice for an offence against these regulations, with higher penalties if the matter proceeds to Court.

For further information visit the WorkSafe website:

<http://www.worksafe.vic.gov.au/pages/safety-and-prevention/health-and-safety-topics/dangerous-goods>

5.9 Preserving our parks, reserves and public areas

Permission is required to access, drive or park a vehicle or equipment on, across, or through parks, reserves or public areas.

Where approval has been granted for vehicle access, any costs for damage caused as a direct result of the works must be paid by the parties responsible. On-the-spot fines or court imposed fines may apply for breaches of permit conditions or failure to obtain a permit for works.

To find out more contact Council's Parks and Recreation Unit on 9846 0515 or visit www.manningham.vic.gov.au

5.10 Animal control on worksites

Council discourages animals on building sites due to the difficulties of containing them onsite and concerns about animal litter in public areas. Animals found wandering near building sites may be impounded and Council may issue an infringement. Animal owners will be responsible for paying impounding costs over and above any infringement costs.

6 General Information

6.1 Working Hours

To protect residential amenity, there are a number of regulations that stipulate the operating hours for residential and commercial construction. Council strictly enforces all legislation controlling these matters, including:

- **Planning permit conditions:** These controls are determined to meet the specific needs of the local community while allowing works to proceed efficiently. If these controls are not observed, an infringement notice may be issued and significant penalties apply.
- **Local Laws:** *Manningham's Community Local Law 2013* Part 3 - Environmental Amenity Noise
- **EPA requirements:** *Environment Protection (Residential Noise) Regulations 2008* - stipulates specific noise regulation requirements and establishes Statewide regulations governing noise from buildings and works.

For more information visit [//www.epa.vic.gov.au/your-environment/noise/residential-noise/residential-noise-law](http://www.epa.vic.gov.au/your-environment/noise/residential-noise/residential-noise-law)

7 Additional Requirements

In areas where significant development projects or works are undertaken, i.e. within the Doncaster Hill Major Activity Centre or in other areas of Manningham where higher density development is encouraged, additional requirements will need to be considered, including completing Council's Construction Management Plan Template. These requirements will be clearly identified through Council's Planning Permit process.

For further information contact Council's Statutory Planning Unit on 9840 9333 or visit www.manningham.vic.gov.au/application-process