



WAVERLEY
COUNCIL

Guidelines for Waste in Public Places

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| Relevant legislation/codes | <ul style="list-style-type: none"> • Local Government Act 1993 • Environmental Planning and Assessment Act 1979 • Protection of the Environment Operations Act 1997 • Food Act 2003 • Impounding Act 1993 • Roads Act 1993 |
| Related policies/procedures/guidelines | <ul style="list-style-type: none"> • Waverley Council's Waste in Public Places Policy • Waverley Council's Compliance and Enforcement Policy |
| Related forms | <ul style="list-style-type: none"> • APPLICATION TO STAND: To place a skip bin, storage container on a public road |

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1. Background

These guidelines support the **Waverley Council Waste in Public Places Policy** in relation to waste in public place, use of public place bins and booked waste placed on public land for collection. It also stipulates when approvals are required.

2. Placing Domestic Waste in a Public Place

You do not require approval from Council if you comply with the following:

1. Domestic waste bins must only be placed in a public place for the purposes of waste and recycling collection by Waverley Council or agents acting on their behalf.
2. A person must place domestic waste generated at their premises in the domestic waste bins issued to their premises.
3. The bins should only be placed on the footpath the evening before collection and must be brought back onto the premises as early as possible within a 24-hour period following collection.
4. A person must not place domestic waste generated at their premises in commercial waste bins, street litter bins, or domestic waste bins from another property unless permission has been given by the resident of the property to which the bin is assigned.
5. All domestic waste (refer to definition table below) must be placed completely within a bin, except bulky household waste that has been booked for a clean-up service. Waste not contained in a bin must not be placed next to, or on top of, bins in a public place. This includes waste in plastic bags, loose/bundled cardboard boxes, and other bulky household wastes.
6. Domestic bins must be presented for collection immediately in front, to the rear or adjacent to the resident's property, unless approval has been granted by Council (as outlined in Section 4 of this Guideline).
7. Bin presentation must not cause or be likely to cause an environmental pollution incident such as land pollution or contamination of stormwater.
8. Bins placed on footpaths for collection must not block or endanger pedestrian, bicycle or vehicle traffic, and must be presented with the lids closed, no earlier than the afternoon before the collection day.
9. Bins placed on the footpaths for collection must not contain heavy items and not exceed weights that can be moved by one person.
10. Bins must be stored on private property at all other times and not in a public place unless written approval has been obtained from Waverley Council (as outlined in Section 4 of this Guideline).
11. All bins should be labelled with the resident's house number and street name. Bin labels are available from Waverley Council.

12. Any material booked for a clean-up service by Waverley Council must be placed on the nature strip at the front of the residential property the evening before the collection day unless Council provides permission to do otherwise.
13. Clean-up material presented for collection by Waverley Council must be stored in a neat pile, and must not block any road, pavement, footpath, or endanger pedestrian, bicycle, or vehicle traffic. Where no nature strip exists or limited space is available, waste material must be presented in a safe, accessible, and amenable location.
14. Clean-up service conditions and list of acceptable items are found on the Waverley Council [Book a clean-up collection webpage](#). Clean-up material presented for collection must not contain heavy items that cannot be lifted by two people.

3. Placing Commercial Waste in a Public Place

You do not require approval from Council if you comply with the following:

1. Commercial waste presented in the public place must only occur for the purposes of collection by an accredited commercial waste contractor.
2. Waste from commercial premises must not be disposed of in a street litter bin or a domestic waste bin.
3. All waste must be placed completely within a bin with the lid fully closed. Cardboard must be compacted and placed neatly inside larger cardboard boxes, bundled, and presented for collection neatly next to bins. Any waste not contained in this manner, for example waste in plastic bags and loose items, must not be placed next to, or on top of bins in a public place.
4. All bins must conform to Australian Standard AS4123 and have a close-fitting lid, have smooth internal washable surfaces, be free of stains, odours, debris, leaks and must be in full working order.
5. Bins of 660 litres in size and larger must have wheels with working and lockable brakes.
6. All bins must be labelled with the business name and address so that an authorised Waverley Council officer can easily identify the premises to which the bin is associated to.
7. Bins left in a public place that do not clearly identify the premises to which they were issued may be removed and impounded by Waverley. This also applies if the owner of the bin has been given notice to remove the bin but has not removed it promptly.
8. Items such as empty bread and milk crates, kegs, trollies, or the like, are not permitted to be stored at any time in a public place. Items left in laneways or roadways may be deemed to be abandoned articles and seized by Waverley Council.
9. Waste oil drums are not permitted to be stored or placed in a public place at any time. Waste oil drums must be collected by a commercial waste contractor from within the premises from which the waste is generated.
10. Bins must be placed immediately in front of or at the rear of, or immediately adjacent to, the premises from which the waste is generated, or, at the approved waste collection point for the premises. If the bin is placed beyond the user's property, prior consent must be obtained from the owner or occupier of the adjacent premises.
11. The placement of bins must not disturb traffic flow or parking; impede or endanger pedestrians; restrict driver sight lines or vehicle access; block a doorway, or access to

emergency exits or equipment; and/or be placed near any window or ventilation point at the premises or a neighbouring premises.

12. The placement or removal of bins must not damage the roadway, footpath or utility services under the ground, or cause damage to or obstruct access to adjacent premises.
13. Where bins are presented for collection in a public place, they must be presented as close to the collection time as possible. They cannot be presented earlier than 12 hours before collection.
14. Bins placed on the footpaths for collection must not contain heavy items and not exceed weights that can be moved by one person.
15. Bins must be brought back onto the commercial premises as soon as possible after collection from a public place. Bins cannot remain on a public place for more than 12 hours following collection.
16. Bins must be stored on the commercial premises at all other times and not in a public place unless prior written approval has been obtained from Waverley Council (please refer to Section 4).
17. The commercial waste generator must produce evidence of a valid contract or similar arrangement for waste collection detailing the method, timing, and the disposal of the waste at a licensed waste facility, if requested to do so by an authorised Waverley Council officer.

4. Situations that Require Council Approval

The waste in public places activities that require approval from Waverley Council include:

1. Placing a skip bin, building waste or storage container in a public place

Residents and commercial businesses are required to obtain approval from Council when placing a skip bin in a public place using the [APPLICATION TO STAND: To place a skip bin, storage container on a public road](#).

2. Permanent bin placement in a public place

There are circumstances where it may be impossible for a resident, business, or organisation to store bins on their own premises. Waverley Council may consider, assess and/or approve the permanent placement of bins in a public place on a case-by-case basis. Any bin that receives Council approval for permanent storage in a public place must be clearly labelled by Waverley Council, unless Council deems it unnecessary.

5. Definitions

| Term | Definition |
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| Authorised Waverley Council officer | An employee of the Waverley Council authorised by Waverley Council to deal with, or to act regarding any Acts or related matters. It has the same meaning as Authorised Person in the dictionary to the <i>Local Government Act 1993</i> . |
| Bin | A container for the storage of waste including recyclables and general solid waste (putrescible). This definition includes mobile garbage bins with close-fitting lids. It does not include other types of storage like plastic bags, boxes, cartons or crates. |
| Commercial waste | Business or commercial waste (recyclable and putrescible materials) generated as part of ordinary business activities. It does not include construction and demolition waste, or the types of waste defined by the NSW EPA <i>Waste Classification Guidelines 2009</i> for special waste (such as clinical and related waste including pharmaceutical, sharps, asbestos and tyres), liquid waste and restricted solid waste (such as contaminated soil). |
| Commercial waste Contractor | A company or person engaged by a commercial waste generator to manage the containerisation, collection and transport of waste, typically from commercial or industrial premises, to recyclers and/or lawful waste processing facilities. They provide their customers with reports on the contents, dates, volumes and/or weights of waste collected, the waste processing facility destinations, and registration numbers of the vehicles transporting waste from their premises to processing facility. Also referred to as waste transporters and waste collectors. |
| Commercial Waste Generator | Any owner or tenant, or their respective agent that generates, produces, or is in part or whole, responsible for an activity that results in Commercial Waste. |
| Development Control Plan | The Waverley Council Development Control Plan provides guidelines for new residential development as well as residential alterations and extensions. It also details general controls for commercial developments, but identifies areas where more specific guidelines apply, such as the Bondi Junction centre, the Bondi beachfront area and the local villages. |
| Domestic waste | All waste (including recycling and organics) generated by the ordinary use of residential premises and collected by Waverley Council. Domestic waste does not include problem wastes such as electronics, batteries, chemicals, gas cylinders, or hazardous waste such as asbestos. |
| Public place | Has the same meaning as in the dictionary for the Local Government Act 1993. 'Public Place' means one of the following: <ul style="list-style-type: none"> a) a public reserve, public bathing reserve, public baths or public swimming pool b) a public road, public bridge, public wharf or public road-ferry c) a Crown reserve comprising land reserved for future public requirements d) public land or Crown land that is not: <ul style="list-style-type: none"> (i) a Crown reserve (other than a Crown reserve that is a Public Place because of paragraph (a), (b) or (c)), or (ii) a common, or (iii) land subject to the Trustees of Schools of Arts Enabling Act 1902, or (iv) land that has been sold or leased or lawfully contracted to be sold or leased, or e) land declared by the regulations to be a Public Place. |
| Skip bin | A container large open-topped waste container, also called a building waste bin, designed for storage of waste then loaded onto a special type of collection vehicle for transport. |
| Litter bin | Council receptacle for convenient disposal in public areas of small quantities of away-from-home consumer waste, such as wrappings and used containers for food and drink |
| Waste | All refuse other than trade waste and effluent, defined as 'Waste' in the Local Government Act 1993. It also includes any other substance defined as waste under the Protection of the Environment Operations Act 1997. A substance is not precluded from being waste merely because it can be refined or recycled. |