

Responsible Directorate	Planning and Development
Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Community Safety

Objective

The objective of this policy is to set out the circumstances when a resident may place a bulk bin on a verge without the need to obtain a permit.

Scope

Clause 2.2(1)(b) of the *City of Stirling Thoroughfares and Public Places Local Law 2009* prohibits anyone from throwing, placing or deposit any thing on a verge without a permit.

The local law provides an exemption for rubbish put on a verge for removal by the City under a bulk rubbish collection, but only in accordance with the terms and conditions and during the period of time advertised by the City in connection with that collection.

However, Clause 2.2(2) provides that a permit is not required for some uses providing those uses comply with a policy issued by the City.

This policy sets out those conditions in relation to bulk bins on verges and applies to anyone who wishes to place a bulk bin on a verge area in the City of Stirling.

Use of the verge area for bulk bins to take rubbish from building work or to store materials on a verge is dealt with under a separate policy.

Policy

A permit is not required to place a bulk bin on a verge providing:

1. It is not placed in such a way as to obstruct or overhang a footpath, carriageway, access way, or driveway;
2. It is placed on the verge that abuts the property being serviced, or if not permission is obtained from the owner or occupier;
3. No sight distance obstruction is caused;
4. No damage is caused to any City property in the verge such as a sign, kerb, footpath, street tree or garden maintained by the City;
5. No obstruction or damage is caused to a manhole, inspection pit, fire hydrant, water or gas valve, electrical substation, drainage gully, water channel or other service in the verge area for which access may be reasonably required;
6. It is not placed on a service in the verge area that is not covered with a trafficable lid;
7. It is not placed on a verge more than 48 hours of being used, and is removed within 72 hours of being filled.

Definitions

There are no definitions required for this policy.

Relevant management practices/documents

Other policies may also apply, such as verge treatments, the storage of building materials on verges and building site toilets.

Legislation/local law requirements

Regulations 5 – 11 of the *Local Government (Uniform Local Provisions) Regulations 1996* apply as if they were a local law. Amongst other things, these provisions deal with:

- Disturbing local government land or anything on it;
- Obstructing public thoroughfares;
- Encroaching on public thoroughfares.

Clause 2 of the *City of Stirling Thoroughfares and Public Places Local Law 2009* provides that permits are required for most activities to be carried out on a verge except as provided by a written law or if carried out by an authorised person or contractor.

The local law does though, provide for certain cases where an activity may be carried out without the need to obtain a permit.

Office use only

Relevant delegations	Not applicable		
Initial Council adoption	Date 3 March 2009	Resolution #	0309/019
Last reviewed	Date 26 May 2020	Resolution #	0520/027
Next review due	Date 2021		