



Application for Public Space Occupation

Section 222 of the Local Government Act 1999

This is an application for a permit to use a public road for business purposes (even if it's not intended to make a profit).

It is important that any works associated with building, development, repair and maintenance that require part of or all of the activity to be undertaken from public land, obtain permission prior to the commencement of the activity. These activities include:

- erecting hoarding, temporary fencing or scaffolding on Council land
- placing a container/skip bin or building materials, temporary portable toilet on Council land
- activities that result in partial or full closure of footpaths or roadways, such as crane or truck deliveries or the operation of a concrete pump
- protection of a site, building site / work area

Applications must be lodged and approved prior to the activity taking place

(Allow at least a minimum of 10 business days for processing)

Please select the permit you are applying for by marking with an X

☐ **Mini Skip**

- Skip Bin Application Fee \$43.00 (includes initial placement for 3 working days only).
- \$11.00 Time Extension per day or part thereof. (maximum total of six days, unless otherwise approved).

☐ **Container**

- Container Application Fee \$65.00 (includes initial placement for 2 working days).
- \$22.00 Time Extension per day or part thereof (maximum total of five days unless otherwise approved).

HOARDING APPLICATION

- ☐ Temporary Fencing ☐ Ladder ☐ Road/ Footpath/ verge Occupation
- ☐ Fixed/Mobile Scaffolding ☐ Elevated Work Platform ☐ Scissor Lift
- ☐ Concrete/ Crane Truck/s ☐ Other (Please Specify): _____

☐ Extension of Time; Current Application No: _____ (hoarding fee based on area of occupation)

Hoarding Application Fee: \$54.00, Plus below permit fee/s;

Permit Fees:

- **\$22** for up to 48 square metres or part thereof per week
- **\$43** between 49 square metres and up to 72 square metres or part thereof per week
- **\$65** between 73 square metres and up to 110 square metres or part thereof per week
- **\$98** 111 square metres or greater or part thereof per week

AREA OF OCCUPATION: Length: _____ Width: _____ Area: _____ m²

Start Date:	Finish Date:	Start Time:	Finish Time:
-------------	--------------	-------------	--------------

***Express Application Fee of \$12.00** - is applicable on top of a standard application fee for an application that requires consideration/ processing before 8 days (does not guarantee approval).

A fee of \$16.50 per day or part thereof is applicable where an on street car parking space closure is required.

Office Use Only	
Receipt No:	Amount Received: \$
Date of Receipt:	
Application Lodgement Date:	
RC: 700 Account No: 1750: 875: 595. (Civil Compliance Fees & Charges)	

DOES THIS ACTIVITY IMPACT/ BE UNDERTAKEN ON A DEPARTMENT FOR INFRASTRUCTURE & TRANSPORT (DIT) ROAD?

☐ Yes

☐ No

If yes, please provide DIT Application Number:

.....
*If you plan to carry out roadworks on one of the Department for Infrastructure and Transport (DIT) public roads listed below, you must obtain permission from DIT **when** submitting this application.*

You will be required to provide a copy of DIT's authorisation number, conditions of approval and a copy of the workzone traffic management plan as approved by DIT.

DIT ROADS:

Adelaide Road, Angus Road, Battunga Road, Brookman Road, Bull Creek Road, Churchill Road, Dashwood Gully Road, Echunga Road; Flaxley Road, Junction Road, Long Valley Road, Macclesfield Road, Mawson Road, Meadows Road, Mount Barker Road, Nairne Road, North Terrace, Old Princes Highway, Paris Creek Road, Pine Avenue, South Terrace, Strathalbyn Road, Todd Street, Venables Street, Wellington Road, Woodside Road.

For further information:

Visit: www.sa.gov.au/topics/driving-and-transport/industry-services/getting-permission-to-carry-out-roadworks

Call: Traffic Management Centre on 1800 018 313

Email: DPTI.roadworks@sa.gov.au

PLEASE NOTE:

Any impact to normal traffic conditions adjacent to development (works), public space occupation, obstruction etc. will require the design and implementation of a relevant Traffic Management Plan.

The management of traffic around any obstruction must be in accordance with relevant legislative requirements and Australian Standards (e.g. signage - AS 1742.3). Accredited persons must undertake the implementation and display of (temporary) road traffic signage. A Traffic Management Plan must include details of the estimated timeframe of impacts to the community.

DAMAGE TO COUNCIL LAND:

Refer to: Works on a Public Road Fact Sheet – Damage to Council Land.

https://www.mountbarker.sa.gov.au/_data/assets/pdf_file/0025/701863/Works-On-A-Public-Road-Fact-Sheet-Damage-to-Council-Land.pdf

Please provide details and a location sketch of proposed works or attach a plan including: dimensions (distance, width, depth etc.), materials, property boundaries, roads and include the applicable below tick box items.

A Traffic Management Plan is required if works affect pedestrian or vehicular traffic.

Traffic management plans must be in accordance with the current version of *SA Standards for Workzone Traffic Management*.

OR

☐ **I have attached the required plan/s to this application** *(Attached plan must include the above requirements).*

Please check & include the following tick box items in plan.

<input type="checkbox"/> Length/ Width/depth of Works	<input type="checkbox"/> Property Numbers
<input type="checkbox"/> Street Tree/s / Shrubs	<input type="checkbox"/> Property Driveways/ Crossovers
<input type="checkbox"/> Telstra Pit/s or Electrical Pit/s	<input type="checkbox"/> Property Storm Water Pipe Outlets/ Pits/ Drains
<input type="checkbox"/> Road/Footpath/ Verge Width	<input type="checkbox"/> Other relevant Infrastructure
<input type="checkbox"/> Stobie Pole/s/ Fire Plugs	<input type="checkbox"/> Parking Control Signs/ Lines
<input type="checkbox"/> Pram Ramp/s	<input type="checkbox"/> Distance to nearest Intersection

When This Authorisation Is Issued, The Applicant:

- 1) Agrees to comply with the General Conditions/ Conditions as contained herein;
- 2) Agrees to comply with any/ all Special Conditions that the Council may determine and attach to the Authorisation;
- 3) Pays the prescribed fees set out in Mount Barker District Council's Fees and Charges Register;
- 4) Providing evidence (copy) to the Council of all insurances/ certificates required by the Conditions and/ or the special conditions;
- 5) Is only authorised in respect to the Activity as specified in the Authorisation;
- 6) If, in addition to the Permit, require an authorisation to alter a public road under Section 221 of the Local Government Act 1999, the Applicant will require to lodge a separate application and the Council issuing and the Applicant agreeing to the conditions of such authorisation.

WHAT YOU NEED TO RETURN WITH THIS APPLICATION

- ☐ Public Liability Certificate (copy) of Currency for the amount of \$20 Million;
- ☐ An Attached Plan Showing Dimensions of Area to be Occupied;
- ☐ Detailed Traffic Management Plan/ Pedestrian Management Plan (if applicable, must include all signage);
- ☐ Copies of Consultation with Any potentially affected Businesses or Residents;
- ☐ Development Application Number:
(If Applicable)

Please Note: The application cannot be processed unless all details are completed and documents are provided.

APPLICATION FEES ARE NON- REFUNDABLE.

DECLARATION

I acknowledge that I have read and am aware of the conditions, including the payment of any applicable fee/ charges and agree to abide by the terms and conditions.

I agree to any/ all special conditions that the Council may determine and attach to the permit, I also understand that I do not have approval to undertake the activity I'm applying for until such time a permit has been issued to me.

I further acknowledge that I will be responsible for the activity approved pursuant to this application and at the end of the permit term, undertake to effect the reinstatement of the footpath and road, as may be required, to a standard equivalent to that existing prior to the commencement of this activity.

Applicant's Name:

Applicant's Signature: **Date:**

OFFICE USE ONLY

Application Assessed By: _____ Date: _____

Application Status: ☐ APPROVED ☐ DECLINED (if declined, provide reason below)

Application Approved By: _____ Date: _____
(authorised Council officer)

COMMENTS

COMMENTS FROM OTHER COUNCIL SECTIONS
(Where Applicable)

(Person Providing Comments, Please include Section/ Name/ Date & Signature)

SUBMITTING AN APPLICATION TO COUNCIL:

- In Person

Present the application form with payment at the Customer Service Centre, Mount Barker District Council at Level 1/ 6 Dutton Road Mount Barker SA 5251 (Home Maker Centre).
EFTPOS and credit card facilities are available.

- By Email

Email the application form with payment (complete below credit card payment details) to
permits@mountbarker.sa.gov.au

Please ensure that you include all relevant documentation and a copy of a current public liability certificate of currency for an amount of \$20 million.

PAYMENT METHODS

- In Person

Present the application form with payment at the Customer Service Centre, Mount Barker District Council at Level 1/ 6 Dutton Road Mount Barker SA 5251 (Home Maker Centre).
EFTPOS and credit card facilities are available.

- By Mail (Cheque or mail order)

Make cheque or mail order payable to: Mount Barker District Council and mark "Not Negotiable". Mail payments to: Mount Barker District Council, Po Box 54 Mount Barker SA 5251.

CREDIT CARD PAYMENT BY POST (American Express & Diners are not accepted)

Complete your credit card details along with the total payment amount and sign where indicated. Once completed, return to Mount Barker District Council at Level 1/ 6 Dutton Road Mount Barker SA 5251, Or; Po Box 54 Mount Barker SA 5251.

☐ Visa ☐ MasterCard

Card Number:

_____/_____/_____/_____

Expiry Date: ____/____

CW Number: _____

Payment Amount: \$_____

Name of Cardholder _____ Contact Number _____
(Payment cannot be processed unless signed by cardholder)

Signature: _____

Applicants Name On Application Form: _____

Address of Proposed Location: _____

(RC: 700 Account No: 1750: 875: 595. (Civil Compliance Fees & Charges))

Page Left Blank Intentionally.

Applicant to retain this portion

HOW TO APPLY:

1. Read the Public Space Occupation Conditions;
2. Complete the Application Form

You will need to supply the following information with your application:

- Certificate of Currency showing a minimum twenty million dollars (\$20,000,000) Public Liability Insurance.
Note: Tax invoices are not considered sufficient evidence of a Public Liability Insurance Policy.
- Copies of consultation with any potentially affected residents, businesses and stakeholders;
- Plan showing dimensions of area of occupation;
- Pedestrian/ traffic management plan (must be in accordance with SA Standards for Workzone Traffic Management);
- Indicate if any below infrastructure will be impacted;
 - Footpath
 - Stobie Poles
 - Stormwater Outlets
 - Telstra/ NBN Pits
 - Bus Stops & Shelters
 - Please show the distance between any of the above to the Location of Works.
 - Council Trees or Vegetation
 - Driveway Access
 - Stormwater Drainage Pits
 - SA Power Network Pits
 - Street Signage

Refer to the examples on the following page.

PLEASE NOTE:

Any impact to normal traffic conditions adjacent to development (works), public space occupation, obstruction etc. will require the design and implementation of a relevant Traffic Management Plan.

The management of traffic around any obstruction must be in accordance with relevant legislative requirements and Australian Standards (e.g. signage - AS 1742.3). Accredited persons must undertake the implementation and display of (temporary) road traffic signage. A Traffic Management Plan must include details of the estimated timeframe of impact to the community.

ASSESSMENT PROCESS:

We'll let you know by email when we've received your application.

The assessment process normally happens within at least 10 to 15 business days and includes:

- ❖ Confirmation of your details and required documentation supporting your application;
- ❖ Assessment of your proposed activity;
- ❖ Inspection of the proposed site.

An application that involves a full or partial road or footpath closure, or occupation of community land that impacts traffic to a material degree may take at least 21 days to be assessed, as these type of applications may also require public consultation.

Additional costs associated with consultation and advertising may also apply.

A separate application for a total road closure will also need to be lodged.

VARIOUS WORK ZONE EXAMPLES

A clear legible plan of the work area must be provided and include the following:

- Street name(s),
- address of affected property,
- work-zone/skip size and dimensions,
- total footpath width (including nature strip),
- length and width of area of footpath unavailable to pedestrians,
- width of remaining footpath available to pedestrians

Skips/containers must not:

- Obstruct pedestrian or vehicle traffic,
- unreasonably obstruct pedestrian/motorist line of sight,
- be placed within 10 metres of an intersection,
- be placed in restricted parking areas (other than areas to which timed parking limits apply),
- be placed across a driveway.

All of the above must be supplied in accordance with the examples shown.

Please note:

- These examples do not show traffic management signs and a separate traffic management plan in accordance with 1742.3 must be provided, where required,
- where the remaining footpath is less than 1.2 metres, 'Use other footpath' + 'Pedestrian (arrow)' signs must be used as shown.

Example 1

Work area encompassing footpath but providing 1.2 metres or greater clear footpath space

(ADDRESS)

PROPERTY BOUNDARY

Example 2

Work area encompassing footpath but providing less than 1.2 metres of clear footpath space

(ADDRESS)

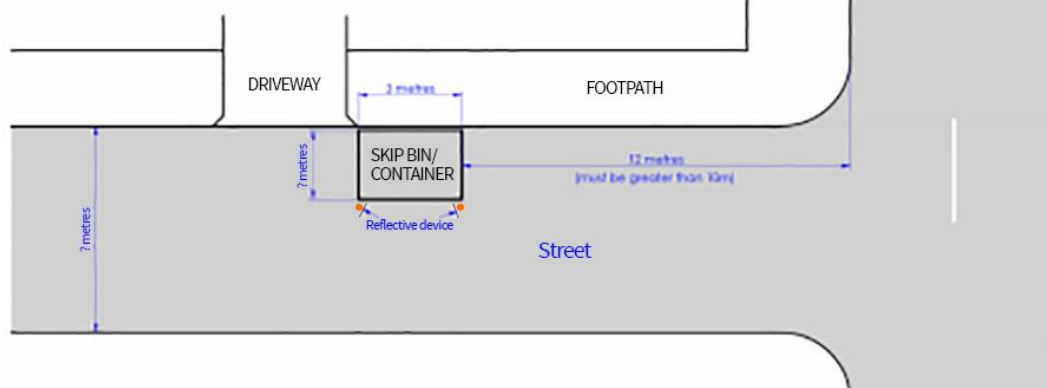
PROPERTY BOUNDARY

Example 3

Work area encompassing footpath and a portion of the road

(ADDRESS)

Example 4 Skip on road



APPLICANT TO RETAIN THIS PORTION



MOUNT BARKER
DISTRICT COUNCIL

TERMS AND CONDITIONS:

Lighting and Security of Licensed Area

The Applicant must ensure that the Site and hoarding are adequately illuminated between sunset and sunrise and that all appropriate barriers, barricades, signage and warning devices are installed so as to protect the public from injury or damage.

Requirement that Activity be Confined to Site

The Applicant must ensure that the Activity remains within the confines of the Site as specified on the plan (as approved) provided to the Council together with the application, nothing shall extend outside the approved area.

Notification of Damage

The Applicant must take all reasonable precautions to avoid damage to Council land, infrastructure/ private property and property or any other services provided in or about the Site. The Applicant must immediately notify the Council in the event of any damage to any Council owned property, roadway or footpath within the area or connected to the Activity and to the respective public service provider in regards to damage to water, gas, electric, telecommunications infrastructure, and any other service.

The Applicant will be responsible to reinstate or make good any damage to Council's satisfaction or, they may be required to reimburse the Council for all its reasonable costs to repair or rectify any damage caused as a result of the conduct of the Activity.

Indemnification

The Applicant agrees to indemnify and to keep indemnified and to hold harmless the Council, its servants and agents and each of them from and against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the granting of this Authorisation.

Public Risk Insurance

The applicant agrees to indemnify and to keep indemnified the Council its servants and agents and each of them from and against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against them or any of them arising out of or in relation to the issuing of the authorisation.

The applicant shall take out and keep current a public risk insurance policy in the name of the permit holder insuring the applicant for the minimum sum of ten million dollars (\$20,000,000) against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against the applicant in relation to the activity.

The applicant must provide confirmation of insurance to Council. Such a policy shall bear the endorsement of the Insurer indicating the Insurer accepts the indemnity given by applicant;

Disclosure & Evidence of Policy

The Applicant must not commence the Activity until evidence of the public risk insurance policy is given to the Council. The policy must bear the endorsement of the insurer indicating that the insurer accepts the indemnity given by the Authorisation Holder.

Standards

During the currency of this Authorisation the Applicant must comply with the applicable Environmental, Industry or health and safety standards in relation to the Activity authorised by this Authorisation. The Applicant must ensure that the Activity be conducted in a safe and responsible manner.

Authorisation Not Transferable

This Authorisation is NOT transferable.

Compliance with Statutory Requirements

- The Applicant must comply with and give all notices required by any Act of Parliament, ordinances regulations or by-laws relating to the activity;
- Wherever there is any cost involved in complying with the preceding requirement, the Applicant will be responsible for payment of those costs.

Maintenance

The Applicant will keep the Site free from rubbish and vermin at all times during the Term of Authorisation.

Dilapidation Report

Five (5) days prior to the Activity commencing and within five (5) days of the cessation of the Activity, the Applicant should provide to the Council a satisfactory dilapidation report/ photos which records the state of the Council land/ infrastructure and any improvements thereon; failure to do so, may render the applicant liable for the repair of any damage noted on any infrastructure. Depending on the proposed use of land, Council may request an applicant to provide such a report.

Public Consultation

Mount Barker District Council may be obligated to carry out Public Consultation on an application in accordance with Section 223(1) of the Local Government Act 1999.

Comply with Directions from Council Officers

The Applicant shall comply with any reasonable directions made by a Council officer in respect to the Activity, or public safety or prevention/mitigation of damage to Council property.

Termination of Authorisation by Council

The Council may terminate the Authorisation at any time and for any reason in writing to the Authorisation Holder.

Expiry or Termination of Authorisation

On expiry of the Term or earlier termination of the Authorisation:

- the Applicant will be responsible for reinstating the Site to a standard acceptable to the Council;
- the Applicant is responsible for all costs incurred in reinstating the Site and removing all rubbish and other material from the Site;
- the Applicant will remove all rubbish and all other materials (whether from the works or dumped illegally) from the Site.

Breach

The Council will be entitled to terminate this Authorisation if the Authorisation Holder, having received notification of a breach of this Authorisation falls to remedy the breach within the time set out in this Notice.

Execution

This Authorisation will not be effective until the Applicant has received a copy of the Authorisation signed by Council.

Land Use

This Authorisation does not confer on the Applicant any exclusive right, entitlement or proprietary interest in the land affected by the Authorisation.

Council does not warrant that the road will, at any time, be structurally or otherwise suitable for the permitted activity or alteration.

Payment of Fees

The Authorisation, once issued to the Authorisation Holder, becomes valid only once payment for the outstanding Fees ("the Fee"), as shown and calculated is made and has been processed by the Council. The Applicant is encouraged to contact the Council to ensure that payments made, have been processed (payments such as credit card transactions or cheques may, on occasion, be denied due to insufficient fund being available in the Authorisation Holders account).

LOCAL NUISANCE AND LITTER CONTROL ACT 2016

Litter

It is an offence for a person to allow or have the potential to allow the deposition or discharge of any waste (solid or liquid) matter to a stormwater system, public stormwater disposal system, natural waterway or an irrigation drainage channel.

An Expiation Notice of up to \$1000.00 may be issued and/ or the possibility of further legal action taken where rubbish, goods, materials, earth, stone, gravel or any other substance or liquid are deposited or have the potential to end up on a public road, footpath or a stormwater system.

Sites that are small, steep, have limited access or are difficult to build/ work on do not provide a defence for non-compliance with the law.

The main objective is to stop sediment, waste and litter from leaving your site. This requires careful planning. The way you run your site can have a big impact on the amount of pollution in stormwater run-off.

A Council officer (authorised person) can order a person or an owner or occupier of unsightly land to clean it up. Abatement Notices may be issued to ensure compliance with the legislation.

For further information, please refer to the Local Nuisance and Litter Control Act 2016.

Nuisance

The Local Nuisance and Litter Control Act 2016 describes a local nuisance as being any adverse impact on the amenity value of an area which unreasonably interferes with, or is likely to unreasonably interfere with, the enjoyment of that area by people in that area. Some common examples of activities that may be considered a local nuisance include dust, noise, odour, vibration, graffiti and littering (which has a broad meaning under the act); should you require further information about your responsibilities under the Act, please contact Council on (08) 8391 7200, alternatively you may refer to the Local Nuisance and Litter Control Act 2016.

Stormwater Pollution Prevention

Under the Environment Protection (Water Quality) Policy 2015, A person must comply with in taking all reasonable and practicable measures to prevent or minimise environmental harm resulting from undertaking an activity that pollutes or might pollute waters; fines may be imposed on a person, builders, owner/occupiers, landscapers or developers of land where pollution has entered, or has the potential to enter a waterway, a water reticulation system, a sewage system or a wastewater management system.

Depending on the seriousness of the offence, the Environment Protection Authority may also choose to prosecute through the court.

Council Officers regularly inspect all types of sites to ensure environmental protection is in place.

Safety & Security

The applicant is to take all safety and protective measures and to do all things necessary to prevent accidents or injury to persons, or damage to private property and public infrastructure.

Scaffolding, structures, material, goods, items etc. must be removed from the site each night and the site made safe for pedestrians and road users. In the event that scaffolding, structures, material, goods, items etc. are to be left on site overnight (this includes mini skips and containers), the applicant shall ensure that the area is adequately illuminated at night and that all appropriate barriers, barricades, signage and warning devices are installed to protect the public at all times.

Signage and devices must comply with Australian Standard AS 1742, Part 3 and in accordance with SA Standards for Workzone Traffic Management.

All work activities including associated machinery, equipment, materials and objects must be contained at all times within the fencing boundaries to which the permit applies.

Footpath & Pedestrian Walkway

A minimum 1.2 metre pedestrian walkway must be maintained at all times (unless otherwise approved by Council). The walkway must be kept clear and unobstructed at all times.

Parking

Parking restrictions (i.e. Clearways, No Stopping, No Parking, Yellow Edge Lines, Bicycle Lanes, and Shared Paths etc.) are to be observed at all times, the placement of structures, material, goods, items etc. or occupation is prohibited; the vision/ line of sight of motorist or pedestrians should not be obstructed or impeded.

Placement of structures, material, goods, items etc. or occupation of parking bays is not allowed unless expressly authorised by Council.

Services

The placement of fencing, scaffolding, structures, skips, containers or other material or objects shall not interfere with or cause damage to or affect in any way any wire, post, cable, pipe or other item that is the property of SA Power Networks, Telstra, NBN, SA Water, United Water, Origin Energy etc. or other government department or authority or other infrastructure owner;

The provisions, which might apply in case of damage, injury, accident or interference to property/ infrastructure under the control of service authorities for the supply of electricity, gas, telephone, telecommunications, water and sewerage, shall be adhered to;

If any such government department or authority requires the Council to direct the permit holder to remove, or otherwise alter the position of any fencing, scaffolding, structures, skips, containers or other material or objects, the permit holder shall forthwith comply with such direction at the cost to the permit holder.

Removal of Fencing/ Structures/ Skips/ Containers

Whereby the approval also allows for the placement of temporary fencing/ Hoarding or other similar structure, skip/ container must be removed by the expiry date. Should an extension of time be required, the permit holder must complete an application for an extension of time at least 4 working days prior to the expiry date of the current permit, including payment of the applicable fees. Failure to do so will require a new application form to be completed and shall incur a lodgement fee, plus any additional fees/ costs.

Construction & Condition of Fencing or Structures

Must be adequately braced to secure in case of strong winds.

Must be maintained in a good condition at all times and the permit holder must ensure that there are no sharp edges, protuberances or other design feature that would endanger public safety.

Shall be kept free of graffiti & bill posters at all times and be illuminated/ reflective between dusk till dawn.

Fencing must display a sign showing the name and contact details of the permit holder.

Skip Conditions

Council accepts no responsibility for the placement of material, rubbish, items, building waste, general waste, liquid or vegetation in the skip/container by unauthorised person/s.; any material, rubbish, items, building waste, general waste, liquid or vegetation placed in or next to or adjacent to the skip/ container by any person/s, (whether authorised or not), the permit holder will be responsible to promptly remove and appropriately dispose of such material at their expense.

The permit holder shall ensure that a suitable covering, lid or another effective measure is provided on the skip to ensure no item, material, rubbish or waste can intentionally, accidentally or incidentally be dragged or fall out, or be blown out by wind at any time.

Damage & Repairs

The permit holder is responsible for all repairs, damage or rectification work to any road/footpath/ verge, service or public infrastructure resulting from any associated work or occupation of Road.

All rectification/ repairs shall be undertaken in accordance with Council's "Specifications for Excavation and Reinstatement of Council Land" and to the satisfaction of Council.

Legislative Requirements

The issuing of this permit does not absolve the permit holder from complying with other legislative requirements, e.g. Occupational Health, Safety and Welfare Act, SA Water, Transport SA, Department of Administrative and Information Services etc.

Contractual Rights

The Mount Barker District Council does not confer on the permit holder any exclusive right, entitlement or interest in the public road or road reserve.

Breach of Permit Conditions

Any breach of the permit conditions may result in the permit being revoked. No payments for the permit will be refunded.

Important Notes

The permit Holder uses and/ or alters the road at their own risk;

Use of or alteration of a road or footpath outside the permitted area constitutes an offence that carries a maximum penalty of \$2500.00 or expiation fee of \$210.00 (Local Government Act 1999);

Deposition of rubbish, goods, materials, earth, stone, gravel or any other substance on a public road or footpath outside the hoarded area without a Permit constitutes an offence that carries a penalty of \$60,000.00 up to \$250,000.00, or imprisonment for two years for a body corporate and \$30,000 up to \$120,000 or imprisonment for six months depending on the type and amount of litter.

An Expiation Notice of \$210.00 up to \$1000.00 may be issued on the spot depending on the type and amount of litter.

It is an offence for a person to allow the deposition or discharge of any waste (solid or liquid) matter to the stormwater system.