

Placement And Maintenance Of Charity Clothing Collection Bins On Public Land

Policy Type: Operational Policy Policy Owner: Supervisor Resource Recovery & Waste	Policy No: OP 019 Last Review Date: 27 August 2019
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Policy Objectives

To manage the placement and location of charity clothing bins on public land ensuring safety, accessibility and cleanliness of sites.

Provide an opportunity for residents to recycle clothing locally.

Ensure commercial clothing bin collection agencies do not utilise public land.

Policy Scope

This policy relates to the location and management of charity clothing bins on public land being local and regional reserves under the ownership or care and control of the City of Melville.

The placement of charity clothing bins under this policy is limited to bona-fide (REGISTERED) charities and excludes private businesses. This exclusion also prohibits the application and placement of charity clothing bins by any Charity which has licensed the use of the Charity name to a private business for the purpose of collections and or where the bins and processing of donations is not under the direct ownership and control of the Charity.

Applications failing to comply with any part of this policy will be refused or have any approval of placement at a particular site revoked.

Policy Statement

Charity clothing bins provide a service to the local community. The bins are traditionally located in car parks and on road reserves for ease of access and visibility; however they can be viewed as a blemish on the urban environment if inappropriately located and/or poorly maintained.

Consideration must be also given to the location of bins for safe access, sight lines and crime prevention issues.

This policy and subsequent guidelines have been prepared to identify approved sites on public land for the placement of charity clothing bins and assist charity groups and the City to ensure they are appropriately managed.

The City has identified suitable locations for the placement of charity clothing bins to ensure adequate levels of access and safety for the public.

Guidelines for the placement of charity clothing bins by Charities in the City of Melville

1. Location Guidelines

1.1 Sites for charity clothing bins on public land are to be within the designated areas approved by the City of Melville. The location of current bins are listed in the document: Charity Bin Locations(3451763).

1.2 Charity clothing bins should not occupy marked car parking spaces (unless with specific approval via the City's usual planning approval process) or landscaped areas. Generally the City will view each approved site as a multiple bin site (shared by all charities) but will limit the number of bins from each charity to a maximum of 2 bins where practical but with a collective limit of 8 (on those sites where both practical and physically possible). If there is a need for more storage capacity by any one Charity, the City will require the Charity/s to empty the bin/s more frequently.

1.3 Placement of Charity bins will be managed in accordance with this Policy.

1.4 The City of Melville Manager Resource Recovery and Waste will determine which Charities are to place bins at each of the designated sites, including the number to be placed by each Charity in accordance with the requirements of each designated site.

2. Operational Guidelines

2.1 Each charity bin must show: -

2.1.1 The name and telephone number of the Charity that receives the proceeds of the charity clothing bin

2.1.2 The name and all hours' telephone number of the agency responsible for emptying the charity clothing bin

2.1.3 The all hours' telephone number of the agency responsible for removing any rubbish placed outside the charity clothing bin

2.1.5 Clear identification that it is for the receipt of "Clothing only".

2.2 General Conditions:-

2.2.1 Charity clothing bins must be emptied by the approved Charity on a cycle frequency that precludes the possibility of overflow from the bins.

2.2.2 The charity clothing bin must be inspected on not more than a 7-day cycle for damage and to ensure that waste does not accumulate around the bin.

2.2.3 Charity clothing bins must be clean, neatly painted and maintained to a satisfactory standard. Structural damage, graffiti, or the like must be rectified or removed within 48 hours or 24 hours for racist and obscene graffiti; or if presenting an immediate hazard to the public in which case the situation must be attended to immediately either by removal or other action resolving the risk to the public.

2.2.4 Any goods dumped outside the charity clothing bin or within the general proximity must be removed within one working day of any report or if identified during the inspection cycle conducted as part of clause 2.2.2 above.

2.2.5 Failure to adequately maintain a single or shared charity clothing bin site will result in a formal request in writing to the relevant Charity/s. If the matter is not suitably resolved this may result in a decision requiring the offending bin(s) to be removed permanently. Should the Charity fail to remove the bin within the required time in accordance with the Local Government Act 1995, the City will remove the bin and all costs incurred for the removal of the bins will be sought to be recovered from the relevant Charity.

3. Administrative Procedure

Requests for placement of charity clothing bins outside the designated areas within the City of Melville will not be considered.

Past performance of the charity/charity groups will be taken into consideration.

All Charities with existing clothing bins on designated sites within the City of Melville will be required to provide written agreement to the terms and conditions of this policy, including the ongoing care, maintenance and liability of the bins, as listed in items 2.1.1 - 2.2.5 (above) which form part of the provisions of this policy.

All Charities with existing clothing bins on designated sites within the City of Melville will be required to provide a copy of their current public and general liability insurance. The policy indemnity value must be a minimum of \$ 20million for any claim at all times. Evidence of continuing compliance with this provision is to be provided on request.

Any approval issued by the City of Melville is exclusive to the applicant and the approved public site. Approvals are not transferable.

No application fee is required for placement of charity clothing bins in designated areas within the City.

Approval is valid for two years or such other period as the City may determine.

(a) Unless there is a subsequent determination by the City that the site is no longer suitable for the purpose of placing charity clothing bins.

The City is not required to find an alternate site.

Other References that may be applicable to this Policy

Legislative Requirements:

Delegated Authority:

Plan / Policy / Framework:

Procedure:

Work Instructions:

Forms / Supporting Documents (internal):

Supporting Documents (external):

ORIGIN/AUTHORITY

Meeting the Policy was adopted at

Enter date of meeting here

REVIEWS

Manager Waste & Resource Recovery

August 2019

Local Government Act 1995**3.26. Additional powers when notices given**

- (1) This section applies when a notice is given under section 3.25(1).
- (2) If the person who is given the notice (*notice recipient*) fails to comply with it, the local government may do anything that it considers necessary to achieve, so far as is practicable, the purpose for which the notice was given.
- (3) The local government may recover the cost of anything it does under subsection (2) as a debt due from the person who failed to comply with the notice.

**Local Government (Uniform Local Provisions)
Regulations 1996****6. Obstructing public thoroughfare — Sch. 9.1 cl. 3(1)**

- (1) A person who, without lawful authority, places on a public thoroughfare anything that obstructs it commits an offence if the person fails to remove the obstruction when requested by the local government to do so.
- (2) If anything falls from land, or from anything on land, onto a public thoroughfare and obstructs it, a person who is the owner or occupier of the land commits an offence if the person fails to remove the obstruction when requested by the local government to do so.
- (3) The penalty for an offence against sub regulation (1) or (2) is a fine of \$1 000.

[Note: This regulation is of a kind prescribed in Schedule 3.1, Division 2, item 1. This means that an offender might be given a notice under section 3.25(1)(b) of the Act and if the notice is not complied with the local government may, under section 3.26, itself do what the notice required and recover the cost from the offender.]