

Policy

Charity Clothing Receptacles



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Adopted:	14/02/2018 #084
Last reviewed:	New Policy
New review date:	14/02/2020
Legal Authority:	Local Government Act Section 2.7 – The Role of Council
Directorate:	City Regulation
Department:	Environmental Health - Waste Management
Related documents:	<p>Acts/Regulations Local Government Act 1995</p> <p>Plans/Strategies WA Waste Strategy - Waste Diversion targets City of Kwinana Strategic Community Plan City of Kwinana Waste Management Strategy</p> <p>Policies Nil</p> <p>Work Instructions TBA</p> <p>Other documents Template - Application Form – Permit to place charity clothing receptacle (bin) Template - Permit – Placement of charity clothing receptacle (bin)</p>

Policy:

1. Title

Charity Clothing Receptacles

2. Purpose

This policy has been developed to enable recycling of clothing and other household items while preventing nuisance and managing safety and public risk by controlling and regulating the placement and management of charity clothing receptacles (bins) on City of Kwinana controlled land.

3. Scope

This policy provides guidance to staff and members of the public in relation to the application and approval process for the suitable location and management of charity collection receptacles on City of Kwinana controlled land.

4. Definitions

Charity clothing receptacle means a lockable and secure bulk container/bin for the purpose of accepting donated clothing.

5. Policy Statement

In the interest of donated clothing being re-used, the City of Kwinana accepts applications from organisations to place charity clothing receptacles in suitable locations.

For each proposed location the organisation is required to make an application as per the requirements listed below in clause 5.1.

Subject to compliance with the site requirements in clause 5.2, a conditional approval may be granted consistent with clause 5.3. This approval is subject to regular collections and ongoing maintenance of the bins and their surroundings, where applicable.

5.1 Application requirements

- 5.1.1 Pursuant to the issue of a permit for exemption under the provisions of the Town of Kwinana Local Government Property Local Law (the Local Law), a written application for the placement of charity clothing receptacles is to be completed and submitted by the organisation that owns and will manage the receptacle/s.
- 5.1.2 The applicant, if a commercial participant/business, is to pay the fees for the permit as per the relevant part of the sub-section for Public Waste Collection Sheds/Bins/Containers Permit under the Waste Management section of the City's adopted Fees and Charges.
- 5.1.3 The application must be accompanied by:
 - a. A site plan to a suitable scale showing the location of the receptacle on the property, the size of the receptacles, vehicle arrangements and any adjoining buildings. The City recommends locations that are reasonably visible by the public. The City will not permit placement of charity clothing receptacles in the following locations:

- i. Highly visible and prominent areas of the City.
 - ii. Main road intersections.
 - iii. Historically problematic areas.
 - iv. All other areas which are secluded and may be prone to vandalism and illegal dumping.
- b. Plans showing the elevation of each receptacle including colour, the size of the receptacles and wording details.
 - c. Proposed scheduled days and times for removal of contents from receptacles and site clean-ups.
 - d. The applicant's written indemnity insuring the City of Kwinana against any suit or action arising from or incidental to the placement and/or use of the receptacle.
 - e. A copy of the applicant's public liability insurance of not less than ten million (\$10,000,000).
 - f. The applicant's written acceptance of responsibility for any damage done to any City assets including but not limited to: roads, kerbs, footpaths, fencing and landscaping from the placement, use and servicing of the receptacle/s.

5.2 Site and receptacle requirements

- 5.2.1 The number of clothing receptacles permitted on each site will be limited to a maximum of two (2) by any single organisation.
- 5.2.2 Where practicable, a collective limit of four (4) receptacles to a specific site may be granted and determined on a site specific basis.
- 5.2.3 The placement of the receptacles must not obstruct an access way or parking place or unduly detract from the amenity of the area.
- 5.2.4 Receptacles must be clean, neatly painted, maintained to a satisfactory standard and must clearly display the registration and contact details of the permit holder. Structural damage, graffiti, or the like, must be rectified or removed within two (2) working days unless the receptacles presents an immediate hazard to the public, in which case the matter must be attended to immediately; either by removal of the receptacles or other remedial action being undertaken to rectify the problem.
- 5.2.5 The receptacles must be emptied on a regular basis and the area around the clothing bin must be maintained in a neat and tidy condition at all times. This requirement will continue to apply for a period of up to three (3) months following removal of receptacles from a location, subject to the site remaining vacant.
- 5.2.6 The applicant must comply with a direction from the City of Kwinana to replace a damaged receptacle or clean up a site where materials have been placed outside the receptacles.

- 5.3 Permits
- 5.3.1 Where the City of Kwinana is satisfied with the application and the location proposed a permit will be granted pursuant to the Local Law.
- 5.3.2 The permit for the placement of a charity clothing receptacles at a site will be for a period of up to two (2) years and subject to payment of fees annually (if applicable).
- 5.3.3 The applicant is to comply with the permit-stipulated frequency for emptying of the receptacles.
- 5.3.4 The permit is to stipulate further conditions requiring ongoing maintenance and emergency call-outs. The applicant is required to comply with the conditions of the permit.
- 5.3.5 The permit holder may seek the renewal of the permit in writing, provided the application is received no later than three (3) months prior to the expiry date. The decision to renew or terminate the permit will take into account the satisfactory performance of the organisation in meeting its compliance obligations to date.
- 5.3.6 The City of Kwinana reserves the right under Clause 3.12 of the Local Law to cancel the permit prior to the end of the term. On receiving written notice of the City's decision to revoke the permit, the applicant must remove the receptacles within the stipulated timeframe.
- 5.4 Unauthorised Receptacles
- 5.4.1 Bins placed without approval, or not removed as instructed by the City, may be impounded by the City and will be subject to the requirements of dealing with impounded goods under the Local Government Act 1995.
- 5.4.2 Any bin impounded and not collected as required by the City may be disposed of in accordance with section 3.47 of the Local Government Act 1995.
- 5.5 Register of Charity Clothing Receptacles
- The City will maintain a register of all charity clothing receptacles permits issued under this policy and record the following information:
- a) approved applicant details
 - b) location of receptacles;
 - b) copy of each site monitoring assessment; and
 - c) required payment of fees and charges (if applicable).

6. Financial/Budget Implications

Potential savings are identified as a result of reduced waste to landfill.

7. Asset Management Implications

It is recognised that the potential for damage to City's assets is possible. This will be addressed by ensuring during the application assessment process that the requested location is assessed and so that access to and from the location by users and also the vehicles that deliver and remove may be done so with little impact on the City's assets.

Clauses within the permit are to require the provision of insurances and any damage incurred to City assets as a result of the use of the bins to be remedied by the applicant.

8. Environmental Implications

The provision of charity clothing receptacles for recycling ensures increased resource recovery.

9. Strategic/Social Implications

This proposal will support the achievement of the following objectives and strategies detailed in the Strategic Community Plan and/or Corporate Business Plan.

Plan	Objective	Strategy
Strategic Community Plan	4.3 Ensure the Kwinana community is well serviced by government and non- government services.	Strategic Waste Management Plan – Increase in % of community satisfied with waste service collections.

The strategic placement of charity clothing bins within the community will provide a positive outcome for residents wanting to recycle clothing.

Better management practices should minimise complaints from residents associated with illegal dumping surrounding the bins.

10. Occupational Safety and Health Implications

The safe locating of the charity clothing bins at specific locations must be assessed during the application process. Any review of the permit must also include a review of any occupational and health implications.

11. Risk Assessment

A risk assessment conducted as part of the Policy review has indicated that the risk to the City by not providing an adequate policy to address the City's management of charity clothing receptacles would result in a risk rating of moderate.

It is assessed that the risk rating following the implementation of this policy would result in a risk rating of low.