

Council Policy

Charity Clothing Receptacles



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| Legislation/local law requirements | <i>Local Government Act 1995 Town of Kwinana Local Government Property Local Law 2003</i> |
| Relevant Delegation | N/A |
| Related policy procedures and documents | Western Australian Waste Avoidance and Resource Recovery Strategy 2030 – Waste Diversion targets Template – Application Form – Permit to place charity clothing receptacle (bin) Template – Permit – Placement of charity clothing receptacle (bin) |

Introduction

This policy outlines the standards and procedures for the placement and maintenance of charity clothing receptacles within the City of Kwinana. It provides guidance for organisations regarding application requirements, site management, and permit conditions.

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 on City of Kwinana controlled land.

Objective

The objective of this policy is to establish a structured framework for the approval, placement, and management of charity clothing receptacles within the City of Kwinana.

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.

Policy Provisions

Definitions

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

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 1.

Subject to compliance with the site requirements in clause 2, a conditional approval may be granted consistent with clause 3. This approval is subject to regular collections and ongoing maintenance of the bins and their surroundings, where applicable.

1. Application requirements

- 1.1. Pursuant to the issue of a permit for exemption under the provisions of the Town of Kwinana *Local Government Property Local Law 2003* (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.
- 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.
- 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 (maintenance and user access) 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 ensuring 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.

2. Site and receptacle requirements

- 2.1. The number of clothing receptacles permitted on each site will be limited to a maximum of two (2) by any single organisation.
- 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.
- 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.
- 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) business 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.
- 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.
- 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.

3. Permits

- 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.
- 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).
- 3.3. The applicant is to comply with the permit-stipulated frequency for emptying of the receptacles.
- 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.
- 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.

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.

3.7. Failure to comply with a repeated direction from the City of Kwinana may result in the City undertaking or arranging the necessary work or receptacle removal at the expense of the permit holder or owner of the applicable clothing receptacle.

4. Unauthorised Receptacles

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*.

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. Register of Charity Clothing Receptacles

5.1. 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).

OFFICER USE ONLY

Officers may amend this section without council approval.

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