

# CLOTHING BANK POLICY

**Date of Adoption: 15/06/2021**

**Effective Date: 15/06/2021**



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## 1. Objectives

The objectives of this policy are to:

- Establish an approval system for the placement of clothing banks on public property within the City of Canada Bay
- Ensure organisations placing charity bins in public areas have procedures and process in place for managing their responsibilities in relation to bins banks
- Ensure bin banks and surrounds are maintained in a satisfactory manner and bin banks do not detract from the amenity of the area
- Encourage reuse, recycling and the minimisation of waste
- Ensure collection points are easily accessible to the majority of the community, including through clothing and textile collection points placed in suitable apartment buildings
- Encourage Australia's domestic recycling and reuse industry
- Support charitable reuse and recycling

## 2. Policy and Procedure

Our policy on clothing banks is to permit bins in the approved locations to the maximum numbers outlined in this document. This approval is in line with the requirements of the Local Government Act 1993 and an agreement will need to be entered into prior to placement of any bins.

Accordingly, prior to the placement of a clothing bin in a public place, a section 68 Local Government Act approval must be obtained from Council. Such approval may be subject to conditions.

As per Section 68 of the Local Government Act 1993, clothing bins must not be placed on public land without approval from Council:

*“(1) A person may carry out an activity specified in the following Table only with the prior approval of the council, except in so far as this Act, the regulations or a local policy adopted under Part 3 allows the activity to be carried out without that approval.*

*Part C Management of Waste*

*3 Place a waste container in a public place.*

This approval will require the organisation to then enter into an agreement with Council following the completion and assessment of the applicable “Clothing Bank on public land application form” (Appendix “A”). Applicants must provide the following with their application form:

- Details of the number and size of clothing bins
- List of all items accepted
- A management statement to on how the bins and surrounding area is to be maintained, including the frequency of emptying bins and inspecting for illegal dumping
- Details of recovery, including projected landfill diversion, proportion of reuse, proportion of export, details of export including destinations and intended use.
- Apartment recycling plan – including confirmation that bins will be placed in apartment buildings and material collected regularly at no charge, where buildings make space available
- Proof of membership of the National Association of Charitable Recycling Organisation (if applicable)
- Proof of registration with the New South Wales Department of Gaming & Racing under The Charitable Fundraising Act 1991 (if applicable)
- Details of any nominated additional payments to Council or a nominated charity (if applicable)

- Insurance and public indemnity details

Approvals will be granted through an Expression of Interest (EOI) process every two years. A report to Council will be sent following the EOI outlining the approvals. The approval is valid for up to 24 months. Council will set an approval expiration date of 30 June within 2 years of the application date.

### 3. Bin Locations

Council permits clothing bank bins to be placed in the following locations

- Kokoda Track - Council carpark -- Maximum of **2 bins**
- Hospital Rd Concord - Adjacent to the Hospital's main carpark -- Maximum of **2 bins**
- Cintra Park, Gipps St Concord – (Carpark Gipps St end) -- Maximum of **2 bins**
- Crane St Concord - St Lukes Oval carpark -- Maximum of **2 bins**
- Five Dock Leisure Centre – carpark -- Maximum of **2 bins**
- Kings Rd Five Dock - Council carpark -- Maximum of **1 bin**
- Henley Marine Drive Drummoyne - Council Carpark next to Swimming pool -- Maximum of **1 bin**

Locations for clothing bins must meet suitability requirements, including nearby parking, a suitable site capable of being easily monitored, sufficient Council land, and ensuring that bin installation will not impact on pedestrian or vehicular traffic. Council will continue to review and consider alternative additional collection bin locations where these meet all site requirements.

### 4. Fees and Charges

Permit applicants are required to pay an application fee when first applying to place bins on public land. A tax invoice will be sent via email for payment when your application has been accepted by Council. Payment must be made within three working days of receipt of invoice.

In addition to this application fee, successful applicants are required to pay an annual permit fee for each and every approved bin. Part year payments will be charged pro-rata for the period of approval required. Permit fees will be charged annually, even where application approvals are greater than 12 months.

Fees and charges will be reviewed annually in line with Council's budget cycle and advertised in Council's Fees and Charges Report, accessible on Council's website.

### 5. Exemptions from Approval

Clothing banks located on private property do not require prior approval from Council. Bins on private property are covered by the requirement of the *Roads Act 1993* and should not be placed in such a manner as to cause an obstruction to vehicular and/or pedestrian movement, or encroachment onto any footway or areas designated for parking. Any nuisances that arise from the placement of clothing bins on private property are subject to Orders provisions of the *Local Government Act 1993* and the *Public Health Act 1991*.

### 6. Mandatory Requirements

Successful Clothing Bin Permit applicants must agree to and meet each of the below requirements:

#### a) Public Liability & Conditions

- Each applicant will be required provide Council with a copy of the organisation's public liability insurance with a limit of indemnity not less than twenty million dollars (\$20,000,000). The

certificate of currency must be provided to Council prior to the placement of bin banks on public property. An updated certificate of currency must be provided each time coverage expires.

**b) Bin Design and Placement**

- Only one bin bank is permitted at each public location, with a maximum of two bins at each site.
- Bins must be of steel construction and maintained in good repair.
- Bins must be placed on level ground.
- Bins must be placed in such a manner so as not to constitute a traffic or pedestrian hazard.
- Bins must be easily accessible to the majority of the community
- Bin banks must not detract from the amenity of the area
- Where directed by Council, bins that have become damaged, dilapidated or unsightly must be removed or replaced within seven days.

**c) Signage and Communication**

- The organisation name and contact phone number must be clearly visible on each clothing bin
- The contact number must be answered or provide message bank capability 24 hours a day to report issues with the bin such as illegal dumping, graffiti or damage
- The operator must remove all litter and/or illegally dumped material located around bin banks within 24 hours of notification by the public (including within 24 hours of a message being left by a member of the public)
- Each bin must clearly identify a list of all items that are accepted
- Any company branding on bins must be approved by Council
- Each bin must display signage with the locations of nearby clothing bins on Council land, for customers in case the bin is full or blocked (bin location details to be provided by Council)
- Each bin must display Council signage warning about illegal dumping, on at least two opposite sides of the bin. Signage is to be printed, installed and maintained at the operator's cost. Council will make signage assets available to successful applicants.

**d) Maintenance & Removal of Illegal Dumping**

- Bin banks and surrounds must be maintained in a satisfactory manner by the operator
- Bin banks must be emptied regularly (minimum 5 times per week)
- The operator must remove all litter and/or illegally dumped material located around bin banks within 24 hours of notification or immediately when servicing the bin banks.
- All graffiti must be removed within 2 days of it being reported, or otherwise as directed by Council. All offensive/obscene graffiti must be removed within 24 hours.
- Each bin is to be completely repainted at a minimum of every two years
- The organisation/operator must respond to any other requests for maintenance within 2 days.

**e) Reporting & Material Destination**

- Each organisation will be required to detail how collected items are being reused, recycled or disposed of and supply copies of contracts and/or agreements with any entity that the organisation delivers collected goods to.
- All organisations granted permission to place bin banks on Council land will be required to deliver a quarterly and annual report which includes:
  - Total weight of material collected from clothing bins on City of Canada Bay public land
  - Total weight of material recovered for resale or reuse
  - Total weight of material exported

- Total material sent to landfill
- Details of material exported (i.e. where the material was exported to and the intended use)
- All reported details should be specific to Canada Bay wherever possible. Where LGA-specific data is not available, the process for calculating this data must be provided
- The report must also include the number of times the bins were:
  - Checked for servicing
  - Emptied
  - Repainted due to graffiti
  - Repaired due to vandalism
  - As well as the total number of illegal dumping incidents

**f) Export of materials**

- Where seeking to export collected materials, applicants must detail all export destinations and the intended use of exported materials.
- Operators must not export materials to any destinations or for any intended uses other than those notified in the application. If an operator is seeking to amend the destinations and intended uses, a new application must be made to Council. Any export to other destinations or for other intended purposes than those specified will be grounds for revocation of approval.

## 7. Preferred Criteria

Clothing Bin Permit applicants meeting the following criteria will be preferred when assessing applications:

**a) Domestic processing and maximising reuse & recycling**

- Council has a preference for collected material being recycled and recovered in Australia, and maximising diversion from landfill. Applicants are to provide details of recovery, including:
  - projected landfill diversion
  - projected proportion of reuse for all materials collected
  - projected proportion of recycling for all materials collected
  - projected proportion of export for all materials collected
  - total proportion of reuse and recovery expected to occur in Australia

**b) Charity Status**

- Council has a preference for operators that are a 100 percent charitable organisation. Where applicable, applicants should provide evidence that they are:
  - Currently registered with the New South Wales Department of Gaming & Racing under the *Charitable Fundraising Act 1991*
  - a Member Organisation (not Supporter Organisation) of the National Association of Charitable Recycling Organisations Incorporated (NSW)

**c) Additional payments to Council or nominated charity**

- While not required, Council will take into consideration additional payments to Council or a nominated charity. This may take the form of a nominated payment per kilogram for all material collected.

## 8. Enforcement

Council reserves the right to require the removal of any bin bank from a site, despite any prior approval, if the bin bank or the activity associated with it causes a nuisance, or the operator fails to adhere to any of the requirements. No refund will be forthcoming to the operator if Council deems the bins to be removed due to noncompliance of the terms.

Failure to comply with any requirements of this policy or conditions of approval will result in the following enforcement action:

- The bin bank organisation will be contacted and provided 24 hours to rectify the matter.
- If no action is taken within this time frame or works are not to the satisfaction of Council the permit will be revoked and steps taken to have the offending bin banks impounded.
- Illegally placed bin banks will be impounded in accordance with the provisions of the Impounding Act, 1993.

Impounded clothing banks will only be released after payment of an impounding fee as detailed within Council's Fees and Charges Report.

## Revision History

Amended by (name and position)	Date	Change Description	Owner Approved	Version	DocsetID

## APPENDIX A – Clothing Bank Application Form

### CLOTHING BANK ON PUBLIC LAND APPLICATION FORM

Under Section 68 (C2&E2) of the *Local Government Act 1993*



#### LODGEMENT AND PAYMENT OF APPLICATION: You can lodge and pay for your application via:



**Council:** City of Canada Bay Civic Centre, 1A Marlborough Street, Drummoyne  
8.30am-4pm, Monday-Friday – **Payment by CASH, CHEQUE OR CARD**



**Email:** [customer.service@canadabay.nsw.gov.au](mailto:customer.service@canadabay.nsw.gov.au)

A tax invoice will be sent via email for payment when your application has been accepted by Council. Payment **MUST** be made within three (3) working days of receipt of invoice and can be paid using credit card via Council's online eServices Portal: [www.canadabay.nsw.gov.au](http://www.canadabay.nsw.gov.au)



**Mail:** City of Canada Bay, Locked Bag 1470, Drummoyne NSW 1470 – **Payment by CHEQUE ONLY**

**Please note:** Your application will **NOT** be processed until **FULL** payment has been received.  
If paying by CREDIT CARD, an additional 0.6% processing fee will apply.  
If paying by AMEX CARD, an additional 1.0% processing fee will apply.

<b>Office Use</b>	Fee Paid: \$ <input style="width: 80%;" type="text"/>	Receipt No: <input style="width: 80%;" type="text"/>	Date: <input style="width: 80%;" type="text"/>
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#### Applicant details

Surname:	<input style="width: 95%;" type="text"/>	First Name:	<input style="width: 95%;" type="text"/>
Address:	<input style="width: 95%;" type="text"/>		
Suburb:	<input style="width: 95%;" type="text"/>	Postcode:	<input style="width: 95%;" type="text"/>
Phone (m):	<input style="width: 95%;" type="text"/>	Phone (w):	<input style="width: 95%;" type="text"/>
Email:	<input style="width: 95%;" type="text"/>		

#### Fees and Charges

- Initial Application Fee (to accompany this application): **\$330 (GST exempt)**

Location: <input style="width: 95%;" type="text"/>	Number of Bins (maximum 2):	<input style="width: 95%;" type="text"/>
Location: <input style="width: 95%;" type="text"/>	Number of Bins (maximum 2):	<input style="width: 95%;" type="text"/>
Location: <input style="width: 95%;" type="text"/>	Number of Bins (maximum 2):	<input style="width: 95%;" type="text"/>
Location: <input style="width: 95%;" type="text"/>	Number of Bins (maximum 2):	<input style="width: 95%;" type="text"/>
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Location: <input style="width: 95%;" type="text"/>	Number of Bins (maximum 2):	<input style="width: 95%;" type="text"/>
Location: <input style="width: 95%;" type="text"/>	Number of Bins (maximum 2):	<input style="width: 95%;" type="text"/>

**Total number of bins:**

Annual Fee per approved bin:			
Registered Charity	<b>\$435 (GST exempt)</b>	Total cost if all bins approved (Annual Fee multiplied by total Number of Bins):	\$
Non-registered Charity	<b>\$1000 (GST exempt)</b>		



### Documents to be supplied by applicant

	Please tick
1. Details of the number and size of clothing bins	<input type="checkbox"/>
2. List of all items accepted	<input type="checkbox"/>
3. A management statement to on how the bins and surrounding area is to be maintained, including the frequency of emptying bins and inspecting for illegal dumping	<input type="checkbox"/>
4. Details of recovery, including projected landfill diversion, proportion of reuse, proportion of export, details of export including destinations and intended use.	<input type="checkbox"/>
5. Proof of membership of the National Association of Charitable Recycling Organisation (if applicable)	<input type="checkbox"/>
6. Proof of registration with the New South Wales Department of Gaming & Racing under The Charitable Fundraising Act 1991 (if applicable)	<input type="checkbox"/>
7. Details of any nominated additional payments to Council or a nominated charity (if applicable)	<input type="checkbox"/>
8. Insurance and public indemnity details	<input type="checkbox"/>

### Bin Permit dates

Dates permit is required: From:  To: **30/06/2023**

### Declaration

1. I hereby state that the above information is true and correct;
2. I am the person responsible for making this damage deposit/bond payment and am the authorised person to receive the refund;
3. I will advise the City of Canada Bay Council of any changes to my address; bank account; or credit card, and understand that failure to update these details may delay payment of the refund at a later date.
4. I have reviewed the Clothing Bank Policy and agree to comply with all rules and conditions.
5. I have attached a copy of the company's Public Liability Insurance to the value of \$20 million

Signature:

Date:

## APPENDIX B – Bin Locations

		
<p><b>Henley Marine Drive Drummoyne</b></p>	<p><b>Kings Rd Five Dock</b></p>	<p><b>Five Dock Leisure Centre</b></p>
		
<p><b>Cintra Park, Gipps St Concord</b></p>	<p><b>Hospital Rd Concord</b></p>	<p><b>Kokoda Track, Concord West</b></p>
		
<p><b>Crane St Concord</b></p>		