

ITEM 6 POLICY REVIEW - CLOTHING COLLECTION BINS ON COUNCIL LAND POLICY

The Clothing Collections Bins on Council Land Policy has been reviewed as part of Council's review schedule of its policies. The Policy has been revised to:

- Ensure all requests for the placement of clothing collection bins on Council land are considered.
- Comply with legislative changes; and
- Update formatting to suit the current Council Policy template.

RECOMMENDATION

Council adopt the revised Clothing Collection Bins on Council Land Policy.

REPORT AUTHORISATIONS

Report of: Lani Richardson, Manager Commercial Operations + Property

Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Clothing Collection Bins on Council Land Policy - Draft

BACKGROUND

The Clothing Collection Bins on Council Land Policy (the Policy) was initially adopted in 2005, with further revisions in 2014 and 2018. Council manages public land and roads throughout the city. Council will support charity activities as these may benefit the community. Council recognises the suitability of some public land and roads for the retention of clothing collection bins by charities and will support them being located on Council land and public roads where appropriate. The purpose of the Policy is to provide a clear and consistent framework for the management of clothing collection bins on Council land that ensures transparency and adheres to relevant legislation.

Changes to the Policy are listed below:

- Updated point 5, amend public liability insurance coverage from \$10 million with \$20 million, noting with the increase in liability claims and the cost of those, \$20 million has now become the standard considered acceptable for public liability insurance.
- Updated formatting to comply with the current Council Policy template.
- Changes to reflect other Council policies, ensuring consistency and best practice.

PROPOSAL

It is proposed that Council adopt the revised Clothing Bins on Council Land Policy.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Goal – *'We are a connected and engaged community'*.

It specifically delivers on the core Business of Property Services, in particular *'manage Council's commercial property portfolio including purchase, sale and leasing'*.

CONCLUSION

The revised Clothing Collection Bins on Council Land policy provides Council with a clear and consistent framework for the placement of clothing collection bins on Council land that ensures transparency and adheres to relevant legislation.



CLOTHING COLLECTION BINS ON COUNCIL LAND COUNCIL POLICY

ADOPTED BY COUNCIL: [TO BE COMPLETED BY GOVERNANCE]

PURPOSE

The purpose of this policy is to provide effective control over the use, location, and number of clothing collection bins in the City.

POLICY INTENT

Council manages public land and roads throughout the City. Council will support charity activities as may be appropriate to the benefit of the community.

Council recognises the suitability of some public land and roads for the retention of clothing collection bins by charities and will support such bins being located on Council land and public roads where appropriate.

WOLLONGONG 2032 OBJECTIVES

This Policy supports our Community Goals outlined in Wollongong 2032, with interconnected objectives being:

1. We value and protect our environment.
2. We have an innovative and sustainable economy.
3. We have a creative, vibrant city.
4. We are a connected and engaged community.
5. We have a healthy community in a liveable city.

This Policy contributes to Goal 4 – “we are a connected and engaged community”, and specifically delivers on the core Business of Property Services, “manage Council’s commercial property portfolio including purchase, sale and leasing”.

POLICY

- An application for the placement of a clothing bin will only be approved if the owner of the bin is a member of the National Association of Charitable Recycling Organisation (NACRO) and/or a 100 percent charitable organisation (including church groups).
- Proof of membership is to be submitted with the application for approval.
- Approved bins will have a label attached issued by NACRO identifying that the owner is a member of that organisation or clearly labelled that they are a 100 percent charitable organisation.
- The approval for the location of a clothing bin will be for a period of up to five (5) years.
- The organisation to effect public liability insurance of at least \$20 million. On the anniversary of the licence term, the licensee must produce evidence to Council of the current insurance policy. If the licensee fails to maintain the required insurance policy, then Council may effect the policy and recover the insurance premium from the licensee as a charge under the licence.
- Approval will only be granted for the clothing bin to be situated in Council owned car parks and must not obstruct an access way or parking place.

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COUNCIL POLICY

- The clothing bin must be emptied on a regular basis and the area around the bin to 3 metres must be maintained in a neat and tidy condition at all times. This requirement will continue to apply for a period of up to six (6) months following removal of a clothing bin from a location. Failure to remove rubbish and dumped material from around the bin will result in punitive action and ultimately termination of the occupation right for the bin at the specific location.
- Clothing Bins should be as presentable as possible, with regular maintenance and painting undertaken.
- Council may direct the replacement of a clothing bin that is damaged.
- Charity banking of bins is preferable and the location of these bins within the car park will be at the discretion of Wollongong City Council. The number of clothing bins permitted on each site will be determined on a site-specific basis.
- Clothing bins will not be permitted on Council nature strips (footpaths).
- Council may direct that a clothing bin be removed or replaced at any time giving 30 days' notice in writing.
- Wollongong City Council reserves the authority to remove a bin after giving 60 days' notice in writing.
- If a clothing bin is placed on Council property without Council's approval, an order will be given to have the bin removed within seven (7) days. If the bin is not removed, Council may issue a Penalty Infringement Notice and/or impound the bin. The fee for impounding a bin will comprise the commercial cost of having the bin transported to a storage facility plus administration and storage fees. These fees may change from time to time in accordance with Council's Fees and Charges. Any additional costs associated with the clean-up of the area associated with the bin will be carried by the licensee.
- Rental in accordance with Council's Community Groups rental reviewed annually and charged per licence agreement.
- Legal fees associated with the preparation of the licence agreement will be in accordance with Council's Non-Profit Community Groups licence preparation fee as reviewed annually in Council's Fees and Charges.
- The granting of any approval will be subject to any necessary planning requirements.
- An application must be made on Council's 'Application For Permit' form requesting permission for the placement of a clothing bin.
- The application to include:
 - description of the proposed site of the bin;
 - proposed location sketch plan;
 - proof of membership of National Association of Charitable Recycling Organisations (NACRO);
 - Subject to approval, the licensee to effect public liability insurance for a minimum of \$20 million. On the anniversary of the licence term, or on request, the licensee must produce evidence to Council of the current insurance policy. If the licensee fails to maintain the required insurance policy, then Council may effect the policy and recover the insurance premium from the licensee as a charge under the licence; and
 - If not a standard size, the dimensions of the bin.
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LEGISLATIVE REQUIREMENTS

The Clothing Collections Bins on Council Land Policy ensures Council's legislative requirements prescribed under the Local Government Act 1993 and section 125 of the Roads Act 1993 (NSW).

REVIEW

This Policy will be reviewed a minimum of once every term of Council, or more frequently as required.

RELATED STRATEGIES, POLICIES AND PROCEDURES

Leases and Licensing Council Policy

APPROVAL AND REVIEW	
Responsible Division	Commercial Operations & Property
Date adopted by Council	[To be inserted by Corporate Governance]
Date/s of previous adoptions	29 October 2018, 24 June 2014, 28 February 2005
Date of next review	[Not more than three years from last adoption]

CLOTHING COLLECTION BINS ON COUNCIL LAND

COUNCIL POLICY

WOLLONGONG CITY COUNCIL
CLOTHING COLLECTION BINS POLICY
APPLICATION FOR PERMIT

Name of Applicant:

Organisation:

Address:

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Telephone:

We have consulted with other charity organisations as to proposed location: Yes ☐ No ☐

Proposed Site:

(please show location of bin on sketch plan)

.....
Office use only

*Membership of National Association of Charitable
Recycling Organisations (NACRO)* Yes ☐ No ☐

Public Liability Insurance to at least the value of \$20 million Yes ☐ No ☐