

CITY OF WHITTLESEA

CLOTHING RECYCLE BIN GUIDELINES

1. INTRODUCTION

This Guideline sets out the general standards required by Council in terms of Clothing Recycling bins associated with conditions and use in the City of Whittlesea.

The Guideline combines the requirements of Council's General Municipal Law policies. It is intended to serve the purpose of guiding Council and Council Officers in the exercise of delegated and discretionary powers with respect to special collection provisions and informing the Clothing Recycling bin operators, the general public of the objectives and standards to be achieved.

Satisfaction of the requirements of this Guideline and or Policy does not necessarily guarantee that Council shall approve any intended location site.

2. OBJECTIVES

- To prohibit the placement of Clothing Recycling bins on Council owned or managed land or land under the control or lease of Council.
- The need to ensure Clothing Recycling bins are located appropriately and/or sensitively so as not to detract from the amenity and appearance of sites.
- Ensure that the provision for location of Clothing Recycling bins on the land is appropriate to the proposed use and not in contravention with the Planning Scheme or Planning Permit conditions
- Ensure that such provision is made in accordance with Council's General Municipal Law.
- All Clothing Recycling bins are clearly marked to differentiate charity donation bins from commercial operator collection bins to enable members of the public to make informed choices about to whom they make their donations.
- To ensure that Clothing Recycling bins are regularly emptied, cleaned and maintained in an orderly and proper manner;
- To ensure that the location of Clothing Recycling bins does not cause any obstruction to footpaths and roadways.
- To minimise traffic disruption in car parking or loading spaces
- To provide adequate on-site parking within the premise so that there is no overspill into adjacent residential or commercial areas.

- To ensure the Clothing Recycling bins are adequately fixed so as to not cause injury to any person or damage to property, to the satisfaction of Council.
- To indemnify Council and its employees from liability arising from the placement of the Clothing Recycling bins.
- To ensure that the Clothing Recycling bin operator is a registered charity, public benevolent society and or a Commercial entity incorporated under Victorian Parliament.

REQUIREMENT FOR APPROVAL FOR THE PLACEMENT OF CLOTHING RECYCLING BINS

Prior to placement of the Clothing Recycling bin the prospective provider shall lodge, for Council approval, an application for permit, guarantee and indemnity, letter of permission or agreement from the land owner, a plan showing proposed location of bins, buildings, all car spaces, access lanes and driveways.

The boundaries of all car spaces, access lanes and driveways and the direction in which vehicles are to travel shall at all times be indicated.

One bin operator will be allowed at each location for which there will be a Council prescribed permit fee per bin.

Any application which fails to comply with the provisions of Guidelines may receive a refusal from Council. Alternatively, Council may choose to issue a permit subject to the following conditions.

CONDITIONS RELATING TO THE PLACEMENT OF CLOTHING RECYCLING BINS

1. Bins must be placed in accordance with the guidelines and the permit conditions.
2. The bin operator having been granted a permit (subject to an annual payment of a prescribed fee for each bin) shall maintain a register which records the date, duration, size and location of each and every Clothing / Recycling bin placed pursuant to the permit.
3. Any bin operator that fails to comply with the conditions of a permit is liable to be served with an Infringement Notice and or Prosecution.
4. Contact is to be made with Council's City Amenity and Local Laws Unit Manager or delegated officer to confirm arrangements for the placement of bins. The bin must not be placed so as to exclude any of the conditions outlined in Clause 18.
5. Bin operators must have written or contractual agreements with the property owners before the application of a permit to place a bin.
6. The permit holder shall insure and keep insured itself against public liability for a minimum amount of \$20,000,000 during the currency of the permit. A guarantee and indemnity, in the prescribed form, must be executed, prior to the issue of the permit.
7. The cost of repairing any damage caused by the placement of a bin to any land or property owned or managed by Council shall be borne by the bin operator and until paid will disqualify that operator from obtaining any other permit.
8. The cost of any damage caused by the placement of a bin to any land or property owned or managed by a private owner / commercial entity shall be borne by the bin operator and until paid will disqualify that operator from obtaining any other permit.
9. The bin must be of sturdy construction, painted and illustrating the charity or organisation that it represents along with a 24 hour contact phone number current address.
10. Any overspill from the bin must be collected within 24 hours upon receipt of any complaint and on immediate request from the council.
11. The permit holder is to provide a maintenance program that ensures that all bin sites and surrounds are checked and cleaned as required every Monday, Wednesday and Friday.

12. Graffiti on any bin shall be the responsibility of the bin operator and be removed within 24 hours upon receipt of any complaints.
13. Bins are to be located on private / commercial property only, must be under lighting and have availability of constant video surveillance upon request by a Council Authorised Officer.
14. Video Surveillance footage or copies are to be available to the relevant Council Authorised Officer on request.
15. No bins are permitted to be located on Council owned or Managed Land or land under the control or lease of Council includes but not limited to Council reserves and places of family entertainment, cricket grounds, soccer pitches or the like.
16. The location of each bin to be approved by the relevant Council Authorised Officer
17. Bins **must** be screened from the public view if deemed appropriate by an Authorised Council Officer.
18. Bins shall be placed to ensure that:-
 - a) pedestrian access along any footway is not obstructed;
 - b) no bin is placed within 9 metres of an intersection (roadway);
 - c) reasonable access to or egress from a private driveway is not restricted;
 - d) the bin is screened to meet the amenity of the area; (see clause 17)
 - e) all parking regulations are complied with;
 - f) reasonable access by pedestrian or vehicular traffic to any right-of-way or passage is not restricted;
 - g) free use of any manhole, fire hydrant or plug, telephone box, taxi rank or bus stop, are not obstructed; and
 - h) safety is maintained for the general public and users of the road or land on which the bin is placed. The vision of motorists or pedestrians must not be obscured.
 - i) A maximum of 1 operator being permitted to place a bin in any 1 (one) Location
 - j) No bins or goods shall be stored on any car parking space.

It should be noted that no reduction in the car parking requirement shall be allowed on the basis that other developments or uses which exist nearby have a shortfall in parking.

Car parking for specific uses may be detailed further in individual policies for such uses. You are invited to inquire at Council's Established Areas Planning Department for the availability of policies on specific uses.

Should general rubbish accumulate around the clothing / recycling bins not be removed and maintained in a tidy state, then the bin will be removed with the rubbish and impounded awaiting collection by the owner and payment of the impounding fee. Should this impounding occur on more than two occasions at a site, permission will be withdrawn to the operator to use the site for locating its clothing / recycling bin.

Unauthorised bins will be impounded and all costs claimed from the Bin Operator

Impounded bins will be subject to the following conditions:-

- A weekly storage fee **may** be applied to each impounded bin prior to its release on payment of the prescribed release fee ,to its owner;
- Bins not claimed within 28 days of being impounded will be disposed of as deemed appropriate and in accordance with the Local Government Act 1970.

Further enquiries in relation to this policy should be directed to the Unit Manager City Amenity and Local Laws on 9217 2170 (Locked Bag 1, Bundoora MDC 3083) or alternatively any appropriate officer