

# Policy      Status: Approved

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**Responsible Officer:** Policy Coordinator

**Document:**

TITLE:	Placement of Clothing Recycling Bins
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## **OBJECTIVE**

To state Council's policy with respect to the placement of clothing recycling bins in public places within the Council's area.

## **POLICY**

Council may approve the placement of clothing recycling bins in public places throughout the Council's area subject to the following conditions:

### **1. Council Approval Required**

Prior to the placing of any clothing recycling bin, approval shall be obtained from Council. Any approval to install a bin will lapse three (3) years from the date of approval.

## 2. Clothing Bins - General Requirements

- a) **Dimensions** - each bin shall be of a maximum capacity of 2.4 cubic metres.
- b) **Number of Bins**
  - (i) No more than two (2) bins shall be located together.
  - (ii) No single organisation shall be permitted to have more than a total of six (6) bins located in the Cessnock City Council area.
- c) **Wording on Bins** - each bin shall clearly bear the name and telephone number of the organisation who owns the bin and all information as required by the Charitable Fundraising Act, 1993, in lettering not less than 60 mm in height.
- d) **Appearance of Bins**
  - (i) The owner or the agent who manages the bin shall be responsible for the cleanliness of the immediate area surrounding the bin as well as the clothing bin itself.
  - (ii) The clothing bin shall be maintained in a good and serviceable condition and shall be emptied regularly and as necessary so that the contents do not spill and fall onto the surrounding area.
  - (iii) Any graffiti shall be removed from bins within one (1) week of its appearance in the case of non-offensive graffiti, and by the next working day in the case of offensive/obscene graffiti.
  - (iv) In cases where it is necessary for Council staff to clean the area surrounding the bin, due to the failure of its owner to do so, the cleaning cost shall be recoverable from the owner or agent responsible for the bin.
  - (v) Bin colours shall be subject to approval by Council and shall be such as not to detract from their surroundings.

## 3. Location

- a) **Spacing** - In order to reduce the adverse visual impact of a large number of bins, a minimum separation distance of 100 metres between groups of bins shall apply unless an exemption is made in individual cases where bins are placed within Church or other community property.
- b) **Stability** - Bins shall be placed in an upright position on a solid level, or near level, foundation.
- c) **Placing of Bins in Public Places**
  - (i) Bins shall 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. Bins shall not be placed in any such manner as to cause a danger to the public.
  - (ii) Bins shall not be placed in such a manner as to cause sight obstructions to vehicular and/or pedestrian movement.

## 4. Application for Approval

A written application for the placing of any clothing bin ("a waste storage container" for the purposes of Part C Management of Waste, of the Table to Section 68 of the Local Government Act, 1993) shall be submitted to Council by the bin owner, together with:

- a) Site plan in duplicate to a suitable scale showing the proposed location of the bin on the property, vehicle parking arrangements and any adjoining buildings.
- b) Plans in duplicate of the elevation of each bin, including colour and wording details.

- c) Proposed schedule of bin contents removal and site clean-up, including days and times.
- d) The bin owners' written indemnity to indemnify Council and private property owners (where applicable) against any suit or action arising from or incidental to the placement and/or servicing of the bin. Where clothing bins are placed on private property, Council shall be supplied with the property owner's written consent.
- e) Written evidence of Public Liability Insurance covering the bin owner and Council to a limit of indemnity not less than ten million dollars (\$10,000,000).
- f) The bin owner's written acceptance of responsibility for any damage done to any public road, kerb, footway or landscaping arising from the placement, use and servicing of the bin.

#### **5. Unauthorised Bins and/or Failure to Comply with Order**

Bins placed without Council's approval or not removed following failure to comply with Policy requirements will be impounded by Council and a redemption fee, as specified in Council's Fees and Charges, shall be paid prior to release, to offset Council's costs.

A bin shall be impounded for a period not longer than six (6) weeks. If Council does not receive payment for its release within that time, the bin will become the property of Council to be disposed of at Council's discretion.

#### **6. Bin Removal**

Should an approval lapse or bin not be placed or maintained in accordance with the approval, action will be taken by Council to order the relocation, maintenance or removal of the bin.

Failure to comply with an order could result in legal proceedings being instituted in accordance with Section 626 or 627 of the Local Government Act, 1993, or for the temporary structure (ie the bin) to be removed in accordance with the provisions of Section 678 of the said Act.