

CLOTHING RECYCLE BINS CODE OF PRACTICE

Attachment to General Local Law No.1 - 2013



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HUME CITY COUNCIL CLOTHING RECYCLE BINS CODE OF PRACTICE

1. PREAMBLE

- 1.1 In adopting the Clothing Recycle Bins Code of Practice, Council recognises that clothing recycling bins are critical to charities by providing opportunities for the community to recycle clothing and by reusing the clothing for charitable purposes.
- 1.2 Recycling bin sites are also a source of concern when unlawful dumping of goods compromises public safety and amenity and sites become unsightly as litter hot spots.
- 1.3 Council has developed the Code of Practice to ensure that all operators responsible for siting and maintaining bins understand the minimum acceptable community standards under which they may continue to function.

2. OBJECTIVE

- 2.1 Through implementation of the Code of Practice, Council will provide a safe and clean environment for the community in relation to the location and operation of clothing recycling bins.

3. RELATIONSHIP WITH GENERAL LOCAL LAW NUMBER NO.1 - 2013

- 3.1 This Code of Practice has been incorporated by reference into the Council's General Local Law No.1 – 2013.
- 3.2 Relevant parts of clause 2.6 of that Local Law provide:
 - 2.6.1 Without a permit a person must not place a clothing recycling bin in a municipal place or on a road.
 - 2.6.2 A person applying for a permit under clause 2.6.1 must comply with Council's Clothing Recycle Bins Code of Practice.
- 3.3 The Code referred to in that clause is this Code of Practice.

4. DEFINITIONS

Any word or term defined in General Local Law No.1 – 2013 has the same meaning in this Code of Practice.

5. PERMIT APPLICATION

- 5.1 Application
 - 5.1.1 An application for a permit must be in the form of Schedule 1 of the General Local Law No. 1 – 2013 and accompanied by the appropriate fee as prescribed by Council.

5.2 Permit Conditions

- 5.2.1 Permits on Council-controlled land will be reviewed upon failure by any bin operator to meet the requirement of a Notice to Comply within the time designated in that Notice to Comply.
- 5.2.2 Bins on Council-controlled land are to be removed within 48 hours of receiving written notice from Council that the permit has been revoked and, if not removed within the time stated in the notice, will be subject to impoundment by Council.
- 5.2.3 Unauthorised bins (ie those bins in respect of which neither a permit nor an agreement for their placement exists) on Council-controlled land will be subject to impoundment without notice.
- 5.2.4 All bin operators must provide evidence of public liability insurance cover of not less than \$10M in respect of bins operated on Council-controlled land.
- 5.2.5 Proof of current public liability insurance cover is to be forwarded to Council annually.

5.3 Number of Bins Per Site

- 5.3.1 Council will determine the maximum number of bins in a municipal place on a site-by-site basis.

6. SITING REQUIREMENTS

- 6.1 Bins must be sited to ensure that there is no detriment to pedestrians or vehicular traffic, or the health and safety of the community.
- 6.2 Bins will be permitted to be located on sites which are:
 - 6.2.1 easily accessible to donors and collectors;
 - 6.2.2 serviced with street lighting and well lit; and
 - 6.2.3 able to be serviced by a vehicle on 24 hour basis.
- 6.3 Bins are not permitted to be located:
 - 6.3.1 where the vision of motorists or pedestrians will be unduly impeded;
 - 6.3.2 where obstruction to any private driveway, right of way footpath, road, manhole, fire plug or hydrant, telephone or mail box, taxi rank or bus stop would be caused; or
 - 6.3.3 in any restricted parking area (eg loading zone, taxi zone or No Standing, No Parking areas).

7. BIN IDENTIFICATION

- 7.1 A bin must be identified in accordance with the *Fundraising Act 1998* and related regulations, and must display:
- 7.1.1 the name of the organisation responsible for placing the bin;
 - 7.1.2 the name of the organisation which is the principal beneficiary of the bin being there;
 - 7.1.3 whether the principal beneficiary is a charity or a commercial operator;
 - 7.1.4 a contact phone number for service or information;
 - 7.1.5 a clearly legible statement to the effect that only recyclable clothing (and small useable items that readily fit through the bin aperture) may be deposited inside the bin; and
 - 7.1.6 the address at which the bin operator can be contacted.

8. BIN PRESENTATION

- 8.1 All bins must be constructed, designed and finished in a manner which ensures stability and accessibility, restricts entry by unauthorised persons and minimises vandalism.
- 8.2 Bins must be located on the ground so as to be stable in all weather conditions.

9. BIN MANAGEMENT

- 9.1 Bin sites must be maintained in a clean and safe manner.

10. MAINTENANCE

- 10.1 Bin operators must ensure that bins and bin sites are cleared regularly or as appropriate to their use and amenity.

11. EMERGENCY RESPONSE

- 11.1 Where practicable, bin operators must assist appropriate authorities in an emergency.
- 11.2 Bin operators must ensure that any bin condition which Council specifies to be in an unacceptable condition (because it is not free of graffiti, is damaged, is illegibly labelled or the like) will be maintained or rectified within 48 hours of receiving a notice from Council specifying the nature of the unacceptable bin condition.
- 11.3 Bin operators must remedy problems which arise in respect of bins as soon as practicable, including identifying offenders and using a collaborative approach to seeking solutions to the issues (rubbish dumping, types of rubbish, graffiti, and the like).

12. SIGNAGE

- 12.1 Signs must be erected in the immediate vicinity of the bins by the bin operator as requested by Council, specifying the nature of offences (concerning inappropriate placement of materials) and the penalties applicable.

13. LANDSCAPING

- 13.1 Site preparation and secure and attractive presentation in well-lit and highly visible positions must take place.