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# THE COUNCIL OF THE MUNICIPALITY OF WATKINS



MEMORANDUM: FINANCE COMMITTEE

FROM: ADMINISTRATIVE OFFICER CLOTHING

SUBJECT: COLLECTION BINS POLICY 77-44

DATE 7 May 1991

## BACKGROUND

Council has no set Policy in respect to the approval for the placement of Clothing Collection Bins within the Municipality. However, certain guidelines were formulated following the approval for the Smith Family to place bins at designated areas within the Municipality. These guidelines have been included within the proposed policy.

## PROPOSED POLICY - CLOTHING COLLECTION BINS

It is recommended that authority be delegated to the Municipal Engineer implement this Policy in accordance with the following guidelines:  
to

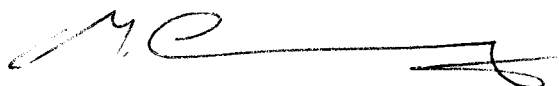
1. The location and number of bins to be to the satisfaction of the Municipal Engineer.
2. Clothing bins must be serviced at least once a fortnight and maintained in good condition.
3. Bins are to be removed or relocated as directed by Council within forty eight (48) hours written notice.
4. Bins will not be permitted on any site were there is unreasonable impact on the amenity of the area or streetscape.
5. An annual Licence Fee of \$100.00 shall be payable for each clothing collection bin located on Council property.
6. Only bona fide charitable groups shall be given permission to locate clothing collection bins on Council property.
7. The charitable organisation shall provide Council with evidence of a Public Liability Insurance Policy for the amount of \$5,000,000.00 for any injury or damage caused as a result of the bins.

## ASSESSMENT

The Legal Officer has advised that there is no provision within the Local Government Act or Ordinances to impound clothing collection bins which have been placed on Council property without permission. However, Council can exercise control by granting or refusing a Licence for the placement of bins on Council property.

## RECOMMENDED

That the abovementioned Policy for clothing collection bins on Council property be adopted.

A handwritten signature in black ink, appearing to read 'MC', followed by a long horizontal line that ends in a small flourish.

Michael Cranny  
Administrative  
Officer

REPORT TO: FINANCE COMMITTEE

FROM: DIRECTOR OF CORPORATE SERVICES

SUBJECT: CHARITIES - FURTHER REPORT ON NEW ACT

FILE: 77-44; 929-40(2)  
DATE: 9TH JUNE, 1994

### Background

My report of the 5th May provided for a further report on the impact of the Charities Fundraising Act 1991, and Regulations 1993, which commenced on 1st September, 1993, on organisations using the Charity Kiosk at Bondi Junction Mall and on the use of collection bins.

### Charity Kiosk

This is administered by Woollahra Council for the two year period ending 31st December, 1994, when it will revert to Waverley to administer for the following two years. The criteria used to determine eligibility that groups are:

- (i) non-profit; and (ii) community

We will need to decide with Woollahra whether both Councils now amend the eligibility conditions to include only those groups holding an authority to fundraise in their own right or sanctioned by another authorised group.

### Collection Bins

Current policy was set in May, 1991, to provide:

1. The location and number of bins to be to the satisfaction of the Chief Engineer.
2. Clothing bins must be serviced at least once a fortnight and maintained in good condition.
3. Bins are to be removed or relocated as directed by Council within forty eight (48) hours written notice.
4. Bins will not be permitted on any site where there is unreasonable impact on the amenity of the area or streetscape.
5. An annual licence fee of \$100.00 shall be payable for each clothing collection bin located on Council property.
6. Only bona fide charitable groups shall be given permission to locate clothing collection bins on Council property.

7. The charitable organisation shall provide Council with evidence of a Public Liability Insurance Policy for the amount of \$5,000,000.00 for any injury or damage caused as a result of the bins.

The new Act replaces the concept of "registered charity" with that of the authority to fundraise. The Chief Secretary's Department will provide a list of these so authorised under the Freedom of Information Act for \$75.00 (\$30 application and \$45.00 processing). However, a telephone call will answer the question as to whether a particular organisation holds an authority under the Charitable Fundraising Act.

The Act regulates the conduct of appeals for donated goods which includes the conduct of clothing bins. In some cases the appeal is conducted jointly between a charity with authority to fundraise and a commercial trader. The Act provides in these cases that all reasonable steps be taken to achieve a fair and equitable return from the appeal.

The advertising of the appeal on the collection bins must include minimum particulars, be of a certain format, include information about the number of bins in use and the return to the charity.

**Recommendation:**

1. That the report be received and noted;
2. Discussions take place with Woollahra Council about the approval criteria for groups applying to use the Charity Kiosk in the Bondi Junction Mall;
3. That only charitable groups holding an authority to fundraise from the N.S.,.W. Chief Secretary's Department shall be given permission to locate clothing collection bins on Council property.
4. The charitable organisation shall provide Council with evidence of a Public Liability Insurance Policy for the amount of \$5,000,000.00 for any injury or damage caused as a result of the bins.
5. An annual licence fee of \$100.00 shall be payable for each clothing collection bin located on Council property.
6. Clothing bins must be serviced at least once a fortnight and maintained in good condition.
7. Bins are to be removed or relocated as directed by Council within forty eight (48) hours written notice.
8. Bins will not be permitted on any site where there is unreasonable impact on the amenity of the area or streetscape.
9. The location and number of bins to be to the satisfaction of the Chief Engineer.
10. The Chief Engineer report to the Finance Committee on the number, location and purpose of such bins each July and January.

**Ros Riordan**

**Director, Corporate Services**