



Community & Environment Committee

Agenda: *Community & Environment Committee*

Date: *Monday 27 March 2006*

Time: *6.00pm*

Outline Of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

Delegated Authority (“D” Items):

- Community Services and Programmes.
- Health.
- Liquor Licences.
- Fire Protection Orders.
- Residential Parking Schemes (surveillance and administration).
- Traffic Management (Traffic Committee Recommendations).
- Waverley/Woollahra Process Plant.
- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agendas (and as may be limited by specific Council resolution).
- Confirmation of the Minutes of its Meeting.
- Any other matter falling within the responsibility of the Community and Environment Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed below.
- Library Services
- Licensing.
- Regulatory.
- Waste Minimisation

Recommendation only to the Full Council (“R” Items):

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Matters which involve broad strategic or policy initiatives within responsibilities of the Committee.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters delegated to the Council by the Traffic Authority of NSW.
- Matters not within the specified functions of the Committee, or which are not the subject of a Business Agenda (current or past).
- Matters reserved by individual Councillors, in accordance with any Council policy on "safeguards".
- Parks and Reserve Plans of Management (Strategies, Policies and Objectives)
- Residential Parking Schemes - Provision and Policies

Committee Membership:

7 Councillors

Quorum:

The quorum for a Committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

23 March 2006

To: The Mayor, Councillor Andrew Petrie, ex-officio
Councillors Anthony Boskovitz (Chair)
 John Walker (Deputy Chair)
 Claudia Cullen
 Marcus Ehrlich
 Tanya Excell
 Julian Martin
 Fiona Sinclair King

Dear Councillors

Community & Environment Committee Meeting – 27 March 2006

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Community and Environment Committee** to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Monday 27 March 2006 at 6.00pm.**

Gary James
General Manager

Meeting Agenda

Item	Subject	Pages
1	Leave of Absence and Apologies	
2	Late Correspondence	
3	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 13 March 2006	1
D2	Plastic Bag Working Party	2
D3	Organics Collection Trial	4
D4	Consultant Brief	7

Items to be Submitted to the Council for Decision with Recommendations from this Committee

R1	Community Services Grants and One-Off Donations – 30.G	9
R2	Policy on Clothing Bins on Council Land – 297.G	20

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 13 March 2006**
Author: Les Windle, Manager - Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 13 March 2006 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

That the Minutes of the Community and Environment Committee Meeting of 13 March 2006 be taken as read and confirmed.

Les Windle
Manager - Governance

Item No: D2 Delegated to Committee
Subject: Plastic bags working party
Author: Pamela Mina – Waste Projects Officer
File No:
Reason for Report: To inform Councillors of the progress of the Plastic Bags Working Party

Recommendation:

1. That the report be received and noted.
2. That Council endorse the purchase of the proposed banner in order to assist with promotion of the key campaign message and retail precinct's commitment to reducing plastic bags.

Background:

In May 2004, the Plastic Bags Working Party (PBWP) was formed to drive a "Say No to Plastic Bags" initiative within the Woollahra LGA.

The PBWP aims to reduce the amount of plastic bag use within the LGA by targeting local businesses and providing them with promotion, resources and support in order to make this happen.

To date, the PBWP has worked with several retail precincts including Plumer Rd shops, East Point shopping centre in Edgecliff. The PBWP worked successfully with the retailers and managing agent to introduce a re-usable bag similar to the 'green' bags that are available at Woolworths and Coles. Plumer Rd shops are now selling these bags to their customers at a minimal cost.

More recently Bellevue Hill shops received a presentation from the PBWP members about how to reduce plastic bags from their shops and look at bulk purchasing an alternative bag (similar to Plumer Rd). Retailers are currently displaying promotional materials and resources provided by the PBWP.

The PBWP are currently making plans to strategically spread the campaign amongst all of the retail precincts within the LGA with the assistance of the local Chambers of Commerce.

Following the meeting with Bellevue Hill retailers, a banner was proposed as a promotional tool to help raise awareness for consumers shopping at/visiting the retail precinct as well as demonstrating the retail precincts commitment to reducing plastic bags. This banner could then be used across the LGA on a rotational basis for those precincts who are keen to come onboard with participating in the campaign.

Three quotes for the banner have been sourced and funding will be made available from the PBWP budget. The cost should not come to more than \$2000 for the banner in total. The message on the banner will state:

Welcome to Rose Bay shops
Please help us reduce plastic bag use in our community
Make a difference: Say no to plastic bags. Use an alternative

(there is the ability to change the name of the retail precinct i.e. Rose Bay shops – this will peel off allowing different names of retail precincts to be used accordingly)

The banner will be double sided, however the first line will be limited to one side only.

Conclusion

The PBWP are committed to raising awareness of the plastic bag issue and the continued promotion and support of small business as a part of this campaign. Retailer's feedback has indicated that using a banner as a communications medium is a great way to promote the initiative as well as promoting their retail precinct's commitment to reducing plastic bags.

Pamela Mina – Waste Projects Officer

Warwick Hatton Director -Technical Services

Item No: D3 Delegated to Committee
Subject: **Organics Collection trial**
Author: Mark Ramsay – Manager Depot & Waste Services
File No:
Reason for Report: To inform Councillors of a proposed organics collection trial

Recommendation:

1. That the report be received and noted
2. That the Plastic Bag Working Committee investigate ways of combining the trial with the reduction campaign

Background:

In April 2005 a waste audit was conducted by A Prince Consulting. The results of this audit showed that food scraps make up 40% of the total domestic waste collected from each household.

In an attempt to reduce the amount of waste sent to landfill, avoid paying the increasing waste levy and significantly reduce tipping costs, Woollahra, in conjunction with SSROC, is proposing to implement a trial to test the viability of establishing an organics collection service.

It must be noted that this trial can only take place with funding from SSROC.

This service will make use of the existing green waste bins and collection service currently offered to our residents. The organic material collected will include, fruit, vegetable, meat, fish, dairy products from the kitchen; food soiled paper, kitchen disposable towels and tissues; lawn clippings, garden pruning, flowers and leaves.

The organic matter collected will be deposited at a resource recovery facility for processing into organic fertiliser.

An educational toolkit will be developed and an information program conducted prior to commencement, with feedback from residents sought throughout the length of the trial. Results of the trial and feedback obtained will be forwarded to Council for review every six months.

Scope of Trial

The monitoring of the trial will be conducted over a two year period, beginning mid 2006 and will take in approximately 3,300 households in the Vaucluse/Watsons Bay area and may, if successful, flow into a full time service.

The aim will be to measure the participation rate of selected households, the amount of organic matter diverted from landfill and the economic viability of organic collection.

The two forms of measurement are likely to be quantitative and qualitative.

Quantitative is likely to be data output.

Qualitative is likely to be questionnaires, verbal feedback, forums, interviews and group sessions.

Expressions of Interest were sought and two consultancy firms engaged to assist in setting up and monitoring the trial.

“The Institute of Sustainable Futures” has been engaged by SSROC to provide expertise in the setting up and monitoring of the performance and acceptance of the educational toolkit and the communities acceptance and participation of the trial. They will also run the forums, group sessions and put together the questionnaires.

“Acumen” has been engaged to carry out the monitoring and reporting of the environmental and economical outputs of the trial.

Processing

Expressions of Interest were sought and two companies engaged to receive the organic product after collection, WSN Environmental Solutions and Earthpower.

Woollahra will be taking our product to Earthpower at Rosehill where it will be processed and turned into organic fertiliser.

Plastic Bag Reduction Campaign

To carry out the trial all residents will be presented with a small plastic bin and bio-degradable bags to place their food scraps into for disposal in their organics bin.

Whilst Council will supply these bags during the course of the trial, we can not continue to provide them permanently and a permanent supply option for residents must be found.

It is possible that the “Plastic Bag Reduction Campaign” can be utilized to assist with this need.

There are a number of options open to Council to help reduce, or offset, the initial purchase price of the bi-degradable bags and provide a positive outcome for those businesses wishing to be involved in the plastic bag reduction campaign.

1. Provide assistance with the cost of advertising those businesses that partake in supplying bio-degradable bags rather than normal plastic bags.
2. Provide the means for businesses to join together and purchase the bags in bulk.

This will allow residents to shop at these businesses and stock up on their bio-degradable bags for use in the disposal of their food scraps.

The funds to carry out these options could be recovered from the savings made in reduced tipping fees

Budget

The cost of the trial will be funded predominantly by SSROC. Council will make a contribution, but it is expected that this contribution will be offset by the savings in tipping fees.

Conclusion

The State Government has set a waste recovery target of 66% by the year 2014.

Whilst Woollahra is currently performing very well in diverting waste, only small improvements can be made by using existing methods. However, the implementation and success of this trial could result in Woollahra exceeding these targets within two years, whilst significantly reducing our tipping costs.

Significant trials of this type have been carried out in other states with considerable success. The implementation of this trial by Woollahra would see us at the forefront of organic collection in New South Wales.

Mark Ramsay Manager - Depot & Waste Services

Warwick Hatton Director - Technical Services

Item No: D4 Delegated to Committee
Subject: **Consultant brief**
Author: Mark Ramsay – Manager Depot and Waste Services
File No:
Reason for Report: To inform Councillors about a proposed survey of residents regarding their attitude to a change to the current garbage service in Paddington/West Woollahra

Recommendation:

1. That the report be received and noted.
2. That there be a further report on the results of the survey.

Background:

As a result of feedback from our Liveable Lanes project, and in response to complaints received from time to time regarding littering problems and street noise of waste collections, we are investigating ways to improve the waste service in the Paddington and West Woollahra area.

Currently, we collect 120L rubbish weekly within the LGA. This is collected once a week except for Paddington/West Woollahra which have a twice weekly collection via 55L bins. Paddington/West Woollahra are serviced in two zones: Zone 6 - serviced on Mondays/Thursdays and Zone 8 – serviced on Tuesdays/Fridays.

Recycling is collected on the first collection day i.e. Monday or Tuesday, and garden organics are collected on Wednesday in both zones.

Therefore Paddington/West Woollahra residents are putting out their bins three times a week for service (instead of once a week like everywhere else). This practice dates from the introduction of the new waste services in October 2001. Surveys carried out at the time resulted in a small majority of residents in these areas opting for twice a week collection, on the basis it was easier to accommodate 55L bins in terrace houses.

However, there are disadvantages to residents in these frequent collections, such as:

- Early morning compactor noise
- Polluting emissions and traffic congestion with trucks in street three times a week
- Incidence of illegal dumping associated with bins left in the street
- Bins left in the street during the day detracting from the appearance of streets and neighbourhood
- Attraction for vermin and litter from polluting the environment.
- Incidence of stolen and broken bins.

We are therefore reconsidering the introduction of a once a week 120L service for these areas, which would reduce the frequency of traffic noise and congestion in each week, and reduce the potential for littering and dumps.

We are also considering the possibility of a night service operating between the hours of say 7pm – 11pm with rubbish and garden organics possibly collected on the same night – however, recycling would remain the same. The residential streets would be serviced first followed by the commercial areas. This would remove entirely the problems of early morning noise.

A change to the hours of collection, if favoured by residents, would be the subject of negotiated changes to current service agreements.

What is being proposed at this stage is a survey to assess the residents' preferences. A brief has been put together with the intention of obtaining quotes from consultants who can do the survey and then assess the findings which will provide the information on whether or not this proposal would be recommended to Council.

It is estimated that the cost of employing a consultant to do this research will be in the order of \$8000. This would be funded from the Domestic Waste Levy.

Conclusion

We believe that improvements can be made to the waste service in these areas. This survey is proposed to be undertaken to ensure that any changes proposed are made according to the residents' preferences.

Mark Ramsay
Manager – Depot & Waste Services

Warwick Hatton
Director -Technical Services

Item No: R1 Recommendation to Council
Subject: **Community Services Grants & one-off donations**
Author: Kylie Walshe
File No: 30.G
Reason for Report: To give consideration to the Community Grants Policy and donations by Council.

Recommendation:

- A. That Council adopt the revised Community Grants Policy, allocate funds in the 2006/07 budget and commence the advertisement for 2006/07 grants.
- B. That a report be presented to Council on receipt of Community Grant applications for final determination of grants for 2006/07.
- C. That Council allocate funds for donations on an 'as needs' basis for humanitarian and emergency assistance, national or internationally, as and when such emergencies arise during the year.

Background:

Council has a long history of providing grants and support to local community organisations. It is through assisting these organisations that the Woollahra community has been enhanced and strengthened.

When considering the allocation of the 2005/06 Community Grants ('grants') on 5 September 2005, Council resolved:

- a) *That the recommendation be adopted in relation to the allocation of Small Community Grants for 2005/06 under Section 356 of the Local Government Act, and in accordance with Council's adopted policy objectives and selection criteria.*
- b) *That a function be organised to present and celebrate the awarding of the Community Grants to successful organisations.*
- c) That a report come to the Community and Environment Committee about the future of the provision of small Community Grants.

On of 14 November 2005, Council adopted the Notice of Motion:

That a report be brought to Corporate & Works Committee investigating a framework for the allocation of a financial donation on an 'as needs' basis in the event of disaster, whether within Australian borders or internationally, that results in the need for humanitarian and emergency assistance.

This report will address item C and the Notice of Motion above. It will review the Community Grants Program, expenditure allocated to this program and a process to allocate donations as the need arises during the year.

A. COMMUNITY GRANTS

History:

Council has allocated \$50,000 for small community grants for a number of years, in addition to the subsidy provided to Holdsworth Street Community Centre and Woollahra Senior Citizens Centre. Of this \$50,000 allocation, \$700 has annually allocated for recognition awards at primary schools within the Woollahra Municipality, of which there are 14. The Community Grants Policy was revised and adopted in 2003 (see Annexure 1), with Guidelines developed in accordance with this Policy and used in 2003, 2004 and 2005.

The applications recommended for funding over the past three years have all been projects that provided substantial benefit to high priority groups in Woollahra. The funds were allocated to organisations providing services to the target groups of children & families, young people, older people & people with a disability, and for cultural development activities for the broader community. The organisations that have received funds over the past three years are listed in Annexure 2.

Each year, the grant applications were assessed in reference to the objectives and selection criteria adopted by Council and in accordance with the needs and priorities in the Social Plan 2002, the Cultural Plan 2003 and the Social Needs Study, which includes the Ageing and Disability Services Strategy and the Children's Services Strategy, adopted on 8 August 2005. Organisations that have not been recommended for funding in the past were generally organisations with other means of raising funds and attracting grants from other government agencies to fund their operations.

Consultation:

Through consultation with past grant recipients it is clear that these organisations value the contribution by Council and would be unable to provide the same level of service to the Woollahra community without a grant from Council. An example is the grant provided to Point Zero Youth Services in 2004 and 2005 (\$5,000 per annum) which funded a Saturday night patrol service of the Waverley and Woollahra areas to help keep young people safe, especially those that are highly vulnerable. As young people out at night is an issue regularly debated in this community, this grant provided much needed support to young people every Saturday night. This service would have been reduced if the Council grant had not been provided.

Community Grants Policy:

The Community Grants Policy (the Policy) has operated well for three years, with some minor change recommended to more accurately reflect the grants allocated by Council.

A major concern that has been expressed by community organisations is the confusion over whether the Policy allows the grants for both one-off projects and operational expenses. Organisations such as the Woollahra Philharmonic Orchestra, Waverley Woollahra Arts Centre, Waverley Action for Youth Services (WAYS) and Bondi Community Street Project regularly apply for funding which could be categorised as projects or operational. To reduce the confusion on this issue, amendments are recommended and shown in Annexure 3, with changes highlighted.

The amended Policy clearly includes the allocation of grants for operational purposes, with the proviso that organisations receiving such grants continue to seek alternative funding. It is also clear in the Policy that by providing this funding in one year does not guarantee any further funding in future years, encouraging alternative funding arrangements to be sourced. This amendment has been made to the Policy and recommended to Council for approval.

Proposal:

It is proposed that the amended Community Grants Policy be adopted and implemented in the 2006/07 financial year. The overarching aim of Community Grants is not recommended for amendment, with the aim remaining - "to encourage the development of local community based services which meet identified needs of people living and working in the Woollahra local government area".

Through the provision of these Community Grants Council will continue to play a pivotal role in the development of the Woollahra community whilst demonstrating Councils commitment to community and cultural services.

B. ONE-OFF DONATIONS

Council receives a number of requests for one-off donations during any financial year. Council has also indicated that it may like to donate some funds to emergencies across the globe, such as the Tsunami Appeal and the earthquake disaster in Pakistan in 2005.

Whilst reviewing the Community Grants Program it was considered whether it would be suitable for donations for these types of emergencies to be included in the program. As Community Grants are limited only to organisations providing services for the people of Woollahra it is not considered appropriate to amend the Policy or Guidelines to include one-off donations to emergencies around the globe.

Proposal:

It is recommended that Council allocate funds as the occasion arises during the financial year to fund one-off donations on an as needs basis in the event of disaster, whether within Australian borders or internationally, that results in the need for humanitarian and emergency assistance. It is recommended that Council pass a Notice of Motion when such an event occurs for full Council approval. The donation will then be administered and budget adjusted by staff.

Identification of Income & Expenditure:

It is proposed that Council determine the total budget allocation for Community Grants through the usual budget process. It is recommended that final allocation of Grants be determined once the applications for community grants have been received for each year, as reported to Council in July/ August of each year. This will provide Council with the ability to change the Grants per year in accordance with need.

It is also recommended that Council allocate funds for emergencies and disasters as and when the need arises, not during the with an adjustment to the budget for that year made accordingly at the next quarterly budget review.

Conclusion:

The amended Community Grants Policy retains the aim to “*encourage the development of local community based services which meet identified needs of people living and working in the Woollahra Local Government Area*” and clarifies the ability for grants to be provided for one-off events and direct operation expenses. This report also provides a mechanism for Council to use should it wish to donate funds for disasters that need humanitarian and emergency assistance.

Kylie Walshe
DIRECTOR, COMMUNITY SERVICES

ANNEXURES:

ANNEXURE 1 - COMMUNITY GRANTS POLICY, 2003

ANNEXURE 2 – LIST OF PAST COMMUNITY GRANT RECIPIENTS.

ANNEXURE 3 - COMMUNITY GRANTS POLICY, WITH RECOMMENDED AMENDMENTS

ANNEXURE 1:

Council Policy adopted 16 May 2003.



Community Grants Policy

Version No: 1
Approved By: Manex
Approval date: May 2003
Responsible Officer: Manager, Family and Community
Development

Our policy

Woollahra Council seeks to encourage the development of local community based services which meet identified needs of people living and working in the Woollahra Local Government area through the annual provision of Community Service Grants and in kind assistance. This support is provided under Section 356 of the Local Government Act (1993).

Background

This is a **non-recurrent small grants program** made available to non-profit community based organisations which provide a service which is of benefit to the residents of the Woollahra municipality - or to particular target groups - and which strengthen community networks and self supporting community relationships.

Donations are not intended to lead to a dependency on Council for ongoing funding.

Evidence must be provided that the organisation or group is community based and is not conducted for private gain.

Requests for funding will not automatically be approved, and if approved, Council makes no commitment towards continued funding.

Objectives

The objectives of the Community Grants Program are:

1. To encourage programs and activities which foster independence and social participation and which strengthen the social fabric of the Woollahra community.
2. To support innovative responses to community needs, particularly for disadvantaged groups and individuals.
3. To provide establishment grants where no alternative funding sources exist
4. To encourage community partnerships between community organisations.
5. To encourage high quality service delivery.

6. To develop the skills of the local community.
How this policy relates to our Management Plan

The Policy relates to Council's Principal Activity 5, Community Services and assists with achieving the following key objective:

- *To plan, facilitate and provide a range of community services and activities responsive to needs of people who live and work in our area.*

Selection Criteria

Applications for a Grant must be made on the Community Grants Application form provided and will be assessed against the following criteria:

- the benefit that will accrue to the community as a whole and that which will be gained by residents facing particular needs within the LGA
- eligibility for funding from other sources
- the organisation's ability to effectively manage and deliver community or cultural services.
- capacity of the service or program to become self sustaining/ independent of ongoing financial assistance from Council
- the degree to which the proposed activity/program complements existing services and activities
- the degree to which cooperative relationships with other local organisations have been established in relation to the proposed activity/program
- priority of the project in relation to other applications.
- the degree to which proposed activity/program provides opportunities for community participation and skills development.

ORGANISATIONS NOT ELIGIBLE FOR FUNDING

- profit making groups and organisations
- government departments or agencies
- organisations which hold a liquor license
- political parties and resident associations/chambers of commerce (the latter may be eligible for Council funding under Section 356 grants for civic purposes)
- groups which have not fulfilled previous Woollahra Council Grant conditions and specifications
- organisations with substantial funds other than for asset replacement and staff entitlements

Grants are not available for:

- projects which are already completed
- purchase of buildings or land
- staff positions that require recurrent funding
- major capital works
- upgrade of Council owned properties
- payment of Public Liability Insurance

- sporting activities
- contributions to individuals
- single events

Gary James

General Manager

Recommended for adoption, with amendments indicated in *bold italics*.



Community Grants Policy

Version No: 1
Approved By: Manex
Approval date: May 2003
Responsible Officer: Manager, Family and Community Development

Our policy

Woollahra Council seeks to encourage the development of local community based services which meet identified needs of people living and working in the Woollahra Local Government area through the annual provision of Community Service Grants and in kind assistance. This support is provided under Section 356 of the Local Government Act (1993).

Background

This is a **non-recurrent small grants program** made available to non-profit community based organisations which provide a service which is of benefit to the residents of the Woollahra municipality - or to particular target groups - and which strengthen community networks and self supporting community relationships. *(insert) The grants may be in the form of funding for one-off projects or direct operational expenses associated with the provision of a service. This does not include indirect costs, or exceptions detailed in this policy.*

Donations are not intended to lead to a dependency on Council for ongoing funding.

Evidence must be provided that the organisation or group is community based and is not conducted for private gain.

Requests for funding will not automatically be approved, and if approved, Council makes no commitment towards continued funding.

Objectives

The objectives of the Community Grants Program are:

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Applications for a Grant must be made on the Community Grants Application form provided and will be assessed against the following criteria:

- the benefit that will accrue to the community as a whole and that which will be gained by residents facing particular needs within the LGA
- eligibility for funding from other sources
- the organisation's ability to effectively manage and deliver community or cultural services.
- capacity of the service or program to become self sustaining/ independent of ongoing financial assistance from Council
- the degree to which the proposed activity/program complements existing services and activities
- the degree to which cooperative relationships with other local organisations have been established in relation to the proposed activity/program
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- the degree to which proposed activity/program provides opportunities for community participation and skills development.

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- government departments or agencies
- organisations which hold a liquor license
- political parties and resident associations/chambers of commerce (the latter may be eligible for Council funding under Section 356 grants for civic purposes)
- groups which have not fulfilled previous Woollahra Council Grant conditions and specifications
- organisations with substantial funds other than for asset replacement and staff entitlements

Grants are not available for:

- projects which are already completed
- purchase of buildings or land
- staff positions that require recurrent funding
- major capital works
- upgrade of Council owned properties
- payment of Public Liability Insurance
- sporting activities
- contributions to individuals
- ***single events (delete this, as often single events meet the selection criteria)***

Gary James

General Manager

Item No: R2 Recommendation to Council

Subject: Policy on Clothing Bins on Council Land

Author: Tim Tuxford, Manager - Compliance

File No: 297.G

Reason for Report: This report has been prepared in response to a Council 'Notice of Motion' adopted on 28 November 2005 which requested a report on clothing bins and to allow Council to consider the adoption of a formal policy on the placement of clothing bins on Council land.

Recommendation:

- A. That the Council adopt the 'Policy on Clothing Bins on Council Land' as contained in Annexure "1" of this report.
- B. That Council notify all owners/operators of clothing bins currently located on Council controlled land of the adopted policy, inviting the owners/operators of complying clothing bins to lodge a formal Section 68 Local Government Approval Application for the Council's consideration. Owners/operators of non-complying bins are to be requested to remove their clothing bins within 30 days of the date of Council's notification letter.

Notice of Motion:

At the Council meeting of 28 November 2005 the following notice of motion was adopted;

"THAT a report be submitted to the appropriate Committee of Council on introducing a fixed quota in regard to clothing collection bins for each commercial area, that they be confined to car parks, church grounds and any other suitable locations, but not allowed on footpaths or trailers on the street."

Background:

Section 68 of the *Local Government Act 1993* states that;

"(1) A person may carry out an activity specified in the following Table only with the prior approval of the Council, except in so far as this Act, the regulations or a local policy adopted under Part 3 allows the activity to be carried out without that approval."

Listed under Part C3 of the Table to Section 68 is *"place waste container in a public place."*

"Waste container", is not defined by the *Local Government Act* however *"waste"* is defined by the *Protection of the Environment Operations Act 1997* to include;

- "(b) any discarded, rejected, unwanted, surplus or abandoned substance, or*
- (c) any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, reprocessing, recovery or purification by a separate operation from that which produced the substance".*

As clothing bins are containers that are used for the collection of discarded, rejected, unwanted, surplus or abandoned items of clothing, rags, shoes, belts, bags and similar items, they can rightly be described as “*waste containers*”. Accordingly, clothing bins are not permitted to be placed in a public place, including public parks, reserves, roads, carparks and wharves, without a formal Section 68 Local Government Activity Approval.

Historically Council has not required approval for the placement clothing bins in or on public places because they were initially controlled by registered charities and it was accepted that they were providing a community service. However, in recent times there has been a proliferation of clothing bins throughout the area, many being commercially operated. With the ever increasing number of bins they are becoming visually intrusive, attracting graffiti and illegal dumping. In addition, less care is being taken with the positioning of the clothing bins, sometimes being placed in dangerous positions that obstruct both vehicles and pedestrians. Inadequately controlled clothing bins can cause environmental harm, damage to vehicles and possible injury to the public.

Therefore the historical practice of not requiring an activity approval for the placement of clothing bins in a public place should not continue.

Consideration:

It is inappropriate to place a full prohibition on clothing bins because they do provide a community service and allow for a significant amount of material to be recycled and diverted from landfill. However, the placement of clothing bins should be better controlled to minimise their environmental impact and ensure they do not continue to create a nuisance. This can be achieved by the adoption and implementation of a formal clothing bin policy, requiring all clothing bins on Council land to be subject to a Section 68 Local Government Activity Approval

A draft policy on the placement of clothing bins on Council land has been developed and is attached to this report as Annexure “1”. The stated purpose of the draft policy is to;

1. Identify how the placement and management of clothing bins will be controlled and regulated to minimise any nuisance and ensure public safety; and
2. Provide guidelines for the approval of Local Government Act Activity Applications for the placement of clothing bins on Council controlled land.

The suggested policy position is “*to permit a limited number of only charity operated clothing bins in Council's public carparks subject to the bins being located in a manner which will not cause inconvenience, each operator obtaining activity approval under the Local Government Act and each operator entering into a lease agreement.*”

The key elements of the draft policy can be summarised as follows;

- All clothing bins placed in a public place are to be subject to a Section 68 Local Government Activity Approval. Any approval will be for a maximum period of 5 years.
- The placement of clothing bins on private property does not require Council approval. Any nuisances that may arise from the placement of clothing bins on private land would be regulated through the Orders provisions of the *Local Government Act 1993* or the *Public Health Act 1991*, where applicable.
- Following approval of the Section 68 Local Government Activity Application, the owner of the clothing bin(s) is to enter into a lease agreement with Council, at a nominal fee, for the placement of the bins on Council controlled land.

- Only clothing bins that are owned or operated by a registered charity will be approved on Council controlled land. In this regard the owner/operator of the clothing bin must provide proof of membership to National Association of Charitable Recycling Organisation (NACRO) or proof that the organisation is a 100 percent charitable organisation.
- Clothing bins will only be permitted in public carparks at a general rate of one bin per 800m². At this rate it is estimated that the maximum number of clothing bins that would be permitted in the following carparks is as follows;
 - Anderson Street Carpark, Double Bay – 1 clothing bin
 - Dover Road Carpark, Rose Bay – 2 clothing bins
 - Kiaora Lane Carpark, Double Bay – 1 clothing bin
 - Wilberforce Carpark, Rose Bay – 3-4 clothing bins
- Clothing bins are prohibited on Council controlled parks and reserves and on public footpaths and roadways, including on the rear of parked vehicles.
- The charity responsible for the clothing bins is required to have \$10,000,000 public liability insurance.
- Clothing bins are to be managed and maintained so as not to create a nuisance. Council reserves the right to remove any approved clothing bin following ongoing breaches of the Section 68 Local Government Activity Approval or the lease agreement.

On the formal adoption of a clothing bin policy, each company that has clothing bins placed in the Woollahra Municipality would be informed of the new policy. Owners of clothing bins that are operated by a charity and that are located in Council carparks would be invited to lodge a retrospective Section 68 Local Government Activity Application. The application would need to be accompanied by the documents required by the policy and a non-refundable fee of \$100.

On consideration of the applications pursuant to Section 68 of the *Local Government Act 1993* and Council's adopted policy, formal letters of approval would be issued to complying applications, providing approval for the clothing bins to remain for a maximum period of 5 years subject to a number of conditions, including the requirement to enter into a lease agreement with Council.

A copy of the draft application form and pro-forma approval letter is attached as Annexure "2" and "3" respectively.

Owners of clothing bins that are not owned or operated by a charity and/or that are not located in a Council carpark would be requested to remove their bins within 30 days.

Conclusion:

Clothing bins provide a valuable service to the community, raising money for charities and providing residents with a convenient disposal point for unwanted clothing. They encourage recycling and divert unwanted items from the general waste stream and landfill. However badly managed and poorly located clothing bins can cause environmental harm, damage to vehicles and possible injury to the public.

Therefore to better control the placement of clothing bins on Council controlled land, it is recommended that Council adopt the attached draft policy and require all clothing bins placed in a public place to be subject to a Section 68 Local Government Activity Approval.

Tim Tuxford
Manager - Compliance

Allan Coker
Director - Planning & Development

Annexures:

1. Draft 'Policy on Clothing Bins on Council Land'
2. Draft activity application form for the placement of clothing bin(s) in a public place
3. Draft pro-forma Section 68 Local Government Activity Approval letter for the placement of clothing bin(s) in a public place.