

# ATTACHMENT 1



National Association of Charitable Recycling Organisations  
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23 August, 2013  
Ref: CBP

The Mayor and Councillors  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN, NSW 2560

Dear Cr Dobson,

AUG27'13 08:14:58 RCVD

I write on behalf of the members of the National Association of Charitable Recycling Organisations to ask for your support. NACRO represents Australian charities that rely on donations of clothing and household goods to support their community programs.

Increasingly, commercial enterprises are seeking to cash in on the philanthropic nature of Australians by using a charity name, for a small fee, on their collection bins. Donors are led to believe they are donating to the charity when they are actually giving their goods for free to a commercial reseller. Unlike NACRO members, these commercial enterprises have no Code of Practice or Regulator to which they are accountable. Australian communities are being deceived and fundraising resources are being diverted to commercial profit.

We are sure that your council is supportive of the work our charities do in your community; that you value the opportunities for employment and volunteerism charity recycling provides; that you recognise the importance of distributing clothing and goods in times of crisis; and, that you see the value of affordable shopping at charity op shops.

Charity recycling is the oldest recycling industry in Australia, diverting 300,000 tonnes of usable clothing and household items from landfill. More than 70% of this is collected via clothing donation bins. NACRO members are committed to a Code of Practice for the safe and efficient operation of clothing recycling bins.

On behalf of our members, we ask you to take an affirmative stand in support of charity recyclers that engage thousands of Australians through employment, volunteerism and supporting local communities. To that end, we ask that your council:

- Formulate and publish, like many other councils, a clothing collection bin placement policy
- Within the policy, limit the operation of donation bins to NACRO members. NACRO ensures that all its members are bona fide charities under state and federal legislation.
- Within the policy, include a "Code of Practice" for the safe and efficient management of clothing collection bins. A sample code can be found on the NACRO website.

More information and examples of policies that have been adopted by Australian councils are available on our website at [www.nacro.org.au/councilresouces](http://www.nacro.org.au/councilresouces).

I would be pleased to answer any questions and discuss with you this important matter for your local community.

Yours sincerely,

A handwritten signature in black ink that reads "Kerryn Caulfield". The signature is written in a cursive, flowing style.

Kerryn Caulfield, Chief Executive Officer  
National Association of Charitable Recycling Organisations

Encl: Brochure: Charity recyclers need your help

## AUSSIES HAVE A HEART

Australians love our NACRO charity op shops. Whether it is the volunteers that staff them, the bargain shopping or just the opportunity to participate by donating, charity op shops are integral to the fabric of Australian society.

**We love to know that items we donate will be put to good use.**

Australians are among the world's highest per capita donors of reusable clothing to charities.

For Australia's charity recyclers, these donations are essential to delivering community services to those most in need.

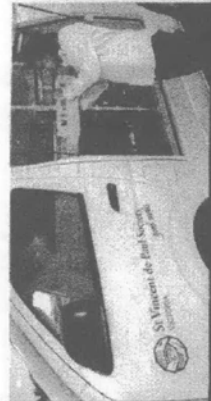
Australian charity recyclers divert two billion items (over 300,000 tonnes) of clothing from landfill each year through clothing donation bins, household collections and in-store donations.

These donations are collected at no cost to councils or government.

Some 75 per cent is able to be recirculated through charity op shops, donated to those in need, reprocessed into functional textiles or sent to developing nations.



Charities rely on donation bins for the collection of 70% of their clothing and household goods.



## CHARITY RECYCLERS NEED YOUR SUPPORT

Research shows that only 18% of clothing collection bins belong to charities\*

Charity recycling is the oldest recycling industry in Australia. The governing principle is benevolence. Its function is to clothe those without, raise money for charitable purposes and to provide work for the disadvantaged.

Charity recyclers range from small, local community organisations through to large national operators whose brands are household names. NACRO members are constituted and operate in accordance with state and territory charity legislation.

Funds raised through recycling operations of NACRO members are returned to the community.

### The need

Commercial clothing recyclers are increasingly targeting the kindness of Australian donors to the detriment of Australia's charities by displacing our donation bins.

## SUPPORT THE WORK OF CHARITY RECYCLERS

Australians believe that clothing donation bins should belong to bona fide charities, such as NACRO members.

\* Findings of a 2012 NACRO study of seven Victorian eastern metropolitan municipalities. Of more than 448 clothing collection bins, only 18% belonged to legitimate charity recyclers. The rest belonged to commercial clothing recyclers.

## CHARITY RECYCLERS RETURN TO THE COMMUNITY

### Community services

ALL proceeds generated by the recycling operations of NACRO members go to support their charitable work. Every day across Australia, charity recyclers assist tens of thousands of people in need through community support programs enabled by their recycling operations, including:

- aged care services
- budget counselling
- disaster recovery
- education services
- employment opportunities
- food and clothing
- home visits
- hospital and health services
- hostel accommodation
- medical research
- migrant and refugee assistance
- overseas disaster relief
- prison visits
- suicide prevention
- counselling
- youth programs

### Volunteers

Thousands of volunteers give countless hours to charity op shops, believing in their value to the community.

### Employment

The operations of charity recyclers provide important and valued employment opportunities.

### Donors

People feel good about giving their clothing and household goods knowing they will be put to good use.

### Shoppers

Charity op shops are a valuable resource for those on tight budgets and buyers who want their money to go to a good cause.

### Environment

Charity op shop reuse and recycling operations significantly reduce CO<sub>2</sub> emissions\*.

\* A study by the Danish Technological University in 2010 found that reuse of clothing enabled by charity recycling saves 4 kg of CO<sub>2</sub> for every kilogram of donated clothing.



## CHARITY RECYCLERS ARE RESPONSIBLE

A prominently located and responsibly managed charity recycling donation bin is proven to be the most effective way to collect donations of gently used second-hand goods.

NACRO members have adopted the following code of practice to ensure that donation bins remain a convenient service for residents to donate to their charity of choice and in turn keep recyclable items from landfill.

## THE NACRO CODE OF PRACTICE

### Members commit to:

- public safety
- donation bins are located and maintained to the satisfaction of the land manager so as not to cause injury to any person or damage to property
- donation bins are designed to contain fire and prevent people climbing inside
- maintaining the amenity of the area
- donation bins are emptied and maintained in a manner sufficient to minimise materials accumulating outside donation bins
- locating donation bins under agreement with the land management authority
- providing evidence to the land manager of:
  - charitable status
  - public liability insurance policy
  - a 24 hour emergency contact number
- clearly identifying the charity wholly supported by the donations
- displaying a contact number for the charity on the donation bin.

## HOW TO SUPPORT THE WORK OF CHARITY RECYCLERS

As land managers, support the placement of clothing recycling donation bins operated by bona fide NACRO charities – our communities depend on us.

## ABOUT NACRO

NACRO is the peak body representing charitable collection, sorting and reuse organisations throughout Australia.

Collectively, NACRO members operate thousands of op shops around Australia and are the largest and oldest recycling cohort in the country. Donations of second-hand goods are accepted through clothing donation bins, household collections and drop-offs directly to op shops.

These charities have invested heavily in recycling infrastructure, donation bins, transport fleets, sorting depots, retail stores and call centres to meet the needs of the community.

### NACRO members include:

- Aid For The Blind (QLD)
- Anglicare (WA, NSW)
- Anubis Services - Peace Lutheran (QLD)
- Australian Red Cross (VIC, NSW, QLD)
- Brotherhood of St Laurence (VIC)
- Diabetes Australia (VIC, SA)
- Endeavour Foundation (QLD)
- Epilepsy Foundation of Victoria (VIC)
- Launceston City Mission
- Leukaemia Youth Foundation (NSW)
- Life-Gate (VIC)
- Lifeline Brisbane (QLD)
- Lifeline Bundaberg (QLD)
- Lifeline Country to Coast (SA) Inc
- Lifeline Darling Downs & SW (QLD)
- Lifeline Far North (QLD)
- Lifeline Fraser (QLD)
- Lifeline Geelong Barwon Region (VIC)
- Lifeline Gippsland (VIC)
- Lifeline Gold Coast (QLD)
- Lifeline Greater Sunshine Coast (QLD)
- Lifeline Ipswich & West Moreton (QLD)
- Lifeline Mackay (QLD)
- Lifeline NSW
- Lifeline Nth (QLD)
- Lifeline Rockhampton (QLD)
- Lifeline South East (SA)
- Lifeline South West (VIC)
- Mission Australia (NSW)
- Presbyterian Recycling and Retail (NSW)
- Sacred Heart Mission (VIC)
- Salvos Stores Eastern Territory (NSW, QLD, ACT)
- Salvos Stores Southern Territory (VIC, SA, TAS, WA, NT)
- Spine & Limb Foundation (VIC)
- St Vincent De Paul Society - Australia-wide
- The Asthma Foundation (QLD)
- The Smith Family (NSW)
- UnitingCare Communities Goodwill (SA)
- UnitingCare Communities (QLD)
- UnitingCare Wesley Country (SA)

Through its website and awareness campaigns such as National Op Shop Week, NACRO seeks to educate the public to donate goods responsibly to enable the delivery of community programs.

### More information

Resources for councils and other land managers are available at [www.nacro.org.au/councilresources](http://www.nacro.org.au/councilresources)

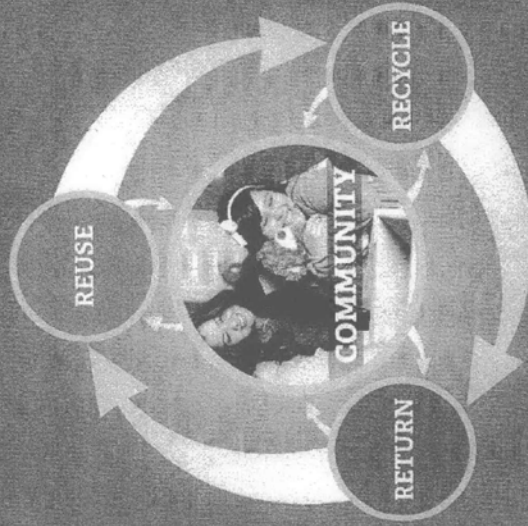
Contact us:

T 03 9429 9884

E [information@nacro.org.au](mailto:information@nacro.org.au)

This information is current at time of publication. July 2013. NACRO reserves the right to change this policy as it sees fit and is not liable for any loss or expenses incurred as a result of any changes.

# CHARITY RECYCLERS NEED YOUR HELP



## NACRO

National Association of  
Charitable Recycling Organisations

## ATTACHMENT 2

 <b>campbelltown</b> city council		<b>DRAFT POLICY</b>
Policy Title	Second Hand Clothing Bins	
Related Documentation	Policy Procedure	
Relevant Legislation/ Corporate Plan	State Environmental Planning Policy (Temporary Structures) 2007 Local Government Act 1993	
Responsible Officer	Manager Compliance Services	

**Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.**

### Objectives

1. To control the location and site of second-hand clothing bins.
2. To ensure all second-hand clothing bins are satisfactorily managed and maintained.

### Policy Statement

1. Second-hand clothing bins shall be located only on private property, (with written approval of the landowner), in accordance with the exempt development provisions of clause 15 Exempt Development of State Environmental Planning Policy (Temporary Structures) 2007.
2. Only second-hand clothing bins provided by registered charities are permitted unless the organisation has an Australian Business Number and the bin in such cases is clearly marked to indicate it is a commercial operator collection bin.
3. Second-hand clothing bins must not contravene any conditions of development consent relating to the use of the land and must not be placed on a landscaped area or occupy any parking space.
4. Second-hand clothing bins shall be marked with appropriate identification information and maintained as directed by Council Policy and Procedures.
5. To ensure the safe and efficient management of second-hand clothing bins the following provisions shall apply:
  - Donation bins are to be located appropriately so as not to detract from site amenity.
  - Donation bins to be regularly emptied, cleaned and maintained.
  - Donation bins shall not cause obstruction to footpaths and roadways.
  - Donation bins are to be adequately fixed to prevent damage to property or injury to persons.
  - Donations bins to be of a design that would ensure people are not to able to climb into them.

- Donation bins shall not be located on driveways, access ways, car parking areas or landscaping areas.

### **Scope**

The policy relates to all second-hand clothing bins located in the Campbelltown Local Government area whether commercially or charity operated.

### **Definitions**

Within the policy the following definitions apply:

**Second-hand clothing bin** refers to an externally located collection device, usually a large enclosed steel box, used for the placement of unwanted second-hand items by the public, such as good quality clothing, linen, books and toys.

**Temporary Structure:** includes a second-hand clothing bin, booth, tent or other temporary enclosure and also includes a mobile structure.

### **Legislative Context**

SEPP (Temporary Structures) 2007, contains provisions for temporary structures, including exempt development provisions.

### **Clause 15 SEPP (Temporary Structures) 2007:**

#### **15. Exempt development**

**Note (1)** Under section 76 of the Environmental Planning and Assessment Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act.

The section states that exempt development:

- (a) must be of minimal environmental impact; and
- (b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994; and
- (c) cannot be carried out in a wilderness area (identified under the Wilderness Act 1987).

**Note: (ii)** Specifying a type of development as exempt development does not authorise the contravention of any condition of development consent applying to the land on which the exempt development is carried out, nor does it remove the need for any approval that may be required under other legislation.

To be exempt development, the development:

- (a) must meet the relevant deemed-to-satisfy provisions of the Building Code of Australia; and
- (b) must not, if it relates to an existing building, cause the building to contravene the Building Code of Australia; and
- (c) must not be designated development; and

- (d) must not be carried out on land that comprises, or on which there is, a heritage item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977; and
- (e) must not be carried out in an environmentally sensitive area for exempt or complying development (as defined in clause 3.3 of the standard instrument by the Standard Instrument (Local Environment Plans) Order 2006; and
- (f) must not restrict any car parking required pursuant to the conditions of any development consent or any vehicular or pedestrian access to or from the site of the development; and
- (g) must not obstruct any drainage on the site of the development or of adjacent land.

Development that involves erecting a temporary structure is exempt development only if the structure is on a surface that is sufficiently firm and level to sustain the structure while in use.

### **Local Government Act**

Section 124 of the Local Government Act contains provisions to enable Council to serve Orders to control and regulate nuisance, amenity or threats to health or safety that may be posed by second-hand clothing bin installations, namely:

- Order 10 - To remove or stack articles or matter, to cover articles or matter, to erect fences or screens or to plant trees;
- Order 21 - To do or refrain from doing such things as are specified to ensure that premises are placed or kept in a safe or health condition.
- Order 27 - To remove an object or matter from a public place or prevent any object or matter being deposited there.

### **Section 628 - Failure to comply with Order**

Maximum penalty varies according to the type of Order issued and whether it applies to an individual or corporation, ranging from 20-100 penalty points.

### **Section 678 - Failure to comply with an Order - carry out of work by Council**

If a person fails to comply with the terms of an Order given to the person under Part 2 of Chapter 7, the Council may do all such things as are necessary or convenient to give effect to the terms of an Order, including the carrying out of any work required by the Order.

Any expenses incurred by Council under this section may be recovered in accordance with section 678(6).

### **Principles**

The policy provides direction regarding the manner in which second-hand clothing bins can be operated in the Campbelltown City Council Local Government Area, with the aim of reducing problems associated with the bins such as illegal dumping, vandalism to bins, vandalism to surrounding areas, and other anti-social behavior. With the policy requiring additional signage on bins, written approval from the land owner, and regular maintenance by operators a greater awareness of the proper use and management of bins can be achieved to reduce the associated problems.

### **Responsibility**

Council's Compliance Services Section has responsibility for ensuring compliance with this policy.

**Effectiveness of this Policy**

The effectiveness of this policy will be evaluated through feedback received from bin operators and members of the public. The policy will be reviewed 3 years from the revision date.

**END OF POLICY STATEMENT**