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**8.5 Dumping of Waste - St Vincent de Paul, Winton Lane**

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**8.5 Dumping of Waste - St Vincent de Paul, Winton Lane**

**Delivery Program** Environmental and Public Health

**Objective** To provide a brief history on waste dumping at the Ballina St Vincent de Paul charity bin site and the management actions being undertaken to minimise the impact.

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**Background**

Council has recently received renewed complaints regarding the disposal of waste by the public at the St Vincent de Paul charity bins located adjacent to the main shop site in Winton Lane, Ballina.

Complaints have primarily been from one local landholder in the vicinity of the subject site. The complaints typically peak prior, during, and after the Christmas and New Year holiday periods and they have been on-going for at least three years.

Council staff, over the past three years have had meetings with representatives from St Vincent de Paul regarding the waste disposal at the site and the management strategies being implemented to reduce the incidents of illegally dumped waste. Council has also had several communications over the years with the complainant/s advising of the situation at the subject site.

Unfortunately much of the waste that is dumped at this site and other charity bin sites in the Shire is waste that is not suitable for recycling and reusing by the charity stores.

St Vincent de Paul has advised that often the waste that is dumped by the public at the site after hours is then sorted through by scavengers that spread the waste on their site and then often out on to the public laneway.

This site has had substantial issues previously with waste material littering the public roadway however the situation has somewhat improved through the relocation of the bins and improved signage, along with more proactive management of the bins.

The illegal dumping of waste is a substantial problem for all local government areas and hence Council recently developed illegal dumping strategies and programs with NE Waste.

The State Government also recognises that illegal dumping is a significant issue right across the State and hence provides a level of education, grants and regulatory assistance to local enforcement officers to combat illegal dumping.

**Key Issues**

- Concerns from complainant and lack of satisfaction with Council response
- Options available

**8.5 Dumping of Waste - St Vincent de Paul, Winton Lane**

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**Information**

St Vincent de Paul has advised Council that over the past 12 months they have implemented a number of measures in a concerted attempt to minimise the impact of illegal dumping and scavenging in their immediate local neighbourhood.

The measures include;

- Installation of monitored CCTV in the lane where the donation bins are located. It is agreed by Council and St Vincent de Paul that the quality of the images recorded needs to be improved if investigations are to occur to seek prosecution of offenders and this is being considered at the end of January 2016 by St Vincent de Paul
- Installation of appropriate signage stating that CCTV is operating in this area
- Increasing the amount and visibility of the signage in the area clearly stating the types of donations that are unable to be accepted
- Increasing the number of donation bins from two to three
- Ensuring that adequate lighting is placed in the donation bin area and that it is operational
- Putting in place procedures to ensure that all donation bins are emptied seven days per week which includes being emptied twice on Saturdays and Sundays
- Putting in place procedures for the sweeping and tidying of the paths and roadway around the donation bins including to the fence line across the road. This is done on a daily basis.
- Implementing a continuous media campaign to try and highlight the issues of illegal dumping with the aim of educating the general public regarding the impact on St Vincent de Paul, the services provided, and the local amenity.

All of these initiatives indicate that St Vincent de Paul has taken its corporate and community responsibility seriously and have cost the Society a significant amount of money and volunteer manpower to maintain.

St Vincent de Paul is of the opinion that there is nothing more that can reasonably be implemented to improve the situation on their own and seek Council's support in acknowledging their efforts.

Council needs to be aware that charity bins have been recognised by the State Government as being an integral part of the community welfare support offered by organisations and that within guidelines they are able to be installed across the State without approval.

Outlined as follows is the Section from the State Environmental Planning Policy (SEPP) Code (Exempt and Complying Development) relating to charity bins.

**8.5 Dumping of Waste - St Vincent de Paul, Winton Lane**

*Subdivision 10C Charity bins and Recycling bins;*

**2.20E Specified development**

*The construction or installation of a charity bin or recycling bin is development specified for this code.*

**2.20F Development standards**

*The standards specified for that development are that the development must:*

- (a) be associated with commercial premises or a place of public worship, and*
- (b) if located on the same lot as the commercial premises or place of public worship—be wholly located within the lot and not located on a road or road reserve, and*
- (c) not result in more than 3 such bins on one lot, and*
- (d) be located behind the building line of any road frontage, and*
- (e) be operated by a person or organisation that is the holder of an authority under the Charitable Fundraising Act 1991, and*
- (f) not display any advertising other than details of the person or organisation that operates it, and*
- (g) not cause the contravention of any existing condition of the most recent development consent (other than a complying development certificate) that applies to the premises relating to car parking, loading, vehicular movement, waste management and landscaping.*

Charity bins can be placed in accordance with these provisions without any approvals from Council and Council cannot require them to be removed from the site.

Additional compliance action against St Vincent de Paul under the Protection of the Environment Operations Act for illegal dumping at the site is an option, however it is not considered suitable or appropriate at this time as it is considered that St Vincent de Paul is being proactive in managing the site.

Under the legislation the most suitable action would be the issuing of a Clean Up Notice and or a Prevention Notice. These notices have not been considered warranted given the actions taken by the Society, the strategies that have been put in place to deal with any waste on a daily basis, and the social value of the services provided by St Vincent de Paul.

Council does try to offer a level of assistance to charity stores and not-for-profit community groups in recognition that they often have limited financial resources whilst providing the community with significant support.

The Policy titled "Donations - Waste Disposal Fees for Not-for-Profit Groups" has been developed to provide fee relief from waste disposal charges for not-for-profit community groups that run disposal stores for the sale of second hand and reusable items.

Council also recognises that not-for-profit community groups involved in the operation of second hand shops and charity stores do help to divert valuable resources from being sent to landfill.

**Sustainability Considerations****• Environment**

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Littering and illegal waste disposal impacts the environment.

### **Social**

Unacceptable social behavior and understanding of acceptable waste disposal are issues with this matter.

### **Economic**

Costs borne by St Vincent de Paul to manage inappropriately dumped waste including some waste that might otherwise be dumped at public sites elsewhere in the Shire.

### **Legal / Resource / Financial Implications**

Commitments by technical staff to investigate complaints are time and resource consuming. St Vincent de Paul and other charities take, recycle, and redistribute a variety of household goods and clothing. This includes material that may otherwise end up as illegally dumped waste on public land and require removal and disposal by Council staff, incurring significant costs to Council.

### **Consultation**

Consultation has been undertaken with St Vincent de Paul management staff and other sections within Council to establish robust strategies to manage a continuing operational problem for this charity.

There has also been extensive consultation with the complainant(s) which has not led to an outcome that is considered satisfactory to the complainant. This is why the matter is being reported to Council for direction as resources are applied continually to this issue.

The major complainant is also concerned that St Vincent de Paul is not regularly meeting its commitment of clearing the bins in the morning and at the end of the day, along with on weekends.

### **Options**

There would appear to be only two practical options in dealing with this recurring problem:

1. That Council continue to work with St Vincent de Paul to reduce and manage inappropriate waste dumpings at the subject site, whilst recognising that dumping problems will occur at the site from time to time.
2. That Council request St Vincent de Paul to remove the charity bins from the subject site. This option is not recommended as donations are critical for charities in allowing them to assist needy people in our community and charity bins are a recognised method of receiving and managing donations.

### **RECOMMENDATIONS**

1. That Council notes the contents of this report in respect to the dumping of waste at the St Vincent de Paul property, Winton Lane, Ballina.

**8.5 Dumping of Waste - St Vincent de Paul, Winton Lane**

2. That Council acknowledges the need to balance our available resources in managing complaints and that Council accepts that the current management strategies and allocation of resources that are being applied to this issue are reasonable.

That Council continue to promote, educate, and encourage responsible waste disposal of unwanted items in the Shire.

**Attachment(s)**

Nil

Ballina Shire Council

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**For Action Item - Dumping of Waste - St Vincent de Paul, Winton Lane**

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**TO:** Kerri Watts - Manager Public and Environmental Health

**COPY TO:** Tracy Lister

**DATE:** 01 February 2016

**MEETING:** Council Meeting of 28/01/2016

Action is required for item 8.5 as per the Council Resolution outlined below.

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**280116/2 RESOLVED**

(Cr Sharon Cadwallader/Cr Robyn Hordern)

1. That Council notes the contents of this report in respect to the dumping of waste at the St Vincent de Paul property, Winton Lane, Ballina.
2. That Council acknowledges the need to balance our available resources in managing complaints and that Council accepts that the current management strategies and allocation of resources that are being applied to this issue are reasonable.
3. That Council continue to promote, educate, and encourage responsible waste disposal of unwanted items in the Shire.

FOR VOTE - All Councillors voted unanimously.

**SPECIFIC ACTIONS REQUIRED:**

Item 3 also sent to Tracy Lister

**St Vinnies – Winton Lane, Daily Monitoring**

Wednesday 1 March 2017, 8.34am



Thursday 2 March 2017, 8.53am



Friday 3 March 2017, 7.49am



Sunday 5 March 2017, 7.24am



## 8.1 Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC

Cont..Sunday 5 March 2017



Sunday 5 March 2017, 1pm





Monday 6 March 2017, 7.24am





Monday 6 2017, 9.25am and 10.25am





Monday 6 March 2017, 3.22pm



## 8.1 Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC

Tuesday 7 March 2017, 7.42am



Tuesday 7 March 2017, 9.48am



**8.1 Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC**

Wednesday 8 March 2017, 7.42am



Wednesday 8 March 2017, 11.21am



8.1 **Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC**

Thursday 9 March 2017, 6.21pm



Friday 10 March 2017, 7.45am



8.1 **Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC**

Saturday 11 March 2017 1.20pm



Monday 20 March 2017, 7.03am



## 8.1 Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC

Monday 20 March 2017, 8.53am



Monday 20 March 2017, 5.28pm



8.1 **Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC**

Tuesday 21 March 2017, 7.38am



Wednesday 22 March 2017, 7.16am



## 8.1 Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC

Wednesday 22 March 2017, 7.16am



Thursday 23 March 2017, 8.53am



## 8.1 Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC

Thursday 23 March 2017, 6.07pm



Friday 24 March 2017, 6.45am



8.1 **Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC**

Friday 24 March 2017, 6.45am



8.1 **Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC**

Sunday 26 March 2017, 11.25am



Monday 27 March 2017, 6.55am



## 8.1 Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC

Tuesday 28 March 2017, 7.15am



Wednesday 29 March 2017, 7.40am



Thursday 30 March 2017, 7.25am



Friday 31 March 2017, 8.25am



## 8.1 Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC

Saturday 1 April 2017, 1.26pm



Monday 3 April 2017, 7.15am



## 8.1 Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC

Monday 3 April 2017, 7.15am



Tuesday 4 April 2017, 7.20am



## 8.1 Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC

Tuesday 4 April 2017, 7.20am



Tuesday 4 April 2017, 10.32am



8.1 **Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC**

Wednesday 5 April 2017, 7.40am



Monday 10 April 2017, 7.44am



8.1 **Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC**

Monday 10 April 2017, 7.44am



Monday 10 April 2017, 4.30pm



8.1 **Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC**

Monday 10 April 2017, 4.30pm



Tuesday 11 April 2017. 7.39am

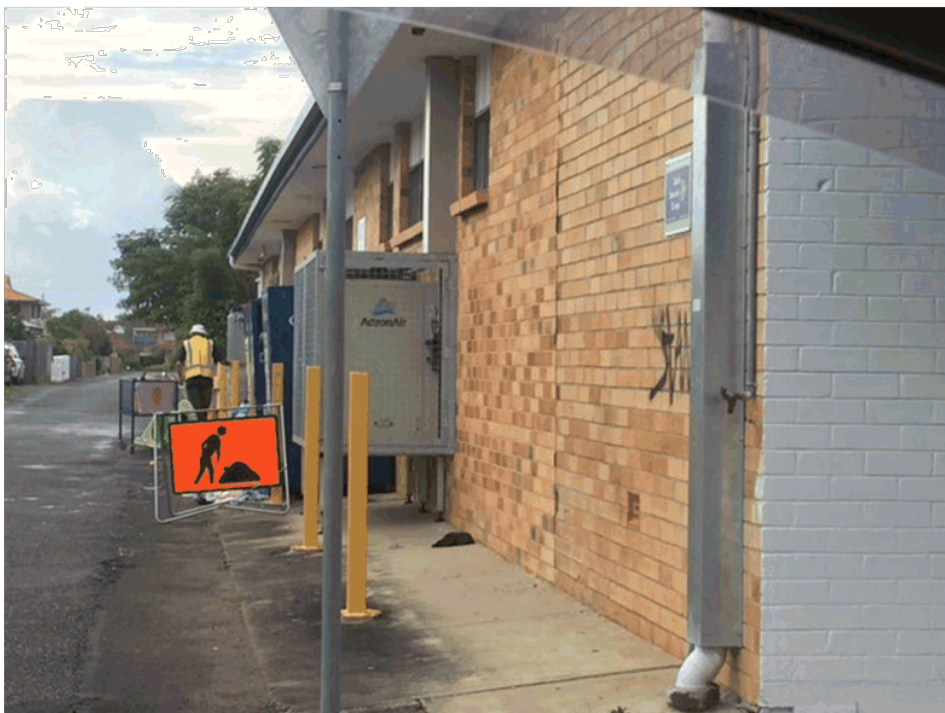


**8.1 Charity Bin Management - St Vincent de Paul - Winton Lane, Ballina.DOC**

Wednesday 12 April 2017, 8.00am



Tuesday 18 April 2017, 8.11am



Sunday 16 April 2017, 12.15am

