

Cessnock City Council

Financial Assistance for the Disposal of Waste (Charitable and Not For Profit (NFP) Organisations)

Date Adopted **15/06/2022** Revision: **2**

3. POLICY OBJECTIVES

1.1. The objective of this policy are:

1.1.1. To lessen the financial burden of waste disposal for charitable and not for profit organisations in the Cessnock Local government Area (LGA).

1.1.2. Minimise the financial incentive for charities to bring waste from other council areas to the Cessnock Waste Management Centre (CWMC) for disposal.

4. POLICY SCOPE

1.1.3. This policy applies to waste received at the CWMC from charitable and not for profit organisations (NFP) located within the Cessnock LGA where the organisation bringing the waste meets the requirements of this policy.

5. POLICY STATEMENT

5.1. Council recognises the important role that charitable organisations and NFP groups play in the community. Council also understands the burden that illegally dumped waste and unusable donations place on charities. This policy seeks to establish a fair and equitable system that helps to reduce the burden of waste on charities and NFPs whilst minimising any financial incentive for charities and NFPs to bring waste from other council LGAs to the CWMC for disposal.

5.2. In order to lessen the financial burden of waste disposal for charitable and NFP organisations, Council will charge the fees as outlined in Table 1 below for the disposal of waste from these organisations. The fees mean that charitable, NFP and benevolent organisations may dispose of up to 20 tonnes of waste per annum at no cost, after which a cost per tonne will be payable as shown in Table 1.

TABLE 1: Disposal Cost for Approved Charitable and NFP Organisations.

Tonnage (annual)	Cost Per Tonne
0 - 20	Free
>20 - 50	50% of full gate fee minus levy
>50	Full gate fee minus levy

5.3. To qualify for the rates given in Table 1, organisations must first apply to Council on the *Financial Assistance for the Disposal of Waste* [application form](#).

5.4. To be approved, organisations must fulfil the following requirements:

5.4.1. Organisations must be registered as a charitable, NFP or benevolent organisation. Supporting evidence must be provided;

- 5.4.2. Organisations must have a valid Community Service Exemption (CSE) from the NSW Environmental Protection Authority (EPA) and supply this information to Council (this exemption means the organisation is exempt from paying the waste levy);
- 5.4.3. The waste must be generated as part of direct voluntary action (such as Clean-Up Australia Day) or be incidental to a community service (an activity that benefits the NSW community or environment and is undertaken voluntarily), such as unusable goods collected from community donations.
- 5.4.4. The exemption does not apply to waste generated by an organisation in the normal course of its business;
- 5.4.5. The waste must be generated within the Cessnock LGA;
- 5.4.6. The activity must have been undertaken voluntarily or not for profit and with no commercial interest;
- 5.4.7. The applicant must demonstrate that they have explored opportunities to minimise the generation of the waste and/or have explored opportunities for reuse;
- 5.4.8. Waste should be sorted into recyclable and non-recyclable items;
- 5.4.9. The waste must be self-hauled to CWMC;
- 5.4.10. If approval is granted, applicants must acknowledge Council's support. This must be via one or more of the following:
 - a) Banner placement at an event;
 - b) Council logo placement on promotional materials;
 - c) Verbal acknowledgement at any events; and
 - d) Acknowledgement in social media posts, newsletter, stories or Annual Report.

6. RESPONSIBILITIES

6.1. Environment and Waste Manager

- 6.1.1. Is responsible for monitoring and reviewing this policy.

6.2. Customer Service Officer

- 6.2.1. Provide information to the community in relation to this policy.

6.3. Waste Site Supervisor or their delegate

- 6.3.1. Must ensure correct disposal of waste by approved persons.

6.4. Business Support Officer/Technical Support Officer

- 6.4.1. Is to process applications received for Financial Assistance for the Disposal of Waste from charitable and NFP organisations.

7. REPORTING

- 7.1. No additional reporting is required.

8. RECORDS MANAGEMENT

8.1. Staff must maintain all records relevant to administering this policy in accordance with Council's [Records Management Policy](#).

9. POLICY DEFINITIONS

Act	means the <i>Local Government Act 1993</i> (NSW).
Council	means Cessnock City Council.
CSE	means Community Service Exemption, this is approved by the NSW EPA and provides an exemption to the waste levy for the holder and the waste facility that receives the waste.
Charitable Organisation	<p>A charity as defined under the <i>Charities Act 2013</i> (Cth):</p> <p>charity means an entity:</p> <ul style="list-style-type: none"> (a) that is a not-for-profit entity; and (b) all of the purposes of which are: <ul style="list-style-type: none"> (i) charitable purposes (see Part 3) that are for the public benefit (see Division 2 of this Part); or (ii) purposes that are incidental or ancillary to, and in furtherance or in aid of, purposes of the entity covered by subparagraph (i); and <p>Note 1: In determining the purposes of the entity, have regard to the entity's governing rules, its activities and any other relevant matter.</p> <p>Note 2: The requirement in subparagraph (b)(i) that a purpose be for the public benefit does not apply to certain entities (see section 10).</p> <ul style="list-style-type: none"> (c) none of the purposes of which are disqualifying purposes (see Division 3); and (d) that is not an individual, a political party or a government entity.
Not for profit (NFP) organisation	<p>Not for profit (NFP) organisations are organisations that provide services to the community and do not operate to make a profit for its members (or shareholders, if applicable). A few examples are childcare centres, art centres, neighbourhood associations, medical centres and sports clubs.</p> <p>All profits must go back into the services the organisation provides and must not be distributed to members, even if the organisation winds up.</p>

2. POLICY ADMINISTRATION

Business Group	Works and Infrastructure
Responsible Officer	Environment and Waste Manager
Associated Procedure (if any, reference document(s) number(s))	
Policy Review Date	Three years from date of adoption unless legislated otherwise
File Number / Document Number	DOC2018/046646
Relevant Legislation (reference specific sections)	<ul style="list-style-type: none"> • <i>Protection of the Environment Operations (Waste) Regulation 2014</i> • <i>Protection of the Environment Operations Act 1997 (NSW)</i> • <i>Local Government Act 1993 (NSW) Section 356</i> • <i>Charities Act 2013 (Cth)</i>
Relevant desired outcome or objectives as per Council's Delivery Program	3.3.4.h Operate the Cessnock Waste Management Centre in accordance with the Environment Protection Licence and relevant legislation and to encourage resource recovery.
Related Policies / Protocols / Procedures / Documents (reference document numbers)	<ul style="list-style-type: none"> ▪ Records Management Policy (DOC2019/038769) ▪ Waste Management Policy (DOC2021/1015067)

9. POLICY AUTHORISATIONS

No.	Authorised Function	Authorised Business Unit / Role(s)
1	Approve applications received for Financial Assistance for the Disposal of Waste from charitable and not for profit organisations	Environment and Waste Manager Waste Service Coordinator Technical Support Officer Business Support Officer

7. POLICY HISTORY

Revision	Date Approved / Authority	Description Of Changes
1	6 June 2018/ Council Resolution 510	New policy adopted
2	15 June 2022	Periodic Review