

# COUNCIL POLICY



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| <b>Policy name</b> | Waste Management Exemption from Charges for Not- for-Profit Charities (Orphaned Waste) |
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**Abstract**  
 This policy aims to provide clear guidelines to assist not-for-profit charities that operate second hand shops in applying for exemptions from waste disposal fees at the Gunnedah Shire Council Waste Management Facility in a fair, consistent and equitable manner.

|                            |  |             |
|----------------------------|--|-------------|
| <b>Dates</b>               | Policy or amendment approved   | 15 Nov 2023 |
|                            | Policy or amendment takes effect   | 15 Dec 2023 |
|                            | Policy is due for review (up to 4 years)   | 15 Nov 2027 |
| <b>Endorsed by</b>         | Director of Planning and Environmental Services  |             |
| <b>Approved by</b>         | Gunnedah Shire Council at its Ordinary Meeting held on 15 Nov 2023<br>Resolution number: 11.11/23  |             |
| <b>Policy Custodian</b>    | Manager Waste  |             |
| <b>Relevant to</b>         | Gunnedah Shire Council Elected Members, Council staff, not-for-profit charities within the local government area   |             |
| <b>Superseded Policies</b> | Gunnedah Shire Council, at its Ordinary Meeting of Council held 18 Dec 2019 Resolution number: 16.12/19  |             |
| <b>Related documents</b>   | Application form for exemption from charges for not-for-profit charities (orphaned waste)<br>Councils Current Operational plan- fees and charges<br>Community Strategic Plan (as adopted by Council) |             |
| <b>Related legislation</b> | Government Information (Public Access) Act 2022<br>Local Government Act, 1993 (As amended)<br>Gunnedah Shire Council Policies<br>Gunnedah Shire Council Code of Conduct                              |             |

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### **1. Purpose**

Dumping of waste materials at the receival locations of charities (i.e. St Vincent De Paul and the Salvation Army etc), along with usable items, is reportedly increasing and, in turn, creating a burden upon those charity organisations in delivery of their services to the disadvantaged among the community. This type of dumped material is described as 'orphaned waste'. Council has developed this policy to provide fee relief from waste disposal charges to assist not- for-profit community groups that run opportunity stores for the sale of second hand and reusable items.

### **2. Scope**

Council recognises that charitable organisations provide the community with significant social benefits, while helping to divert valuable resources from being sent to landfill. By operating these charity services, charitable organisations are often burdened by the costs of disposing of illegally dumped, unusable waste items deposited at charity bins. This Policy aims to assist charitable organisations in delivering their services to the community by eliminating waste fees applicable for waste disposed at the Gunnedah Waste Management Facility only.

### **3. Definitions**

- 3.1 Current Community Strategic Plan means the community strategic plan of the Gunnedah Shire Council.
- 3.2 Charitable organisation means not-for-profit, have only charitable purposes that are for the public benefit, not have a disqualifying purpose, not be an individual, a political party or a government entity.
- 3.3 Council means Gunnedah Shire Council.
- 3.4 Eligible Charitable Organisation has the meaning set out in paragraph 5.1.1 of this Policy.
- 3.5 Hazardous or Offensive Waste means asbestos, fiberglass, clinical waste and other waste items that have the potential to be harmful to human health or the environment.

#### **4. Policy principles**

This policy applies to general solid waste being transported to Gunnedah Waste Management Facility by any not-for-profit organisation as a charitable organisation and which is involved in the operation of opportunity shops located within the Gunnedah Shire. As a minimum this policy should be read in conjunction with Section 356 of the Local Government Act.

#### **5. Policy statement**

To assist those not-for-profit community organisations in delivering their services Council has endorsed the following guidelines for fee relief from annual waste disposal fees:

##### **5.1 Guidelines**

5.1.1. To ensure transparency and accountability, eligible organisations must qualify for fee relief by providing evidence that the major function of their business or operation satisfies the following criteria:

- a) A service for the relief of poverty within the Council area; or
- b) A voluntary service for the betterment of community welfare;
- c) A not for profit organisation or non-government organisation;  
or
- d) An organisation that is registered as a charitable organisation.

5.1.2 To ensure adequate records are maintained for this service, an eligible charitable organisation must complete and submit the relevant application form annually.

5.1.3 Exemptions remain contingent on the applicant ensuring, in so far as is reasonably practical, that materials are sorted and deposited so as to enable recycling and/or resource recovery as provided at the Gunnedah Waste Management Facility:

5.1.4 A \$1,200 value shall be set for the exemption. The Applicant will be liable for relevant disposal fees for any waste deposited at the Gunnedah Waste Management facility once the exemption value has been exceeded.

5.1.5 An exemption can and will be revoked if waste has not been generated in accordance with 5.1.1

5.1.6 Each completed application will be assessed by the Director of Planning and Environment Services in accordance with this Policy.

5.1.7 A charitable organisation will have no fee relief from waste disposal fees unless and until that organisation has received written notification from the General Manager confirming the success of its application.

5.1.8 Fee relief for the disposal of hazardous or offensive waste is not available under this Policy. Disposal of hazardous or offensive waste will be charged as per Council's Waste Disposal Fees and Charges Schedule. If hazardous waste or offensive waste is disposed of, the right to withdraw any Eligible Charitable Organisation's approval will be exercised.

5.1.9 The total value of support to one particular charitable organisation or not-for-profit group in any one year (financial year) shall not exceed \$1,200.

a) Exemption from mixed waste disposal fees only granted on Clean-Up Australia Day Campaign or other advertised clean up events approved by Council

b) Upon application, registration numbers of private vehicles being used to transport & dispose of waste seeking exemption from fees at Gunnedah Waste Management Facility are to be provided to Council.

5.1.10 In the event of a dispute over any aspect of this Policy, immediate action will be taken to resolve the situation through effective and constructive consultation between the parties concerned. If a resolution cannot be reached, the General Manager will have the final determination on the matter.

## **6. Accountability, roles and responsibilities**

6.1 The General Manager is authorised, pursuant to Section 377 of the Local Government Act 1993, to allow a matter that does not conform with a policy to proceed if the General Manager is of the opinion that the variation from the Policy is of a minor nature.

### **6.2 Policy Custodian – Manager Waste**

Council's Manager Waste is the officer accountable for managing Policy compliance, initiating the Policy review process, internal auditing requirements, and has responsibility for all aspects of Policy implementation, unless appropriately delegated to another officer.

### **6.3 Responsibilities**

The Planning and Environment Department (Waste Section) is responsible for implementing this Policy and for ensuring that this Policy is adhered to in a consistent manner.

The Manager Waste is responsible for making this Policy readily available to community members and staff on request.

## 7. Acknowledgements

Waste Disposal Fees for Not-for-profit Organisations – Byron Shire Council

Draft Waste Disposal fee for charitable organisations- Moree Shire Council

Subsidy for waste Disposal by Charitable organisations & community Groups policy- Wagga Wagga Council

Draft Waste Disposal Fees Exemption for charitable Organisations Application Form- Moree Council

## 8. Version control and change history

| Date          | Version | Approved by & resolution no.                      | Amendment  |
|---------------|---------|---|--|
| December 2019 | 1       | 16.12/19  | Adopted by Council                                     |
| December 2022 | 2       | Council Resolution No. 11.11/23, 15 November 2023 | Placed on Public Exhibition 16 Nov 2023 to 14 Dec 2023 |
|               |         |   |  |
|               |         |   |  |

## Annexure A. Exemption from Charges for Non-for Profit Charities (Orphaned Waste)

LAST UPDATED 12 JULY 2021

Date: .....

### PART A: HOW TO COMPLETE THIS FORM

Charitable Organisations within the Gunnedah Shire wishing to apply for an exemption of fees and charges for waste disposal services are required to complete and submit a Waste Disposal Fees Exemption for non for profit charities (orphaned waste) Application Form to enable the application to be considered.

- Please read through the Eligibility Criteria (Part D) prior to completing this form.
- Make sure you complete all sections clearly and please tick Yes or No in the boxes required.
- Applications are to be lodged:

**In Person:** At the Customer Service Desk, located at 63 Elgin Street, Gunnedah.

**Mail:** Address to the General Manager,  
Gunnedah Shire Council,  
PO Box 63,  
Gunnedah NSW 2380

**Email:** [council@infogunnedah.com.au](mailto:council@infogunnedah.com.au)

Any queries in relation to applications for Waste Disposal Fees Exemption from charges for non-for profit charities (orphaned waste) should be directed to the Waste Manager on (02) 6740 2100.

### PART B: APPLICANT DETAILS

Name of Organisation: .....

Mailing Address: .....

Town/Suburb: ..... State: ..... Postcode: .....

ABN: ..... GST Registered  Yes  No

Name of Contact Person: .....

Telephone: ..... Mobile: .....

Email: .....

### PART C DETAILS OF OPERATION

Please provide a detailed description of the non for profit charitable services you provide to the Gunnedah Shire:

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.....  
.....  
.....

**Type of Waste to be Disposed**

Specify Type of Waste:

.....

.....

*Note: Fee relief for the disposal of hazardous or offensive waste is not available under this Policy. Disposal of hazardous or offensive waste will be charged as per Council's Waste Disposal Fees and Charges Schedule. If hazardous waste or offensive waste is disposed of, the right to withdraw any Eligible Charitable Organisation's approval will be exercised.*

**Nominated Vehicles**

Council requires a list of registration numbers of private vehicles being used to transport & dispose of waste seeking exemption from fee's at Gunnedah Waste Management Facility.

No commercial waste collection vehicles will be approved through this waiver.

*Note – this list can be updated at any time during the financial year contacting Council. Failure to provide accurate vehicle registration details may result in normal fees and charges being applied.*

| VEHICLE REGISTRATION NUMBER | VEHICLE MAKE | EXPIRY DATE |
|-----------------------------|--------------|-------------|
|                             |              |             |
|                             |              |             |
|                             |              |             |

**PART D ELIGIBILITY CRITERIA AND GUIDELINES**

In accordance with the Waste Management – Exemption from Charges for non -profit charities (orphaned waste) please include the following documentation with your application:

- Certificate of Charity Status.
- Registration for not-for-profit organisation within the Gunnedah Shire.

**Fees and Charges**

Please refer to Council's current Operational Plan for fees and charges schedule.

*The disposal of hazardous or offensive waste is not available under this assistance agreement. Disposal of hazardous waste will be charged as per Councils Waste Disposal Fees and Charges Schedule. If hazardous or offensive waste is disposed of, the right to withdraw any organisations approval will be exercised.*

**PART E: CERTIFICATION**

I, the applicant, acknowledge that:

I have read and understood this form and the Waste Disposal Fees for Charitable Organisations Policy;  
I acknowledge that the information on this form is true and correct;

Once I have been notified of Council's decision I agree to pay all applicable fees and charges required for material types outside the policy criteria.

Print Name: .....

Signature: ..... Date: .....

**COUNCIL USE ONLY**

**WASTE MANAGER TO COMPLETE**

- I have undertaken an initial assessment of the relevant documentation provided to Council which has been determined to be complete and within guidelines.

Yes — Please sign and date form       No — Please provide a reason below:

Please provide reason: .....

Waste Manager's Recommendation: .....

.....

.....

.....

- I do not have a pecuniary or significant non-pecuniary conflict of interest

Yes — Please provide reason       No — Sign below

**Please provide your name, signature and the date on which the assessment was undertaken.**

Authorised Officer: .....

Signature: ..... Date: .....

**GENERAL MANAGER TO COMPLETE**

- I have reviewed the Waste Manager's assessment and my **recommendation is:**

Yes — Approved, sign and date below       No — Please provide reason below

Please provide reason: .....

Authorised Officer: .....

Signature: ..... Date: .....

**Additional Comments:**

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