

JUNEE SHIRE COUNCIL

POLICY REGISTER

SUBJECT: FINANCIAL ASSISTANCE UNDER SECTION 356

POLICY TITLE: DONATIONS, GRANTS AND SPONSORSHIP

I. Background:

Council currently makes decisions on provision of donations, grants and sponsorship on an ad hoc basis usually where an organisation or individual makes a request to Council for some financial assistance.

Because of the diversity of requests that Council may receive it is important to ensure that all requests are met with fairly and that they are in accordance with Council's Delivery Program.

Financial assistance by Council is governed by Section 356 of the Local Government Act which States:

- “(1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*
- (3) However, public notice is not required if:*
 - (a) the financial assistance is part of a specific program, and*
 - (b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
 - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.*
- (4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work.”*

Under this policy, financial assistance including community grants, sponsorships, and the waiving of Council rates, fees and charges is considered as a donation, and provided in accordance with s.356 of the Local Government Act 1993.

The Policy is designed to ensure that there is a professional, equitable and consistent approach to the provision of donations, grants and sponsorships.

2. Objectives:

- To provide a policy framework for the allocation of financial assistance under Section 356 of the Local Government Act, 1993;
- To consider financial assistance to local service, cultural, academic, sporting, charitable or non-profit organisations who operate within or provide benefit to the residents of Junee Shire or conduct quality cultural, academic, sporting and community service programs and activities and who cannot attract sufficient funds from other sources;
- To provide a suitable budget allocation in the Operational Plan for financial assistance that is consistent with Council's Delivery Program and Community Plan.
- To detail the principles whereby Council grants donations, grants and sponsorships to organisations;
- To maintain a consistent, open and equitable approach to the distribution of Council's financial assistance budget, whilst endeavouring to ensure that local community needs can be addressed on a priority basis.
- Establish an application process including procedures for use by organisations in applying for donations and grants.

3. Stakeholders

Councillors, Junee Sports Committee, ratepayers, organisations and individuals seeking financial assistance from Council.

4. Application and Implementation:

- The Council as a whole allocate the global budget for donations for community purposes. The public have an opportunity to comment on the amount allocated in June each year when the Draft Delivery Program and Operational Plan is on public exhibition. The Council as a whole will consider any written submission prior to adopting the Delivery Program and Operational Plan.
- Financial assistance will be provided on the basis of the relative merits of each application taking into account the circumstances of each case, the availability of funds in the Council's budget, and the benefits to the community provided by the project/activities of the organisation.
- Donations can be in cash, goods or services, including rates and charges reductions.
- Council provide financial assistance to not-for-profit community organisations located within the Junee Local Government Area to support local projects and activities which benefit the Junee community. Support may be given to not-for-profit community organisations based outside Junee where the organisation has specifically targeted activities that have a direct benefit for the Junee community.
- Branches of charities which raise funds for projects and activities outside of the Local Government Area (at a State, National or International level) will not be supported.

- Council will determine in each Operational Plan, an amount of non-recurrent Financial Assistance for allocation during the year.
- Applications may include the re-imbursement of the general rates component of property rates for those eligible not-for-profit community organisations.
- Council will consider the waiving of fees and charges for not-for-profit community organisations, sporting and recreation bodies and s.355 committees on a one-off basis for:
 - Development application fees and associated charges
 - Hire/lease fees of Council’s sporting, community and cultural facilities
- ‘Works in Kind’ donations will be limited to minor works and services which are not of a capital nature and are not capable of being funded by another organisation.
- Requests for assistance involving the donation of time and/or labour of employees and/or plant or equipment (Works in Kind) must meet all the necessary insurance requirements.
- Standing types of annual donations as provided in Schedule I to this policy.

5. Exclusions from consideration

- National or State Not-for-Profit organisations requesting reimbursement of rates or charge in the form of a donation.
- Individual donation requests for sporting achievement.
- Sporting organisations request for waiving fee and charges at June Junction Recreation and Aquatic Centre.

6. Making an Application

- Applications for financial assistance may be accepted at any time throughout the year.
- Applications for waiving of fees and charges for the use of Council owned facilities may be submitted throughout the year.
- All applications for financial assistance must be submitted on Council’s Financial Assistance application form.
- A working group, consisting of the Mayor, the Deputy Mayor and the General Manager will convene to consider applications received. The working group, in formulating its recommendations, will assess applications on the basis of the guidelines and criteria for funding, as contained in this policy.
- Any request for financial assistance outside the assessment timetable will still need to address the criteria detailed in the guidelines, and be submitted on the relevant application form.

7. Waiving of Development Application Fees

Please see Council's Policy "Refund/Waiver of Development Application Fees for Charitable, Religious, Non-Profit Community and Sporting Groups and Community Service Organisations" for details on waiving of Development Application Fees.

8. Donation Guidelines

In assessing applications, and in making recommendations to Council in relation to donations, the working group will consider the following criteria:

- Only applications received that are eligible under this policy will be considered.
- Federal or State Government Funded initiatives will generally not receive assistance under this policy.
- Donations will not be made to groups which are raising funds on behalf of another community group which has itself made application for funding in the funding round under consideration.
- Applicants must be based in or affiliated with, and/or service clients within the Junee Shire Council Local Government Area.
- Applicant organisations must be "not for profit".
- To the extent practicable, allocation of donations will consider the issue of equity, both in terms of geographic distribution of funds and allocation across the categories of funding contained in this policy.
- The extent to which the activity meets the identified needs in Council's Community Plan and Delivery Plan.

9. Standing Donations

Council will make annual donations as detailed in its adopted Operational Plan each year.

10. Sponsorships

- a. Sponsorship will only be granted by Council to organisations or individuals where:
 - It provides the opportunity to promote Council's key messages, programs and activities.
 - It builds relationships with key stakeholders and benefits the community in accordance with its overall mission and goals.
 - The individual or organisation sponsored does not represent objectives or products that conflict with the values and objectives of Council.
 - Sponsorship would compromise or be seen to compromise Council's ability to exercise its role impartially particularly its regulatory functions.
- b. Any actual or potential conflicts of interest should be identified as part of the assessment process.
- c. Suitable activities include, but are not limited to;

- Cultural or community events, community education, conferences, trade shows, scholarships, awards, research and publications.
- d. Council will determine in each Operational Plan, a sponsorship amount for potential allocation during the year.
- e. The determination shall include a sponsorship amount for the Junee Junction Recreation and Aquatic Centre (JJRAC) which will be used at their discretion in promoting their activities.
- f. All sponsorship will be considered by the Working Group in accordance with this Policy.
- g. Any request for sponsorship that cannot be met from Operational Plan allocations will be referred to the drafting of the next Delivery Program.

11. Relevant Legislation

- Local Government Act 1993
- Local Government (General) Regulations 2005

12. Review Date

This Policy will be reviewed with four years of its authorisation or where a change in governing legislation necessitates a change prior to that time.

13. Authorisation

This Policy was adopted by Council on:

OFFICE USE ONLY:

DATE ADOPTED: 15/12/2015 **MIN. NO:** 10.12.15

Schedule I

Annual Donations

Council will make annual donations as follows:

1. To Schools located within the Junee Local Government Area for their annual prize giving/speech day ceremonies.
2. A donation equivalent to the ordinary rates levied for the year to the following organisations and facilities located within the Junee Local Government Area:
 - Rural Public Halls
3. Civic receptions and festivals. There are numerous community events that the council provides in-kind supports to. Events or ceremonies for example, such as, Anzac Day, the Junee Show, Riverina Schoolboys Football Carnival or Christmas on Broadway are important community events that the Council supports through: staffing for traffic management, additional waste collection, supply and removal barriers and signage. These events are important social occasions for the community that help reinforce resilience and pride within rural communities. Council allocates a substantial amount in its budget each year to support major community events. Where existing arrangements are in place there is an expectation that this in-kind support will continue. These arrangements shall continue unless financial constraints to budgets need to be applied. New major events are welcome to request similar support where they meet the criteria of this policy.
4. Junee Town Band.
5. Junee Junction Recreation and Aquatic Centre is allocated a small amount of expenditure to support events associated with activities at the Centre. Requests received related to this area are referred to and managed by Centre Management.