

Policy

Donations

Responsible Manager (Title)	Community Services Coordinator		
Adopted by Council	15 December 2020	Minute Number 6c.20.187	
File Reference Number	ECM_2188369_v1_Donations Policy December 2020	Version 10.0	Review Due Sept-24
Document(s) this policy Supersedes	V9.0 – 15/09/2015 – 13/123.15		
Community Plan Linkage	5 Leadership		
	5.1 We will have a strong, accountable and representative government		
	5.1.4 Ensures transparent accountable decision making for our community		

1 Purpose

Clarence Valley Council values the contribution made by community and sporting organisations to enhance the culture, health and heritage of the Clarence Valley. The purpose of this Policy is to enable Council to support the local projects and initiatives put forward by the organisations that promote these values. In doing so, the Policy aims to:

- 1.1. secure an open and transparent decision-making process for requests for donations from Council, and
- 1.2. provide an accessible and equitable process for groups and organisations seeking donations from Council.

2 Policy Objectives

- 2.1 To establish guidelines for determining donations to be made by Council within the adopted budget allocation.
- 2.2 To establish two (2) on-line application rounds annually donation requests.
- 2.3 To provide clear guidance on the criteria by which donation applications will be assessed and allocations determined.
- 2.4 To provide a process which allows Council to conduct a meaningful comparison of requests for donations.
- 2.5 To provide a process which allows Council to maintain an efficient and equitable distribution of Council donations.

- 2.6 To enhance Council's appreciation and understanding of community groups operating in the Clarence Valley.

3 Definitions

Donations includes 'financial assistance' 'in-kind assistance', sponsorship and the waiving of fees and charges.

4 Background/legislative requirements

- 4.1 S.356 of the Local Government Act gives Council the power to make donations.
- 4.2 S.377 of the Local Government Act states that this power cannot be delegated but must be exercised by Council at a Council meeting

5 Policy statement

- 5.1 This Policy supports financial assistance under the Community Initiatives Program. A separate *Sponsorship Policy* is in place for Council's Festivals and Events Development Program.
- 5.2 Each year, Council will make provision in its budget to provide financial assistance to selected organisations which meet the criteria set out in this Policy.
- 5.3 Nothing in this Policy restricts Council from making recurrent donations, subject to Council receiving an annual application from the applicant organisation. Funding in any one year will neither preclude nor guarantee funding in any other year.
- 5.4 Generally, Council will only provide financial assistance to incorporated organisations or unincorporated organisations auspiced by an incorporated organisation, although it may provide financial assistance to an unincorporated organisation making application under the Community Initiatives Program, if that organisation maintains its own bank account. Council will only provide financial assistance to individuals in exceptional circumstances and only then if the application for assistance is made by an incorporated organisation.
- 5.5 Council may consider requests from organisations not based in the Clarence Valley provided that the service they provide benefits the Clarence Valley community.
- 5.6 All applicants for funding must complete a Community Initiatives Program online application form via a SmartyGrants link on Council's website. If your organisation has multiple projects or events, all proposed dates should be included on one application form.
- 5.7 Council may support fundraising activities by organisations that provide social benefit within the Clarence Valley.
- 5.8 Council will not provide funding under this Policy to sporting associations unless the organisation is a

member, or is in the process of becoming a member, of the *Goodsports* Program under Council's Sports Management Policy.

5.9 This Policy does not apply to any requests for assistance from:

5.9.1 the Clarence Valley Sport and Cultural Trust Fund (this is a separately funded Trust of Council with its own Policy and funding criteria);

5.9.2 the Sports Councils;

5.9.3 the Clarence Valley Cultural Committee; or

5.9.4 s355 Committees of Council.

The Sports Councils, Cultural Committee and s355 Committees are all committees of Council and funding for them is separately allocated through the budget process.

5.10 All funding is allocated at the discretion of Council and subject to budgetary constraints. No application is guaranteed funding support or that the full amount requested will be donated.

5.11 All donations require the PRIOR approval of Council. Council will not make retrospective donations. Donation applications can only be received via the SmartyGrants link on Council's website during the specified period for that Round.

5.12 Donation requests which do not meet the criteria of this Policy will be declined without report to Council for consideration.

6 Criteria

Applications under the Community Initiatives Program are to relate their submission to one or more of the following criteria:

6.1 not for profit community organisations (excluding sporting associations) providing a community service within the Clarence Valley region where there is a demonstrated community need or benefit;

6.2 educational institutions in the Clarence Valley for award presentations only – see Clause 8.6;

6.3 sporting associations to assist with sponsorship of an event or an award only (as distinct from funding for an event itself - see Events and Festivals);

6.4 organisations involved in cultural development within the Clarence Valley

6.5 financial viability of the organisations or groups making the applications (profit and loss or income and expenses and balance sheet information will be required)

6.6 organisations that provide a valuable service or benefit for which there are no alternate funding sources.

6.7 Preference will be given to donations that:

6.7.1 assist to provide a service that falls within Council's area of responsibility, or

6.7.2 benefit or assist a target group or activity identified in one of Council's strategic plans.

6.8 the donation request must be for an activity or service to be provided within that financial year as approved by Council.

6.9 Council will only make, except in very exceptional circumstances, one donation to any organisation each financial year

7 Ineligible Activities

Council will not approve financial assistance:

7.1 for community initiatives or events that generate financial profits for commercial companies and/or individuals,

7.2 for on-going operational or administration expenses of an organisation with the exception of donations for rates in accordance with clause 8.2 - examples of on-going operational or administration expenses include insurance, utility expenses (electricity, phone, etc) computers and rent,

7.3 retrospectively,

7.4 for capital works and major building repairs (as opposed to minor maintenance).

8 Procedures

8.1 Donation of Council Development Application fees

Council will consider applications to donate DA, CC, archive and compliance and occupation certificate fees as follows:

8.1.1 in respect of buildings on Council owned land or Crown land by community based non-profit organisations –

8.1.1.1 where the facility is for the exclusive use of the organisation – 50% donation, and

8.1.1.2 where the facility is for general public use – 100% donation.

8.1.2 in respect of buildings on private property by community based non-profit organisations – 30% donation, and

8.1.3 in respect of Rural Fire Service brigade sheds – 100% donation.

Council will not donate any portion of these fees that relate to Building & Construction Industry long service leave contributions, advertising or Plan First contributions. These fees will be required to be paid in full by the applicant in all circumstances.

8.2 Donations of rates

Council may consider applications for donations for the payment of general rates from organisations that meet the criteria set out 6.0 above and:

- 8.2.1 the property is located within the Clarence Valley Council area,
- 8.2.2 the organisation is providing a community service within the Clarence Valley Council area and that service is identified in Council's strategic plan,
- 8.2.3 the property is an integral part of the service provision and is not used for any commercial activity, and
- 8.2.4 the organisation demonstrates, through its financial statements, a need for assistance to pay its rates (provided that the organisation sets its fees and charges at a proper rate of cost recovery).

Council will consider applications for donations for water charges from organisations that provide a public toilet facility for the community and it can be demonstrated that there are no other public toilet facilities in the vicinity.

NB: General rates do NOT include water, sewer, garbage, waste levy unless specifically agreed to.

8.3 Donations Keep Australia Beautiful Council Tidy Towns Program

Council will fund entry fees only and provide in-kind assistance to towns and villages wishing to participate in the Tidy Towns program subject to budget restraints.

Any community seeking funds for the Tidy Towns program should apply through the Council's annual Community Initiatives Program for funding for entry fees only, works and on ground activities relating to the objectives of that program.

8.4 Applications invited by Council twice annually

Each year, Council will publicly advertise for applications from not-for-profit organisations seeking donations from Council during the forthcoming and during the current financial year. To be eligible for a donation from Council, these organisations must submit an application on the prescribed form via the SmartyGrants link on Council's website and meet the criteria set out in this Policy.

There will be two application rounds under the Community Initiatives Program in each financial year. The first round will close in late April for report to Council's June meeting with approved donations being paid in the forthcoming financial year. The second round will close in late October for report to Council's December meeting.

The application rounds will be publicly promoted as much as possible to maximise the response to the calls for applications as there will be no ad hoc / out of Round applications throughout the year.

Council will determine the level of financial assistance to be included in its budget for the relevant year.

Each applicant will be advised of Council's decision.

8.5 Donations to Educational Institutions

Financial assistance of an amount fixed annually by Council will be provided to the Grafton and Maclean Campuses of TAFE and to the schools, both public and private, in the Clarence Valley, subject to submission of a written application. This will be reported in conjunction with the report submitting the Community

Initiatives Program applications to the June meeting for consideration. The financial assistance will only be provided for the purpose of assisting the institutions with their annual awards presentations.

Any donation requests from Educational Institutions within the Clarence Valley local government area that are not eligible under this Policy must be reported to Council as a separate item for decision. (Reference Council Resolution 15.019/14, 21 October 2014)

9 Attachments

Nil