



NAMBUCCA VALLEY COUNCIL

DONATIONS (CHARITABLE AND OTHER) POLICY NO: G 14

Our Vision

Nambucca Valley ~ Living at its best

Our Mission Statement

'The Nambucca Valley is a vibrant, sustainable, inclusive and connected community that values and respects the Gumbaynggirr culture, its environment and lifestyle, whilst creating opportunities for a safe and meaningful future for all.'

Policy Statement:

To ensure that Council has a consistent, equitable and transparent process to respond to requests for donations. That equitable consideration is given to all donation applications received meeting this policy. Funding of donations represent value for money to the community

1.0 Policy objective

To ensure that money provided by Council to community organisations is allocated in the most effective manner, enabling Council to be more accountable to the community in regard to the spending of Council funds and be more transparent about the level of financial support to community events and organisations.

- 1.1 To provide clear guidelines for the management of financial donations made by Council.
- 1.2 To ensure Council has a consistent, equitable and transparent process to respond to requests for donations of financial assistance funds in an equitable and appropriate manner.
- 1.3 To provide appropriated in-kind assistance to local not for profit organisations and one-off events.
- 1.4 To ensure that all applications received, which meet the policy requirements, are given equitable consideration for donation funding.

2.0 Related legislation

- 2.1 Section 356 Local Government Act 1993
- 2.2 Local Government (General) Regulation 2021 (NSW)
- 2.3 Local Government and Planning Legislation Amendment (Political Donations) Act 2008

3.0 Definitions

3.1 Contribution

A contribution is a consideration to an independent organisation that will assist the Council in the maintenance and operation of a Council asset or program.

3.2 Donation

A donation is a contribution made by Council without consideration or conditions other than the donation must be used in accordance with Council's objectives and have a demonstrated benefit to the community. Council may make this donation as a direct monetary contribution, reimbursement for the provision of Council services, facilities or equipment on behalf of Council; or as direct services for which no return benefits are expected. In particular, Council donations can be in the form of payment of rates and charges on behalf of the community or sporting organisations, particularly where the property is leased from Council, and services are provided on behalf of Council.

3.3 Grant

A grant is a consideration made by Council that focuses on a specific activity which is directed at achieving the community goals and objectives of Council.

3.4 Sponsorship

NAMBUCCA VALLEY COUNCIL – DONATIONS POLICY

A sponsorship is a consideration to support the promotion of activities undertaken by Council.

4.0 Policy Content

- 4.1 Nambucca Valley Council in accordance with Section 356 of the Local Government Act annually allocates funds to provide financial assistance to community groups. Council acknowledges the contributions made by the not-for-profit organisations in the local government area, and is willing to support these organisations to achieve their goals wherever possible by committing limited funds in the budget for this purpose.
- 4.2 Council will consider provision of financial assistance by way of donation to local organisations, where in Council's opinion, the application meets the eligibility criteria and demonstrates a community need.
- 4.3 This policy details the eligibility criteria for the Donations Program, and the types of Donations provided.

5.0 Donations Policy Funding Guidelines

- 5.1 During the management planning process each year Council allocates funds for Section 356 Financial assistance. To optimise the benefit of these funds in the community, funds are allocated in accordance with the guidelines, eligibility and selection criteria outlined in this Policy.
- 5.2 Each year Council will allocate an amount in its annual budget for Section 356 Financial Assistance.
- 5.3 Availability of donations to community groups is on an application basis, and applications will be accepted all year. An application form is available on Council's website or by contacting Council's Administration Centre.
Council will accept applications from groups and organisations as identified in this Policy, however groups must be aware that donations must be used in the financial year they are granted. Acquittals are required by 30 June of the year in which a donation is paid.
- 5.4 All applicants will be made aware that there are limited funds available in Council's budget and donation requests will be capped at \$1000. An application is not a guarantee of a donation, as once funds are expended, as allocated, there will be no further available funds until the following financial year.
- 5.5 All applicants will be required to complete an application in the approved form, which will include a brief description of the organisation, the organisation's viability, the purpose of the funding request and the need to be accountable for any funds provided.
- 5.6 All applications received will be included in a report to Council at the next available Business Paper identifying each application and the funds applied for.
- 5.7 Council will base an assessment of each application, in accordance with the requirements of the Act and the selection criteria outlined in this Policy. Council may choose to fund, part fund or not fund each application.
- 5.8 Due to limited funding available, the maximum amount that can be funded for any single request will be \$1000.
- 5.9 When the annual budgetary limit is reached, no further applications will be considered. Council will be advised when the current budgetary limit is close to being fully allocated, within \$2,000~~1,500~~, with an email from the Grants and Contributions Officer, as required.
- 5.10 Funds are to be made available to groups after resolution of Council.

NAMBUCCA VALLEY COUNCIL – DONATIONS POLICY

- 5.11 Subsequent applications for assistance, once funds are exhausted, or applications requesting a donation in excess of the “capped” amount, are to be treated as follows:
- 5.11.1 An appropriate response will be given where support is not provided.
- 5.12 Council will make an annual provision for:
- 5.12.1 Award presentations for each of the thirteen (13) operating primary and secondary schools in the Local Government Area of \$150 to each school. Those schools are:
- Bowraville Central School
 - Eungai Public School
 - Frank Partridge VC Public School
 - Macksville High School
 - Macksville Public School
 - Medlow Public School
 - Nambucca Heads High School
 - Nambucca Heads Public School
 - Nambucca Valley Christian Community School
 - Scotts Head Public School
 - St Mary's Primary School
 - St Patrick's Primary School
 - Tallowood Steiner School
- 5.12.2 An annual donation of \$500 to the Talarm Hall Committee of Management to cover out of pocket expenses for the volunteers and the Hall Committee in maintaining the Welsh Pioneer Park.
- 5.12.3 An annual donation of \$250 to Legacy for the annual appeal.
- 5.13 Financial assistance is available to not-for-profit organisations which provide a community service within the Nambucca Valley, and that service assists Council in exercising its functions.
- 5.14 Funding assistance relating to the conduct of events will only be funded if they are community based events that provide a social benefit to the community.
- 5.15 Groups who receive funding will be required to show proof of expenditure for the purpose nominated by 30 June each year and whether the objectives of the funding were met, by completion of an Acquittal form. Groups who fail to comply will not be considered for further funding.
- 5.16 It is not incumbent on Council to donate any, or all, of the funds.
- 5.17 If Council approves a funding request for financial assistance, it is not an ongoing commitment to funding for any following year, unless explicitly stated by Council.
- 5.18 Charitable organisations who make applications each year for a waste waiver, (disposal of inert materials), and have a current exemption in place for the waste levy from the EPA, are granted an allowable disposal tonnage, based on an approved application considered separately by Council, will be reimbursed upon submission of the appropriate paperwork. Any waste delivered over the approved tonnage will be invoiced if exceeded, and charged at the current landfill disposal rate, less the EPA levy exemption.
- 5.19 Provision of waste services for one-off or scheduled events in any financial year are to apply each year for the provision of services, including details of the event, date of the scheduled event, and approximate level/tonnage of waste to be disposed of or bins to be supplied, and collected by Council. Each application will be considered separately by Council and approved prior to the start of a new financial year to ensure budgetary allowances are made for the waste services contribution.

NAMBUCCA VALLEY COUNCIL – DONATIONS POLICY

6.0 Selection Criteria

- 6.1 Other than the annual donations to schools in the local government area for award presentations, and other noted donations, Council requires that organisations applying for funding under this policy are to submit an application.
- 6.2 Applicant organisations must be based in the Nambucca Valley Council local government area or must be affiliated with, or service clients within the Nambucca Valley Council local government area.
- 6.3 Federal or State Funded initiatives will generally not receive assistance under this Policy, nor will requests by organisations raising funds on behalf of another organisation, which is the recipient of financial assistance from the State or Federal Government.
- 6.4 Generally, Council will only provide financial assistance to incorporated not-for-profit organisations or unincorporated not-for-profit organisations, auspiced by an incorporated organisation.
- 6.5 Applicants for funding are required to demonstrate the financial viability of their organisation.
- 6.6 Preference is given to organisations that provide a valuable service or benefit for which there are no alternative funding sources.
- 6.7 The donation request must be for an activity or service to be provided within that financial year as approved by Council. Should an applicant not be in a position to expend the funds within the year, the applicant should prepare a written explanation and proposed time frame for the expenditure.
- 6.8 If an organisation wishes to modify its request or alter the proposed project or event, the applicant should make this request in writing. It is at the discretion of the General Manager as to whether the intent of this modification meets Council's objectives.
- 6.9 Council will not make retrospective donations. Requests for donations made to the Mayor and General Manager outside of the Donations Policy, should be lodged at least six weeks prior to the date on which they are required.
- 6.10 Council will not provide financial assistance to individuals or organisations raising funds on behalf of an individual.
- 6.11 Activities ancillary to the functions of registered educational institutions, such as Parents and Citizens organisations are not eligible for funding under this Policy.
- 6.12 Consideration will be given regarding how each project will assist Council exercise its functions.
 - i Consider the impact each project will have on the community or on disadvantaged groups within the community.
 - ii Consider the number of potential beneficiaries from the proposed project or service.
 - iii Where the project has a smaller number of potential beneficiaries from the proposed project or service, consider the relative disadvantage of that group of people (e.g. low income, youth, Aboriginality, rural or social isolation, disability, etc).
 - iv Consider the availability of other funding sources.
 - v Consider resources/projects availability to the general community.
 - vi Consider the equity of support to groups across the area.
 - vii Consider whether or not the applicant has received Section 356 Financial Assistance
 - viii Include consideration of whether requirements for previous funding have been met.

NAMBUCCA VALLEY COUNCIL – DONATIONS POLICY

7.0 Donation of Council Development Application (DA) fees

- 7.1 Council will make an annual provision for the refund of half of DA fees, to a maximum value of \$500, not including fees collected on behalf of the State Government, from appropriate funds, pending submission, and acceptance, of a written application for a refund, for:

- 7.1.1 non-profit charitable organisations.
- 7.1.2 Council's Section 355 Committees.
- 7.1.3 non-profit community and sporting organisations.

- 7.2 Council will not refund DA fees and developer contributions where the applicant:

- 7.2.1 is providing a personalised service for fees e.g. nursing homes, preschools or childcare centre;
- 7.2.2 is a profitable operation;
- 7.2.3 operates licensed premises.

- 7.3. All Council fees must be paid in full, prior to Council considering an application to refund DA fees or developer contributions.

8.0 In-Kind Donations

- 8.1 Council may consider providing material, equipment or human resources support to community organisations. Any such in-kind donation would need to take into account the impact on the essential work of the Council through consultation with the relevant Department Director, before being committed.

- 8.2 Council provides a photocopying service for not for profit and community based service organisations within the Nambucca local government area. Council will undertake copying of up to 1,000 double sided A4 pages **twice per annum** at no cost provided the organisation gives Council the necessary photocopy paper at a specification which meets the requirements of Council's copier. This copying will be in black and white only. No colour copying to be provided.

9.0 Acknowledgement

- 9.1 Where possible or feasible, recipients of the Donations Program are requested to give public recognition to the donation received from Council, and acknowledge Council's financial assistance on any related promotional material.

10.0 Acquittal

- 10.1 Council requires an acquittal of all donations.
- 10.2 The recipient organisation is required to detail the manner in which the funds have been expended and a brief description of outcomes.
- 10.3 Council is to receive the acquittal of these funds by no later than 30 June of that year, unless another agreement has been approved.
- 10.4 Organisations that do not complete an acquittal of the donation, will not be eligible for a future donation, until such time as the paperwork is received and approved.

NAMBUCCA VALLEY COUNCIL – DONATIONS POLICY

11.0 History

Department:	Governance	Last Reviewed	Resolution Number
Policy Category	Council	31 March 2016	150/16
Endorsed By:	General Manager	27 July 2017	361/17
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