

1.0 INTRODUCTION

- 1.1 Under section 356 of the *Local Government Act 1993 (NSW) (LG Act)*, the Council is able to, in accordance with a resolution of the Council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
- 1.2 This Policy demonstrates the Council's commitment to being 'A Leading Organisation' as articulated in the 10 Year Community Plan and in particular:
Strategy L1.7 Be accountable and transparent in our affairs, operate with integrity, improve our responsiveness and pursue innovative solutions for organisational improvement.

2.0 PURPOSE

- 2.1 The purpose of this Policy is to provide guidelines, conditions and information on the Council's provision of financial assistance under section 356 of the *LG Act*.
- 2.2 Due to limited funding available within the Council's budget, this Policy seeks to provide funding to only those organisations that provide the most benefit to the community and the funding is utilised for purposes which support, and are consistent with, the 10 Year Community Plan.

3.0 SCOPE

- 3.1 This Policy applies to any organisation (or individual on behalf of such organisation) based within the Moree Plains Shire who requests from the Council the donation of materials, plant, use of buildings or funding for the provision of services or for activities within the Shire.
- 3.2 Requests for funding under this Policy will only be considered on application, on completion of the Public Donations Application Form (in either hard copy form or electronically).
- 3.3 Funding will only be advanced under this Policy to an organisation on one (1) occasion each financial year.
- 3.4 The amount available for distribution by the Council each financial quarter under this Policy will be as set out in the Council's annual budget and once this amount has been utilised in any quarter, the Council will not entertain any further applications for funding in that quarter.
- 3.5 The maximum amount of financial assistance permitted to be granted by the Council in relation to any application for financial assistance under this Policy is \$3,000.

- 3.6 An application in relation to any of the following is ineligible for financial assistance under this Policy (and is accordingly, an **Ineligible Application**) and such applications will not be considered by the Council:
- 3.6.1 an application where a completed Public Donations Application Form is not submitted;
 - 3.6.2 an application which does not attain a score of 100 points or more on the Sponsorship Calculator;
 - 3.6.3 an application where a completed Public Donations Application Form is not received within the timeframes specified by this Policy;
 - 3.6.4 retrospective funding of any activity;
 - 3.6.5 a request from a political party or other party affiliated or associated (either directly or indirectly) with any political party, whether registered or not;
 - 3.6.6 a project, event, service or activity which should be funded by the State or Federal Government, if so eligible;
 - 3.6.7 a request from a government agency and/or authority;
 - 3.6.8 a request for waiver of booking fees and/or security deposits for the use/ rental of any Council-owned building (including, without limitation, the Moree Memorial Hall);
 - 3.6.9 a request for funding to support an enterprise for private gain;
 - 3.6.10 a request for funding which will be directed to payment of rates;
 - 3.6.11 a request from an individual on their own behalf or on behalf of another individual, whether for private gain or not;
 - 3.6.12 a request for funding for construction of, or upgrading, infrastructure on private land;
 - 3.6.13 a request for funding of construction of, or upgrading, infrastructure on public land which is not accompanied by an asset maintenance plan (including an explanation of how such maintenance is proposed to be funded);
 - 3.6.14 an applicant which has been funded under the Community Engagement Deed;
or
 - 3.6.15 an application from an applicant that has been previously funded by the Council under this Policy but has not provided a Finalisation Report (or any part thereof) to the Council's Executive Department within six (6) months of such funding being advanced.

3.7 In the case of an application relating to:

3.7.1 a request for funding which will be directed to uniforms or sporting attire;

3.7.2 a request for funding which will be directed to travel costs; and/or

the application will not be prioritised by Councillors in the event there is insufficient funding available in that financial quarter to meet all other eligible applications. If sufficient funds are available, the requests will still be considered, noting that travel to other Shires is not considered a direct benefit to the economic prosperity of the Moree Plains Shire and as such, a competing funding application relating to uniforms or sporting attire is likely to be prioritised over funding travel expenses.

4.0 DEFINITIONS

4.1 **10 Year Community Plan** means the community strategic plan of the Moree Plains Shire adopted on 22 June 2017: Moree Plains 2027 – Your Shire. The Plan. Our Future.

4.2 **Community Engagement Deed** means the community engagement deed entered into (or to be entered into) by Council and Moree Solar Farm Pty Ltd.

4.3 **Council** means Moree Plains Shire Council.

4.4 **Disability Inclusion Action Plan** means the disability inclusion action plan of Moree Plains Shire adopted on 22 June 2017.

4.5 **Finalisation Report** means a report prepared by the recipient of financial assistance to be provided to Council within six (6) months of receipt of such funding or within two (2) months of the function or event (whichever is earlier) and comprising:

4.5.1 a written statement or letter addressed to the Council setting out how financial assistance provided by the Council was utilised, including receipts (if appropriate); a pro forma report is available from the Executive Office on request;

4.5.2 details of how the Council was publicly acknowledged in the provision of such financial assistance;

4.5.3 if the application detailed how inclusion and accessibility would be facilitated, verification of how this was undertaken;

4.5.4 photographs which confirm the expenditure has taken place for the purpose for which it was sought (for example, if the money was used to paint several buildings, photographs of the painted buildings must be provided); and

4.5.5 if the application detailed other contributions (financial, in kind or otherwise) to be made, verification that this occurred.

- 4.6 **Ineligible Application** has the meaning set out in paragraph 3.6.
- 4.7 **LG Act** means the *Local Government Act 1993 (NSW)* as amended from time to time.
- 4.8 **Public Donations Application Form** means the form to be completed and submitted to the Council in relation to a request for financial assistance, as enclosed as Attachment 1 to this Policy.
- 4.9 **Sponsorship Calculator** means the calculator forming part of the Public Donations Application Form which must be completed and submitted by an applicant in relation to a request for financial assistance.

5.0 POLICY STATEMENT

5.1 Responsibilities

- 5.1.1 The Executive Department is responsible for implementing this Policy.
- 5.1.2 The Executive Department is responsible for including approved policies in the Policy Manual.
- 5.1.3 The Executive Support staff are responsible for:
- 5.1.3.1 making this Policy readily available to community members and staff on request;
 - 5.1.3.2 reviewing each completed Public Donations Application Form, allocating points (in accordance with the points guide) on the Sponsorship Calculator and obtaining the General Manager's approval in relation to the points allocation on the Sponsorship Calculator; and
 - 5.1.3.3 for otherwise ensuring that this Policy is adhered to in a consistent manner.

5.2 Applicants

- 5.2.1 An application for financial assistance under this Policy will only be considered when the applicant satisfies the following criteria:
- 5.2.1.1 the application must not be an Ineligible Application;
 - 5.2.1.2 the financial assistance must be used for a purpose which benefits the community and is consistent with, and supports, the strategic priorities of the 10 Year Community Plan;
 - 5.2.1.3 the organisation must be based in and/or actively working within the Moree Plains Shire or, if located outside the Moree Plains Shire, the organisation must provide a service that primarily impacts upon residents of the Moree Plains Shire (evidence of this may be required, on request).

5.2.2 Applications will be favourably considered where:

5.2.2.1 the applicant demonstrates it has considered inclusion and accessibility having regard to Council's Disability Inclusion Action Plan; and/ or

5.2.2.2 contributions are being made by the applicant itself (financially or in kind) or a contribution has been secured through another grant or partnership. In respect of a financial contribution by the group itself or other grant or partnership secured, full details of the monetary amount are required to be disclosed. In the case of an in kind contribution, full details of the contribution should be included including a reasonable estimate of the financial cost that contribution accounts for.

5.2.3 Applications for financial assistance will be considered by the Council on a quarterly basis, in accordance with the following procedure:

5.2.3.1 the Council will consider eligible applications for financial assistance at its first meeting in each financial quarter except in the case of the third financial quarter, when it may be considered at the first or second meeting of that financial quarter;

5.2.3.2 at least eight (8) weeks prior to the relevant Council meeting, Executive staff will notify the community that requests for financial assistance can be made for the forthcoming quarter, such notification to be in the form set out in Attachment 2;

5.2.3.3 an application for financial assistance should generally be made in the financial quarter in which the proposed event, function or project is proposed to take place, however, an applicant may wish to apply in advance of that quarter should the financial assistance be sought for promotional purposes or the proposed event, function or project is taking place early in the quarter;

5.2.3.4 all applications for financial assistance in relation to events, functions and sponsorship taking place during the relevant quarter must be received by the Council no later than four (4) weeks prior to the relevant Council meeting and applications received outside this timeframe will not be considered;

5.2.3.5 within a reasonable time of receipt, the Executive department will review each completed Public Donations Application Form (including the Sponsorship Calculator), allocate points (in accordance with the points guide) on the Sponsorship Calculator and, together with the General Manager, determine whether the application is eligible or not; and

5.2.3.6 the Executive department will notify all applicants as to whether their application for financial assistance is eligible or not and if so, the date the application will be considered by the Council.

5.2.4 Ineligible Applications will not be considered by the Council.

5.3 Conditions of Funding

5.3.1 The Council does not guarantee to fund any application and does not guarantee to fund any application to the full amount requested.

5.3.2 Where an application for funding is approved by the Council, the financial assistance is provided subject to the following conditions:

5.3.2.1 the recipient will be required to give public recognition to the funding provided by the Council and acknowledge the Council's financial assistance on any promotional documentation, correspondence or other material (an electronic copy of the Council's logo will be provided for this purpose);

5.3.2.2 the funding must be expended within six (6) months of approval by the Council and any funds not so expended must be returned to the Council as soon as practicable thereafter;

5.3.2.3 where the financial assistance relates to use of a Council-owned facility for a function or event and entry fees or charges are to be imposed by the applicant to host the function or event, the Council may (in its discretion):

5.3.2.3.1 require the applicant to remit 50% of the scheduled fee or charge for use of that Council-owned land or facility to cover the Council's fixed costs; or

5.3.2.3.2 provide direct financial assistance to the relevant beneficiary of the function or event rather than the applicant;

5.3.2.4 the recipient is required to submit a completed Finalisation Report;

5.3.2.5 any other condition imposed by the Council, which may include evidence of public liability insurance if the financial assistance relates to the use of Council-owned land or facilities; and

5.3.2.6 the recipient is required to cooperate with Council's communications team in a timely manner, upon request, in putting together a media release to publicise Council's financial contribution.

5.3.3 Where funding is approved by the Council, this is not to be taken as an ongoing commitment of financial assistance for future years.

6.0 DELEGATION

- 6.1 The General Manager is authorised, pursuant to Section 377 of the *LG Act*, 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.

7.0 REFERENCES

- 7.1 *LG Act*
- 7.2 *Local Government (General) Regulation 2005*

8.0 DISPUTE PROCEDURE

- 8.1 In relation to any application for financial assistance considered by the Council, the decision of the Council will be final, with no further correspondence to be entered into.
- 8.2 Subject always to paragraph 8.1, should any dispute or difference (**dispute**) arise between the Council and an applicant in relation to an application for financial assistance (for example, because the application has been determined to be an Ineligible Application), the following procedure shall be followed to resolve the dispute:
- 8.2.1 at the written request of the aggrieved applicant, the applicant and the General Manager shall meet at the Council office at a mutually convenient time with a view to resolving the dispute through effective and constructive consultation (such meeting to take place within a reasonable time of the Council's receipt of the applicant's written request);
- 8.2.2 should the applicant and the General Manager not resolve the dispute within ten (10) business days of their meeting, the General Manager will consult with the Mayor in relation to the matter; and
- 8.2.3 the Mayor may, in his/her discretion, determine that the application for financial assistance be put before the Council for consideration.

9.0 ATTACHMENTS

- 9.1 Attachment 1: Public Donations Application Form
- 9.2 Attachment 2: Community Notification

10.0 REVIEW

- 10.1 This Policy will be reviewed within one (1) year of the election of a new Council.
- 10.2 Council will review existing policies if at any time it is apparent that the circumstances which gave rise to the Policy have changed substantially.

HISTORY

Original Policy	Public Donations (2013)
Policy drafted by	Executive
Policy reviewed by Manex	Reviewed by Finance and Governance Committee 21 September 2017
Council Resolution Number, if applicable	[**]
Date of Adoption	[Date]
Review Date	[Date]
Classification of Policy	External
This Policy works in conjunction with these polices	Not applicable
This Policy works in conjunction with these procedures:	Not applicable

ELECTRONICALLY SIGNED BY THE GENERAL MANAGER OF MOREE PLAINS SHIRE COUNCIL,
WHOSE SIGNATURE APPEARS BELOW.

.....
LESTER RODGERS



**ATTACHMENT 1
PUBLIC DONATIONS APPLICATION FORM**

[To be attached]

ATTACHMENT 2 COMMUNITY NOTIFICATION

APPLICATIONS OPEN PUBLIC DONATIONS BY COUNCIL

Moree Plains Shire Council wishes to advise the community that it will consider eligible applications for financial assistance for the forthcoming calendar quarter, being the months of [*insert relevant months*], at its meeting on Thursday [*insert date*].

Community, sporting and educational groups wishing to apply for financial assistance from Moree Plains Shire Council for events, functions and sponsorship during these months are required to complete and submit a Public Donations Application Form by no later than 5.00pm [*insert date being four weeks prior to Council meeting*] to enable the application to be considered. In accordance with its Public Donations Policy, applications received after this deadline will not be considered until the next calendar quarter (i.e. in three months' time).

A copy of the Public Donations Application Form and the Council's Public Donations Policy are available on Council's website www.mpsc.nsw.gov.au or can be obtained from the Executive Department at Moree Plains Shire Council, Max Centre, Balo Street Moree during normal office hours or by telephone on 6757 3236. Copies are available at the Moree Community Library and Offices at Boggabilla and Mungindi.

Any queries in relation to applications for financial assistance should be directed to Laura Colley, Executive.

Lester Rodgers
General Manager