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**Draft Policy:**

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**Community  
Initiatives Program  
(Section 356)**

**2018**

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## INFORMATION ABOUT THIS DOCUMENT

<b>Date Adopted by Council</b>		<b>Resolution No.</b>	
<b>Document Owner</b>	Director Corporate and Community Services		
<b>Document Development Officer</b>	Manager Community Development		
<b>Review Timeframe</b>	4 years		
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### Document History

Doc No.	Date Amended	Details/Comments eg Resolution No.
<b>E2016/96151</b>	November 2017	Draft developed replacing the following policies: <ul style="list-style-type: none"> <li>Policy 3.13 Donations to Community Organisations, Other Groups and Persons</li> <li>Policy 14/002 Section 356 Donations – Assistance for Festivals and Community Functions</li> <li>Policy 12/011 Section 356 Donations to Community Groups – Reimbursement of Council Application Fees</li> </ul>
<b>E2018/7989</b>	2 February 2018	Draft following period of public exhibition, incorporating recommendations arising from submissions.

### Further Document Information and Relationships

List here the related strategies, procedures, references, policy or other documents that have a bearing on this Policy and that may be useful reference material for users of this Policy.

<b>Related Legislation*</b>	Local Government Act 1993
<b>Related Policies</b>	Section 356 Donations – Rates, Water and Sewerage Charges (Policy 12/008)
<b>Related Procedures/ Protocols, Statements, documents</b>	Community Initiative Program Guidelines (E2017/5111) Community Initiative Program Application form (E2017/5164) Community Initiative Program Acquittal (E2017/69085)

*Note: Any reference to Legislation will be updated in the Policy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.*

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## **1. OBJECTIVES**

1. To provide a funding program for community driven initiatives that address a specific community need and that also build a sense of community.
2. To assist community organisations in the provision of services and facilities for the benefit of residents;
3. To help fulfil Council's objectives in priority areas and achieve measureable outcomes for residents and the community;
4. To provide an equitable framework for Council in providing community donations, including guidelines for determining donations to be made within the adopted budget allocation.

## **2. SCOPE**

Byron Shire Council values the many community, cultural, sporting and other, organisations contributing significant (often voluntary) resources to enhance the quality of life in the Byron Shire community. Council acknowledges the contributions made by not-for-profit organisations and provides this Policy to enable Council to support local initiatives put forward by not-for-profit organisations.

In addition, the policy articulates support for local grassroots projects that address a specific community need and that also build community.

All projects need to be aligned with Council's Community Strategic Plan

This policy aims to provide an equitable, open and transparent decision-making process for requests for donations from Council.

## **3. DEFINITIONS**

<b>Donation</b>	Includes 'financial assistance', 'in-kind assistance', 'sponsorship' and 'waiving of fees and charges'.
<b>Community Initiatives</b>	Small projects initiated by not-for-profit community organisations or groups of individuals who are auspiced by an incorporated or other legally structured organisation.
<b>Matching contribution</b>	This is the community contribution made up of volunteer labour, donated materials, goods, services or cash. At least 25% must come from the community organisation or group initiating the project.

## **4. STATEMENT**

This Policy supports financial and in-kind assistance under the Community Initiatives Program.

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 and the Community Initiatives Program Guidelines.

All applicants must complete a Community Initiatives Program application form. Council will only make one donation any organisation each financial year, for projects owned and managed by that organisation. If an organisation has multiple projects or events, all proposed projects should be included on one application form. If an organisation is auspicings a project for an unincorporated organisation (or groups of individuals), this will not be considered an application from the organisation for the purposes of this clause.

Funding in any one year will neither preclude nor guarantee funding in any other year. All funding provided must be acquitted to Council as per the Community Initiatives Program acquittal.

### **What this Policy does not cover**

For financial assistance that does not fit within these policy parameters, see Councils separate sponsorship information or other fund guidelines. Council may offer other funding streams for defined projects not covered by this Policy from time to time, and these are advertised in Council Notices in the local newspaper.

This policy does not apply to requests for assistance from Council committees such as Advisory committees, Panels or Project Reference Groups. These are committees of Council and funding is separately allocated through the budget process.

The maximum donation amounts outlined in this policy include:

For community projects, community organisations	\$5,000
Reimbursement of fees to community events	\$1,000
Educational institutions can apply for award presentations only	\$ 100

### **4.1. Eligible Applicants**

Council will only provide financial assistance to incorporated organisations. Unincorporated organisations (or groups of individuals) will need to be auspicied by an organisation that is incorporated or under another legal structure. Organisations are required to have Public Liability insurance to the value of \$20 million.

Applications require a matching contribution (refer to the definitions) to the proposed project and include a considered and documented project plan.

Council may consider requests from organisations not based in the Byron Shire, provided that the service they provide benefits the Byron Shire community.

**Ineligible applicants:**

- a. Applicant organisations or groups which receive significant regular funding from a sponsor/ auspice organisation will not be eligible for this program. For example, government agencies, political groups.
- b. Commercial organisations or groups (ie for the profit or gain of individuals).
- c. Applications will not be accepted for one individual.
- d. Council will not provide funding to individuals or organisations raising funds on behalf of another community group/ organisation. To be eligible for funding, applications must be received directly from the group/ organisation proposing the project.

**4.2. Requests for assistance – eligible activities**

Applicants can apply for a maximum of \$5,000 per project and must provide evidence of a matching contribution (refer to the definitions).

All funding is allocated at the discretion of Council and subject to budgetary constraints. No application is guaranteed funding support.

All donations require the prior approval of Council. Council will not make retrospective donations (except in the case of reimbursement of Council fees). Donation applications can only be received during the specified period for that round of applications and projects must be completed within 12 months of the funding being granted, preferably acquitted prior to 30 June in the relevant financial year.

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

Council will not approve financial assistance for:

- a) Community initiatives or events that generate financial profits for commercial companies and/or individuals;
- b) A core activity of the applicant organisation;
- c) Ongoing operational or administration expenses of an organisation with the exception of donations for rates, water and sewerage charges in accordance with Policy 12/008. Examples of ongoing operational organisation administration expenses include funding an ongoing staff position, insurance, utility expenses (electricity, phone, etc), rent or debt payments;
- d) An initiative that duplicates existing available services to an identical target group within the same geographical location;
- e) Activities that are the primary responsibility of other funding agencies or government departments;
- f) Retrospectively, except for reimbursement of Council fees for an activity within the previous 12-months (see below);
- g) For capital works and major building repairs (as opposed to minor maintenance and upkeep where there is a clear demonstrated community outcome);
- h) There is a preference that donations will not continue beyond 3 consecutive years for the same activity;
- i) Where applicants are in a position to self-fund the project;
- j) For a project which includes illegal activities;
- k) Educational institutions can apply for award presentations only up to \$100;



- l) Donations to community events will be restricted as described below in 'applications for reimbursement of Council fees'. Note that community events may be eligible to apply to Council's Events and Festivals Sponsorship Fund;
- m) If the organisation or group received funding in the previous financial year and did not submit an acquittal report.

#### Applications for reimbursement of Council fees

Applications for reimbursement of Council fees and charges will be considered retrospectively for fees paid within the previous 12 months. Anticipated fees to be paid in the future will not be paid under this policy.

Note: fees must be paid in full by the applicant/ community group at the time of lodgement of the required forms to Council and will only be considered if the activity applied for is approved. Bond moneys in association with the activity must be paid by the applicant and will not be reimbursed under this Policy. No 'urgency fees' will be reimbursed under this policy.

Assistance for community events is available to cover the costs of DA assessment, road closures, event application fees, inspection fees, banner fees, activity approvals, Council advertising fees and/or the provision of additional litter bins and clean-up activities. The maximum amount available for reimbursement of fees to community events is \$1,000 per annum, with a preference that donations will not continue beyond 3 years in order to support emerging and start-up events/festivals.

Assistance for community groups is available to cover the costs of DA assessment, banner fees, activity approvals, and/or Council advertising fees where the activity is related to achieving an improvement to a Council owned or community asset and meets the assessment criteria outlined in this policy.

#### **4.3. Applications and Assessment Criteria**

Council will advertise at least one round of funding each year by public advertisement, calling for expressions of interest from not-for-profit organisations or groups seeking donations from Council during the forthcoming financial year. The aim is to undertake an application round, closing in April for report to Council's June meeting, with approved donations being paid in the following financial year. If a second round is held, the aim is to undertake this round in November for report to Council's December meeting.

Refer to the eligibility information under 4.1.

In assessing applications, Council will consider the criteria listed below:

1. Project demonstrates a clear need which aligns with Council's Community Strategic Planning documents
2. Project activities build 'community' i.e. create stronger bonds between neighbours, residents, community groups and greater connections in the community
3. Project includes opportunities to involve residents in shaping and carrying out the project
4. The project promotes inclusion
5. There is a clear public benefit to Byron Shire residents
6. Proposed project is well planned and ready for implementation
7. The group or organisation leading the project has capacity and is financially viable
8. Budget reliably represents the projects expenses and revenue

9. The matching contribution (refer to the definitions) is documented and appropriate to the project
10. The equity of support to projects across the Local Government Area.

All applicants for funding must complete a Community Initiatives Program application form. If your organisation has multiple projects or events, all proposed projects should be included on one application form.

#### **4.4. Successful Projects**

Successful applicants will be notified in writing following the Council decision and will be required to sign a Funding Agreement.

Refer to the Community Initiative Program Guidelines for further information.

All applicants must complete an acquittal report showing how funds were expended following the completion of the project or activity. A form has been developed for this purpose to give Council enough information to report on the impact of the Community Initiatives Program on improving the quality of life for the community.

## **5. LEGISLATIVE AND STRATEGIC CONTEXT**

This policy enables Council to make community donations under Section 356 of the Local Government Act 1993.

Section 356 of the Local Government Act 1993 prescribes the requirements when councils provide financial assistance to others (including charitable, community and sporting organisations and private individuals).

Financial assistance must be for the purposes of exercising the council's functions. Section 356(2) requires councils to give at least 28 days public notice of a proposal to pass a resolution to grant financial assistance prior to doing so. Therefore, following Council's decision regarding the successful applications, a notice will be placed in Council Notices in the local paper listing the proposed donations.

Council's 4-year Delivery Program and annual Operational Plan systematically translate the Community Strategic Plan goals into actions. The Delivery Program is a statement of commitment to the community from each newly elected council. In preparing the program, Council is accounting for its stewardship of the community's long term goals, outlining what it intends to do towards achieving these goals during its term of office and what its priorities will be.

Supporting the Delivery Program is an annual Operational Plan. It spells out the details of the Delivery Program, specifying the individual projects and activities that will be undertaken each year to achieve Councils commitments.

The plans are available on Council's website and should be referred to in understanding Council's identified needs and priorities.

## **6. SUSTAINABILITY**

### **6.1. Social and Environmental**

- a) Applicants will state how they meet the identified needs and priorities in Council's current Community Strategic Plan

### **6.3. Economic**

- a) Applicants are required to show value for money and organisations capacity to deliver the project

### **6.4. Governance**

- a) Community Initiative Program Guidelines developed
- b) Community Initiative Program Application Form developed
- c) Applicants are assessed against listed criteria
- d) A funding agreement is signed by all parties in every successfully funded project
- e) Community Initiative Program Acquittal Report required from each successfully funded project group.