

Donations Policy

1 Purpose

Coffs Harbour City Council acknowledges the contributions made by not-for-profit organisations in the local government area and where possible commits limited funds to help these organisations achieve their objectives. Council can provide financial assistance to community groups (in accordance with Section 356 of the Local Government Act 1993) through an annual donation program.

The purpose of this policy is to:

- Establish a consistent, equitable and transparent response to requests for donations
- Ensure that all conforming applications received, are given equitable consideration for donation funding.
- Ensure that the funding of donations represent value for money to council and the community
- Ensure that money provided by Council to community organisations is allocated in the most effective manner

2 Donation program

Council has established a Donations Program in order provide community organisations with the opportunity to apply for financial assistance. Applications are considered on merit, taking into account the eligibility criteria and available funds. The following sections provide details on Council's donations program.

2.1 Council Annual Donations

Any eligible community organisation can apply for an annual donation. Council's Donations Committee will consider all applications annually to determine a list of donations for approved by Council. Successful applications are selected based on the:

- a) Eligibility criteria of this Policy
- b) Circumstances of each case, and
- c) Availability of funds in Council's budget

There is no guarantee that an application will receive funding support or that the full amount requested will be donated.

Council's Donations Committee considers all submissions and recommend to the next Council meeting the distribution of the available funds. The adopted list of donations is to be distributed by 30 September, unless specific timeframes need to be met.

Council is committed to providing annual financial assistance for:

1. Award presentations for each primary and secondary school in the Local Government Area, the North Coast Institute of TAFE and Southern Cross University
2. A direct donation and payment of rates for the Coffs Harbour, Sawtell, Woolgoolga and Red Rock Corindi Surf Life Saving Clubs
3. Advertising temporary road closures and traffic management for the Anzac Day Parades
4. Costs associated with moving the Life Education Van
5. Paying legal fees involved in preparing a formal lease agreement with Council
6. The North Coast Academy of Sport, Westpac Rescue Helicopter and the Programs (in the form of an annual contribution and subject to an application)
7. Rates and lease for the Woolgoolga volunteer sea rescue
8. Beach access licence for the TS Vendetta naval cadets.

2.2 Council Discretionary donations

In addition to the annual donations, Council has a discretionary fund for donating to community groups. Due to limited funding available, the maximum amount that can be funded for any single request will be \$1,000. When the annual budgetary limit is reached, no further applications will be considered by the Mayor and General Manager.

1. There is no guarantee that an application will receive funding support or that the full amount requested will be donated. It is not incumbent upon the Donations Committee or Council to donate any or all of the funds.
2. If Council funding of a request for financial assistance is approved, it is not an ongoing commitment to funding for any following year, unless explicitly stated by Council.
3. Unallocated funds not spent in the current financial year are not revoted to the next financial year.
4. An appropriate response will be given where Council support is not provided.

Council may provide donations outside this policy where the General Manager and/or Mayor considers it to be exceptional circumstances. These will be referred to Council for determination.

3 Other Donations types

Apart from the annual and discretionary donations, Council also provides donations as detailed in the following sections:

3.1 Donations of Rates and Charges

1. Council will donate the rates and charges to community and sporting organisations which:
 - a) Lease Council owned land, and
 - b) Undertakes community service obligations on behalf of Council (as determined by Council).
2. Council may consider applications, on their merit, for contributions to rates and charges from community and sporting organisations which:
 - a) Do not lease Council owned land, but
 - b) Undertakes community service obligations on behalf of Council (as determined by Council)

3.2 Donation of Council Building Compliance Fees

1. Council will make an annual provision for the refund of three-quarters of Building Compliance fees, not including fees collected on behalf of the State Government or Developer Contribution fees, from appropriate funds for:
 - a) Non-profit charitable organisations
 - b) Council's s.355 Committees
 - c) Non-profit community and sporting organisations.
2. Council will not refund DA fees where the applicant is:
 - a) Providing a personalised service for fees (e.g. nursing homes, preschools or childcare centre)
 - b) A profitable operation
 - c) Operating a licensed premises
3. Where organisations have received financial assistance from the State or Federal Governments, Council will refund the DA Fees based on the proportion contributed by the organisation and not alternate funding sources. Council may request copies of supporting documentation in determining eligibility.
4. All Council fees must be paid in full prior to Council considering an application to refund DA fees.

3.3 Sponsorship of Community Events

1. Council will make provision as part of the Donations Program for sponsorship of community events such as the New Year's Eve Fireworks, Christmas Carols and Coffs Harbour Agricultural Show.
2. Sponsorship of all other community events are to be supported by a formal application and shall be considered on merit, taking into consideration of the:
 - a) Eligibility criteria of this Policy
 - b) Circumstances of each case, and
 - c) Availability of funds in Council's budget

3.4 Subsidised Leases

1. Council also provides a donation to many not-for-profit organisations by way of a subsidised or peppercorn lease of Council facilities.
2. Leasing of these Council facilities is to be conducted in accordance with Council's leasing procedures.

3.5 In-Kind Donations

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 Director, before being committed.

3.6 Donation of Low Value Assets

1. Council occasionally receives requests for community, charity or work creation organisations seeking the donation or concessional sales of surplus goods. At times, Council may invite such organisations to submit proposals for the donation of surplus or obsolete goods.
2. Low value assets and scrap materials with an estimated cumulative value under \$2,000, which are unsuitable for new Council projects may be "donated" to charities or community organisations with the authority of the relevant Director.
3. The conditions for donations of this nature are covered under the Disposal of Assets Policy.

4 Acknowledgment of Council's contributions

Where feasible, donation recipients are requested to give public recognition and acknowledgement of Council's financial assistance on any related printed and/or promotional material in either hardcopy or digital formats (e.g. Facebook).

5 Eligibility Criteria

In determining eligibility, preference is given to organisations that provide a valuable service or benefit for which there are no alternative funding sources. In order to be eligible for a donation under this policy, the organisation must be:

1. Either:
 - a) Based in the Coffs Harbour City Council local government area, or
 - b) Affiliated with or service clients within the Coffs Harbour City Council local government area
2. An incorporated not-for-profit organisation or unincorporated not-for-profit organisation, auspiced by an incorporated organisation
3. Capable of demonstrating the financial viability of their organisation.
4. Seeking funding for an activity or service to be provided within the financial year as approved by Council.

If an applicant is not in a position to expend the funds within the year, they should prepare a written explanation and proposed time frame for the expenditure.

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 Exclusions

Council generally does not make donations under this policy for:

1. Retrospective applications
2. Federally or State Funded initiatives
3. Organisations raising funds on behalf of another organisation which is the recipient of financial assistance from the State or Federal Government
4. Significant achievements which relate to ambassadorial roles in the community
5. Financial assistance to individuals, or organisations raising funds on behalf of an individual
6. Sporting associations, other than for rates and charges (as Council already makes an annual contribution to the North Coast Academy of Sport)
7. Sponsorship of individuals or teams to attend or participate in representative sporting events
8. Organisations (e.g. Parents and Citizens organisations) which operate in conjunction with registered educational institutions
9. Cultural and arts organisations (e.g. choral groups, orchestras or the eisteddfods) as they are to be funded under the Community Arts and Cultural Development Grants.

7 Definitions

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.

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.

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.

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

Peppercorn Lease: Lease that allows minimal or token rent payment by the tenant.

8 Key Responsibilities

Position	Directorate	Responsibility
Mayor	Council	To lead councillors in their understanding of, and compliance with this policy. To make decisions in regard to any application made for a donation under this policy, as a member of the Donations by Council Panel.
General Manager	Executive	To lead staff (either directly or through delegated authority) in their understanding of and compliance with this policy. To make decisions in regard to any application made for a donation under this policy, as a member of the Donations by Council Panel.
Director	Sustainable Communities	To communicate, the content of this policy to managers within the directorate and ensure that decisions relating to donations by council comply with the principles of this policy. The Director of Sustainable Communities is responsible for making decisions in regard to any application made for a donation under this policy, as a member of the Donations by Council Panel.
Council Leaders	All Directorates	To ensure that requests submitted to them for donations by council comply with the principles of this policy and that they refer all such requests to the Donations by Council Panel for consideration.
All Council officials	Council	To comply with this policy when receiving requests for donations.

9 References

- Local Government Act 1993(NSW)
- Local Government (General) Regulation 2005 (NSW)
- Provision of Financial Assistance Under Section 356 of the Local Government Act – Developing A Financial Assistance Policy, Circular 06-32, NSW Department of Local Government 2006
- Code of Conduct
- Statement of Business Ethics
- Disposal of Assets Policy
- Community Arts and Cultural Development Grants Program

10 Details of Approval and revision

- **Approval date: 14/09/2017**
- **Responsible Section: Community Planning & Performance**
- **Superseded policies/procedures: Donations by Council Policy**
- **Next review date: 14/09/2021**

Table of amendments

Amendment	Authoriser	Approval ref	Date