

FILE NO: PSC2007-2386

TITLE: GRANTS AND DONATIONS

POLICY OWNER: GOVERNANCE SECTION MANAGER

1. PURPOSE:

1.1 The purpose of this policy is to provide a policy framework to enable Council to provide financial assistance to the Port Stephens community in an equitable and fair manner, whilst ensuring legislative compliance.

2. CONTEXT/BACKGROUND:

- 2.1 Council has provided financial assistance to the Port Stephens community over many years under a number of funding avenues.
- 2.2 Funds have been provided to enhance the Port Stephens local government area to build on the Council vision and the surrounding communities.
- 2.3 Requests for sponsorship should be considered under the Corporate Sponsorship policy and community group loans are managed under the Community Groups Loan policy.
- 2.4 Council has a requirement to ensure any monies distributed under Section 356 of the Local Government Act 1993, adhere to the legislative requirement.

3. SCOPE:

- 3.1 Port Stephens Council provides grants and donations to those within the local government area to assist in building our community.
- 3.2 This policy covers the following funding opportunities:
- a) Aboriginal Projects Fund*
 - b) Community Funding Program*
 - c) Mayoral Funds - available throughout the year, subject to funding availability.
 - d) Rapid Response - available throughout the year, subject to funding availability and requires signature of requesting councillor.
 - e) Community Capacity Building - available throughout the year, subject to funding availability and requires the signature of all ward councillors.
- 3.3 *Council will call for applications on an annual basis with each Project Fund offering different grant limits per application, with eligibility criteria applicable to each Project Fund. Guidelines are available for each Fund.

- 3.4 Applications received from individuals will be subject to further legislative provisions and will require a public exhibition period prior to final approval.
- 3.5 Funds must be spent within the Port Stephens local government area or provided to a resident or organisation located within the local government area.
- 3.6 There may be a formal acquittal process for each application.
- 3.7 This policy does not cover requests for sponsorship or community group loans, please refer to Council's Corporate Sponsorship policy and the Community Groups Loan policy.
- 3.8 Council will not be responsible for any ongoing maintenance or improvements that arise from successful application for funding, other than where the works may be on Council owned or managed lands, subject to Council agreement.

4. DEFINITIONS:

Financial assistance Financial mechanisms provided by Council, as a third party, to an organisation or individual to support activities that are in line with Council's Community Strategic Plan. As a third party, Council is not connected to the activities but may be affected by them.

Grants Financial support given to an individual or organisation to assist with identified activities or projects.

Expenditure does not represent an equal benefit to Council.

Grants are financial assistance and are covered under s356 of the Local Government Act.

Donations Financial or non-financial (in-kind) support which is provided with limited terms and conditions.

Expenditure does not represent an equal benefit to Council.

Donations are financial assistance and are covered under s356 of the Local Government Act.

Loans Financial support, to be repaid with interest over an agreed term, which is provided to develop buildings or facilities that are Council owned or managed.

Expenditure does represent an equal benefit to Council.

Loans are commercial agreements and are not covered under s356 of the Local Government Act.

Sponsorships Financial or non-financial (in-kind) support from Council to an organisation or individual (the recipient) in return for mutually agreed economic, cultural, community or reputational benefits. These benefits may include promotion, marketing and/or tickets.

Expenditure does represent an equal benefit to Council.

Sponsorships are commercial agreements and are not covered by s356 of the Local Government Act.

5. POLICY STATEMENT:

5.1 Port Stephens Council is committed to supporting its community with financial assistance where appropriate.

5.2 Council's commitment is:

- a) To provide an equitable, transparent, accountable and coordinated approach for providing financial assistance to community groups in accordance with the terms of Section 356 of the Local Government Act 1993.
- b) To provide equitable financial assistance to people and organisations, bearing in mind that the Council is trustee and custodian of public assets and is bound by its charter to effectively account for and manage those assets.
- c) To promote a sense of community, community harmony and social cohesion.
- d) To assist communities under stress.
- e) To ensure fair distribution of activities and services throughout Port Stephens.
- f) To provide financial assistance by way of a grant or donation, not sponsorship.

6. POLICY RESPONSIBILITIES:

- 6.1 Applications for grants and donations will be coordinated by a project officer. Please refer to the relevant guidelines for contact details or Council website www.portstephens.nsw.gov.au.
- 6.2 The General Manager is responsible for reporting to Council annually and certifying that expenditure under the Financial Assistance Program meets the necessary probity and transparency required by the Act. The Financial Assistance Program expenditure is reported in the Annual Report (Statutory Statements) as part of the requirements for s356.

7. RELATED DOCUMENTS:

- 7.1 Local Government Act 1993
- 7.2 Financial Assistance for Disposal of Waste policy
- 7.3 Community Groups Loan policy
- 7.4 Corporate Sponsorship policy
- 7.5 Debt Recovery and Hardship policy
- 7.6 Rate Donation for Community Groups policy
- 7.7 Council Charter
- 7.8 Code of Conduct

CONTROLLED DOCUMENT INFORMATION:

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| This is a controlled document. Hardcopies of this document may not be the latest version. Before using this document, check it is the latest version; refer to Council's website www.portstephens.nsw.gov.au | | | |
| TRIM container No | PSC2007-2386 | TRIM record No | 21/255169 |
| Audience | Port Stephens community | | |
| Process owner | Governance Section Manager | | |
| Author | Governance Section Manager | | |
| Review timeframe | 3 years | Next review date | 1 December 2024 |

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| Adoption date | 28/06/2016 |
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VERSION HISTORY:

| Version | Date | Author | Details | Minute No. |
|----------------|-------------|----------------------------|--|-------------------|
| 1.0 | 19/05/2009 | Corporate Planner | Adoption by Council | 151 |
| 2.0 | 19/10/2010 | Executive Officer | Adoption by Council | 338 |
| 3.0 | 28/06/2016 | Governance Manager | New policy following review of all financial assistance offered by Council and inserted into the new policy template. | 191 |
| 3.1 | 10/12/2019 | Governance Section Manager | Reviewed the policy, included numbering to each paragraph and updated the version control. Updated title of policy owner. 3.2 – updated item numbering. 3.8 – new paragraph stating Council is not responsible for ongoing maintenance of projects. 5.2 – updated itemising of paragraphs. | 254 |
| 3.2 | 14/9/2021 | Governance Section Manager | Reviewed the policy and updated the version control. 2.1 – remove previous financial assistance categories. 2.2 – minor rewording. | 236 |

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| | | | <p>2.3 – remove out-dated content.</p> <p>2.3 – insert new paragraph.</p> <p>3.1 – updated to include new program and remove obsolete programs.</p> | |
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