

<b>POLICY:-</b>	
Policy Title:	Section 356 Financial Assistance Policy
File Reference:	F10/618-04
Date Policy was adopted by Council initially:	13 July 2006
Resolution Number:	181/06
Other Review Dates:	16 August 2011, 20 February 2014, 16 March 2017 and 16 July 2020
Other Resolution Number:	307/11, 23/14 and 59/17
Current Policy adopted by Council:	16 July 2020
Resolution Number:	118/20
Next Policy Review Date:	2023

<b>PROCEDURES/GUIDELINES:-</b>	
Date procedure/guideline was developed:	
Procedure/guideline reference number:	

<b>RESPONSIBILITY:-</b>	
Draft Policy developed by:	Director of Finance and Administration
Committee/s (if any) consulted in the development of this Policy:	
Responsibility for implementation:	Director of Finance and Administration
Responsibility for review of Policy:	Director of Finance and Administration

## **OBJECTIVE**

To maintain a consistent, open and equitable approach to the distribution of Council's donations, contributions and sponsorship budget allocations, while endeavouring to ensure that local community needs can be addressed on a priority basis.

## **SCOPE**

Council receives a large number of requests from community groups, cultural and charity organisations. This policy will apply transparency and accountability to the community relating to requests from these organisations for financial donations, contributions, sponsorships and waiving of Council fees and charges and work in kind provided by Council.

Upper Lachlan Shire Council greatly values the contribution of social and community groups and organisations and the role they play in the community.

## **ELIGIBILITY**

Eligibility will be limited to small community based organisations operating for the direct benefit of the local community. Eligibility will generally not extend to major fund raising bodies, with a parent body located outside the Council area.

Eligible organisations and groups shall generally be based within the Upper Lachlan Shire Council local government area.

## **DEFINITION**

A donation is any financial or in-kind support that is provided by Council to any organisation and can be in the form of cash, goods or services, including waiving rates and tip fees, and other contributions to eligible groups and organisations.

## **REFERENCE**

Financial Assistance will conform to Section 356, of the Local Government Act 1993 (as amended) and Council's Operational Plan guidelines.

Council financial assistance towards individual sporting representation does not form part of this policy.

## **POLICY STATEMENT**

- 1 Council will consider provision of assistance by way of financial assistance to local cultural, educational, health, sport, welfare, charitable and other bodies where in the Council's opinion the applications have demonstrated a community benefit.

- 2 Applications for financial assistance will be called for by way of public advertisement and shall be considered on their merits, taking into account the circumstances of each case, the availability of funds in the Council's budget, the guidelines of this policy and the relevant provisions of the Local Government Act 1993.
- 3 All applications for donations and contributions by Council must be submitted on the Council's "Application for Section 356 Financial Assistance" form (which is attached to this policy) and/or on the Operational Plan Submission form. Requests for amounts of less than \$200 will not be considered. Requests for donations by way of fee reduction or other "in kind contribution" should be included on the application form.
- 4 Council and senior management will convene in March each year to consider all applications received requesting financial assistance within the Operational Plan. In formulating its recommendations, Council will assess all applications on the basis of the guidelines and criteria for funding as set out in the financial assistance application form.

### **FINANCIAL ASSISTANCE FUNDING GUIDELINES**

In assessing financial assistance applications the following criteria will be followed:-

1. Federal and/or State Government funded initiatives will not receive assistance under this policy without formal Council approval.
2. Donations will not be made to groups which are raising funds on behalf of another community group which has itself made application for funding in the funding round under consideration.
3. Applicants should generally be based in or affiliated with, and/or service clients within the Upper Lachlan Shire local government area.
4. Applicant organisations are generally to be "not for profit."
5. Waiving of fees may not be applied to requests from individuals or businesses.
6. To the extent practicable, allocation of donations will consider the issue of equity, both in terms of geographic distribution of funds and allocation across the categories of funding contained in this policy.
7. An assessment of the extent to which previous donations to the applicant fulfilled the stated purposes of funding. An evaluation may be requested to be supplied by the group receiving the financial assistance.
8. In assessing applications for financial assistance, consideration will be given to the following:-

- Financial need for the subsidy and relationship to the viability of the applicants proposed event or project;
  - Contribution to the community and whether the work is in the public interest; and
  - Demonstration that no alternative funding sources are available.
- 9 All subsidies are provided with no guarantees for ongoing Council financial assistance in future years.
- 10 To be considered for financial assistance each organisation and/or community group is required to formally apply in writing within the timeframes specified in the annual Operational Plan of Council.
- 11 If approval is granted for financial assistance all applicants must acknowledge Council's support in any publicity for their event or project.
- 12 Council will give consideration of the extent to which the activity provides community benefits and addresses community aspirations and objectives outlined in Council's Community Strategic Plan, Delivery Program, Social and Community Plan, Operational Plan, Resourcing Strategy, and access and equity obligations.
- 13 The contributions approved by Council will be published in Council's Annual Report at the end of the financial year for probity purposes.

## **RELATED LEGISLATION AND COUNCIL POLICY AND PROCEDURES**

- Local Government Act 1993 (as amended);
- Local Government (General) Regulations 2005;
- Independent Commission against Corruption Act (ICAC) 1988;
- Anti Discrimination Act 1977;
- State Records Act 1998;
- Environment and Planning Assessment Act 1979
- Government Information (Public Access) Act 2009;
- Privacy and Personal Information Protection Act 1998;
- Code of Conduct for Councillors, staff and delegates of Council;
- Council's Code of Meeting Practice;
- Council's Code of Business Practice;
- Council's Integrated Plans; including Community Strategic Plan, Resourcing Strategy, Delivery Program and Operational Plan;
- Sporting Representation Donations Policy;
- Purchasing and Acquisition of Good Policy and Procedures
- Section 355 Committee Policy; and
- Complaints Management Policy.

## **VARIATION:**

That Council reserves the right to vary the terms and conditions of this policy.

## **APPLICATION FOR SECTION 356 – FINANCIAL ASSISTANCE**

**Subsidy applications for financial assistance must be lodged by 20 December each financial year.**

---

### **1. Applicant/Organisation:**

Organisation

Name: \_\_\_\_\_

Contact Address: \_\_\_\_\_

Contact Telephone: \_\_\_\_\_ Contact Mobile: \_\_\_\_\_

Contact Name and/or President/Chairperson Name: \_\_\_\_\_

Is your organisation an Incorporated body? Yes/No

### **2. Financial Assistance**

Amount Requested: \$ \_\_\_\_\_ (minimum \$200.00)

If over \$1,000 Financial Statements are to be provided upon request by Council Officer.

Is your organisation registered for GST? Yes/No

(If yes, reciprocal tax invoices will need to be exchanged except for donation of GST-free or exempt transactions, such as rates).

Details of how funds will be expended and what financial contribution your organisation has and/or will make towards the event/project:

---

---

---

### **3. Information Regarding the Organisation**

What services or activities does your organisation provide to Upper Lachlan Shire Council residents and how will this donation directly benefit those residents?

---

---

---

**4. How will your organisation publicly acknowledge the Council's donation?**

---

---

---

**5. Is your organisation a Non-Profit/Registered Charity or Organisation?**

Yes/No (Registered charity for the purposes of the Australian Taxation Office)

**Contact person and/or President/Chairperson Signature:**

---

Date:.....