

# DONATIONS AND GRANTS

ST029

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## OBJECTIVES

In accordance with section 356 (financial assistance) and section 377 (delegated authority) of the Local Government Act 1993 and in accordance with section 207 of the Local Government Regulation 2005 (record of donations for auditing purposes), the objectives of this Policy are:

- To provide financial assistance to non-for-profit groups who offer significant contribution to the social, economic and/or environmental wellbeing of the community;
- To provide financial assistance to individuals who have been selected in representative sports teams and for school students who have been selected to represent Orange at a national event or at an overseas event;
- To provide assistance to community groups and/or sporting bodies by way of financial contribution and/or in kind support to capital improvement projects.

## APPLICABILITY

To all individuals/community/sporting groups who are residents or to organisations who conduct their activities in the Orange Local Government area for the specific benefit of residents of the Orange Local Government area.

## GENERAL

- 1 All requests for donations and grants must illustrate how outcomes align to Council's Community Strategic Plan objectives.
- 2 Donations and grants may be applied for by:
  - a a person who is a resident of the Orange Local Government Area; or
  - b an organisation that has offices in the Orange Local Government Area; or
  - c a local branch of a State/National/International entity that is holding an event in the Orange Local Government Area, where the applicant can illustrate how funds raised will be spent locally to benefit Orange residents specifically.
- 3 No Council fee reductions or waiving of Council fees can be approved under this Policy. These come under section 610E of the Local Government Act and cannot be given under section 356.
- 4 Donations and grants to businesses acting for profit will only be allocated and paid following a resolution of Council that has considered any responses to the exhibition of the proposed allocation in accordance with section 356 of the Local Government Act 1993.
- 5 A complete application form is required for each request. If financial assistance is requested by any other means (eg, e-mail, letter, sponsorship pamphlet), it will not be considered. Council will advise the applicant of this policy and request the applicant to complete the required application form.
- 6 Council will advertise that applications are open for the next financial year once a year, in April or in May.

- 7 Government entities, including programs that are a Council function or are otherwise supporting or funded by Council, will not be supported via the Donations and Grants policy.
- 8 Fundraising events where the funding raised from the event will be sent to organisations outside the Orange Local Government Area, or will be used as a donation to another entity, will not be supported via the Donations and grants policy.
- 9 If an individual or entity seeking funding has an outstanding debt with Council they are ineligible for any funding.
- 10 An individual/organisation can only receive one donation in a financial year and this donation cannot be in more than one category. This term does not apply to:
  - a new emerging projects or new community events that arise after the first donation;
  - b the Sports Participant Donations category, where individuals can apply for up to three donations in one financial year
  - c the Sports Facility Partnership Program, where sporting groups/associations can still apply under the Sports Participant Program.
- 11 Donations and grants cannot be used to pay for the applicant's insurance costs or for the project insurance costs.
- 12 Donations and grants cannot be used to pay for fees and charges applied to the applicant.
- 13 Donations and grants will not be retrospectively applied.
- 14 Where applications are seeking funding for capital works, attaching three quotations and/or a quantity survey will strengthen the application.
- 15 Where an event or works are to be conducted on Council property, certificates of currency for insurances by the applicant/suppliers will be required.
- 16 Events on Council properties must be conducted in accordance with Council's events management policy.
- 17 Events where Council's contribution is in kind require an application to be completed and a Council resolution is still required. Council will determine the value of in-kind support.
- 18 Recipients may be required to provide evidence of expenditure with local businesses to demonstrate the direct impact of their project.
- 19 All payments to applicants will be via electronic transfer.
- 20a A tax invoice, invoice or Statement by a Supplier form is not required for Council to pay a donation (as nothing is needed to be supplied for the payment).
- 20b If financial assistance is made in return of a supply for the payment, a tax invoice, invoice or Statement by Supplier form is required.
- 21 An acquittal form is to be completed and returned to Council for each cash donation provided.

- 22 Council will determine the amounts and to whom donations and grants will be allocated.
- 23 Categories for donations and grants and their respective criteria, which are in addition to the general terms covered in the Policy, are as follows:

### DONATIONS AND GRANTS CATEGORIES

<b>24</b>	<b>SPORTS PARTICIPANT PROGRAM (GST does not apply) (category terms in addition to general terms)</b>	
<b>24a</b>	Applications can be determined by the Chief Executive Officer under section 377(1A) of the Local Government Act and considered within 7 days of receipt. Quarterly reports on donations given will be submitted to Council.	
<b>24b</b>	An application form must be submitted.	
<b>24c</b>	Written proof of selection from the body running the event/making the selection must be provided with the application form.	
<b>24d</b>	<p>Applicants can receive more than one donation in a financial year if:</p> <ul style="list-style-type: none"> <li>i an applicant has been selected in regional representation and then has been selected in state representation and/or in national representation in one sport;</li> <li>ii an applicant has been selected in regional representation and/or state representation and or/national representation in more than one sport.</li> </ul> <p>The number of donations available to an applicant in the Sports Participant Program is capped at three in the one financial year. An applicant is ineligible for another donation at the same level for the same sport in one financial year.</p>	
<b>24e</b>	If a team has received a donation, an individual in that team cannot be given a donation for the same representation.	
<b>24f</b>	Regional representation is not Orange representation. Regional and state representation will be as determined by the peak State body for the sport. National representation will be as determined by peak National body for the sport.	
<b>24g</b>	Applications will be determined by Council.	
<b>24h</b>	The location and duration of the sports event to be attended and costs arising from selection will be taken into consideration in determining the donation amount applicable.	
<b>24i</b>	Maximum allocation amounts are as follows:	
	<b>i</b>	<b>Regional representation - Individual</b> Individual selected in a Regional team up to \$250
	<b>ii</b>	<b>State representation - Individual</b> Individual selected in State team up to \$500
	<b>iii</b>	<b>National representation - Individual</b> Individual selected in a National team up to \$1,000
	<b>iv</b>	<b>Regional representation at State titles</b> For a club/association for one team only \$250 total for the team
	<b>v</b>	<b>Regional representation at State titles</b> For a club/association with multiple teams \$750 for total for the club/association
	<b>vi</b>	<b>State representation at National titles</b> For a club/association for one team only \$500 total for the team
	<b>vii</b>	<b>State representation at National titles</b> For a club/association with multiple teams \$1,000 total for the club/association
	<b>viii</b>	<b>National representation at International titles</b> For a club/association for one team only \$1,000 total for the team
	<b>vix</b>	<b>National representation at International titles</b> For a club/association with more than one team \$2,000 total for the club/association
<b>24j</b>	<b>Western Region Academy of Sport</b> - Council will donate the annual <i>per capita</i> contribution.	

<b>25</b>	<b>SPORTS FACILITY PARTNERHIP PROGRAM (GST applies) (category terms in addition to general terms)</b>
<b>25a</b>	Applications will be determined once a year only, in the first quarter of each financial year. Council's Sport and Recreation Community Committee will review the annual applications and make recommendations to Council.
<b>25b</b>	Total allocation for all projects is \$50,000 per annum (ex GST).
<b>25c</b>	A maximum of \$15,000 (ex GST) per application is permitted.
<b>25d</b>	Applications must be matched on a dollar-for-dollar basis.
<b>25e</b>	Preference is given to projects that improve Council-owned facilities.
<b>25f</b>	Council will advise if a funding agreement is required.
<b>25g</b>	Council will advise if the project requires the applicant to submit certificates of currency for insurances held by the applicant and suppliers.
<b>25h</b>	Council's purchasing policies must be observed in the engagement of suppliers.
<b>25i</b>	Funding must be fully expended in the financial year allocated and unspent funds paid back to Council.
<b>25j</b>	Within three months of the completion of the works, the applicant will provide an acquittal statement to verify how Council funds were spent.
<b>25k</b>	The applicant must comply with Council's planning requirements where development consent or other consents are required.

<b>26</b>	<b>SMALL DONATIONS CATEGORY (GST does not apply) (category terms in addition to general terms)</b>
<b>26a</b>	Applications will be determined by Council four times in each financial year. Quarterly reports to Council will occur in July, September, December and April. Applications may be considered monthly in extraordinary cases only.
<b>26b</b>	Funding must be fully expended in the financial year allocated and unspent funds paid back to Council. Council will consider an exception for this when a service club is raising money for a large-cost, eligible project. Council will consider allowing that service club to expend the donation over a three-year period and to apply for the same project in the second and third year (but not to apply for donation for a different reason during this period) and the service club must submit an acquittal in each of the three years.
<b>26c</b>	Maximum amounts available are:
<b>i</b>	<b>Projects or Equipment Purchase or Providing a Community Service</b> Maximum of \$2,000 per applicant. Must be a not-for-profit applicant.
<b>ii</b>	<b>Community Events (not being Event Sponsorship)</b> Maximum of \$2,000 per applicant. Must be a not-for-profit applicant. Ticketed events are not eligible. Entry fees as a gold coin donation are eligible.
<b>iii</b>	<b>School Students Selected to Represent Orange at a National Event or at an Overseas Event</b> Maximum of \$1,000 per applicant.
<b>iv</b>	<b>School Annual Prize Giving for Year 12</b> per school - \$500.
<b>v</b>	<b>Other Prize Giving</b> Maximum of \$1,000 per applicant. Must be a not-for-profit applicant.

<b>27</b>	<b>HERITAGE ASSISTANCE FUND (category terms in addition to general terms)</b>
<b>27a</b>	Eligible projects will be projects that involve the repair, conservation or re-instatement of missing items on heritage buildings, this includes fences, verandahs and decorative detail.
<b>27b</b>	The funding level available depends on allocation in the Local Heritage Fund which Council is advised of on an annual basis. The allocation to specific project will then depend on the number of applications received.
<b>27c</b>	Expressions of interest are called each year. Funding should not be considered to be ongoing.
<b>27d</b>	Project timeframes must comply with NSW government provisions and have to be completed by February annually.
<b>27e</b>	Applications must be made on the appropriate form.
<b>27f</b>	Council's Heritage Advisor and planning staff will be able to assist in making the application.
<b>27g</b>	Council's Cultural Heritage Community Committee will assess each application taking into account criteria as defined in the application information. It is not necessary for the project to meet all criteria.
<b>27h</b>	Applications may need to be placed on public exhibition if the entity receiving the funding is does not have not-for-profit status
<b>27i</b>	Unexpended funds will have to be returned.
<b>27j</b>	Council may ask that three quotations be provided for capital projects.
<b>27k</b>	An acquittal is required along with an end of project report that includes images of before and after work.

### ASSESSMENT OF APPLICATIONS

28 Council will consider applications on merit, in align with other applications received and in align with the budget for donations and grants.

### RELATED POLICIES/DOCUMENTS

Application forms for Donations and Grants  
 ([www.orange.nsw.gov.au/donations-and-grants](http://www.orange.nsw.gov.au/donations-and-grants))

### Responsible Area - Corporate and Commercial Services

REVISION					
	DATE	RESOLUTION		DATE	RESOLUTION
<b>1</b>	31 January 2006	06/685	<b>5</b>	19 December 2017	17/583
<b>2</b>	January 2007	07/207	<b>6</b>	5 June 2018	18/254
<b>3</b>	November 2009	09/453	<b>7</b>	25 June 2019	19/332
<b>4</b>	4 February 2014	14/38	<b>8</b>	19 November 2019	19/576
All policies can be reviewed or revoked by resolution of Council, at any time.					

**SUMMARY OF AMENDMENTS**

Amendment Date	Section/Reference and Amendment
November 2019	<ul style="list-style-type: none"> <li>• Rates Reimbursement and Hire Fees Reduction have been removed as these come under section 610E of the Local Government Act 1993 (Waiving Payment or Reducing Fees). Section 610E has very specific conditions and a very different process. Waiving payments and reducing fees cannot be given under section 356</li> <li>• Applicants who previously applied for a donation under Rates Reimbursement and Hire Fees Reduction can still apply for a donation on the basis of a project, purchase of equipment or provision of community service. The maximum of the category is the same.</li> <li>• In the same way donations cannot be used to pay an applicant's insurance costs, donations cannot be used to pay for fees and charges applied to the applicant.</li> <li>• A new category has been added for school students who have been selected to attend a National event or an event overseas representing Orange. This is similar to the Sports Participation Program.</li> <li>• An exception can be considered for the requirement to fully expend a donation in the current financial year for service clubs with large-cost, eligible projects.</li> <li>• Major Event Sponsorship has been removed as this now sits under its own, separate strategic policy – ST144 – Event Sponsorship Program.</li> <li>• Funding Agreements have been removed as they relate to Major Event Sponsorship.</li> <li>• General Donations has been renamed Small Donations.</li> </ul>
May 2019	<ul style="list-style-type: none"> <li>• Removal of weightings.</li> <li>• All categories in General Donations and Rates Reimbursement both have the same maximum amounts (\$2,000.00), except for School Prize Giving, which has been raised from \$200.00 to \$500.00.</li> <li>• General Donations and Event Sponsorship will be assessed in four quarters in each financial year but applications may be considered monthly for emergent reasons.</li> <li>• Sports Participation Program can be determined by the General Manager under section 377(1A) of the <i>Local Government Act</i>.</li> <li>• Individual representation in Sports Participation Program has been raised - Regional from \$100.00 to \$250.00, State from \$250.00 to \$500.00 and National from \$500.00 to \$1,000.00.</li> <li>• Organisations can apply for more than one donation or sponsorship in a financial year if new emergent reasons arise after the first donation.</li> <li>• Assessment will be based on merit, in align to other applications received and in align to Council's budget for donations and sponsorships.</li> </ul>
May 2018	<ul style="list-style-type: none"> <li>• Remove requirements to supply a tax invoice for payment, and clarify when a Tax Invoice is required in relation to points 17a and 17b.</li> </ul>
March 2018	<ul style="list-style-type: none"> <li>• Weightings do not apply to all categories.</li> <li>• Weightings relate to the maximum amount in a donation category, not to the requested amount.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Another section has been added to weightings to enable small requests for non-profit entities already 75% or under of the maximum amount to receive their full request.</li> <li>• Fund-raising events where funding raised from the event will be given to organisations outside of the Orange LGA or will be used as a donation to another entity will not be supported by this policy.</li> <li>• More than one application can be made in the Sport Participant Program Donation category and an organisation that has been given a donation from the Sports Facility Partnership Program category can still make applications in the Sport Participant Program Donation category.</li> <li>• A tax invoice, an invoice or a Statement by a Supplier is required to enable Council to pay approved donations.</li> <li>• The maximum amount of general donations - miscellaneous has been changed from \$200 ex GST to \$2,000 ex GST.</li> <li>• Rates reimbursement has been updated to be capped at \$2,000 (ex GST) and to confirm that rates reimbursement is for the generate rate plus the base amount for one property only in a financial year.</li> <li>• Maximum amounts for event sponsorship will be determined by event duration, participation levels and the applicant's ability to raise funds during the event (eg, ticketed events).</li> <li>• Maximum amount for reduction of hire fees has been changed from \$500.00 (ex GST) to \$1,000 (ex GST). Weightings apply. Ticketed events are ineligible. Quotations for the fees are required.</li> <li>• Council will donate the annual per-capital contribution to the Western Academy of Sport from the Sports Participation Program.</li> </ul>
November 2017	<ul style="list-style-type: none"> <li>• Combined the Operational and Strategic Policy into one policy</li> <li>• Revision of the application forms</li> <li>• Addition of weightings to give new and not for profit applicants precedence</li> </ul>
December 2013	<ul style="list-style-type: none"> <li>• Addition to reference to section in Local Government Act in the objectives.</li> <li>• Category 2 requests to be considered on a quarterly basis, rather than monthly.</li> </ul>