

STRATEGIC POLICY: COMMUNITY SERVICE AND FACILITATION

Community Donations Policy (COMM_01)

Endorsed by Council

26 June 2024

Purpose

This policy is designed to outline council's commitment to supporting communities in the region by providing financial and/or in-kind assistance to activities that build community capacity, encourage participation and make a positive and ongoing contribution to the region.

This policy also guides the administration of council's donation program ensuring donations:

- 1) Assist Council to achieve its strategic goals and identified key initiatives; and
- 2) Align with the intent of the Local Government Act 2009 and the Local Government Regulation 2012, which states that funding will be used for a purpose that is in the public interest.

Scope

This policy applies to Councillors and employees of the Whitsunday Regional Council when Council gives, or proposes, to give a donation to a community organisation.

Guiding Principles

1. Donations to Community Organisations

- 1.1 This policy supports the distribution of funds or in-kind support to eligible Community Organisations in an equitable, transparent and sustainable manner.
- 1.2 Council will provide donations only when:
 - 1.2.1 The donation is appropriate having regard to other priorities and available resources.
 - 1.2.2 The receiving community organisation or entity meet the eligibility criteria set out in this policy.
 - 1.2.3 The donation will be used for a purpose that is in the public interest.
 - 1.2.4 The donation will meet a community and/or social need in the local community.
- 1.3 Council may consider providing donations for:
 - 1.3.1 Development Application Fees
 - 1.3.2 Event Application Fees
 - 1.3.3 Food and Local Law Licence Fees
 - 1.3.4 Green Waste Disposal Fees
 - 1.3.5 To support activities/events and endeavours of eligible Community Organisations.
- 1.4 The donation may be any of the following types:
 - 1.4.1 a monetary payment; or
 - 1.4.2 in-kind support undertaken by the Council to a specified value.
- 1.5 Eligible Community Organisations may make more than one application for a donation, per financial year, but can only apply for assistance up to a total of \$3,000.00.

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- 1.6 Council may, at its discretion, consider requests for events/activities of significance without impacting the limit in clause 1.5.
- 1.7 All donation proposals with a value up to and including \$20,000 (including cash and/or in kind contributions), can be approved under delegation by the CEO and/or Director, provided that such sponsorship complies with this policy.
- 1.8 For all sponsorship proposals with a value over \$20,000 (including cash and/or in kind contributions), approval must be by Council resolution.
- 1.9 Submission of an agenda report will be provided to monthly Ordinary Council Meetings for noting of donations that have been approved for the respective months.

2. Conflict of Interest

- 2.1 To ensure an accountable and transparent assessment process is maintained, Councillors, and Council Officers assessing donation applications are required to declare any declarable and prescribed conflict of interests prior to the assessment process commencing. This may include a personal connection with any applicant or personal involvement with any organisation. Anyone having a conflict of interest should not debate, be involved in any discussions, or vote on any matter relating to the application.

3. Donation Application Process

- 3.1 Applications for donations must be in writing on the approved Donation Application Form and be specific as to the type and amount of donation and how the support will be used.

Related Polices and Legislation

Local Government Act 2009

Local Government Regulation 2012, Chapter 5, Part 5

Local Government Act 2009

Definitions

CEO refers to the Chief Executive Officer of the Whitsunday Regional Council appointed in accordance with the Local Government Act 2009.

Council refers to the Whitsunday Regional Council

Employee refers to any staff member, contractor, volunteer etc. of the Council.

Community Organisation see Local Government Regulation 2012

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Eligible Community Organisation means a community organisation that:

1. is an incorporated not-for-profit organisation or a company limited by guarantee that has been endorsed by the Australian Taxation Office as a charity, tax exempt fund or deductible gift recipient.
2. Note - Unincorporated groups are eligible to apply, providing that their application is made through an eligible community organisation acting as an auspice.
3. Has public liability insurance over \$20 million.
4. Has acquitted all previous Whitsunday Regional Council funding support as required.
5. Has no outstanding debt to Council.
6. Has more than 80% of its members residing within the Whitsunday local government area

is not:

- 7.1 a State or a government entity, including a government entity or its subsidiary under the Government Owned Corporations Act 1993; or
- 7.2 a community organisation with a licence under the *Gaming Machine Act 1991*, a licence under the *Keno Act 1996* and/or a licence under the *Wagering Act 1998*;
- 7.3 a community organisation with a liquor licence, other than a Community Club Licence and/or a Community – Other Licence, under the Liquor Act 1992 Queensland;
- 7.4 a political party under the Electoral Act 1992; or
- 7.5 a religious body or religious organisation declared by the Governor-General by proclamation pursuant to the Marriage Act 1961 (Cwlth) to be a recognised denomination for the purposes of the Commonwealth Act.

COUNCIL POLICY

Date Adopted by Council	26/06/2024	Council Resolution	OM2024/06/10.17
Effective Date	01/07/2024	Next Review Date	30/06/2025
Responsible Officer(s)	Director Community Services and Facilitation	Revokes	LSP_C&ENV_11
Public Consultation: Yes / No	No		