COMMUNITY ASSISTANCE POLICY

Responsible Department:	Development and Compliance
Responsible Section:	Economic Development
Responsible Officer:	Manager Economic Development

Objective.

This policy aims to:

- Outline Council's policy position on the provision of grants under section 356 of the *Local Government Act 1993* (NSW) (the Act).
- Provide clear and transparent guidance on eligibility, criteria, and accountability by which members if the Narrabri Shire may be eligible for:
  - Community Financial Assistance Grants;
  - Donations in Lieu of Ordinary Rates;
  - Concessional use of The Crossing Theatre;
  - Refunds of development application fees; or
  - for Council to Auspice external grant funding on behalf of a community group.

Introduction – How to read this Policy

The Policy is divided into five parts:

Part 1: Community Financial Assistance Grants (CFA Grants)

Part 1 outlines Council's policy position on the provision of grants under section 356 of the *Local Government Act 1993* (NSW). Further, it seeks to provide clear and transparent guidance on eligibility, criteria, and accountability by which Community Financial Assistance Grant applications will be assessed and determined, provided, and acquitted.

Narrabri Shire Council's CFA Grants support the delivery of projects and activities that pursue the values of a connected and unique, diverse and culturally rich community. The CFA Grant aims to support and empower local clubs and not-for-profit community organisations to deliver activities, programs, and events that contribute to the economic, infrastructure, social connections, and vibrancy of Narrabri Shire.

The CFA Grant provides the basis for Council to allocate funds under Section 356 of the *Local Government Act, 1993* (NSW) in an equitable manner, based on the individual merits of requests for Council financial assistance, donations, in-kind support and/or sponsorships.

The financial support offered through Council's CFA Grant seeks to achieve the following objectives:

- Increase the range of, and access to, recreational, social, cultural, and environmental activities, programs, and services to the people of Narrabri Shire.
- Encourage a sense of community pride that allow communities to promote their towns and villages through promotional activities.
- Reflect the community's priorities and vision (as outlined in current Council's Community Strategic Plan and Delivery Program).

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- Provide for the inclusion and participation of all members of the community that enable vulnerable individuals and groups to participate in local activities and opportunities.
- Foster community partnerships and encourage cooperation between community groups, organisations, and Council to ensure that all residents and organisations benefit from common resources.
- Promote Narrabri Shire as a vibrant, diverse place to live and visit.

Part 2: Donation in Lieu of Ordinary Rates

Part 2 establishes Council's position in relation to exercising that power in relation to ordinary rates, in order to expand the relief available to entities in the community that benefit the community.

This Policy considers financial assistance by way of donation to local service, cultural, sporting, charitable or non-profit organisations who operate within or provide benefit to the residents of Narrabri Shire or conduct quality cultural, sporting and community service programs and activities and who cannot attract sufficient funds from other sources.

Chapter 15 of the *Local Government Act 1993* (NSW) provides a legal basis upon which Councils charge rates, including the parties liable to and exempt from paying rates to Council.

Section 356 of the *Local Government Act 1993* (NSW) permits Council to give financial assistance to entities for the purpose of exercising its functions.

Part 3: Concessional Use of The Crossing Theatre

Part 3 establishes a framework for the awarding of concessional use of The Crossing Theatre.

Section 356 (1) of the *Local Government Act 1993* (NSW) states that "A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions".

Section 356 (2) of the *Local Government Act 1993* (NSW) states "A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this Section until at least 28 days public notice of Council's proposal has been given".

Public notice is not required under Section 356 (3) of the *Local Government Act 1993* (NSW) if the assistance is given under a specific program. The specific program must have been included in Council's draft operational plan, must not exceed 5% of Council's proposed rating levy and must apply uniformly to all persons or a significant group of persons in Council's area.

Part 4: Refund of Application Fees for Development

Part 4 seeks to maintain a transparent, equitable and consistent approach to waiving of fees associated with applications for development (including development applications, Complying Development Certificates, Part 4A Certificates (i.e. Construction, Occupation and Subdivision Certificates) and Section 68 Activity Approvals under the *Local Government Act 1993* (NSW)).

It further provides a robust framework for Council's professional staff to make decisions on waiving application fees to recognised "not for profit" organisations.

Council from time to time receives requests from the general public to waive or refund fees associated with the lodgement of applications for development. This policy intends to provide a basis for Council's decision making in relation to refunding application fees in certain circumstances.

Part 5: Auspicing

Part 5 outlines the position of Narrabri Shire Council in relation to auspicing funding applications or projects for individuals or groups that are not incorporated or do not have an appropriate legal or governance structure.

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Definitions

Term	Meaning
Auspice	For the purpose of this policy, auspicing refers to an arrangement Council (the Auspice body) agrees to manage funding on behalf of another organisation, individual or group (the Auspice party). The Auspice body administers the funding if successful and the Auspice party delivers the project.
Community Financial Assistance Grants	Monetary payments or in-kind provision for an eligible project or event made in accordance with this policy
Community Services	Not-for-profit Incorporated entities that provide a service for the benefit of the community.
Delegates	A Narrabri Shire Council staff member who holds a relevant delegation of appointment authorised by the General Manager.
Donation	A grant from Council to an organisation or group and includes 'Financial Assistance', 'In Kind Assistance', 'Sponsorship' and 'waiving of fees and charges'.
Eligible Applications	Applications that meet the eligibility criteria set out in this policy.
Eligible Activity	An event or project that meets the eligibility criteria set out in this policy.
Event	A one-off function, occasion, or other activity, which can last from a matter of hours to a matter of days but is not ongoing.
General Running Costs	The expenditure required to maintain the day-to-day operations of an entity or group.
Local Charity	A not-for-profit entity recognised as a charitable organisation and providing charitable services in the Narrabri Shire community.
Management Committee	A group of people with decision-making power in the strategy and operation of an unincorporated group, however described or identified.
Program	An ongoing or regular series of events designed to achieve an aim or outcome.
Project	The acquisition, construction, or installation capital assets or equipment.
Proposed Activity	An activity, event, or project that is put forward as a candidate for a Community Financial Assistance Grant.
Sporting Clubs	A club that engages in sport or provides sporting services, excluding registered clubs under the *Registered Clubs Act 1976* (NSW).
Social Clubs	A club that engages in social activities or provides social services, excluding registered clubs under the *Registered Clubs Act 1976* (NSW).
Successful Applicant	An applicant awarded a Community Financial Assistance Grant by Council resolution under this Policy.
Unincorporated Group	A group of individuals who are not formally registered as a legal entity.

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Part 1: Community Financial Assistance Grants

1. Community Financial Assistance Grant

1.1. Council may, at its discretion and subject to this policy, provide Community Financial Assistance Grants ('CFA Grants').

1.2. Eligible entities seeking a CFA Grants must apply to Council in accordance with this policy.

1.3. Community Financial Assistance Grants must only be awarded for eligible applications.

1.4. There shall be two grant rounds in each financial year. The principal dates for Community Financial Assistance Grants are set out in Table 1.

Table 1: Funding Application Rounds

Round	Applications close at 11:59pm on:	Assessment at Ordinary Council Meeting	Distribution of Funds
Round 1	4 August	September	October
Round 2	4 March	April	May

2. Funding Allocation

2.1. Council may, at its discretion, resolve to allocate an annual budget for CFA Grants.

2.2. The CFA Grants budget will be allocated over two rounds per year. Council will determine the allocation for each round.

2.3. The budget will be for one financial year at a time only and any remaining funds will not rollover into the next financial year.

2.4. The budget allocation for each round will be advertised on Council's website.

2.5. Council may, from time to time, resolve to not award the entirety of a round's allocated funds to successful applicants in that round.

2.6. Council may re-allocate surplus funds from a round to a future round in the same financial year.

2.7. The awarded grants for a round cannot exceed the funding allocation for that round unless Council re-allocates funds from a future round to fund the current round.

3. Eligibility

3.1. **Entity Type**

(a) To be eligible for a CFA Grant, applicants must be:

(i) A organisation registered with the Australian Charities and Not-for-Profits Commission (ACNC) in accordance with the *Australian Charities and Not-for-profits Commission Act 2012* (NSW);
(ii) A not-for profit Incorporated Association, registered under the *Associations Incorporations Act 2009* (NSW) ;
(iii) An unincorporated community group that meets the criteria at clause 3.1(b)
(iv) A community group that is affiliated that meets the criteria at clause 3.1(b);
(v) A registered sporting club that has a management committee and meets the criteria at 3.1(b);
(vi) A school Parents & Citizens Committee (P&C) / Parents & Friends Committee (P&F), preschools, education facilities or Registered Training Organisations (note limitations clause 3.7
(vii) An arrangement between an eligible entity and a non-eligible entity where there is a written instrument which outlines the roles and responsibilities for each; or
(viii) A not-for-profit Childcare Facility.

(b) Un-incorporated groups, sporting clubs, or affiliated groups must meet all the below criteria to be eligible:

(i) A formal documented structure that establishes a management committee and governs the way which the organisation operates;
(ii) A management committee; and
(iii) A bank account in the name of the group that requires at least two signatories to authorise transactions.

3.2. **Insurance**

(a) Applicants must hold current public liability insurance for a minimum of $20,000,000 ($20 million) for the duration of the proposed activity's planning and execution.

3.3. **Capability and Location**

(a) Applicants must be capable of submitting a correctly rendered tax invoice.

(b) Applicants must be based in the Narrabri Local Government Area.

(c) If an entity is based outside Narrabri Shire Local Government Area but can display, with evidence, that their proposed activity positively impacts the Narrabri Shire Community, they are exempt from being deemed ineligible under clause 3.3(b).

3.4. **Ineligible Applicants**

(a) The following are ineligible to receive a CFA Grant:

(iv) Individuals, teams, or representatives ;
(i) Unincorporated or unaffiliated individuals and groups;
(ii) Groups without formal governance structures;
(iii) Entities that seek to make a profit or operate for private gain;
(iv) Government departments, agencies, bodies, or entities;
(v) Political parties or entities closely associated with political parties;
(vi) Entities that have received a Community Grant, Community Sponsorship, or Community Financial Assistance Grant for two consecutive years, in the preceding three years regardless of their proposal's merit;
(vii) Entities that have received a Community Grant, Community Sponsorship, or Community Financial Assistance Grant in an earlier round in the financial year for a similar activity;
(viii) Entities that have received a Community Grant, Community Sponsorship, or Community Financial Assistance Grant in the previous financial year for a similar proposed activity.
(ix) Entities that do not produce a current certificate of currency for the requisite amount set out in this policy; or
(x) Entities that have previously failed to comply with Council's funding deeds for Community Grants, Community Sponsorships, or Community Financial Assistance Grants.

3.5. **Activity Requirements**

(a) In addition to the above, the proposed activity for which the grant is sought must:

(i) Occur within the Narrabri Shire Local Government Area;
(ii) Align with at least one of the strategic objectives outlined in the current Narrabri Shire Community Strategic Plan;
(iii) Provide a recreational, social, cultural, economic, or environmental benefit for people in the Narrabri Shire Local Government Area;
(iv) Demonstrate accessibility, diversity, and inclusion in the planning and delivery of the proposed activity;
(v) Be completed within 12 months of the grant being awarded; and

(vi) Benefit a significant number of Narrabri Shire residents or benefit a township or locality in the Narrabri Shire Local Government Area.

(b) Proposals must include measurable outcomes.

(c) An eligible entity may be awarded a Community Financial Assistance Grant to attend an event outside of the Narrabri Shire Local Government Area for the purpose of representing the Narrabri Shire (including representation of individual townships, localities, or groups therewithin) is exempt from clause 3.5(a)(i).

3.6. **Ineligible Activities**

(a) The following activities or proposals for activities are ineligible for the award of a CFA Grant:

(i) Donation of Council rates;
(ii) Venue Hire of The Crossing Theatre (including catering and associated expenses);
(iii) Uniforms, accommodation, or travel costs associated with regional or state representation;
(iv) Proposals that have not considered accessibility, diversity, inclusion or do not have regard for current Narrabri Shire Community Strategic Plan;
(v) Proposals that otherwise do not address or meet most of the activity requirements outlined above;
(vi) Proposals for general operational (running) costs;
(vii) Activities that have already commenced or been completed;
(viii) Purchase and/or supply of alcohol;
(ix) Infrastructure or improvements to Council-owned or Crown-owned facilities;
(x) Major capital expenditure like lighting, air conditioners, paths, kitchens, bubblers and fountains, seating etc - unless it forms an integral part of a sustainability project, improves access or provides broader participation for the community;
(xi) Sponsorship or donations.

(b) Applications must be for tangible items such as advertising, and donation of Council services to assist with fundraising.

3.7. **Limitations**

(a) Funding for the CFA Grant is limited in the manner below:

(i) A school P&C/P&F Committee, preschools, education facilities or Registered Training Organisations are limited to $500 per annum and restricted to activities that provide direct educational outcomes, skills or career development for the student body; and
(ii) Eligible entities are limited to $3,000 per application (per financial year) with pro-rata support based on participation.

4. Applications

4.1. **General**

(a) Applications for CFA Grants must be made using the electronic/online application form located on Council's website.

(b) The General Manager may authorise the amendment of the prescribed form at any time as required.

(c) Council will not accept hard copy (paper) forms.

(d) Applications must be signed by at least two authorised representatives of the entity.

4.2. **Timing of Applications**

(a) Applications for each round of grants must be submitted by 23:59 on the dates labelled "deadline for applications" set out in Table 1.

4.3. **Supporting Documentation**

(a) Applications must include the following to be considered eligible:

(i) Details of the organisation or entity applying, including contact details;
(ii) Proof of organisation or entity type;
(iii) A description of the Eligible Activity;
(iv) A valid and current certificate of currency for public liability insurance with a minimum coverage of $20,000,000;
(v) At least one letter of support from a stakeholder;
(vi) An explanation of how the Eligible Activity will meet the eligibility and selection criteria;
(vii) A budget for the Eligible Activity in accordance with this policy;
(viii) A copy of a bank statement for the entity's bank account that they will nominate for the funds to be paid to;
(ix) A profit and loss, income statement, financial report, or bank statement showing current balance and transaction listings for up to six months;
(x) Evidence of authority from relevant landowners, if the applicant does not own the land upon which the Eligible Activity is to take place;
(xi) Evidence of contributions, both financial and in-kind, from other entities; and
(xii) Any other document requested by Council.

(b) Applications that have incomplete documentation will be rejected and will not be considered in that round of funding.

4.4. **Budgets**

(a) Budgets must include:

(i) A statement of all proposed funding sources, income, and costs for the Eligible Activity, taking into account the requested grant contribution;
(ii) A copy of quotes, dated within ninety (90) days of the application submission, for all costs associated with the Eligible Activity.

(b) Budgets must be including GST.

(c) Quotes must indicate whether GST has been included or excluded.

5. Selection Criteria

5.1. **Points Based Weighting**

(a) There shall be a points-based system against which applications will be assessed. Each selection criteria shall receive points weighting.

5.2. **Core Selection Criteria**

(a) Applications will be selected based on the below criteria:

(i) The activity must occur within the Narrabri Shire Local Government Area;
(ii) The extent of alignment to the strategic objectives outlined in the current Narrabri Shire Community Strategic Plan;
(iii) The extent of recreational, social, cultural, economic, or environmental benefit the proposed activity will provide to the Narrabri Shire community;
(iv) The extent of accessibility, diversity, and inclusion in the planning and delivery of the proposed activity;
(v) The extent of additional support obtained from other sources, including support from Council (including The Crossing Theatre and The Visitor Information Centre); and

(vi) The extent of public interest benefit to the Narrabri Shire community or the community of a township or locality within the Narrabri Shire Local Government Area.

5.3. **Additional Selection Criteria**

(a) Applications that meet the below will receive higher weighting based on the extent that:

(i) Entities that commit to co-contributing of financial support towards the Eligible Activity;
(ii) Eligible Activities that demonstrate a partnership between community groups and/or organisations;
(iii) Eligible Activities that have a high level of community support;
(iv) Eligible Activities that show benefit to a broad cross section of the Narrabri Shire community;
(v) Eligible Activities that can demonstrate they will be sustainable after the period of funding has ended; and
(vi) Eligible Activities that promote or support social, cultural, and/or economic equity in the community.

6. Assessment and Determination of Applications

6.1. **Assessment**

(a) The General Manager will appoint Delegates to assess applications.

(b) The Delegates will review applications and make recommendations regarding eligibility and scoring of applications.

(c) Assessment shall be on a competitive merit-based basis, in accordance with this policy.

(d) Applications will be scored using the scoring system against which all applications are assessed.

6.2. **Determination**

(a) Following assessment, for each round a report shall be submitted to relevant Ordinary Council Meeting as set out in Table 1.

(b) The report to Council above will outline:

(i) the eligible proposals and their weightings; and
(ii) ineligible proposals and the basis of their ineligibility.

(c) The Council will consider the report and resolve the successful applicants of the CFA Grant.

(d) Applications with higher scores shall be given preference unless exceptional circumstances apply.

(e) Even if an application meets the criteria set out in this policy, Council may, at its discretion, provide partial funding or not award funding at all, regardless of any remaining budget allocation for the funding round.

(f) The Council may, at its discretion, award all, some, or none of the budget allocation for a round.

(g) The Council may, at its discretion, re-allocate budget from a future round to a current round.

6.3. **Notification**

(a) Council will notify all applicants, both successful and unsuccessful, of the outcome of their application within 21 days of the Ordinary Council Meeting at which the CFA Grant was awarded.

7. Provision of Funding to Awardees

7.1. **Funding Deeds**

(a) Council will enter into a funding deed with each successful applicant.

(b) The funding deed must be duly executed by both Council and the successful applicant.

(c) Where the successful applicant is an unincorporated group, the funding deed must be signed by all members of the management committee of that group. The parties to such a funding deed will be Council on the one part and each and all members of the management committee on the other.

(d) The funding deed will set out the terms upon which the grant is made, including obligations of the parties.

7.2. **Financial Requirements**

(a) Funds will not be released until the funding deed has been duly executed by the successful applicant as outlined in clause 7.1.

(b) Successful applicants must register their financial details through Council's supplier portal (EFTsure).

(c) Successful applicants must submit a correctly rendered tax invoice to Council for payment of the awarded grant.

(d) Clauses 7.2(a)-(c) will not apply for the portion of a successful CFA Grant application that relates to the donation of Council services or use of facilities. In those instances, Council will internally journal the funds upon use of the facilities and/or the provision of the services. A duly executed funding deed will still be required in these circumstances.

7.3. **Transfer of Funds**

(a) Payment of grants will be:

(i) made to the successful applicant following completion of the financial requirements above;
(ii) made within 14 days of the provision of a tax invoice from the successful applicant; and
(iii) transferred to the successful applicant's nominated bank account.

(b) Following payment of the grants, the recipient must confirm receipt of the funds in writing.

8. Obligations of Successful Applicants

8.1. **General**

(a) Successful Applicants must each:

(i) Complete the financial requirements within 60 days of being notified of the outcome of their application.
(ii) Participate in a meeting with the General Manager or their delegate to review and sign a funding deed that sets out the terms and conditions associated with the grant;
(iii) Consent to Council publicly acknowledging the successful application, including all forms of media;
(iv) Promote Council, its logo, and brand in association with the activity for which the grant was awarded;
(v) Invite a representative from Narrabri Shire Council to attend any openings or presentation relating to the activity for which the grant was awarded;
(vi) Obtain relevant approvals from Council to undertake the proposed activity and comply with relevant Council policies and guidelines;
(vii) Inform Council of any variations to the activity for which the grant was awarded from that which was set out in the executed funding deed;
(viii) Lodge an end-of-project acquittal documents within six weeks of the activity's completion;
(ix) Provide documentation as required by Council upon request;
(x) Communicate with Council in a timely manner;

(xi) Advise Council if there are circumstances that render it unable to carry out or complete the activity for which the grant was awarded;
(xii) Return to Council any funds granted by Council in the event that the activity for which the grant was awarded cannot occur;
(xiii) Provide a delegate to attend the presentation ceremony; and
(xiv) Complete all documentation and meet all timeframes required by Council.

(b) Funds provided for grants must only be used for the Eligible Activity for which it was applied and granted.

9. Non-Compliance

9.1. Withdrawal of Funding

(a) If a Successful Applicant fails to complete the financial requirements or duly execute the funding deed within 60 days of being notified of the outcome of their application, the grant offer may be withdrawn and the funds re-allocated to the next funding round.

(b) If a Successful Applicant fails to comply with the obligations of this policy or the funding deed, Council may withdraw the grant.

(c) If a grant already paid to the Successful Applicant, Council may pursue the value of funds granted as a debt owing to Council.

(d) Council reserves the right to withdraw funding from applicants or representatives of applicants who have acted in a manner which may be considered illegal, unethical, may bring Council into disrepute, or which would be against Council's strategic objectives.

10. End-of-Project Reporting

10.1. Acquittal Process Obligations

(a) Awardees must lodge an End-of-Project acquittal document within 6 weeks of the activity's completion.

(b) Project acquittals must be in the form prescribed by Council, set out in the funding deed

(c) Unless an extension is granted by Council in writing, failure to lodge an acquittal by the due date will result in:

(i) Allocated grant funding will be forfeited, and any funds already paid by Council will become a debt owed to Council by the applicant; and
(ii) Future applications being deemed ineligible until an acquittal is lodged in accordance with the provisions of this policy.

Part 2: Donation in Lieu of Ordinary Rates

1. Donation in Lieu of Ordinary Rates and Charges

1.1. Council may, in accordance with this policy, donate a sum to organisations or entities in the Shire that are liable to pay rates and charges.

1.2. A donation under this policy will constitute a credit against rates and/or charges payable to Council. To avoid doubt, a donation under this policy will not involve the payment of cash or transfer of funds to entities.

1.3. Council will, at its discretion, contribute the following amounts to the following types of entities:

(a) Community Services or Local Charity:

(i) 100% of General Rates and Annual Charges; or
(ii) Such lesser amount as the Council Resolves.

(b) Sporting/Social Clubs:

(i) 100% of General Rates only; or
(ii) Such lesser amount as the Council Resolves.

1.4. Donations will only be paid to qualifying entities where that entity is the party liable to pay rates under the *Local Government Act 1993* (NSW).

1.5. Applications will be means tested and considered on balance whether or not the Applicant requires the donation in lieu of rates in order to continue to provide a public benefit.

1.6. Entities must apply to Council for the donation, in accordance with this policy.

1.7. A decision to make a donation in lieu of ordinary rates and charges will take the form of a resolution of Council.

1.8. Donations will only be made for rates and charges on land that is used directly in association with the organisation's activity.

1.9. Where an entity is granted a donation under this policy but ceases to use or own the property during the term of the year the donation relates, the donation will be limited to the period within the year that the entity was the owner/occupier of the property. In those instances, Council will issue a revised rates and charges notice.

2. Applications for Donation

2.1. Applications are to be submitted using the electronic/online application form located on Council's website.

2.2. The General Manager may amend or replace the application form and attach any amended or replacement application form to this policy as required without the need for a further Council Resolution.

2.3. Applications must include, at a minimum:

(a) The legal name of the applying entity;

(b) The registered address of the entity;

(c) The property address and ID;

(d) The name of the registered proprietor of the property;

(e) Documentary evidence of liability to indemnify the registered proprietor of the property if the entity apply for the donation is not the owner;

(f) The articles of incorporation or constitution of the entity;

(g) Audited financial statements for the previous financial year;

(h) Current proof of balance for all bank accounts associated with the Applicant entity; and

(i) Other documents evidencing that the entity meets one of the types identified at clause 1.3 and uses the property for that purpose.

2.4. Applications are to be submitted to the Council Administration Office or Council inbox.

2.5. Applications will open on the first business day of April in the financial year before the donation is sought to be made.

2.6. Applications must be submitted by the first business day in May in the financial year before the donation is sought to be made.

3. Assessment and Determination of Applications

3.1. The General Manager will appoint a delegate to assess the applications in accordance with this policy.

3.2. The General Manager's delegate will ensure that a report is brought to the June Ordinary Council Meeting in the financial year preceding the year in which the donation is sought. The report will include:

(a) The recommended applicants;

(b) The properties of the recommended applicants;

(c) The amount for each property;

(d) The total amount owing in rates for the incoming financial year; and

(e) Any candidates that are not recommended for donation, including reason(s) why.

3.3. Where an application is made in accordance with clause **Error! Reference source not found.** above, the General Manager is to ensure a report is brought to the next practicable Ordinary Council Meeting.

3.4. Council will consider the report and make a determination.

3.5. Council may request that an applicant, or their representative, attend a Briefing or Workshop to clarify any matter in relation to their application before Council makes a determination.

4. Marketing of Donations in Lieu of Rates

4.1. Council commits to the following promotion of this Policy:

(a) Recipients of the donation in the previous financial year will be notified via email of the opening of the application period.

(b) The application period will be advertised on the Narrabri Shire Council website and on the official Council Facebook page

Part 3: The Crossing Theatre Concessional Use

1. Concessions

1.1. **General**

(a) Council will provide concessions at The Crossing Theatre to eligible groups to conduct eligible events in accordance with this policy.

(b) Entities seeking concessions must apply to Council in accordance with this policy.

1.2. **Nature of Concessions**

(a) The concession provided under this policy shall be for up to 50% of the published fees and charges for room hire only.

2. Event Eligibility Criteria

2.1. Entities eligible for assistance are:

(a) A organisation registered with the Australian Charities and Not-for-Profits Commission (ACNC) in accordance with the *Australian Charities and Not-for-profits Commission Act 2012* (NSW);

(b) A not-for profit Incorporated Association, registered under the *Associations Incorporations Act 2009* (NSW) ;

(c) Community organisations or groups;

(d) Section 355 Committees of Council; or

(e) Schools within Narrabri Shire.

2.2. In addition to the above, the following entities shall be eligible for assistance for events that have a clear charitable or community focus:

(a) Companies;

(b) Partnerships;

(c) Other corporate structures.

2.3. **Additional Eligibility Requirements**

(a) In addition to the above, the event must:

(i) Address at least one of the strategic objectives outlined in the current Narrabri Shire Community Strategic Plan; and
(ii) Benefit a significant number of Narrabri Shire residents, or provide a significant public interest benefit to the Narrabri Shire Community.

(b) Events not eligible for assistance are:

(i) Where a full cost recovery charge is applied to ticket sales or bookings; or
(ii) Where events have a business focus or are for-profit.

2.4. **Core Selection Criteria**

(a) Applications will be selected based on the below criteria:

(i) The extent of alignment to the strategic objectives outlined in Council's Community Strategic Plan;
(ii) The benefit to the Narrabri Shire community.

3. Application

3.1. Entities wishing to receive a concessional rate under this policy must make a request to Council under this policy.

3.2. A request must be made in the prescribed form.

3.3. Requests must be submitted at least eight weeks before the first day of the event.

3.4. **Supporting Documentation**

(a) Applications must include the following in order to be considered eligible:

(i) Details of the organisation or entity applying;
(ii) Proof of organisation or entity type;
(iii) A description of the event;
(iv) An explanation of how the event will meet the eligibility and selection criteria;
(v) Any other document requested by Council.

4. Assessment and Determination of Applications

4.1. **Assessment**

(a) The General Manager or their delegate will assess applications.

(b) Assessment is to be merit based and based on the extent to which the proposed event meets the selection criteria.

4.2. **Determination**

(a) Following assessment, the General Manager will ensure a report is brought to an Ordinary Council Meeting. The report should:

(i) Recommend that a concessional rate be offered; or
(ii) Recommend that a concessional rate not be offered; or
(iii) Make no recommendation either way.

(b) If the General Manager recommends that a concessional rate be offered, they should also recommend the proposed rate to offer.

(c) Council will consider the report and make a determination to either offer or not offer a concessional rate.

(d) If Council offers a concessional rate, it will set an amount.

5. Acknowledgement of Support

5.1. It shall be a condition of any concession provided under this policy that the recipient include an acknowledgement of Council's support in its event marketing.

6. Other Fees

6.1. Other Council fees and charges, as established by Council's current adopted Fees and Charges are unaffected by this policy.

7. Budget

7.1. Concessions shall be limited to the budget (if any) set by Council for the purpose of such concessions in the applicable financial year.

Part 4: Refund of Application Fees for Development

8. Applications to be Considered

8.1. Council may consider it to be in the public interest to refund Council controlled fees for development applications, where the application meets the criteria as established by this policy.

8.2. This policy is unable to apply to non-Council imposed fees, such as Long Service Levies or Commissions imposed by the NSW Government as these are legislated and are outside of Council's control.

8.3. Fees may be waived on applications for Development Applications, Part 4A Certificates, Complying Development Certificates and Section 68 Activity Applications:

(a) If the application is lodged by sporting, cultural and non-profit entities, where Council has provided a grant or sponsorship for the development; or

(b) If the application is lodged by recognised charitable and "not for profit" community entities and there is a demonstrated public interest benefit in waiving the fees.

8.4. To be eligible for consideration, Applicants must be either:

(a) A organisation registered with the Australian Charities and Not-for-Profits Commission (ACNC) in accordance with the *Australian Charities and Not-for-profits Commission Act 2012* (NSW); or

(b) A not-for profit Incorporated Association, registered under the *Associations Incorporations Act 2009* (NSW).

8.5. Fee waiver under this policy will take the form of a refund of certain fees, rather than an up-front waiver.

8.6. Only applications that have demonstrated significant economic and social benefits for the community of the Narrabri Shire will be considered.

9. Applications Not to be Considered

9.1. Council shall not waive fees for:

(a) Applications by schools, churches and other community groups where there is no wider public or community use or benefit to the infrastructure being established; or

(b) Where there is a proposed commercial use associated within any developments.

9.2. Application(s) that do not meet the criteria as established in Clause 8 will not be accepted.

9.3. Applications from individuals, or multiple individuals who are not part of a not-for-profit incorporated entity, will not be accepted.

10. Implementation Procedure

10.1. When an application is lodged:

(a) Council will calculate the required fees and provide a schedule of fees for the different types of applicable applications (including any non-Council statutory fees (i.e. LSL) as determined by the current adopted Fees and Charges.

(b) The applicant shall pay the appropriate application fees at the time of lodging the application/s.

(c) The applicant will be invited to request a refund of application fees by way of written request, that demonstrates they meet the criteria outlined in Clause 8.

(d) If a request is lodged, and:

(i) If the total value of the request does not exceed $1,000.00 (including GST), the request may be considered by the General Manager; or
(ii) If the total value of the request is valued at $1,000.01 or more, the request will be submitted to the next Ordinary Meeting of Council for determination.

(e) If the decision of the application is for approval, Council shall advise the applicant in writing and shall electronically direct deposit in the applicants account within 30 days of the date of application.

(f) If the decision is for refusal, Council shall advise the applicant in writing within 14 days of the application being received by Council.

10.2. A request for refund should contain the following information, at a minimum:

(a) The name of the applicant;

(b) The constitution or incorporation articles of the applicant;

(c) An explanation of the community benefit;

(d) Proof of payment;

(e) Evidence to support the explanation of community benefit;

(f) The bank details for the refund if successful; and

(g) Any other information as requested by Council.

10.3. In considering a request, Council will have regard to:

(a) The nature of the entity applying;

(b) The benefit of the development to the Narrabri Shire community; and

(c) Any other public interest considerations

10.4. There is no right of appeal against the decision and such decision is final.

10.5. Council shall keep records of all application fees that have been refunded including the name of the organisation and the address and land title details of the subject land.

Part 5: Auspicing

1. Requests for Council to Auspice Funding on Behalf of Another Party

1.1. Council will not auspice projects or grant application on behalf of individuals, unincorporated groups, or third-party organisations under any circumstances.

1.2. Council has determined that it does not auspice projects for the following reasons:

(i) **Lack of Project Control:** Auspicing creates a misalignment of responsibility and control. Council becomes legally and financially responsible for projects it does not manage or oversee.

(i) **Governance and Compliance Risks:** Individuals and unincorporated groups often lack formal governance frameworks and an understanding of legal, financial, and reporting obligations. This increases the potential for mismanagement and non-compliance.

(i) **Administrative Burden:** Auspicing requires substantial internal resources to manage financial transactions, grant acquittals, reporting, and ongoing communication with project stakeholders. This diverts staff time away from Council's strategic priorities and core service delivery.

(i) **Accountability and Liability:** Council, as the auspicing body, becomes legally and financially responsible for the auspiced project, regardless of the level of involvement in project delivery.

2. Alternate Support Options

2.1. Whilst Council will not enter into an auspicing agreement, Councill will instead offer the following support:

(a) Guidance on incorporation and governance capacity-building;

(b) Referrals to other community organisations that may be suitable auspicing bodies; and

(c) Access to Council's grant programs (if applicable) that don't require auspicing.

2.2. If the party seeking to enter an auspicing agreement with Council refuses to work with Council staff through the alternative support options outlined in Clause **Error! Reference source not found.**, Council will not engage with the applicant any further on that particular project.

References

- *Local Government Act 1993* (NSW).
- *Local Government (General) Regulation 2021* (NSW).
- *Environmental Planning and Assessment Act 1979* (NSW).
- *Environmental Planning and Assessment Regulation 2021* (NSW).

Review

This policy will be reviewed within 12 months of an Ordinary Council Election or from time-to-time on an as-needs basis.

Revision

Version	Date	Description of Change
1	24 June 2025	Draft created. Merges the Community Financial Assistant Grant Policy, Donation in Lieu of Ordinary Rates Policy, The Crossing Theatre Concessional Use Policy and Refund of Application Fees for Development Policy. Addition of Auspicing. General tidying and tightening of clauses.

History

Minute Number	Meeting Date	Description of Change
155/2025	20 August 2025	Endorsed for Public Exhibition
220/2025	15 October 2025	Adopted