

	COUNCIL POLICY	
	Councillor Discretionary Funds Council Policy	
	Policy Number	CP010
	Directorate	Organisational Services
	Owner	Ken Diehm, Chief Executive Officer
	Last Approved	28/06/2023
	Review Due	28/06/2026

1. PURPOSE

The purpose of this policy is to:

- Enable Council’s operational budget to provide for councillor discretionary funds
- Achieve the objectives of Council’s corporate plan, operational plan and annual budget
- Outline the approval process for the allocation of discretionary funds
- Ensure that the discretionary funds are allocated in an equitable, transparent and sustainable manner
- Build community capacity, encourage participation, partnership, collaboration and active citizenship and work in harmony with Council’s strategic direction.

2. SCOPE

This Policy applies to all Fraser Coast Regional Council Councillors, employees and members of the public.

3. HEAD OF POWER

Local Government Act 2009 section 109

Local Government Regulation 2012 sections 201A – 202A

4. DEFINITIONS

To assist in the interpretation of this Policy the following definitions apply:

“Community Organisation” as defined in Schedule 8 *Local Government Regulations 2012*, means:

- An entity that carries on activities for a public purpose; or
- Another entity whose primary object is not directed at making a profit.

“Community Purpose” means any activity that:

- encourages physical or intellectual activity through participation in sporting, recreational, cultural, and social pursuits
- fosters an understanding and appreciation of the region’s heritage and cultural diversity
- promotes and encourages environmental protection and sustainability
- supports and builds relationships with disadvantaged or vulnerable groups in our community
- provides economic benefits to the region including promoting employment opportunities
- encourages and promotes educational opportunities and initiatives and contributes to community wellbeing.

“Council” means the Fraser Coast Regional Council.

“Discretionary Funds” as defined in s109 *Local Government Regulations 2012* are funds in Council’s operating fund that are:

- budgeted for community purposes; and
- allocated by a councillor at the councillor’s discretion.

“Not-for-profit Community Organisation” is defined by the Australian Charities and Not-for-profits Commission to mean a community organisation that does not operate for the profit, personal gain or other benefit of particular people (for example, its members, the people who run it or their friends or relatives).

“Prescribed Amount” is defined in s201B(5) *Local Government Regulations 2012* to mean 0.1% of council’s revenue from general rates for the previous financial year.

5. POLICY STATEMENT

5.1. Budget Allocation

Each financial year Council may determine a budget allocation for discretionary funds, not exceeding the prescribed amount, for use by the Mayor and councillors for the purpose of allocation for community purposes for the benefit Fraser Coast Regional residents.

5.2. Requests for Allocation

- All requests for allocation of discretionary funds must be made on the Councillor Discretionary Fund Application form.
- Applications can be made at any time during the financial year.

5.3. Allocation Criteria

The following criteria will apply to all requests by the Mayor and councillors for allocation of discretionary funds:

- The discretionary funds must be allocated in accordance with the:
 - *Local Government Act 2009 (Qld)*;
 - *Local Government Regulation 2012 (Qld)*; and
 - Council’s Community Grants Scheme Policy.
 - The proposed recipient of the allocated discretionary funds must be a not for profit community organisation who can demonstrate that the funds will be used for a community purpose.
 - The discretionary funds cannot be used to pay for recurrent costs of the not for profit community organisation.
 - The discretionary funds cannot be used for a purpose that commits Council to operational expenditure or an expectation of future replacement.
 - The purpose of the allocation must be in the public interest.
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- Political parties, businesses and individuals are ineligible for funding.
- Funding for schools or school affiliated clubs or associations (eg. P&C) is acceptable where it provides a public benefit.
- Where funding is for an event run by an external agency, the event should incorporate best practice principles for inclusiveness and accessibility.
- The purpose for the allocation must be consistent with the corporate plan, operational plan, council policies, strategies and resolutions of Council.
- The allocation of discretionary funds can be in addition to other Fraser Coast Regional Council grants provided to the same recipient and/or for the same purpose within the same financial year provided the details are disclosed on the application form.

5.4. Conflict of Interest Provisions

Councillors must declare any actual, perceived, potential or no conflicts of interest on the Councillor Discretionary Fund Application Form.

5.5. Approval Process

The allocation of discretionary funds to a community organisation for a community purpose, must be approved as follows:

- Completed Councillor Discretionary Fund Application forms are to be reviewed and recommended by the Mayor or relevant divisional Councillor; and
- Approved by the Chief Executive Officer

In deciding whether to approve an allocation, the Chief Executive Officer must have regard to the local government's 5-year corporate plan, long-term asset management plan and annual budget.

If the allocation of discretionary funds is for the purpose of improvements to Council owned infrastructure then, before the allocation is made, it must be approved as follows:

- If the councillor is the Mayor – the Deputy Mayor and the Chief Executive Officer; or
- Otherwise – the Mayor and the Chief Executive Officer.

5.6. Conditions of Funding

- Allocations for \$5,000 or more will require the Councillor Discretionary Funds Acquittal form to be submitted at the completion of the project/activity.
 - Recipients of allocations of less than \$5,000 may be asked to provide confirmation of expenditure at the completion of the project/activity depending on the subject of the request.
 - Recipients of allocations must acknowledge the divisional councillor's contribution to the project/activity in a public manner. The acknowledgement is to be proportional to the value of the contribution.
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- Council will not be responsible for funding any recurrent operating costs associated with projects or activities funded by councillor discretionary funds.
- Councillors may contribute jointly to requests provided the request is approved by all councillors and made on a single Councillor Discretionary Fund Application Form.
- Discretionary funds can only be allocated in the financial year for which the funds are budgeted.
- Funding cannot be allocated during the period starting on 1 January in the year a quadrennial election is to be held and ending at the conclusion of the election.
- Financial quotes must be received prior to the disbursement of funds.
- Bank details must be included on the Councillor Discretionary Fund Application form.
- Funds must be paid into the account as detailed in the Application form.
- A financial check of the community organisation may need to be conducted.
- Funds are to be paid by electronic funds transfer.

5.7. Funds to Be Carried in An Election Year

Any remaining unallocated discretionary funding available immediately prior to the caretaker period in an election year are to be carried for use by the newly elected Mayor or councillor of the relevant division provided the expenditure criteria outlined in this Policy is met.

5.8. Reporting

In accordance with section 202A(2) *Local Government Regulation 2012*, Council will maintain a record of all grants approved under the Councillor Discretionary Funds and will publish on Council's website and display on Councils' public noticeboard, the name of each community organisation receiving funding and the amount and purpose of that funding within seven (7) days of the allocation.

Allocations will also be reported in Council's annual report in accordance with section 189 *Local Government Regulation 2012*.

6. ASSOCIATED DOCUMENTS

Discretionary Funding Assessment Criteria (eDOCS #3865897)
 Councillor Discretionary Funds Application Form and Guidelines (eDOCS #3155416)
 Councillor Discretionary Funds Acquittal Form (eDOCS #4550705)
 Community Grants Policy (eDOCS #3150084)

7. REVIEW

This Policy will be reviewed when related legislation/documents are amended or replaced, other circumstances as determined from time to time by Council or at intervals of no more than three years.

Version Control

Version Number	Key Changes	Approval Authority	Approval Date	Document Number
9	Amended	Council	24/06/2020	2377464
10	Amended	Council	15/06/2022	2377464
11	Reviewed as part of the Pre-Election process (No Changes made)	Council	28/06/2023	2377464
