



# Fee Waivers, Subsidies and Support Policy

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## **1 PURPOSE**

This Policy aims to:

- Cover the hire of Council managed assets including public reserves, public halls, sports fields, waterways, and any other facility which Council manages (excluding the Shoalhaven Entertainment Centre and Aquatics)
- Establish a framework around calculation of all subsidies, waivers or any other form of fee relief or support, including a consistent approach to consideration of fee support requests and applications
- Ensure that any subsidies provided are equitable, transparent and effective and reduce the risk of corrupt conduct
- Ensure that any subsidies are in compliance with all known legislation, guidelines and regulations
- Define Council's criteria for the approval under delegation of any reduction in adopted fees, clearly identifying responsibility and accountability levels
- Encourage optimal use of community facilities and assets by local community organisations and recreation groups
- Recognise the social value and benefits of services and activities organised and provided by community based groups and to support these groups based on community based pricing
- Obtain a contribution from user groups towards the costs of providing facilities, services and assets
- Document the reporting requirements for subsidies given to each Community Group

## **2 STATEMENT**

Shoalhaven City Council owns and manages a number of community facilities and assets throughout the Local Government Area. These facilities and assets allow a range of services to operate from these sites.

This policy will complement the Code of Conduct and Council's guidelines relating to protocols in the way in which Council officers carry out their obligations.

This Policy applies to all applications for fee support for Council managed community facilities and assets, such as public reserves, public halls, sports fields, waterways, and any other facility which Council manages and which are available for either casual or regular hire, including:

- Public parks and reserves directly managed by Council
- Public facilities and buildings directly managed by Council
- Council’s Section 355/377 Management Committee community facilities, where any application for fee support goes through the Management Committee and the Facilities Coordinator

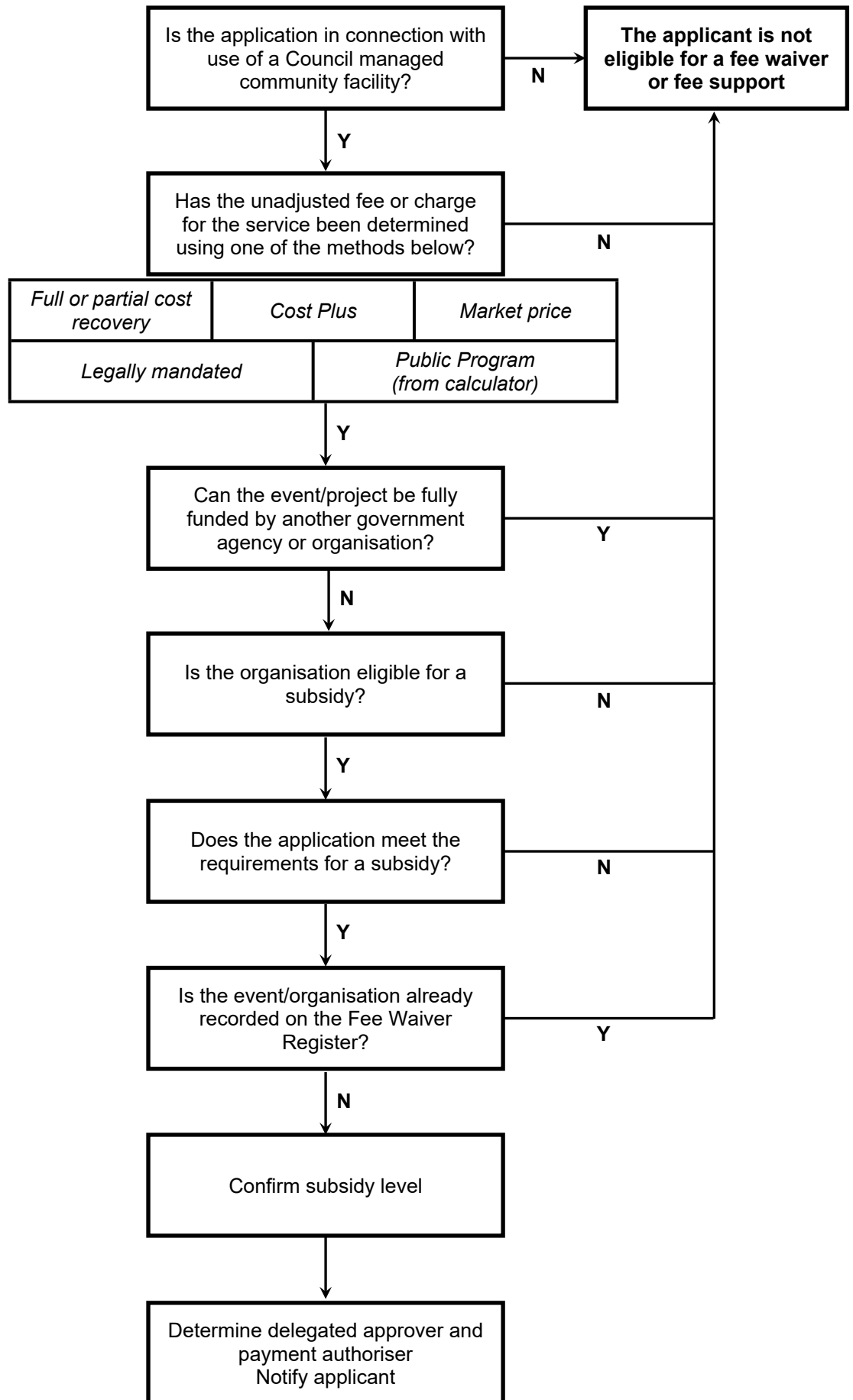
This Policy will not apply to the:

- Water or Sewer Funds, which are separately covered under the Community Service Obligation Policy consistent with the NSW Government Water Supply, Sewerage and Trade Waste Pricing Guidelines adopted by Council
- Shoalhaven Entertainment Centre, which has its own hiring policy given the different arrangements in place, but will reference this policy when waivers are being evaluated
- Lease arrangements determined by Property under POL16/150 Occupation of Council Owned or Managed Land, where commercial arrangements are optimised

## 2.1. Definitions

<b>Term</b>	<b>Meaning</b>
Competitive neutrality	Competitive neutrality principles require that a government agency that is engaged in a “significant business activity” must not enjoy any net competitive advantage over its private sector competitors by virtue of its public ownership. Such advantages might include immunity from certain government charges, lower capital costs or statutory immunity from regulatory compliance.
Direct cost	All costs that can be specifically and easily identified with the service being provided, including employee benefits and non-salary items
Employee benefits	Comprises salary and wages expenses together with associated on-costs (annual leave, long service leave, sick leave, superannuation, payroll tax, training, etc)
Fee support	Funds provided to help pay for a particular piece of work or for a particular right or service
Full cost pricing	Pricing that recovers the full cost of providing a service (direct cost, including employee benefits, and overheads)
Overheads	The cost of providing the physical, service and administrative infrastructure necessary to support the provision of services
Subsidy	A financial contribution to help or encourage an event to happen. A subsidy can take the form of a transfer of funds, foregone revenue.
Waiver	An approved full relinquishment granted to an eligible organisation

3 OVERVIEW



## 5 PROVISIONS

### 5.1. Fees and Charges Pricing

Fees and charges are calculated annually and exhibited for a 28 day period in line with the *Local Government Act 1993* (LGA), normally during the months of April and May each year. After the submission period, Council will adopt the final list of fees and charges, taking into consideration any submissions received. The fees and charges are then advertised on Council's website throughout the financial year. Under the Local Government Act, any further changes throughout the year need to be put on public exhibition for the required period and adopted by Council.

### 5.2. Fee Subsidies – Eligibility

**Before any subsidies are considered with regard to a fee or charge, an approach should be made to State or Federal Government agencies or other organisations to determine if they can provide support.**

There are a wide range of goods and services provided to the community for a number of social, political or economic reasons. It may be appropriate to price these goods or services to be fully or partially recovered. It is important that these fees and charges are fully costed before a decision is made as to the level of subsidy applicable based on the following:

- When benefits accrue to a wider group than direct users
- Services are provided specifically to disadvantaged groups who do not have the capacity to pay
- Council has a longer term policy objective of encouraging or supporting an activity or a specific group of people
- The proposed use of the facility or asset is consistent with the main purpose of the organisation and the event is open to the public
- The proposed use is for a non-commercial community based event, which may be for community development, education and or awareness activities

In order to be eligible for a subsidy, organisations will be required to provide the following information:

- Evidence of registration as a charity or Incorporated Not For Profit organisation, registered within the Shoalhaven City Council boundary;
- Evidence of what is being done to provide community betterment, if a non-incorporated body or individual;
- Details in relation to financial sustainability of the organisation, i.e., bank statements and financial reports (Profit and Loss and Balance Sheet, as a minimum);
- Details on any previous subsidies provided or alternate funding from other sources.

### 5.3. Public Programs

From time to time, Council will introduce Public Programs which need to be individually costed with any subsidies determined being applied to the individual programs and reported to Council.

### 5.4. Applications

Applications for fee support under this Policy should be made in writing a minimum of two (2) months prior to the date of the booking and will be assessed by the Fee Waiver Committee.

### 5.5. Promotional and Marketing Activities

From time to time certain businesses within Council will offer initiatives or promotional ticketing to market an event or facility. These offers may include:

- Vouchers for accommodation in Holiday Haven
- Tickets to events at the Entertainment Centre
- Reduced pricing to events at aquatic centres

Any such offers need to be documented and captured in the fee waiver report.

### 5.6. Ineligible Waivers

Fees cannot be waived under the following scenarios:

- Management Committees do not have authority to waive/subsidise fees. An application needs to be made through either this Policy/Procedure or Council's adopted Guidelines and Procedures for Annual Donations, Sponsorships and Subsidies in conjunction with Council's Donations Policy
- If other Council assistance is provided for the event
- For meetings of an organisation that are closed to the community
- For marketing, advertising or promotion of a commercial entity
- Where the event/activity can be self-funded
- Bonds, additional garbage or waste services or the cost of cleaning associated with the event /activity and use of the facilities (i.e. hard costs such as labour, electricity, etc.)

*(Note: Bonds are held to reimburse Council for damage or cleaning costs, and may be partially or fully waived based on past dealings with the hirer or the type of activity to be undertaken. In accordance with this procedure or at the discretion of the Facilities Coordinator. If the extent of damage or cleaning exceeds the bond, then Council may seek compensation for all associated costs.)*

### 5.7. Delegations and Authorities

Authority levels for fee waivers or subsidies for approved organisations shall be as follows:

<b>Waiver or subsidy amount</b>	<b>Approver</b>
For subsidies up to \$1,000 in any one financial year	Section Manager
All subsidies over \$1,000 and under \$4,000	Group Director
Any subsidies over \$4,000	Council

In accordance with Section 377 of the *Local Government Act 1993*, the General Manager may authorise payment of the donation, sponsorship or subsidy voted by Council, other than where it is a decision under Section 356(2) to contribute money or otherwise grant financial assistance to an individual. Payment to an individual must be authorised by Council resolution and following a 28 day public exhibition period, if applicable.

## 5.8. Reporting

An annual report shall be submitted to Council detailing all fee support granted under this Policy. The fee support shall be recognised in Council's Financial Statements.

## 6 IMPLEMENTATION

The responsibility for the implementation and review of this policy shall be with the Director Finance, Corporate & Community Services Group.

## 7 REVIEW

The Finance, Corporate & Community Services Group will review this policy:

- Within 12 months of the date of the election of every new Council
- Every four years; or
- As directed by Council; or
- As a result of a review in legislation that affects this policy

## 8 APPLICATION OF ESD PRINCIPLES

Non Applicable

## 9 RELATED POLICIES

<b>Description</b>	<b>Changes</b>
Use and Hire of Community Facilities for Commercial Activities	Has been updated to reference this Policy.
Sportsgrounds – User Group Responsibilities	Has been updated to reference this Policy.
Shoalhaven Entertainment Centre Hiring Policy	Has been updated to reference this Policy.



10 ATTACHMENT 1 – APPLICATION FOR SUPPORT



Application for Fee Support in **Financial Year** \_\_\_\_/\_\_\_\_

**Please note – fee support is subject to budget constraints and may not be approved.**

Please complete the following application form where assistance from Council is requested.

This form should be submitted a minimum of two (2) months prior to the booking:

No retrospective requests will be considered.

This information is the minimum required for an application.

Date: \_\_\_\_\_

**Details of Organisation/Individual:**

1. Name of Applicant/Organisation responsible for the event/activity: .....

.....

Contact person ..... Signature: .....

2. Mailing address: .....

3. Email Address : .....

4. Phone: (Home) .....(Business) .....

5. Quoted Hire Fees for this event \$.....

6. Amount of assistance being sought: \$ .....

7. Organisation type: Non Profit/Charity/Incorporated/other (*please circle*)

*Please attach documentation/certification for above, according to one of the following registrations:*

1. Charities registered on the Australian Charities and Not-for-profits Commission (ACNC) Register.

2. Other organisations:

- Incorporated as an Association with the Department of Fair Trading - provide incorporation number (as per 2009 Association and Incorporation Act, Number 4, clause 3), or
- Endorsed by the ATO to obtain Deductible Gift Recipient status on the Australian Business Register - <http://www.abr.business.gov.au/>

Commercial undertaking	YES/NO
Do membership fees apply	YES/NO
Amount charged for membership	\$ _____
Number of people in organisation/members	_____

8. Office bearers of organisation (President, Secretary, Treasurer or Project Manager):

.....  
.....  
.....

9. Please provide details in relation to financial sustainability of the organisation, including a copy of applicant's/organisations financial statement for the previous financial year, including income statement, statement of financial position (balance sheet) and recent bank statement

**Title of Event/Project**

1. Please give a brief description of the event/project for which assistance is sought:

.....  
.....

2. Is this proposed to be an annual event/project? YES/NO

3. Date/s of the proposed event/project .....

4. Where will the event/project take place?.....

5. Is the event open to the community? .....

6. How will the event cater for social inclusion and provide social benefit? Which groups will benefit?.....

7. Will an entry fee be charged? .....

8. Name of Public Liability Insurer.....

9. Amount of insurance cover \$ .....

10. Will the event/project support charities YES/NO

If YES, % events income \$ .....

**Funding**

1. Cost of the total event/project \$ .....

2. How much are you seeking from Council \$ .....

3. Organisation's funds available at present to go towards event.....\$

4. How are funds to be raised? .....

.....  
.....  
.....

5. Has Council previously granted subsidies or assisted/sponsored your organisation? YES/NO

6. What was the amount (per annum) of the assistance from Council? \$ .....

YEAR ..... \$ .....

YEAR ..... \$ .....

7. Have you applied for funding from other government organisations, groups, agencies or organisations? (This is a requirement to be eligible for fee waiver, subsidy or support).

YES/NO

8. If YES, how much has been sought \$.....

Name of Group or organisation.....

Successful amount \$.....

If YES, how much has been sought \$.....

Name of Group or organisation.....

Successful amount \$.....

9. Will this event/project be self-funding in the future?

YES/NO

If NO, will the event/project be dependent on future funding from Council?

YES/NO

10. Detail the benefit to Council arising from the fee support (eg. increases participation by community / activation of Council facilities / aligns with Council's Integrated Strategic Plan):

.....  
.....  
.....  
.....

11. How will you recognise and acknowledge Council's support arising from the fee support?.....

.....  
.....

**Council Use Only**

Fee as stated in the Fees & Charges .....

Is this request over \$4000 - Report to Council required? ....

**Comments:**

Officer .....

Date.....

Comments.....

.....



<input type="checkbox"/> Officer.....
Date.....
Comments.....
.....
<input type="checkbox"/> Officer .....
Date.....
Comments.....
.....

<b>Finance Authority:</b>
Subsidy information has been added to the Financial summary Yes/No .....
This payment is not a subsequent funding for this year
Yes/No..... Date.....
Previous Payment Made \$..... Date .....
Comments.....
.....
Completed Yes/No .....

<b>Comments:</b>
Manager.....Date.....
Comments.....
Supported Yes / No
Section
Manager.....Date.....
Comments.....
Supported Yes / No up to \$1,000, no further authorisation required

<b>Comments:</b>
Director Dependent upon group.....Date.....
Comments.....
Approved / Declined up to \$4,000 (otherwise report to Council)

This form is for the purpose of Shoalhaven City Council insurance requirements and for administrative purposes. The information will be used solely by Council officials for the purpose mentioned above. The applicant understands that this information is provided on a voluntary basis and they may apply to Council for access to, or amendment of, the information at any time.