

STATUTORY POLICY

NUMBER:	S0052
ACT:	Local Government Act 2009 Local Government Regulation 2012
POLICY TITLE:	COUNCILLORS' DISCRETIONARY FUND POLICY

1. PURPOSE AND SCOPE

- 1.1 The purpose of this Policy is to ensure a fair, equitable, and transparent framework applies in relation to the allocation of monies from the Councillors' Discretionary Funds for community purposes that benefit the community of the Charters Towers Region.
- 1.2 Pursuant to section 202(1) of the *Local Government Regulation 2012*, a Councillor may use any councillor discretionary funds in the following ways:
- a) for capital works for the local government that are for a community purpose.
 - b) to a community organisation for a community purpose.
 - c) for another community purpose.

Section 202(2) of the *Local Government Regulation 2012* states a Councillor may make an allocation under subsection (1)(a) only if –

- a) before the allocation is made, it is approved by -
 - (i) if the Councillor is the Mayor - the Deputy Mayor and the Chief Executive Officer; or
 - (ii) otherwise - the Mayor and the Chief Executive Officer; and
- b) the amount stated in the availability notice under section 201B(4)(d)(i) is not exceeded if the allocation is made.

Section 202(3) of the *Local Government Regulation 2012* states a Councillor may make an allocation under subsection (1)(b) only if –

- a) the funds are allocated
 - (i) to a community organisation that has applied for the funds in the way stated in the availability notice under section 201B(4); and
 - (ii) in a way that is consistent with the local government's community grants policy; and
- b) the amount stated in the availability notice under section 201B(4)(d)(ii) is not exceeded if the allocation is made. Section 202(4) of the *Local Government Regulation 2012* states a Councillor may make an allocation under subsection (1)(c) only if the amount stated in the availability notice under section 201B(4)(d)(ii) is not exceeded if the allocation is made.

2. COMMENCEMENT OF POLICY

- 2.1 This Policy will commence from 1 July 2023.

3. APPLICATION OF POLICY

- 3.1 This policy applies to Councillors and employees of the Charters Towers Regional Council and directs the application of Councillors' Discretionary Funds as determined by Councillors for community purposes within the Charters Towers Region.

4. DEFINITIONS

Community Organisation	(a) <i>an entity that carries on activities for a public purpose; or</i> (b) <i>another entity whose primary object is not directed at making a profit.</i>
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Discretionary Funds	Are funds in the local government's operating fund that are budgeted for use by a Councillor at the Councillor's discretion for a community purpose.
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5. POLICY PROVISIONS

This Policy is to provide a framework for the allocation of funds from any Councillor Discretionary Fund pursuant to the *Local Government Act 2009* and the *Local Government Regulation 2012*.

- 5.1 Each year the Council may determine what funds shall be set aside in each new budget for the purpose of meeting requests for financial assistance from community organisations as decided upon by the Mayor and Councillors.
- 5.2 Section 201B (3) of the *Local Government Regulation 2012* states the amount of discretionary funds a local government budgets for allocation by each councillor in a financial year must be the same for all councillors.
- 5.3 Separate expenditure accounts shall be established for the Mayor and each Councillor within the budget for this purpose and funds will be allocated to each expenditure account in accordance with the Council's Annual Budget.
- 5.4 Councillors can combine a joint contribution for allocating funds to the one organisation (e.g., \$1000 is requested from one organisation and four Councillors wish to contribute to this request. The amount is divided by four and \$250 is used from each Councillors discretionary funds).
- 5.5 Section 202 of the *Local Government Regulation 2012* prescribes the requirements that Councils must follow in administering Councillors discretionary funds.
- 5.6 In accordance with clause 3 of this policy, the Mayor and each Councillor is authorised to recommend funding allocation not exceeding the annual allocation adopted by Council in its annual budget, subject to the eligibility criteria in paragraph 5.9.
- 5.7 Section 202B(5) of the *Local Government Regulation 2012* states that a councillor must not allocate discretionary funds starting from 1 January in the year a quadrennial election is to be held. However, discretionary funds allocated before 1 January may be distributed during the caretaker period
- 5.8 Following the quadrennial local government election the remaining councillor discretionary funds will be made pro-rata and equally re-allocated to the newly elected mayor and councillors until the new financial year when the full discretionary fund allocation will be reinstated.
- 5.9 The following eligibility criteria will apply to all requests:
 - a) Funding must be allocated in accordance with the *Local Government Act 2009*, *Local Government Regulation 2012*.
 - b) Not-for-profit organisations must be community based and provide services and activities of benefit to the Charters Towers Region.
 - c) Not-for-profit organisations operating gaming machines will not be eligible for financial assistance.
 - d) Political parties are ineligible for funding.
 - e) Government agencies will not be eligible for financial assistance with the exception of local Schools in the Charters Towers Region and Parents and Citizens Associations.
 - f) Applicants shall have no outstanding debt or funding acquittals with Council (including rates).
 - g) Council's funding involvement and support must be appropriately acknowledged with opportunities provided for Council publicity and participation at key activities.

- 5.10 Having satisfied themselves that a request complies with paragraph 5.9 above, the Mayor and Councillors shall be authorised to recommend allocations from their individual Discretionary Fund as set out below:
- a) The Discretionary Fund requests shall be by way of a “Councillors Discretionary Fund Authority Form” (F0237/OCEO – refer Attachment 1), completed by the Councillor and referred to the Chief Executive Officer who will be responsible for:
 - (i) assessing the application against this policy and Council's STRAT 0002 *Community Grants Policy*; and
 - (ii) where appropriate, authorising the processing of the Councillor’s recommended allocation.
- 5.11 In accordance with section 202A of the *Local Government Regulation 2012*, the Chief Executive Officer will maintain a record of all allocations approved under the Mayor and Councillors' Discretionary Fund and will publish on Council's website within 7 business days the amount and purpose of any allocation and where an amount has been allocated to a community organisation, the name of that community organisation (refer Attachment 2 & 3).
- 5.12 In accordance with section 189 of the *Local Government Regulation 2012*, the Chief Executive Officer will keep a record of Grants to Community organisations under the Councillor Discretionary Fund and ensure that the details of expenditure are included in Council's Annual Report. This record will also be displayed on Council’s website.

Variations:

Charters Towers Regional Council reserves the right to vary, replace or terminate this policy from time to time.

ASSOCIATED DOCUMENTS

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *F0237 Councillors Discretionary Fund Authority Form*

DOCUMENT REVIEW:

The document is to be reviewed upon changes to relevant legislation, or every two years if no changes have been required to be enacted.

Document Adopted: Statutory Budget Meeting 28 June 2023
Resolution Number: 3686

Document Contact: Executive Services Manager

Document Authorised: Chief Executive Officer

Document ECM No. 1073687

**COUNCILLORS' DISCRETIONARY FUND AUTHORITY FORM
FORM F0237**

THIS SECTION TO BE COMPLETED BY COUNCILLOR:

Donation Requested by:

Mayor FC Beveridge _____

Cr S Bennetto _____

Cr KF Hastie _____

Cr GJ Lohmann _____

Cr BP Robertson _____

Cr AP Barr _____

Cr JD Mathews _____

Date of request: ____/____/____

Purpose of Donation:

(A written request from the Community Organisation is to be attached to this form.)

Amount of Donation \$ Amount

Is GST applicable Yes No Amount of GST \$ Amount

Donation to be made payable to: Organisation

By EFT (please provide bank details) BSB: _____ ACCOUNT: _____

Cheque - payable to:

Authorised by Chief Executive Officer (Signature):

Date: ____/____/____

THIS SECTION TO BE COMPLETED BY ACTIONING OFFICER:

Discretionary Funds - Job Number Allocation:

Councillor		(please tick)
Mayor FC Beveridge	(\$2000)	<input type="checkbox"/>
Cr GJ Lohmann	(\$2000)	<input type="checkbox"/>
Cr AP Barr	(\$2000)	<input type="checkbox"/>
Cr S Bennetto	(\$2000)	<input type="checkbox"/>
Cr KF Hastie	(\$2000)	<input type="checkbox"/>
Cr JD Mathews	(\$2000)	<input type="checkbox"/>
Cr BP Robertson	(\$2000)	<input type="checkbox"/>

Community Organisation notified of donation: ECM Doc #: _____ Date ____/____/____

Publication of Donation: (refer LGR 2012 s202,3(a)&(b) and (8):

Council noticeboard: ____/____/____ Website: ____/____/____

Upon completion:

- Original form and supporting documentation to be registered in ECM.
- Copy of form to accompany the purchase requisition covering the donation (together with a copy of the Council Resolution if applicable).
- Copy of form to be provided to relevant Councillor, upon request.

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NOTICE TO COMMUNITY REGARDING THE AVAILABILITY OF COUNCILLORS' DISCRETIONARY FUNDS

In accordance with *Local Government Regulation 2012 S202 (2)*, Charters Towers Regional Council has established Councillor Discretionary Funds in support of community purposes and meeting requests for financial assistance from community organisations.

The amounts as set out below have been allocated for each Councillor's Discretionary Fund.

Community organisations which are eligible under the CTRC Councillors' Discretionary Funds Policy may make an application directly to a Councillor for funding. To apply, please contact the Councillor directly by email or telephone as set out below:

Name	Amount	Email	Phone
Mayor Frank Beveridge	\$2000	Frank.beveridge@chartersowers.qld.gov.au	0458 754 589
Deputy Mayor Councillor Graham Lohmann	\$2000	Graham.lohmann@chartersowers.qld.gov.au	0427 966 908
Councillor Alan Barr	\$2000	Alan.barr@chartersowers.qld.gov.au	0418 737 213
Deputy Mayor Sonia Bennetto	\$2000	Sonia.bennetto@chartersowers.qld.gov.au	0421 239 461
Councillor Kate Hastie	\$2000	Kate.hastie@chartersowers.qld.gov.au	0403 625 271
Councillor Julie Mathews	\$2000	Julie.mathews@chartersowers.qld.gov.au	0418 723 951
Councillor Bernie Robertson	\$2000	Bernie.robertson@chartersowers.qld.gov.au	0428 317 117

In accordance with Section 202A of the *Local Government Regulation 2012*, Council will as soon as practicable after an amount has been allocated and paid from a councillor's discretionary funds, publish a notice stating:

- (a) *the amount and purpose of the allocation; and*
- (b) *where an amount has been allocated to a community organisation, the name of that community organisation.*

For further information, please refer to the following documents (published on Council's website, or available on request).

- Statutory Policy S0052/OCEO Councillors' Discretionary Funds
- Record of Councillors' Discretionary Funds

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[YEAR] COUNCILLOR DISCRETIONARY FUND RECORD AS AT [DATE]

In accordance with Section 202(7) of the *Local Government Regulation 2012*, the following discretionary funds have been allocated by each Councillor (Please note: Amounts listed exclude GST where applicable):

Mayor :

Date	Organisation	Purpose	Donation amount	Total Allocation	Balance Remaining
					TBA

Deputy Mayor

Date	Organisation	Purpose	Donation amount	Total Allocation	Balance Remaining
					TBA

Councillor

Date	Organisation	Purpose	Donation amount	Total Allocation	Balance Remaining
					TBA

Councillor

Date	Organisation	Purpose	Donation amount	Total Allocation	Balance Remaining
					TBA

Councillor

Date	Organisation	Purpose	Donation amount	Total Allocation	Balance Remaining
					TBA

Councillor

Date	Organisation	Purpose	Donation amount	Total Allocation	Balance Remaining
					TBA

Councillor

Date	Organisation	Purpose	Donation amount	Total Allocation	Balance Remaining
					TBA