



DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

13 October 2009

DCCS10 DONATION REQUEST
FILE: 3 CC: LA7228 JLM CC: APC (Folio *)

SUMMARY:

Reporting on a donation requests received from Smithtown Hall Committee.

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Department of Local Governments Ruling on Donations

Under Section 356 of the Local Government Act, 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.*

The intent of that section is to ensure that prior to making a decision to use community resources and/or expend public money in a form of financial and other assistance to persons, councils should comply with the requirements that are designed to promote better accountability and transparency in relation to council decision making processes.”

Accordingly the following request for financial assistance is forwarded to Council for determination: -

Smithtown Hall Committee is seeking assistance from Council for reimbursement of the annual insurance costs.

The Smithtown Hall Committee became a 355 Committee of Council at the time Council approached the Department of Lands to transfer the trusteeship of the hall in 2001 (with concurrence from the Smithtown Hall Committee).

To date, despite many attempts to finalise this with the Department of Lands (through various correspondence and even direct discussion with the Minister for Lands, The Hon. Tony Kelly MP on 9 June 2009) the matter of trusteeship is still pending. In the meantime, the Hall Committee funds are severely depleted due to the costs involved with insurance, which is currently \$2,767.08 per year.

Currently all money raised is being used for insurance in place of maintenance and repair to the hall, which is to the detriment of the condition of the hall.

RECOMMENDATION IMPLICATIONS:

- **Environmental**

Nil

- **Social**

The Smithtown Hall Committee contributes to the social cohesion within the community.

- **Economic (Financial)**

The donation can be allocated to the Community Based Activities Donations vote.

- **Policy or Statutory**

Council has adopted the Community Grants Policy and this allows community organisations to apply for donations between \$500 and \$5,000. This is an annual process and community organisations are encouraged to apply for donations using this method.

Requests for donations less than \$500 are considered as received throughout the financial year.

- **Director's Review**

As per report.

RECOMMENDATION:

1. **That the Smithtown Hall Committee be given a \$499 donation to assist with the 2009/10 insurance costs.**
2. **That Council attempt to expedite the process of transferring the trusteeship from the Smithtown Hall Committee to Kempsey Shire Council through the Department of Lands.**

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K E Oliver

ACTING DIRECTOR CORPORATE AND COMMUNITY SERVICES