

Late Agenda

Ordinary Meeting

Thursday, 19 June 2014

commencing at 9.00 am

Council Chambers, Corner Currie and Bury Streets, Nambour

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8 REPORTS DIRECT TO COUNCIL**8.4 INFRASTRUCTURE SERVICES****8.4.2 COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS UTILISATION POLICY**

File No:	Statutory Meetings
Author:	Asset Management and Services Project Manager Infrastructure Services Department
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PURPOSE

This report seeks to provide an updated policy framework and budget allocation for the Councillor Emergent Capital Works and Minor Operational Works Utilisation Funding that complies with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

This report is a follow up as requested by Council at the Special Budget Meeting of the 2nd June 2014, which provides three revised policies for Councils consideration and includes evaluation comparing Revision 1, 2 and 3 of the policy.

EXECUTIVE SUMMARY

Council has requested that the Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy be revised to allow Councillors to have greater flexibility while providing clarity in the allocation of funding within the policy.

The overall intent of this policy is to provide guidance and formal governance processes in compliance with the Local Government Act and other council policies for the allocation of funds through Councillor requests, and officers assessment, to attend to the business of council in the infrastructure delivery and operations areas.

Changes to the Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy consistent between Revision 1, 2 and 3 are:

- Removal of specific allocations of \$75,000 for emergent capital works and \$50,000 for minor operational works. The amount to be allocated will be determined by Council as part of the annual budget adoption;
- The inclusion of a table within the policy which provides specific examples on the use of these funds to assist Councillors and staff in determining whether the request is compliant with the policy;
- The previously adopted policy had specific funding commitments required for certain types of works (e.g. footpaths; parks and gardens etc.), whereas the new policy has been revised to allow more flexibility in the determination of the funding allocations to better suit the particular needs to the community within each Council division, removing specific requirements for funding local pathways and local parks; and
- Allocation of funding is not to be below \$500 for operational works. If the request is in line with Council's normal maintenance program (e.g. replacing lamp shade), then it will be funded from the normal operational budget and not from Councillors Minor Operational Works Allocation.

This report is a follow up as requested by Council at the Special Budget Meeting of the 2nd June 2014, which provides a revised policy for Councils consideration.

This report includes three versions of the Revised Policy – Revision 1, being that which was tabled at the Special Budget Meeting on the 2nd June 2014, Revision 2, which is a revised version that introduces the potential for more flexible use of the funding for community facilities, and Revision 3 which along with the changes in Revision 2 also allows for the use of the funds as a top up to compliment any existing council community assistance scheme funding arrangements.

Changes to the Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy between Revision 1 as presented on the 2nd June 2014 and Revisions 2 and 3 are:

- Revision 2 - Funding for capital works or enhancements of properties and facilities that are owned by Council but operated by community associations via a permit or lease are permitted for such facilities for assets regardless of the lease agreement or permits as relevant for the specific property; and
- Revision 3 – Includes the changes in Revision 2, but also allows for Councillor Emergent Capital Works and Minor Operational Works to be used as a “top up” to compliment any existing council community assistance scheme funding arrangements, such as council grant programs.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy” and**
- (b) adopt the Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy – Revision 2 (Appendix A).**

FINANCE AND RESOURCING

Council has determined in previous years budgets, that each Divisional Councillor may prioritise the amount as determined by Council at the budget adoption within a financial year for emergent capital works projects, and the amount determined by Council at budget within a financial year for minor operational works projects or services.

Councillors may also choose to:

- Fund all or part of a Mayoral and Councillor Discretionary Funding component by reallocation from the minor operational works allocation; as detailed in the Strategic Policy ‘Mayoral and Councillor Discretionary Funding’ endorsed by Council on 20 June 2013; or
- Increase the allocation to Emergent Capital Works by reducing the Minor Operational Works allocation.

The final amounts to be allocated for the 2014/2015 financial year will be ratified when Council adopts the full budget in June 2014.

Revision 2 of the policy, allows funding to be allocated to council owned assets and facilities that are operated under the control of community groups via leases or permits. This will likely increase the potential requests for council to fund asset upgrades that would have traditionally been covered under leases, and often funded via state government or council grant programs. It is difficult to anticipate the level of requests and funding, however this will be closely monitored and should there be an escalation of funding requests, a report will be taken to council to seek direction on councils’ ongoing commitments.

CORPORATE PLAN

Corporate Plan Theme: *Managing growth*

Emerging Priority: 7.4 - Timely and appropriate infrastructure and service provision

Strategy: 7.4.3 - Ensure the provision of parks, open space and community infrastructure consistent with identified local and regional needs

Corporate Plan Theme: *Managing growth*

Emerging Priority: 7.5 - Council’s services and assets meet the needs of our growing community

Strategy: 7.5.1 – Determine the types and levels of services provided by council

Corporate Plan Theme: *Managing growth*

Emerging Priority: 7.5 - Council’s services and assets meet the needs of our growing community

Strategy: 7.5.3 - Maintain and renew council assets to agreed standards

CONSULTATION

Internal Consultation

- Councillors
- Executive Leadership Team
- Manager, Finance
- Senior Management, Accountant

- Coordinator Treasury and Rates
- Coordinator Financial Services
- Chief Legal Officer

External Consultation

There has been no external consultation undertaken in relation to this report.

Community Engagement

There has been no community engagement undertaken in relation to this report.

PROPOSAL

Council has requested that the Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy be revised to allow Councillors to have greater flexibility while providing clarity in the allocation of funding within the policy.

The overall intent of this policy is to provide guidance and formal governance processes in compliance with the Local Government Act and other council policies for the allocation of funds through Councillor requests, and officers assessment, to attend to the business of council in the infrastructure delivery and operations areas.

This report is a follow up as requested by Council at the Special Budget Meeting of the 2nd June 2014, which provides a revised policy for Councils consideration.

This report includes three versions of the Revised Policy. Revision 1, being that which was tabled at the Special Budget Meeting on the 2nd June 2014. Revision 2, which is a revised version that introduces the potential for more flexible use of the funding for community facilities, and Revision 3 which also allows for use of the funds as a top up for grant funding.

Policy changes 2008 Adopted Policy – Revision 1 (2nd June 2014)

Changes to the Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy consistent between Revision 1, 2 and 3 are:

- Removal of specific allocations of \$75,000 for emergent capital works and \$50,000 for minor operational works. The amount to be allocated will be determined by Council as part of the annual budget adoption;
- The previously adopted policy had specific funding commitments required for certain types of works (e.g. footpaths; parks and gardens etc.), whereas the new policy has been revised to allow more flexibility in the determination of the funding allocations to better suit the particular needs to the community within each Council Division, removing specific requirements for funding local pathways and local parks;
- Allocation of funding is not to be below \$500 for operational works. If the request is in line with Council's normal maintenance program (e.g. replacing lamp shade), then it will be funded from the normal operational budget and not from Councillors Minor Operational Works Allocation; and
- The inclusion of a table within the policy which provides specific examples on the use of these funds to assist Councillors and staff in determining whether the request is compliant with the policy

Project Type	Grants	Emergent Capital Works / Minor Operational Works
Pathways		y
Kerb ramps		y
Park improvements		y
Council Owned bdgs		y
Private bdgs	y	
Street signs		y
Entry statements		y
Street lights		y
Street light shades		y
Design works		y
Council Xmas decorations		y
Community Xmas decorations	y	
Council sponsor festivals		y
Non council festivals	y	
Non council business	y	
Council Artworks		y
Non Council artwork	y	
Maintenance of Council asset		y
Maintenance of non-council asset	y	
Asset - Community Facility _ not covered by lease agreement (Council owned)		y
Asset Community Facility – covered by lease agreement (Council owned)	y	
Parks equipment		y
Tree removal		y
Line marking		y
Bollards		y
Council Banners		y
Non Council banners	y	

Policy changes Revision 1 (2nd June 2014) – Revision 2 and 3

Changes to the Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy between Revision 1 as presented on the 2nd June 2014 and Revision 2 and 3 are:

- Revision 2 - Funding for capital works or enhancements of properties and facilities that are owned by Council but operated by community associations via a permit or lease are permitted for such facilities for assets regardless of the lease agreement or permits as relevant for the specific property;
 - Funding allocated to community associations with an existing lease agreement or permit will require an independent assessment from the Property Management Branch to determine;
 - Compliance with Work Place Health and Safety;
 - Value for money;
 - Compliance with legislation; and
 - Priority and alignment with Council strategies.
- Revision 3 – Includes the changes in revision 2, but also allows for Councillor Emergent Capital Works and Minor Operational Works funds to be used as a “top up” to compliment any existing council community assistance scheme funding arrangements, such as council grant programs. It should be noted that this proposal is considered to be ultra vires and unable to be administered through this policy being non-compliant with the Local Government Act provisions.
- The Revisions 2 and 3 – Includes an updated guidance table that reflects the opportunity to use funds for community facilities operated under lease or permit as below:

Project Type	Grants	Emergent Capital Works / Minor Operational Works
Pathways		y
Kerb ramps		y
Park improvements		y
Council Owned bdgs		y
Private bdgs	y	
Street signs		y
Entry statements		y
Street lights		y
Street light shades		y
Design works		y
Council Xmas decorations		y
Community Xmas decorations	y	
Council sponsor festivals		y

Project Type	Grants	Emergent Capital Works / Minor Operational Works
Non council festivals	y	
Non council business	y	
Council Artworks		y
Non Council artwork	y	
Maintenance of Council asset		y
Maintenance of non-council asset	y	y
Asset - Community Facility _ not covered by lease agreement (Council owned)		y
Asset Community Facility – covered by lease agreement (Council owned)	y	y
Parks equipment		y
Tree removal		y
Line marking		y
Bollards		y
Council Banners		y
Non Council banners	y	

Evaluation of Policy Revisions 1, 2 and 3

- Revision 1 makes a clear demarcation on the funding of community assets and facilities, between the responsibility and therefore funding obligations for community facilities, an area which has been grey for some time.
- Revision 1 allows for funding of assets and operations that are NOT covered by the lease or permit. These assets are considered as typically part of council's portfolio of assets that we would manage through our normal capital and operational budget processes. These often include car parks, lighting systems, irrigation systems and ancillary assets.
- Revision 1 excludes funding for assets and operations that are specifically covered within the lease or permit documentation. Thus where a lease or permit clearly states that the management and maintenance of an asset, it is considered that this is the responsibility of the community group. This does not however exclude the group from seeking funds through councils grant programs, and further through the Councillors Discretionary Allocation amount of up to \$50,000, which specifically caters for these situations. Where the lease or permit does not cover an asset or is silent on responsibilities for funding for upgrades, then it is assumed that the asset comes under council control and therefore is eligible to be funded through the policy. In particular most leases and permits

do not cover capital upgrades, thus these would be considered eligible under the policy and would cover significant asset upgrades, such as club room extensions and sportsfield lighting, which will enhance the facility capacity.

- It should be noted that the lease conditions and permits for community sporting and recreation facilities vary considerably, thus each case needs to be taken on the conditions of the particular leases;
- Revision 2 allows for funding to be allocated for works or operational activities that are already covered under leases or permit, as being the obligation of the lease /permit management group, while still requiring officer assessment, prioritisation and sign off.
- The core issue here is how this funding allocation would be viewed when considering this against the Local Government Act. Legal advice has been received from Council's Legal Officer. The view of the officer is that the term 'grant' to a community organisation as used in Section 194 of the Local Government Regulation 2012 should not be interpreted too widely. To do so would unreasonably limit a Council's right to protect its own assets when those assets are leased out to a community organisation. The Local Government Regulation cannot logically be interpreted in a manner that would mean that, unless a compliant application for a community grant was received, Council would be prohibited from taking funding action to protect its asset. In the circumstances, the better interpretation of the legislation is that Council is not prohibited from taking funding action that is directed at a Council asset leased to a community group including where the funds are directed to a part of the asset for which the lessee has responsibility. What is important however is that there is a robust and independent evaluation, assessment, recommendation and funding acquittal process that supports the allocation of any funds to community groups to assist in the maintenance of assets under the lease.
- Revision 3 which allows for grant tops ups is unable to be enacted as it is considered to be "ultra vires" in that it is not permissible to process grant funding through this policy, and any such allocations need to be administered under the councils Grants Policy or the Mayoral and Councillor Discretionary Funding Policy as per the local government act provisions.
- In developing Revisions 2 and 3 of the policy, consideration was given to altering the amount of potential Discretionary Funding that Councillors may choose to nominate. The current policy and Revisions 1, 2 and 3 all include an amount of up to \$50,000 being allocated by Councillors within the first twenty days of the adoption of the budget. Any funds so identified, are then subject to the Mayoral and Councillor Discretionary Funding Policy (as attached), and are administered in a similar manner to the grants program, with public advertising and monthly disclosure of expenditure. Council could consider increasing this amount per Divisional Councillor by transferring other funds (i.e. increase the \$50,000 cap); however this would act to then tie up these funds for use only for Discretionary projects. This approach is not recommended as it diverts funds from Councils core business / asset needs.

Legal

The revised policy (Revision 2) has been structured such that compliance with the local government act, Council procurement policies and Council strategies and other relevant legal instruments is maintained.

Revision 3 is unable to be enacted as it is considered to be “ultra vires” in that it is not permissible to process grant funding through this policy, and any such allocations need to be administered under the councils grants policy or the Mayoral and Councillor Discretionary Funding Policy.

The view of the Chief Legal Officer is that the term ‘grant’ to a community organisation as used in Section 194 of the Local Government Regulation 2012 should not be interpreted too widely. To do so would unreasonably limit a Council’s right to protect its own assets when those assets are leased out to a community organisation. The Local Government Regulation cannot logically be interpreted in a manner that would mean that, unless a compliant application for a community grant was received, Council would be prohibited from taking funding action to protect its asset. In the circumstances, the better interpretation of the legislation is that Council is not prohibited from taking funding action that is directed at a Council asset leased to a community group including where the funds are directed to a part of the asset for which the lessee has responsibility.

The Local Government Regulation 2012 states:

Part 5 Community grants

194 Grants to community organisations

A local government may give a grant to a community organisation only –

(a) if the local government is satisfied -

(i) the grant will be used for a purpose that is in the public interest: and

(ii) the community organisation meets the criteria stated in the local government’s community grants policy: and

(b) in a way that is consistent with the local government’s community grants policy.

Policy

The implementation of the Councillor Emergent Capital Works and Minor Operational Works Utilisation funding as outlined in this report requires the adoption of the proposed Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy (Appendix A).

This Policy also needs to be read in conjunction with Council’s adopted Community Grants Policy and the Mayoral and Councillor Discretionary Funding Policy.

Risk

The policy captures a governance and assessment process, and creates a compliance and audit trail for all allocations, thus minimizing the risk of an unintentional miss-allocation of funds.

Revision 2 of the policy, allows funding to be allocated to council owned assets and facilities that are operated under the control of community groups via leases or permits. This will likely increase the potential requests for council to fund asset upgrades that would have traditionally been covered under leases, and often funded via state government or council grant programs. There is a risk that the level of requests becomes problematic in that it may reduce the potential for funding council core asset needs. There is also a risk of public perception that funds are being allocated to only certain groups. Hence the revised policy

includes an assessment and evaluation process to be undertaken by council's Property Branch prior to approval of any projects.

Previous Council Resolution

Budget Meeting 23 June 2008

Budget Meeting 2 June 2014

Related Documentation

- Grants Policy
- Mayoral and Councillor Discretionary Funding Policy
- Community Grants Eligibility Guidelines 2012/2013
- Community Partnership Funding Program Guidelines 2012/2013
- *Local Government and Other Legislation Amendment Bill (2012)*
- *Local Government Regulation (2012)*
- *Queensland Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*

Critical Dates

2014/2015 Council Budget Adoption – 26 June 2014

Implementation

Once adopted, the policy will be used to assess and process all funding allocations covered by the revised policy in the 2014/2015 financial year.

STRATEGIC POLICY

COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS - UTILISATION

Corporate Plan Reference:	<p>7. <i>Managing Growth</i> 7.4 <i>Timely and appropriate infrastructure and service provision</i></p> <p>7. <i>Managing Growth</i> 7.5 <i>Council's services and assets meet the needs of our growing community</i></p> <p>8. <i>Great Governance</i> 8.2 <i>Effective business management</i></p>
Endorsed by Council on:	????
Policy Owner and Department:	Director, Infrastructure Services

POLICY PURPOSE

To establish a set of standard guidelines and procedures for determination and consideration of Councillor Emergent Capital Works and Minor Operational Works.

POLICY SCOPE

Council has determined that each Divisional Councillor may prioritise the amount as determined by Council at the budget adoption within a financial year for emergent capital works projects, and the amount determined by Council at budget within a financial year for minor operational works projects or services, subject to the Policy Statement below.

Councillors may also choose to:

- Fund all or part of a “Mayoral and Councillor Discretionary Funding” component by reallocation from the minor operational works allocation; as detailed in the Strategic Policy ‘Mayoral and Councillor Discretionary Funding’ endorsed by Council on 20 June 2013;
- Increase the allocation to Emergent Capital Works by reducing the Minor Operational Works allocation.

DEFINITIONS

Councillor Emergent Capital Works and Minor Operational Works funds are to be allocated to capital works infrastructure and to the maintenance and operations of council infrastructure only, or may be reallocated from Discretionary Funding, to the following two categories:

a. Councillor Emergent Capital Works

Expenditure used to renew/replace assets, create new assets and / or to increase the capacity of existing assets beyond their original design capacity or service potential. Projects in this category will result in a physical asset which will be capitalised:

1. Footpaths, cycleways and minor civil works – capital and enhancements;
2. Parks, Bushland and Open Space – capital and enhancements;
3. Waterway and Coastal Infrastructure – capital and enhancements;
4. Buildings and Facilities – capital and enhancements;
5. Stormwater Drainage – capital and enhancements;
6. Roads, traffic, transport and roadside assets – capital and enhancements;
7. Works by others – capital and enhancements to assets owned by council.

Projects within this category would typically focus on works that are required within road corridors, including minor traffic works, signage, footpaths and cycleways, local parks upgrades and enhancements, stormwater drainage, waterways and coastal infrastructure and buildings and facilities that are deficient in standard compared to technical and community expectations. This may also include projects that would have a whole-of-region benefit but have not been placed in the whole-of-region programs due to funding constraints.

The following types of projects would apply in this category:

- Direct Asset Acquisition – Works that result in a physical asset that is acquired by council at completion, through direct council control; or
- Asset Contribution (council Acquisition) – Minor Capital Works funds are contributed to an organization undertaking works that results in a physical asset that is acquired by council at completion, (e.g. community jobs plan project; state government projects that have a wider council benefit etc.).

b. Councillor Minor Operational Works

Expenditure in this category is used on minor operational works for the day to day running and availability of an asset or service. This includes operational services and also minor assets that are treated as operational expenses, as follows:

1. Transportation – minor maintenance and operational works (e.g. signs; line marking; banners for council events);
2. Stormwater Drainage - minor maintenance and operational works, such as cleaning and beautification works;
3. Parks, Bushland and Open Space – minor maintenance and operational works (e.g. landscaping; increased service standards as a one off; community volunteer landscaping activities on council reserves);

4. Waterway and Coastal Infrastructure - minor maintenance and operational works;
5. Buildings and Facilities (Council owned or managed buildings) – minor maintenance and operational works. Projects within this category would typically focus on minor maintenance and operational works to meet current levels or enhanced levels of service.

Allocation of funding is not to be below \$500 for operational works. If the request is in line with Council's normal maintenance program (e.g. replacing lamp shade), then it will be funded from the normal operational budget and not from Councillors Minor Operational Works Allocation

Mayoral and Councillor Discretionary Funds

"Discretionary funds are funds in the local government's operating fund that are budgeted for use by a Councillor at the Councillor's discretion"¹ for the benefit of the community.

This is covered in the Strategic Policy "Mayoral and Councillor Discretionary Funding" endorsed by Council on 20 June 2013

POLICY STATEMENT / DETAILS

Councillors may choose to fund a Mayoral and Councillor Discretionary Funding component by reallocation of up to \$50,000 from the minor operational works budget allocation within 20 business days of council's budget being adopted².

For amounts not allocated towards the Mayoral and Councillor Discretionary Funding program, the following principles are to be applied when allocating Councillor Emergent Capital Works and Minor Operational Works:

1. Projects within the Councillor Emergent Capital Works and Minor Operational Works categories must have the following attributes to comply with the program:
 - i. Compliance with council Procurement Policies
 - ii. Compliance with The Local Government Act
 - iii. Compliance with The Statutory Bodies Financial Arrangements Consistency with council Policies and Strategies – Projects must be consistent with council's Corporate Plan, Operational Plan, policies and relevant adopted strategies and master plans
 - iv. Consistency with relevant Australian standards and industry practices
 - v. Consistent with Council's adopted service levels.
2. Councillor Emergent Capital Works and Minor Operational Works are unable to be used for the following items:
 - i. Community Donation Funds;
 - ii. Community events and sponsorships;
 - iii. Private individuals or companies;
 - iv. As a "top up" to compliment any existing council community assistance scheme funding arrangements, such as a council grant program;
 - v. Land acquisitions without supporting council resolution;

¹ Local Government Act 2009, Chapter 4, Part 4, s109, p. 102.

² Refer to the *Mayoral and Councillor Discretionary Funding Policy* for guidance on the use and administration of discretionary funds.

- vi. The development of Master Plans that have not had prior Council endorsement to proceed.
3. Funding for capital works or enhancements of properties and facilities that are owned by Council but operated by community associations via a permit or lease are permitted for such facilities for assets regardless of the lease agreements or permits as relevant for the specific property. (Typically capital maintenance and operational obligations are specified in the property leases or permits.)
 - i. Funding allocated to community associations with an existing lease agreement or permit will require an independent assessment from the Property Management Branch to determine;
 - Compliance with Work Place Health and Safety;
 - Value for money;
 - Compliance with legislation; and
 - Priority and alignment with Council strategies.
4. Councillor Emergent Capital Works and Minor Operational Works will be treated in the same manner as other projects in terms of the end of year budget carry over process.
5. Councillor Emergent Capital Works and Minor Operational Works are not to be stored / accumulated for use over more than two financial years.
6. Councillor Minor Operational Works funds can be allocated to Councillor Emergent Capital Works funding, but the opposite does not apply.

PROCESS

The following is the process to be followed for identification, assessment and approval of a capital or operational project;

1. Councillor to identify the project and request the Director – Infrastructure Services or delegate to scope and estimate the project;
2. The Director – Infrastructure Services is to send details of the project scoped and estimated to the Councillor as soon as possible and will advise on a recommendation whether the project is acceptable in terms of merits, compliance and long term costs and benefits or whether there are issues that mean the project should not progress. These issues will be fully communicated to the Councillor;
3. Where joint agreement, the project will be added to the current Program and the Director – Infrastructure Services or delegate will be delegated authority to authorise;
4. If no agreement is reached or proposed project is above Council's adopted service levels, a report will be provided to Council to consider the project if requested by the Councillor;
5. Infrastructure Services Department will establish key contact officers to expedite the process and assessment;
6. Projects will be prioritised for delivery by the Director – Infrastructure Services in consideration of existing priorities and urgency of the new project.

PROJECT AND FUNDING EXAMPLES AND GUIDES

A table of typical examples has been developed to assist Councillors and staff in determining which category the proposed funding allocation sits within, or whether it is non-compliant with this adopted policy.

Grant

Funds provided to a recipient through a formal program administered by Council in compliance with the local government act, for a specified purpose, directed at achieving goals and objectives consistent with council policy, where the recipient is selected on merit against a set of criteria.

Project Type	Grants	Emergent Capital Works / Minor Operational Works
Pathways		y
Kerb ramps		y
Park improvements		y
Council Owned bdgs		y
Private bdgs	y	
Street signs		y
Entry statements		y
Street lights		y
Street light shades		y
Design works		y
Council Xmas decorations		y
Community Xmas decorations	y	
Council sponsor festivals		y
Non council festivals	y	
Non council business	y	
Council Artworks		y
Non Council artwork	y	
Maintenance of Council asset		y
Maintenance of non-council asset	y	
Asset - Community Facility _ not covered by lease agreement (Council owned)		y
Asset - Community Facility – covered by lease agreement (Council owned)	y	y
Parks equipment		y
Tree removal		y
Line marking		y
Bollards		y
Council Banners		y
Non Council banners	y	

RELATED POLICIES AND LEGISLATION

Sunshine Coast Council

- *Sunshine Coast Community Plan: Our Vision for 2030*
- *Sunshine Coast Corporate Plan 2009-2014*
- *Mayoral and Councillor Discretionary Funding Policy (2012)*
- *Community Grants Policy (2013)*

Queensland Government

- *Local Government Regulation (2012)*
- *Queensland Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	Create new	Y	Council Ordinary Meeting	12/06/2008
1.1	Review	Y	Asset & Capital Planning	18/06/2008
1.2	Review	Y	Council Ordinary Meeting	23/06/2008
1.3	Review	Y	Council Ordinary Meeting	31/01/2013

Sunshine Coast Council		Sunshine Coast Regional Council
STRATEGIC POLICY		
COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS - UTILISATION		
Corporate Plan Reference:	<p>7. <i>Managing Growth</i> 7.4 <i>Timely and appropriate infrastructure and service provision</i></p> <p>7. <i>Managing Growth</i> 7.5 <i>Council's services and assets meet the needs of our growing community</i></p> <p>8. <i>Great Governance</i> 8.2 <i>Effective business management</i></p>	
Endorsed by Council on:	????	
Policy Owner and Department:	Director, Infrastructure Services	

POLICY PURPOSE

To establish a set of standard guidelines and procedures for determination and consideration of Councillor Emergent Capital Works and Minor Operational Works.

POLICY SCOPE

Council has determined that each Divisional Councillor may prioritise the amount as determined by Council at the budget adoption within a financial year for emergent capital works projects, and the amount determined by Council at budget within a financial year for minor operational works projects or services, subject to the Policy Statement below.

Councillors may also choose to:

- Fund all or part of a "Mayoral and Councillor Discretionary Funding" component by reallocation from the minor operational works allocation; as detailed in the Strategic Policy 'Mayoral and Councillor Discretionary Funding' endorsed by Council on 20 June 2013;
- Increase the allocation to Emergent Capital Works by reducing the Minor Operational Works allocation.

DEFINITIONS

Councillor Emergent Capital Works and Minor Operational Works funds are to be allocated to capital works infrastructure and to the maintenance and operations of council infrastructure only, or may be reallocated from Discretionary Funding, to the following two categories:

i. **Councillor Emergent Capital Works**

Expenditure used to [renew/replace assets](#), create new assets and / or to increase the capacity of existing assets beyond their original design capacity or service potential. Projects in this category will result in a physical asset which will be capitalised:

1. Footpaths, cycleways and minor civil works – capital and enhancements;
2. Parks, Bushland and Open Space – capital and enhancements;

STRATEGIC POLICY - COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS

3. Waterway and Coastal Infrastructure – capital and enhancements;
4. Buildings and Facilities – capital and enhancements;
5. Stormwater Drainage – capital and enhancements;
6. Roads, traffic, transport and roadside assets – capital and enhancements;
7. Works by others – capital and enhancements to assets owned by council.

Projects within this category would typically focus on works that are required within road corridors, including minor traffic works, signage, footpaths and cycleways, local parks upgrades and enhancements, stormwater drainage, waterways and coastal infrastructure and buildings and facilities that are deficient in standard compared to technical and community expectations. This may also include projects that would have a whole-of-region benefit but have not been placed in the whole-of-region programs due to funding constraints.

The following types of projects would apply in this category:

- Direct Asset Acquisition – Works that result in a physical asset that is acquired by council at completion, through direct council control; or
- Asset Contribution (council Acquisition) – Minor Capital Works funds are contributed to an organization undertaking works that results in a physical asset that is acquired by council at completion, (e.g. community jobs plan project; state government projects that have a wider council benefit etc.).

ii. Councillor Minor Operational Works

Expenditure in this category is used on minor operational works for the day to day running and availability of an asset or service. This includes operational services and also minor assets that are treated as operational expenses, as follows:

1. Transportation – minor maintenance and operational works (e.g. signs; line marking; banners for council events);
2. Stormwater Drainage - minor maintenance and operational works, such as cleaning and beautification works;
3. Parks, Bushland and Open Space – minor maintenance and operational works (e.g. landscaping; increased service standards as a one off; community volunteer landscaping activities on council reserves);
4. Waterway and Coastal Infrastructure - minor maintenance and operational works;
5. Buildings and Facilities (Council owned or managed buildings) – minor maintenance and operational works. Projects within this category would typically focus on minor maintenance and operational works to meet current levels or enhanced levels of service.

Allocation of funding is not to be below \$500 for operational works. If the request is in line with Council's normal maintenance program (e.g. replacing lamp shade), then it will be funded from the normal operational budget and not from Councillors Minor Operational Works Allocation

STRATEGIC POLICY - COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS

Mayoral and Councillor Discretionary Funds

"Discretionary funds are funds in the local government's operating fund that are budgeted for use by a Councillor at the Councillor's discretion"¹ for the benefit of the community. This is covered in the Strategic Policy² "Mayoral and Councillor Discretionary Funding" endorsed by Council on 20 June 2013

POLICY STATEMENT / DETAILS

Councillors may choose to fund a Mayoral and Councillor Discretionary Funding component by reallocation of up to \$50,000 from the minor operational works budget allocation within 20 business days of council's budget being adopted².

For amounts not allocated towards the Mayoral and Councillor Discretionary Funding program, the following principles are to be applied when allocating Councillor Emergent Capital Works and Minor Operational Works:

1. Projects within the Councillor Emergent Capital Works and Minor Operational Works categories must have the following attributes to comply with the program:
 - i. Compliance with council Procurement Policies
 - ii. Compliance with The Local Government Act
 - iii. Compliance with The Statutory Bodies Financial Arrangements Consistency with council Policies and Strategies – Projects must be consistent with council's Corporate Plan, Operational Plan, policies and relevant adopted strategies and master plans
 - iv. Consistency with relevant Australian standards and industry practices
 - v. Consistent with Council's adopted service levels.

2. Councillor Emergent Capital Works and Minor Operational Works are unable to be used for the following items:
 - i. Community Donation Funds;
 - ii. Community events and sponsorships;
 - iii. Private individuals or companies;
 - iv. As a "top up" to compliment any existing council community assistance scheme funding arrangements, such as a council grant program;
 - v. Land acquisitions without supporting council resolution;
 - vi. The development of Master Plans that have not had prior Council endorsement to proceed.

3. Funding for capital works or enhancements of properties and facilities that are owned by Council but operated by community associations via a permit or lease are permitted for such facilities for assets regardless of the lease agreements or permits as relevant for the specific property. (Typically capital maintenance and operational obligations are specified in the property leases or permits.)
 - i. Funding allocated to community associations with an existing lease agreement or permit will require an independent assessment from the Property Management Branch to determine:
 - Compliance with Work Place Health and Safety;
 - Value for money;
 - Compliance with legislation; and
 - Priority and alignment with Council strategies.

4. Councillor Emergent Capital Works and Minor Operational Works will be treated in the same manner as other projects in terms of the end of year budget carry over process.

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¹ Local Government Act 2009, Chapter 4, Part 4, s109, p. 102.

² Refer to the *Mayoral and Councillor Discretionary Funding Policy* for guidance on the use and administration of discretionary funds.

STRATEGIC POLICY - COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS

5. Councillor Emergent Capital Works and Minor Operational Works are not to be stored / accumulated for use over more than two financial years.
6. Councillor Minor Operational Works funds can be allocated to Councillor Emergent Capital Works funding, but the opposite does not apply.

PROCESS

The following is the process to be followed for identification, assessment and approval of a capital or operational project;

1. Councillor to identify the project and request the Director – Infrastructure Services or delegate to scope and estimate the project;
2. The Director – Infrastructure Services is to send details of the project scoped and estimated to the Councillor as soon as possible and will advise on a recommendation whether the project is acceptable in terms of merits, compliance and long term costs and benefits or whether there are issues that mean the project should not progress. These issues will be fully communicated to the Councillor;
3. Where joint agreement, the project will be added to the current Program and the Director – Infrastructure Services or delegate will be delegated authority to authorise;
4. If no agreement is reached or proposed project is above Council's adopted service levels, a report will be provided to Council to consider the project if requested by the Councillor;
5. Infrastructure Services Department will establish key contact officers to expedite the process and assessment;
6. Projects will be prioritised for delivery by the Director – Infrastructure Services in consideration of existing priorities and urgency of the new project.

PROJECT AND FUNDING EXAMPLES AND GUIDES

A table of typical examples has been developed to assist Councillors and staff in determining which category the proposed funding allocation sits within, or whether it is non-compliant with this adopted policy.

Grant

Funds provided to a recipient through a formal program administered by Council in compliance with the local government act, for a specified purpose, directed at achieving goals and objectives consistent with council policy, where the recipient is selected on merit against a set of criteria.

Project Type	Grants	Emergent Capital Works / Minor Operational Works
Pathways		y
Kerb ramps		y
Park improvements		y
Council Owned bdgs		y
Private bdgs	y	
Street signs		y
Entry statements		y
Street lights		y
Street light shades		y
Design works		y
Council Xmas decorations		y
Community Xmas decorations	y	
Council sponsor festivals		y
Non council festivals	y	

STRATEGIC POLICY - COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS

Project Type	Grants	Emergent Capital Works / Minor Operational Works
Non council business	y	
Council Artworks		y
Non Council artwork	y	
Maintenance of Council asset		y
Maintenance of non-council asset	y	
Asset - Community Facility _ not covered by lease agreement (Council owned)		y
Asset - Community Facility – covered by lease agreement (Council owned)	y	<u>y</u>
Parks equipment		y
Tree removal		y
Line marking		y
Bollards		y
Council Banners		y
Non Council banners	y	

RELATED POLICIES AND LEGISLATION
Sunshine Coast Council

- *Sunshine Coast Community Plan: Our Vision for 2030*
- *Sunshine Coast Corporate Plan 2009-2014*
- *Mayoral and Councillor Discretionary Funding Policy (2012)*
- *Community Grants Policy (2013)*

Queensland Government

- *Local Government Regulation (2012)*
- *Queensland Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	Create new	Y	Council Ordinary Meeting	12/06/2008
1.1	Review	Y	Asset & Capital Planning	18/06/2008
1.2	Review	Y	Council Ordinary Meeting	23/06/2008
1.3	Review	Y	Council Ordinary Meeting	31/01/2013

STRATEGIC POLICY

COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS - UTILISATION

Corporate Plan Reference:	<p><i>7. Managing Growth</i> <i>7.4 Timely and appropriate infrastructure and service provision</i></p> <p><i>7. Managing Growth</i> <i>7.5 Council's services and assets meet the needs of our growing community</i></p> <p><i>8. Great Governance</i> <i>8.2 Effective business management</i></p>
Endorsed by Council on:	????
Policy Owner and Department:	Director, Infrastructure Services

POLICY PURPOSE

To establish a set of standard guidelines and procedures for determination and consideration of Councillor Emergent Capital Works and Minor Operational Works.

POLICY SCOPE

Council has determined that each Divisional Councillor may prioritise the amount as determined by Council at the budget adoption within a financial year for emergent capital works projects, and the amount determined by Council at budget within a financial year for minor operational works projects or services, subject to the Policy Statement below.

Councillors may also choose to:

- Fund all or part of a "Mayoral and Councillor Discretionary Funding" component by reallocation from the minor operational works allocation; as detailed in the Strategic Policy 'Mayoral and Councillor Discretionary Funding' endorsed by Council on 20 June 2013;
- Increase the allocation to Emergent Capital Works by reducing the Minor Operational Works allocation.

DEFINITIONS

Councillor Emergent Capital Works and Minor Operational Works funds are to be allocated to capital works infrastructure and to the maintenance and operations of council infrastructure only, or may be reallocated from Discretionary Funding, to the following two categories:

a. Councillor Emergent Capital Works

Expenditure used to create new assets and / or to increase the capacity of existing assets beyond their original design capacity or service potential. Projects in this category will result in a physical asset which will be capitalised:

1. Footpaths, cycleways and minor civil works – capital and enhancements;
2. Parks, Bushland and Open Space – capital and enhancements;
3. Waterway and Coastal Infrastructure – capital and enhancements;
4. Buildings and Facilities – capital and enhancements;
5. Stormwater Drainage – capital and enhancements;
6. Roads, traffic, transport and roadside assets – capital and enhancements;
7. Works by others – capital and enhancements to assets owned by council.

Projects within this category would typically focus on works that are required within road corridors, including minor traffic works, signage, footpaths and cycleways, local parks upgrades and enhancements, stormwater drainage, waterways and coastal infrastructure and buildings and facilities that are deficient in standard compared to technical and community expectations. This may also include projects that would have a whole-of-region benefit but have not been placed in the whole-of-region programs due to funding constraints.

The following types of projects would apply in this category:

- Direct Asset Acquisition – Works that result in a physical asset that is acquired by council at completion, through direct council control; or
- Asset Contribution (council Acquisition) – Minor Capital Works funds are contributed to an organization undertaking works that results in a physical asset that is acquired by council at completion, (e.g. community jobs plan project; state government projects that have a wider council benefit etc.).

b. Councillor Minor Operational Works

Expenditure in this category is used on minor operational works for the day to day running and availability of an asset or service. This includes operational services and also minor assets that are treated as operational expenses, as follows:

1. Transportation – minor maintenance and operational works (e.g. signs; line marking; banners for council events);
2. Stormwater Drainage - minor maintenance and operational works, such as cleaning and beautification works;
3. Parks, Bushland and Open Space – minor maintenance and operational works (e.g. landscaping; increased service standards as a one off; community volunteer landscaping activities on council reserves);

4. Waterway and Coastal Infrastructure - minor maintenance and operational works;
5. Buildings and Facilities (Council owned or managed buildings) – minor maintenance and operational works. Projects within this category would typically focus on minor maintenance and operational works to meet current levels or enhanced levels of service.

Allocation of funding is not to be below \$500 for operational works. If the request is in line with Council's normal maintenance program (e.g. replacing lamp shade), then it will be funded from the normal operational budget and not from Councillors Minor Operational Works Allocation

Mayoral and Councillor Discretionary Funds

"Discretionary funds are funds in the local government's operating fund that are budgeted for use by a Councillor at the Councillor's discretion"³ for the benefit of the community.

This is covered in the Strategic Policy "Mayoral and Councillor Discretionary Funding" endorsed by Council on 20 June 2013

POLICY STATEMENT / DETAILS

Councillors may choose to fund a Mayoral and Councillor Discretionary Funding component by reallocation of up to \$50,000 from the minor operational works budget allocation within 20 business days of council's budget being adopted⁴.

For amounts not allocated towards the Mayoral and Councillor Discretionary Funding program, the following principles are to be applied when allocating Councillor Emergent Capital Works and Minor Operational Works:

1. Projects within the Councillor Emergent Capital Works and Minor Operational Works categories must have the following attributes to comply with the program:
 - i. Compliance with council Procurement Policies
 - ii. Compliance with The Local Government Act
 - iii. Compliance with The Statutory Bodies Financial Arrangements Consistency with council Policies and Strategies – Projects must be consistent with council's Corporate Plan, Operational Plan, policies and relevant adopted strategies and master plans
 - iv. Consistency with relevant Australian standards and industry practices
 - v. Consistent with Council's adopted service levels.
2. Councillor Emergent Capital Works and Minor Operational Works are unable to be used for the following items:
 - i. Community Donation Funds;
 - ii. Community events and sponsorships;
 - iii. Private individuals or companies;
 - iv. As a "top up" to compliment any existing council community assistance scheme funding arrangements, such as a council grant program;
 - v. Land acquisitions without supporting council resolution

³ *Local Government Act 2009*, Chapter 4, Part 4, s109, p. 102.

⁴ Refer to the *Mayoral and Councillor Discretionary Funding Policy* for guidance on the use and administration of discretionary funds.

vi. The development of Master Plans that have not had prior Council endorsement to proceed.

3. Funding for capital works or enhancements of properties and facilities that are owned by Council but operated by community associations via a permit or lease are only permitted for such facilities for assets that are not covered in the lease agreements or permits as relevant for the specific property. (Typically capital maintenance and operational obligations are specified in the property leases or permits.)
4. Councillor Emergent Capital Works and Minor Operational Works will be treated in the same manner as other projects in terms of the end of year budget carry over process.
5. Councillor Emergent Capital Works and Minor Operational Works are not to be stored / accumulated for use over more than two financial years.
6. Councillor Minor Operational Works funds can be allocated to Councillor Emergent Capital Works funding, but the opposite does not apply.

PROCESS

The following is the process to be followed for identification, assessment and approval of a capital or operational project;

1. Councillor to identify the project and request the Director – Infrastructure Services or delegate to scope and estimate the project;
2. The Director – Infrastructure Services is to send details of the project scoped and estimated to the Councillor as soon as possible and will advise on a recommendation whether the project is acceptable in terms of merits, compliance and long term costs and benefits or whether there are issues that mean the project should not progress. These issues will be fully communicated to the Councillor;
3. Where joint agreement, the project will be added to the current Program and the Director – Infrastructure Services or delegate will be delegated authority to authorise;
4. If no agreement is reached or proposed project is above Council's adopted service levels, a report will be provided to Council to consider the project if requested by the Councillor;
5. Infrastructure Services Department will establish key contact officers to expedite the process and assessment;
6. Projects will be prioritised for delivery by the Director – Infrastructure Services in consideration of existing priorities and urgency of the new project.

PROJECT AND FUNDING EXAMPLES AND GUIDES

A table of typical examples has been developed to assist Councillors and staff in determining which category the proposed funding allocation sits within, or whether it is non-compliant with this adopted policy.

Grant

Funds provided to a recipient through a formal program administered by Council in compliance with the local government act, for a specified purpose, directed at achieving goals and objectives consistent with council policy, where the recipient is selected on merit against a set of criteria.

Project Type	Grants	Emergent Capital Works / Minor Operational Works
Pathways		y
Kerb ramps		y
Park improvements		y
Council Owned bdgs		y
Private bdgs	y	
Street signs		y
Entry statements		y
Street lights		y
Street light shades		y
Design works		y
Council Xmas decorations		y
Community Xmas decorations	y	
Council sponsor festivals		y
Non council festivals	y	
Non council business	y	
Council Artworks		y
Non Council artwork	y	
Maintenance of Council asset		y
Maintenance of non-council asset	y	
Asset - Community Facility _ not covered by lease agreement		y
Asset - Community Facility – covered by lease agreement	y	
Parks equipment		y
Tree removal		y
Line marking		y
Bollards		y
Council Banners		y
Non Council banners	y	

RELATED POLICIES AND LEGISLATION

Sunshine Coast Council

- *Sunshine Coast Community Plan: Our Vision for 2030*
- *Sunshine Coast Corporate Plan 2009-2014*
- *Mayoral and Councillor Discretionary Funding Policy (2012)*


Queensland Government

- *Local Government Regulation (2012)*
- *Queensland Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date

1.0	Create new	Y	Council Ordinary Meeting	12/06/2008
1.1	Review	Y	Asset & Capital Planning	18/06/2008
1.2	Review	Y	Council Ordinary Meeting	23/06/2008
1.3	Review	Y	Council Ordinary Meeting	31/01/2013

 Sunshine Coast Regional Council	
STRATEGIC POLICY COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS - UTILISATION	
Corporate Plan Reference:	7. Managing Growth 7.4 Timely and appropriate infrastructure and service provision 7. Managing Growth 7.5 Council's services and assets meet the needs of our growing community 8. Great Governance 8.2 Effective business management
Endorsed by Council on:	23 June 2008 (Budget Meeting)???
Policy Owner and Department:	Executive Director, Infrastructure Services

POLICY PURPOSE

To establish a set of standard guidelines and procedures for determination and consideration of Councillor Emergent Capital Works and Minor Operational Works.

POLICY SCOPE

Council has determined that each Divisional Councillor may prioritise ~~up to \$75,000 of projects the amount as determined by Council at the budget adoption~~ within a financial year for emergent capital works ~~projects, and \$50,000 of projects the amount determined by Council at budget within a financial year~~ for minor operational works ~~projects or services~~, subject to the Policy Statement below.

Councillors may also choose to:

- ~~fund~~Fund all or part of a "Mayoral and Councillor Discretionary Funding" component by reallocation from the minor operational works allocation; ~~and / or as detailed in the Strategic Policy 'Mayoral and Councillor Discretionary Funding' endorsed by Council on 20 June 2013;~~
- ~~increase~~increase the allocation to Emergent eCapital Wworks by reducing the Minor eOperational Wworks allocation.

DEFINITIONS

Councillor Emergent Capital Works and Minor Operational Works ~~fund~~s are to be allocated to capital works infrastructure and ~~to~~ the maintenance and operations of council infrastructure only, ~~or may be reallocated from~~reallocated from Discretionary Funding, ~~to the following and to be in~~ two categories:

a. **Councillor Emergent Capital Works**

Expenditure used to create new assets ~~and / or to~~; increase the capacity of existing assets beyond their original design capacity or service potential. Projects in this category will result in a physical asset which will be capitalised:

1. ~~Footpaths, cycleways and minor civil works – capital and enhancements;~~
1. ~~Stormwater Drainage – capital and enhancements;~~

STRATEGIC POLICY - COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS

2. Parks, Bushland and Open Space – capital and enhancements;
3. Waterway and Coastal Infrastructure – capital and enhancements;
4. Buildings and Facilities – capital and enhancements;
5. Stormwater Drainage – capital and enhancements;
6. Roads, traffic, transport and roadside assets – capital and enhancements;
- 6-7. General Works by others – capital and enhancements to assets owned by council.

Projects within this section category would typically focus on works that are required within road corridors, including minor traffic works, signage, footpaths and cycleways, local parks upgrades and enhancements, roads, stormwater drainage, waterways and coastal infrastructure and buildings and facilities that are deficient in standard compared to technical and community expectations. This may also include projects that would have a whole-of-region benefit but have not been placed on-in the whole-of-region programs due to funding constraints.

The following types of projects would apply in this section category:

- Direct Asset Acquisition – Works that result in a physical asset that is acquired by council at completion, through direct council control; or
- Asset Contribution (council Acquisition) – Minor Capital Works funds are contributed to an organization undertaking works that results in a physical asset that is acquired by council at completion, (e.g. community jobs plan project; state government projects that have a wider council benefit etc.).

b. Councillor Minor Operational Works

Expenditure in this category is used on minor operational works for the day to day running and availability of an asset or service. This includes operational services and also/or minor assets that are treated as operational expenses, as follows:

1. Transportation – minor maintenance and operational works (e.g. signs; line marking; banners for council events);
2. Stormwater Drainage - minor maintenance and operational works, such as cleaning and beautification works;
3. Parks, Bushland and Open Space – minor maintenance and operational works (e.g. landscaping; increased service standards as a one off; community volunteer landscaping activities on council reserves);
4. Waterway and Coastal Infrastructure - minor maintenance and operational works;
5. Buildings and Facilities (Council owned or managed buildings) – minor maintenance and operational works.

Projects within this category would typically focus on minor maintenance and operational works to meet current levels or enhanced levels of service.

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STRATEGIC POLICY - COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS

Allocation of funding is not to be below \$500 for operational works. If the request is in line with Council's normal maintenance program (e.g. replacing lamp shade), then it will be funded from the normal operational budget and not from Councillors Minor Operational Works Allocation

Mayoral and Councillor Discretionary Funds

"Discretionary funds are funds in the local government's operating fund that are budgeted for use by a Councillor at the Councillor's discretion"¹ for the benefit of the community. This is covered in the Strategic Policy " Mayoral and Councillor Discretionary Funding" endorsed by Council on 20 June 2013

POLICY STATEMENT / DETAILS

The following are the principles to be applied when allocating Councillor Emergent Capital Works & Minor Operational Works

Councillors may choose to fund a Mayoral and Councillor Discretionary Funding component by reallocation of up to \$50,000 from the minor operational works budget allocation within 20 business days of council's budget being adopted².

For amounts not allocated towards the Mayoral and Councillor Discretionary Funding program, the following principles are to be applied when allocating Councillor Emergent Capital Works and Minor Operational Works

1. Projects within the Councillor Emergent Capital Works and Minor Operational Works categories must have the following attributes to comply with the program:
 - ~~(i) Compliance with the Council Procurement Policies, the Local Government Act, the Statutory Bodies Financial Arrangements Act and other relevant legislation;~~
 - ~~(ii) Consistency with Council Policies and Strategies—Projects must be consistent with the Council's Corporate Plan, Operational Plan, Policies and relevant adopted Strategies and Master Plans~~
 - (i) Compliance with council Procurement Policies
 - (ii) Compliance with The Local Government Act
 - ~~(i) Compliance with The Statutory Bodies Financial Arrangements Act and other relevant legislation;~~
 - (iii) Consistency with council Policies and Strategies – Projects must be consistent with -council's Corporate Plan, Operational Plan, policies and relevant adopted strategies and master plans-
 - (iv) Consistency with relevant Australian standards and industry practices
 - ~~(ii)(v) Consistent with Council's adopted service levels.~~
2. Councillor Emergent Capital Works and Minor Operational Works are not-unable to be used for the following items:
 - i. Community Donation Funds;
 - ii. Community events and sponsorships;
 - iii. Private individuals or companies;
 - iv. As a "top up" to Should-not compliment any existing council community assistance scheme funding arrangements, such as a council grant program;
 - v. Land acquisitions without supporting council resolution
 - v.vi. The development of Master Plans that have not had prior Council endorsement to proceed.

¹ Local Government Act 2009, Chapter 4, Part 4, s109, p. 102.

² Refer to the Mayoral and Councillor Discretionary Funding Policy for guidance on the use and administration of discretionary funds.

STRATEGIC POLICY - COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS

3. Funding for capital works or enhancements of properties and facilities that are owned by Council but operated by community associations via a permit or lease are only permitted for such facilities for assets that are not covered in the lease agreements or permits as relevant for the specific property. (Typically capital maintenance and operational obligations are specified in the property leases or permits.)

3.4. Councillor Emergent Capital Works and Minor Operational Works will be treated in the same manner as other projects in terms of reprovisionthe end of year budget carry over process.

4.5. Councillor Emergent Capital Works and Minor Operational Works are not to be stored / accumulated for use over more than two financial years.

5.6. Councillor Minor Operational Works funds can be allocated to Councillor Emergent Capital Works funding, but the opposite does not apply.

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PROCESS

The following is the process to be followed for identification, assessment and approval of a capital or operational project;

1. Councillor to identify the project and request the Executive Director – Infrastructure Services or delegate to scope and estimate the project;
2. The Executive Director – Infrastructure Services is to send details of the project scoped and estimated to the Councillor ASAP as soon as possible and will advise on a recommendation whether the project is acceptable in terms of merits, compliance and long term costs and benefits or whether there are issues that mean the project should not progress. These issues will be fully communicated to the Councillor;
3. Where joint agreement is reached, the project will be added to the current Program and the Executive Director – Infrastructure Services or delegate will be delegated authority to authorise;
4. If no agreement is reached is reached or proposed project is above Council's adopted service levels, a report will be provided to the cCouncil to consider the project if requested by the Councillor;
5. Infrastructure Services Department will establish key contact officers to expedite the process and assessment;
6. Projects will be prioritised for delivery by the Executive Director – Infrastructure Services in consideration of existing priorities and urgency of the new project.

PROJECT AND FUNDING EXAMPLES AND GUIDES

A table of typical examples has been developed to assist Councillors and staff in determining which category the proposed funding allocation sits within, or whether it is non-compliant with this adopted policy.

Grant

Funds provided to a recipient through a formal program administered by Council in compliance with the local government act, for a specified purpose, directed at achieving goals and objectives consistent with council policy, where the recipient is selected on merit against a set of criteria.

Project Type	Grants	Emergent Capital Works / Minor Operational Works
Pathways		y
Kerb ramps		y
Park improvements		y
Council Owned bdgs		y
Private bdgs	y	

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STRATEGIC POLICY - COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS

Project Type	Grants	Emergent Capital Works / Minor Operational Works
Street signs		Y
Entry statements		Y
Street lights		Y
Street light shades		Y
Design works		Y
Council Xmas decorations		Y
Community Xmas decorations	Y	
Council sponsor festivals		Y
Non council festivals	Y	
Non council business	Y	
Council Artworks		Y
Non Council artwork	Y	
Maintenance of Council asset		Y
Maintenance of non-council asset	Y	
Asset - Community Facility not covered by lease agreement		Y
Asset - Community Facility covered by lease agreement	Y	
Parks equipment		Y
Tree removal		Y
Line marking		Y
Bollards		Y
Council Banners		Y
Non Council banners	Y	

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RELATED POLICIES AND LEGISLATION

Sunshine Coast Council

- *Sunshine Coast Community Plan: Our Vision for 2030*
- *Sunshine Coast Corporate Plan 2009-2014*
- *Mayoral and Councillor Discretionary Funding Policy (2012)*

Queensland Government

- *Local Government Regulation (2012)*
- *Queensland Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	Create new	Y	Council Ordinary Meeting	12/06/2008
1.1	Review	Y	Asset & Capital Planning	18/06/2008
1.2	Review	Y	Council Ordinary Meeting	23/06/2008
1.3	Review	Y	Council Ordinary Meeting	31/01/2013

STRATEGIC POLICY

COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS - UTILISATION

Corporate Plan Reference:	<p><i>7. Managing Growth</i> <i>7.4 Timely and appropriate infrastructure and service provision</i></p> <p><i>7. Managing Growth</i> <i>7.5 Council's services and assets meet the needs of our growing community</i></p> <p><i>8. Great Governance</i> <i>8.2 Effective business management</i></p>
Endorsed by Council on:	<p>????</p>
Policy Owner and Department:	<p>Director, Infrastructure Services</p>

POLICY PURPOSE

To establish a set of standard guidelines and procedures for determination and consideration of Councillor Emergent Capital Works and Minor Operational Works.

POLICY SCOPE

Council has determined that each Divisional Councillor may prioritise the amount as determined by Council at the budget adoption within a financial year for emergent capital works projects, and the amount determined by Council at budget within a financial year for minor operational works projects or services, subject to the Policy Statement below.

Councillors may also choose to:

- Fund all or part of a “Mayoral and Councillor Discretionary Funding” component by reallocation from the minor operational works allocation; as detailed in the Strategic Policy ‘Mayoral and Councillor Discretionary Funding’ endorsed by Council on 20 June 2013;
- Increase the allocation to Emergent Capital Works by reducing the Minor Operational Works allocation.

DEFINITIONS

Councillor Emergent Capital Works and Minor Operational Works funds are to be allocated to capital works infrastructure and to the maintenance and operations of council infrastructure only, or may be reallocated from Discretionary Funding, to the following two categories:

a. Councillor Emergent Capital Works

Expenditure used to renew/replace assets, create new assets and / or to increase the capacity of existing assets beyond their original design capacity or service potential. Projects in this category will result in a physical asset which will be capitalised:

1. Footpaths, cycleways and minor civil works – capital and enhancements;
2. Parks, Bushland and Open Space – capital and enhancements;
3. Waterway and Coastal Infrastructure – capital and enhancements;
4. Buildings and Facilities – capital and enhancements;
5. Stormwater Drainage – capital and enhancements;
6. Roads, traffic, transport and roadside assets – capital and enhancements;
7. Works by others – capital and enhancements to assets owned by council.

Projects within this category would typically focus on works that are required within road corridors, including minor traffic works, signage, footpaths and cycleways, local parks upgrades and enhancements, stormwater drainage, waterways and coastal infrastructure and buildings and facilities that are deficient in standard compared to technical and community expectations. This may also include projects that would have a whole-of-region benefit but have not been placed in the whole-of-region programs due to funding constraints.

The following types of projects would apply in this category:

- Direct Asset Acquisition – Works that result in a physical asset that is acquired by council at completion, through direct council control; or
- Asset Contribution (council Acquisition) – Minor Capital Works funds are contributed to an organization undertaking works that results in a physical asset that is acquired by council at completion, (e.g. community jobs plan project; state government projects that have a wider council benefit etc.).

b. Councillor Minor Operational Works

Expenditure in this category is used on minor operational works for the day to day running and availability of an asset or service. This includes operational services and also minor assets that are treated as operational expenses, as follows:

1. Transportation – minor maintenance and operational works (e.g. signs; line marking; banners for council events);
2. Stormwater Drainage - minor maintenance and operational works, such as cleaning and beautification works;
3. Parks, Bushland and Open Space – minor maintenance and operational works (e.g. landscaping; increased service standards as a one off; community volunteer landscaping activities on council reserves);

4. Waterway and Coastal Infrastructure - minor maintenance and operational works;
5. Buildings and Facilities (Council owned or managed buildings) – minor maintenance and operational works. Projects within this category would typically focus on minor maintenance and operational works to meet current levels or enhanced levels of service.

Allocation of funding is not to be below \$500 for operational works. If the request is in line with Council's normal maintenance program (e.g. replacing lamp shade), then it will be funded from the normal operational budget and not from Councillors Minor Operational Works Allocation

Mayoral and Councillor Discretionary Funds

"Discretionary funds are funds in the local government's operating fund that are budgeted for use by a Councillor at the Councillor's discretion"⁵ for the benefit of the community.

This is covered in the Strategic Policy "Mayoral and Councillor Discretionary Funding" endorsed by Council on 20 June 2013

POLICY STATEMENT / DETAILS

Councillors may choose to fund a Mayoral and Councillor Discretionary Funding component by reallocation of up to \$50,000 from the minor operational works budget allocation within 20 business days of council's budget being adopted⁶.

For amounts not allocated towards the Mayoral and Councillor Discretionary Funding program, the following principles are to be applied when allocating Councillor Emergent Capital Works and Minor Operational Works:

1. Projects within the Councillor Emergent Capital Works and Minor Operational Works categories must have the following attributes to comply with the program:
 - i. Compliance with council Procurement Policies
 - ii. Compliance with The Local Government Act
 - iii. Compliance with The Statutory Bodies Financial Arrangements Consistency with council Policies and Strategies – Projects must be consistent with council's Corporate Plan, Operational Plan, policies and relevant adopted strategies and master plans
 - iv. Consistency with relevant Australian standards and industry practices
 - v. Consistent with Council's adopted service levels.
2. Councillor Emergent Capital Works and Minor Operational Works are unable to be used for the following items:
 - i. Community Donation Funds;
 - ii. Community events and sponsorships;
 - iii. Private individuals or companies;
 - iv. Land acquisitions without supporting council resolution
 - v. The development of Master Plans that have not had prior Council endorsement to proceed.

⁵ *Local Government Act 2009*, Chapter 4, Part 4, s109, p. 102.

⁶ Refer to the *Mayoral and Councillor Discretionary Funding Policy* for guidance on the use and administration of discretionary funds.

3. Funding for capital works or enhancements of properties and facilities that are owned by Council but operated by community associations via a permit or lease are permitted for such facilities for assets regardless of the lease agreements or permits as relevant for the specific property. (Typically capital maintenance and operational obligations are specified in the property leases or permits.)
 - i. Funding allocated to community associations with an existing lease agreement or permit will require an independent assessment from the Property Management Branch to determine;
 - Compliance with Work Place Health and Safety;
 - Value for money;
 - Compliance with legislation; and
 - Priority and alignment with Council strategies.
4. Councillor Emergent Capital Works and Minor Operational Works will be treated in the same manner as other projects in terms of the end of year budget carry over process.
5. Councillor Emergent Capital Works and Minor Operational Works are not to be stored / accumulated for use over more than two financial years.
6. Councillor Minor Operational Works funds can be allocated to Councillor Emergent Capital Works funding, but the opposite does not apply.

PROCESS

The following is the process to be followed for identification, assessment and approval of a capital or operational project;

1. Councillor to identify the project and request the Director – Infrastructure Services or delegate to scope and estimate the project;
2. The Director – Infrastructure Services is to send details of the project scoped and estimated to the Councillor as soon as possible and will advise on a recommendation whether the project is acceptable in terms of merits, compliance and long term costs and benefits or whether there are issues that mean the project should not progress. These issues will be fully communicated to the Councillor;
3. Where joint agreement, the project will be added to the current Program and the Director – Infrastructure Services or delegate will be delegated authority to authorise;
4. If no agreement is reached or proposed project is above Council's adopted service levels, a report will be provided to Council to consider the project if requested by the Councillor;
5. Infrastructure Services Department will establish key contact officers to expedite the process and assessment;
6. Projects will be prioritised for delivery by the Director – Infrastructure Services in consideration of existing priorities and urgency of the new project.

PROJECT AND FUNDING EXAMPLES AND GUIDES

A table of typical examples has been developed to assist Councillors and staff in determining which category the proposed funding allocation sits within, or whether it is non-compliant with this adopted policy.

Grant

Funds provided to a recipient through a formal program administered by Council in compliance with the local government act, for a specified purpose, directed at achieving goals and objectives consistent with council policy, where the recipient is selected on merit against a set of criteria.

Project Type	Grants	Emergent Capital Works / Minor Operational Works
Pathways		y
Kerb ramps		y
Park improvements		y
Council Owned bdgs		y
Private bdgs	y	
Street signs		y
Entry statements		y
Street lights		y
Street light shades		y
Design works		y
Council Xmas decorations		y
Community Xmas decorations	y	
Council sponsor festivals		y
Non council festivals	y	
Non council business	y	
Council Artworks		y
Non Council artwork	y	
Maintenance of Council asset		y
Maintenance of non-council asset	y	
Asset - Community Facility _ not covered by lease agreement (Council owned)		y
Asset - Community Facility – covered by lease agreement (Council owned)	y	y
Parks equipment		y
Tree removal		y
Line marking		y
Bollards		y
Council Banners		y
Non Council banners	y	

RELATED POLICIES AND LEGISLATION

Sunshine Coast Council

- *Sunshine Coast Community Plan: Our Vision for 2030*
- *Sunshine Coast Corporate Plan 2009-2014*
- *Mayoral and Councillor Discretionary Funding Policy (2012)*
- *Community Grants Policy (2013)*

Queensland Government

- *Local Government Regulation (2012)*
- *Queensland Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	Create new	Y	Council Ordinary Meeting	12/06/2008
1.1	Review	Y	Asset & Capital Planning	18/06/2008
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Sunshine Coast Council		Sunshine Coast Regional Council
STRATEGIC POLICY		
COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS - UTILISATION		
Corporate Plan Reference:	<p>7. <i>Managing Growth</i> 7.4 <i>Timely and appropriate infrastructure and service provision</i></p> <p>7. <i>Managing Growth</i> 7.5 <i>Council's services and assets meet the needs of our growing community</i></p> <p>8. <i>Great Governance</i> 8.2 <i>Effective business management</i></p>	
Endorsed by Council on:	????	
Policy Owner and Department:	Director, Infrastructure Services	

POLICY PURPOSE

To establish a set of standard guidelines and procedures for determination and consideration of Councillor Emergent Capital Works and Minor Operational Works.

POLICY SCOPE

Council has determined that each Divisional Councillor may prioritise the amount as determined by Council at the budget adoption within a financial year for emergent capital works projects, and the amount determined by Council at budget within a financial year for minor operational works projects or services, subject to the Policy Statement below.

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DEFINITIONS

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1. Footpaths, cycleways and minor civil works – capital and enhancements;
2. Parks, Bushland and Open Space – capital and enhancements;

STRATEGIC POLICY - COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS

3. Waterway and Coastal Infrastructure – capital and enhancements;
4. Buildings and Facilities – capital and enhancements;
5. Stormwater Drainage – capital and enhancements;
6. Roads, traffic, transport and roadside assets – capital and enhancements;
7. Works by others – capital and enhancements to assets owned by council.

Projects within this category would typically focus on works that are required within road corridors, including minor traffic works, signage, footpaths and cycleways, local parks upgrades and enhancements, stormwater drainage, waterways and coastal infrastructure and buildings and facilities that are deficient in standard compared to technical and community expectations. This may also include projects that would have a whole-of-region benefit but have not been placed in the whole-of-region programs due to funding constraints.

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Allocation of funding is not to be below \$500 for operational works. If the request is in line with Council's normal maintenance program (e.g. replacing lamp shade), then it will be funded from the normal operational budget and not from Councillors Minor Operational Works Allocation

STRATEGIC POLICY - COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS

Mayoral and Councillor Discretionary Funds

"Discretionary funds are funds in the local government's operating fund that are budgeted for use by a Councillor at the Councillor's discretion"¹ for the benefit of the community. This is covered in the Strategic Policy² Mayoral and Councillor Discretionary Funding" endorsed by Council on 20 June 2013

POLICY STATEMENT / DETAILS

Councillors may choose to fund a Mayoral and Councillor Discretionary Funding component by reallocation of up to \$50,000 from the minor operational works budget allocation within 20 business days of council's budget being adopted².

For amounts not allocated towards the Mayoral and Councillor Discretionary Funding program, the following principles are to be applied when allocating Councillor Emergent Capital Works and Minor Operational Works:

1. Projects within the Councillor Emergent Capital Works and Minor Operational Works categories must have the following attributes to comply with the program:
 - i. Compliance with council Procurement Policies
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 - Compliance with Work Place Health and Safety;
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4. Councillor Emergent Capital Works and Minor Operational Works will be treated in the same manner as other projects in terms of the end of year budget carry over process.

5. Councillor Emergent Capital Works and Minor Operational Works are not to be stored / accumulated for use over more than two financial years.

Deleted: ~~As a "top up" to compliment any existing council community assistance scheme fu arrangements, such as a council program.}~~

Deleted: only

Deleted: that are not covered in

¹ Local Government Act 2009, Chapter 4, Part 4, s109, p. 102.

² Refer to the *Mayoral and Councillor Discretionary Funding Policy* for guidance on the use and administration of discretionary funds.

STRATEGIC POLICY - COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS

6. Councillor Minor Operational Works funds can be allocated to Councillor Emergent Capital Works funding, but the opposite does not apply.

PROCESS

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1. Councillor to identify the project and request the Director – Infrastructure Services or delegate to scope and estimate the project;
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4. If no agreement is reached or proposed project is above Council's adopted service levels, a report will be provided to Council to consider the project if requested by the Councillor;
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PROJECT AND FUNDING EXAMPLES AND GUIDES

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Project Type	Grants	Emergent Capital Works / Minor Operational Works
Pathways		y
Kerb ramps		y
Park improvements		y
Council Owned bdgs		y
Private bdgs	y	
Street signs		y
Entry statements		y
Street lights		y
Street light shades		y
Design works		y
Council Xmas decorations		y
Community Xmas decorations	y	
Council sponsor festivals		y
Non council festivals	y	
Non council business	y	
Council Artworks		y

STRATEGIC POLICY - COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS

Project Type	Grants	Emergent Capital Works / Minor Operational Works
Non Council artwork	y	
Maintenance of Council asset		y
Maintenance of non-council asset	y	
Asset - Community Facility _ not covered by lease agreement (Council owned)		y
Asset - Community Facility – covered by lease agreement (Council owned)	y	<u>y</u>
Parks equipment		y
Tree removal		y
Line marking		y
Bollards		y
Council Banners		y
Non Council banners	y	

RELATED POLICIES AND LEGISLATION
Sunshine Coast Council

- *Sunshine Coast Community Plan: Our Vision for 2030*
- *Sunshine Coast Corporate Plan 2009-2014*
- *Mayoral and Councillor Discretionary Funding Policy (2012)*
- *Community Grants Policy (2013)*

Queensland Government

- *Local Government Regulation (2012)*
- *Queensland Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	Create new	Y	Council Ordinary Meeting	12/06/2008
1.1	Review	Y	Asset & Capital Planning	18/06/2008
1.2	Review	Y	Council Ordinary Meeting	23/06/2008
1.3	Review	Y	Council Ordinary Meeting	31/01/2013

4.2.1 COUNCILLOR EMERGENT CAPITAL WORKS AND MINOR OPERATIONAL WORKS UTILISATION POLICY

File No:	Statutory Meetings
Author:	Asset Management and Services Project Manager Infrastructure Services Department
Appendices:	App A - Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy
Attachments:	Att 1 - Councillor Emergent Capital Works Minor Operational Works Policy - Track Changes

PURPOSE

This report seeks to provide an updated policy framework and budget allocation for the Councillor Emergent Capital Works and Minor Operational Works Utilisation Funding that complies with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

EXECUTIVE SUMMARY

Council has requested that the Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy be revised to allow Councillors to have greater flexibility while providing clarity in the allocation of funding within the policy.

Changes to the Councillor Emergent Capital Works Minor Operational Works Utilisation Policy are:

- Removal of specific allocations of \$75,000 for emergent capital works and \$50,000 for minor operational works. The amount to be allocated will be determined by Council as part of the annual budget adoption.
- The inclusion of a table within the policy which provides specific examples on the use of these funds to assist Councillors and staff in determining whether the request is compliant with the policy.
- The previously adopted policy had specific funding commitments required for certain types of works (e.g. footpaths; parks and gardens etc.), whereas the new policy has been revised to allow more flexibility in the determination of the funding allocations to better suit the particular needs to the community within each Council Division, removing specific requirements for funding local pathways and local parks.
- Allocation of funding is not to be below \$500 for operational works. If the request is in line with Council's normal maintenance program (e.g. replacing lamp shade), then it will be funded from the normal operational budget and not from Councillors Minor Operational Works Allocation.

The previously adopted policy had specific funding commitments required for certain types of works (e.g. footpaths; parks and gardens etc.), whereas the new policy has been revised to allow more flexibility in the determination of the funding allocations to better suit the particular needs to the community within each Council Division.

This report provides the updated policy framework and budget allocations within the Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled “Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy” and
- (b) adopt the Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy (Appendix A).

FINANCE AND RESOURCING

Council has determined in previous years budgets, that each Divisional Councillor may prioritise the amount as determined by Council at the budget adoption within a financial year for emergent capital works projects, and the amount determined by Council at budget within a financial year for minor operational works projects or services.

Councillors may also choose to:

- Fund all or part of a Mayoral and Councillor Discretionary Funding component by reallocation from the minor operational works allocation; as detailed in the Strategic Policy ‘Mayoral and Councillor Discretionary Funding’ endorsed by Council on 20 June 2013 or
- Increase the allocation to Emergent Capital Works by reducing the Minor Operational Works allocation.

The final amounts to be allocated for the 2014/2015 financial year will be ratified when Council adopts the full budget in June 2014.

CORPORATE PLAN

Corporate Plan Theme: *Managing growth*

Emerging Priority: 7.4 - Timely and appropriate infrastructure and service provision
Strategy: 7.4.3 - Ensure the provision of parks, open space and community infrastructure consistent with identified local and regional needs

Corporate Plan Theme: *Managing growth*

Emerging Priority: 7.5 - Council’s services and assets meet the needs of our growing community
Strategy: 7.5.1 – Determine the types and levels of services provided by council

Corporate Plan Theme: *Managing growth*

Emerging Priority: 7.5 - Council’s services and assets meet the needs of our growing community
Strategy: 7.5.3 - Maintain and renew council assets to agreed standards

CONSULTATION

Internal Consultation

- Councillors

- Executive Leadership Team
- Manager, Finance
- Senior Management, Accountant
- Coordinator Treasury and Rates
- Coordinator Financial Services

External Consultation

There has been no external consultation undertaken in relation to this report.

Community Engagement

There has been no community engagement undertaken in relation to this report.

PROPOSAL

Council has requested that the Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy be revised to allow Councillors to have greater flexibility while providing clarity in the allocation of funding within the policy.

Changes to the Councillor Emergent Capital Works Minor Operational Works Utilisation Policy are:

- Removal of specific allocations of \$75,000 for emergent capital works and \$50,000 for minor operational works. The amount to be allocated will be determined by Council as part of the annual budget adoption.
- The previously adopted policy had specific funding commitments required for certain types of works (e.g. footpaths; parks and gardens etc.), whereas the new policy has been revised to allow more flexibility in the determination of the funding allocations to better suit the particular needs to the community within each Council Division, removing specific requirements for funding local pathways and local parks.
- The inclusion of a table within the report which provides specific examples on the use of these funds to assist Councillors and staff in determining whether the request is compliant with the policy.

	Grants	Emergent Capital Works / Minor Operational Works
Pathways		y
Kerb ramps		y
Park improvements		y
Council Owned bdgs		y
Private bdgs	y	
Street signs		y
Entry statements		y
Street lights		y
Street light shades		y
Design works		y

	Grants	Emergent Capital Works / Minor Operational Works
Council Xmas decorations		y
Community Xmas decorations	y	
Council sponsor festivals		y
Non council festivals	y	
Non council business	y	
Council Artworks		y
Non Council artwork	y	
Maintenance of Council asset		y
Maintenance of non-council asset	y	
Asset - Community Facility _ not covered by lease agreement		y
Asset Community Facility – covered by lease agreement	y	
Parks equipment		y
Tree removal		y
Line marking		y
Bollards		y
Council Banners		y
Non Council banners	y	

- Allocation of funding is not to be below \$500 for operational works. If the request is in line with Council's normal maintenance program (e.g. replacing lamp shade), then it will be funded from the normal operational budget and not from Councillors Minor Operational Works Allocation.

This report provides the updated policy framework and budget allocations within the Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy.

To allow for greater flexibility and additional funding in the allocation of funds within the Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy, a revised policy is included in Appendix A and has the following attributes:-

- Councillor Emergent Capital Works and Minor Operational Works funds are to be allocated to capital works infrastructure and to the maintenance and operations of council infrastructure only, or may be reallocated from Discretionary Funding, to the following two categories:
 - Councillor Emergent Capital Works - Expenditure used to create new assets, increase the capacity of existing assets beyond their original design capacity or service potential. Projects in this category will result in a physical asset which will be capitalised:
 - Councillor Minor Operational Works - Expenditure used on minor operational works for the day to day running and availability of an asset or service. Operational services and/or assets are treated as operational expenses;
- Councillors may also choose to:
 - Fund all or part of a Mayoral and Councillor Discretionary Funding component by reallocation from the minor operational works allocation; as detailed in the Strategic Policy ‘Mayoral and Councillor Discretionary Funding’ endorsed by Council on 20 June 2013.
 - Increase the allocation to Emergent Capital Works by reducing the Minor Operational Works allocation.

The previously adopted policy had specific funding commitments required for certain types of works (e.g. footpaths; parks and gardens etc.), whereas the new policy has been revised to allow more flexibility in the determination of the funding allocations to better suit the particular needs to the community within each Council Division.

Legal

The revised policy has been structured such that compliance with the local government act, Council procurement policies and Council strategies and other relevant legal instruments is maintained.

Policy

The implementation of the Councillor Emergent Capital Works and Minor Operational Works Utilisation funding as outlined in this report requires the adoption of the proposed Councillor Emergent Capital Works and Minor Operational Works Utilisation Policy (Appendix A).

Risk

The policy captures a governance and assessment process, and creates a compliance and audit trail for all allocations, thus minimizing the risk of an unintentional miss-allocation of funds.

Previous Council Resolution

Budget Meeting 23 June 2008.

Related Documentation

- Grants Policy
- Mayoral and Councillor Discretionary Funding Policy
- Community Grants Eligibility Guidelines 2012/2013
- Community Partnership Funding Program Guidelines 2012/2013
- *Local Government and Other Legislation Amendment Bill (2012)*
- *Local Government Regulation (2012)*
- *Queensland Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*

Critical Dates

2014/2015 Council Budget Adoption – 26 June 2014

Implementation

Once adopted, the policy will be used to assess and process all funding allocations covered by the revised policy in the 2014/2015 financial year.

STRATEGIC POLICY – COMMUNITY GRANTS

Sunshine Coast Council		Sunshine Coast Regional Council
STRATEGIC POLICY COMMUNITY GRANTS		
Corporate Plan Reference:	<i>2. Ecological Sustainability 2.2 Our natural environment preserved for the future</i> <i>3. Innovation and Creativity 3.1 Partnerships and alliances that drive innovation</i> <i>4. Health and Wellbeing 4.2 Active lifestyles</i> <i>5. Social Cohesion 5.2 Strong Community Groups and Networks</i>	
Endorsed by Council on:	20 June 2013	
Policy Owner and Department:	Executive Director, Community Services	

POLICY PURPOSE

The purpose of this policy is to provide a framework which guides the administration of council's grants programs in a manner that is aligned to council's corporate strategic priorities and in accordance with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

This policy is to be read in conjunction with the supporting guidelines for the specific funding program.

POLICY OUTCOME

The outcomes of this policy include:

- achieving the objectives of council's *Corporate Plan*
- providing Community organisations with financial support to meet identified community need and provide benefit to the broader Sunshine Coast community
- developing vibrant, engaged and more resilient communities
- providing a standard approach and framework to establish community partnerships
- distributing funds in an equitable, transparent and sustainable manner.

POLICY SCOPE

This policy applies to all community grants programs.

The Mayoral and Councillor Discretionary Funding Policy is governed by this policy.

This policy does not apply to:

- Sponsorship, donations, advertising, naming rights and service level agreements;
- Business grants; and
- Regional Arts Development Fund (RADF)¹.

¹ Administration of the RADF program is managed by the State Government.
Sunshine Coast Regional Council

STRATEGIC POLICY – COMMUNITY GRANTS

POLICY STATEMENT

Sunshine Coast Council recognises the vital contribution that Community organisations make to the economic, environmental, social and cultural wellbeing of Sunshine Coast communities. Through the provision of community grants (subject to budget allocations), council is committed to supporting the implementation of community initiatives and partnerships that align with council's corporate priorities and criteria, and demonstrate a purpose that is in the interest of the Sunshine Coast community.

The *Community Grants Policy* is developed with a philosophy of partnership, whereby council provides a range of grants to encourage, engage and support groups within the community to make a positive and ongoing contribution to the region. With an emphasis on development and strategic and sustainable investment, this policy aims to build community capacity, encourage participation, and develop vibrant, engaged and resilient local communities.

The *Community Grants Policy* has been developed to ensure an equitable, open and transparent process for Community organisations to seek financial assistance which complies with relevant legislation. The policy and associated supporting guidelines act as tools to ensure that decision-making around the provision of community grants enriches the sense of community in our vibrant, green and diverse region.

GUIDING PRINCIPLES

The following principles provide a consistent approach to the administration of the policy and the delivery of Council's community grants program:

- Community organisations are provided with funding support to provide community benefit to the Sunshine Coast community, in line with Council's strategic corporate priorities;
- Vibrant, engaged and more resilient communities are developed through capacity building and partnerships;
- Community organisations are enabled to attract other funding and in-kind support;
- Community organisations and volunteers are acknowledged for the positive contribution they make to the local community and Council's vision for the future; and
- Funds are distributed in an equitable and transparent manner that ensures good governance and adherence to the *Local Government Act 2009* and the *Local Government Regulation 2012*.

ELIGIBILITY CRITERIA

Applications for community grants funding must meet the eligibility criteria below.

Who can apply?

Community organisations, as defined in this policy, are eligible to apply for funding if they meet all of the following criteria:

- Operate within the Sunshine Coast Local Government Area, or are able to demonstrate that the project or program will benefit residents of the Sunshine Coast Local Government Area
- Have appropriate insurance and adhere to sound Workplace Health and Safety practices
- Are able to demonstrate viability
- Have no debt to council, or have entered into scheduled payment arrangements with council which are being adhered to, and/or have met acquittal conditions for previous council grants
- Meet the specific eligibility criteria of the funding program as set out in the supporting guidelines.

Individuals, as defined in this policy, are eligible to apply for funding through particular identified categories and programs (as outlined in the supporting guidelines of the specific funding program), if they meet all of the following criteria:

- Reside within the Sunshine Coast Local Government Area, or are able to demonstrate that the project or program will benefit residents of the Sunshine Coast Local Government Area
- Have no debt to council, or have entered into scheduled payment arrangements with council which are being adhered to, and/or have met acquittal conditions for previous council grants
- Meet the specific eligibility criteria of the funding program as set out in the supporting guidelines.

STRATEGIC POLICY – COMMUNITY GRANTS

Who cannot apply?

- Government agencies or departments of local, state or federal government
- Educational, religious or medical organisations, where the application is for the organisation's core business
- Businesses.

Project / Program Eligibility

To be eligible to apply for funding, community grant applications must:

- demonstrate a purpose that is in the public interest
- align with the priorities of council's *Corporate Plan*, and
- adhere to the terms and conditions set out in the supporting guidelines for the specific funding program.

Ineligible Projects / Programs

Ineligible projects / programs include, but are not restricted to:

- the development of privately-owned facilities, except for the use of habitat improvements on privately-owned land, as in the case of some environment grants
- events, programs or services run solely for commercial profit
- activities that have already commenced prior to the grant application being submitted
- payment of debt
- political activities
- operational costs, in some funding programs, (see the supporting guidelines of the specific funding program).

Other eligibility restrictions may apply to specific funding categories, as set out in the supporting guidelines of the specific funding program.

APPLICATION PROCESS

The Community Grants Policy and application process enables council to plan, prioritise and administer the distribution of funds to Community organisations in a transparent, equitable and inclusive manner.

Grants Officers can help community groups develop their grant applications if required.

Applying for Community Grants

- The method for submitting community grant applications is online. Grants Officers can assist applicants to lodge their online application if required.
- Applications must be submitted by the closing date. Applications received after the closing date will not be accepted.

Assessing Grant Applications

- Applications are checked against eligibility criteria and particular assessment criteria, as set out in the supporting guidelines for the specific funding program, and the applicant's ability to meet the funding program's terms and conditions.
- Applications are assessed by a panel comprising council officers, including program and category specialists.
- The number and types of projects approved will depend on the demand for funding, available program budget and corporate priorities.
- In some instances, part-funding may be offered.

STRATEGIC POLICY – COMMUNITY GRANTS

Acquittal Requirements

- All community grants funding must be acquitted. Timeframes and acquittal requirements are outlined in the supporting guidelines for the specific funding program.

Funding Decisions

Funding decisions in the community grants program are endorsed by council, CEO or delegate, dependant on the funding program. Decisions cannot be appealed.

Applicants who believe there has been an administrative error in the assessment of their application can contact council to investigate their claim.

Conflict of Interest Provisions

All officers or Councillors are responsible for recognising and declaring any actual or potential conflicts of interest. This may include, but is not limited to, personal connections with the applicant. Anyone having a determined conflict of interest should not debate or be involved in any discussions on any matter relating to the specific applicant.

MEASUREMENT OF SUCCESS

The outcomes of this policy can be measured by the extent to which:

- the desired strategic outcomes are achieved, and
- there is compliance with the supporting guidelines for the specific funding program.

ROLES AND RESPONSIBILITIES

Council makes decisions about the allocation of funds to the community grants program through its budgetary processes.

Endorsement of assessment panel funding decisions is undertaken by council, CEO or delegate, dependant on the funding program.

The **Community Services** Department is the primary administrator of council's community grants program, working in collaboration with various council departments to develop, promote, manage and regularly review the program. The department plays a lead role in the provision of support and advice to potential grant applicants, and participates in assessment panels to review applications and determine outcomes.

Community Services also manages budgets and administers any legislative reporting or record keeping requirements for the community grants program.

In collaboration with the Community Services Department, all **other council departments**, in varying capacities, review, provide feedback and assess applications, and actively assist with the evaluation, management and promotion of the community grants program.

Council officers are responsible for implementing this policy when supporting, partnering, facilitating, or delivering grants-related activities to ensure a consistent approach across council, in line with all relevant legislation.

DEFINITIONS

Acquittal

The process by which a recipient demonstrates in writing to the funding body that it has expended the funds in accordance with the terms and conditions of the funding agreement on completion of the activity or project.

STRATEGIC POLICY – COMMUNITY GRANTS

Advertising

"The communication of council outputs and services to the public by using a medium commonly used for promoting ideas, goods or services and for which a fee is paid"².

Auspicings

Auspicings means that an organisation takes responsibility for ensuring the funds are used as specified in the grant allocation. An auspicings organisation will be responsible for:

- the receipt, banking and administration of all moneys
- project monitoring and completion
- ensuring the applicant acquits the funding on time
- sign off on the acquittal form.

Business

A person, partnership or organisation which is not a Community organisation, and is engaged in a profit-seeking enterprise or activity.

Community Benefit

Council recognises that grants funding delivers significant social, economic, environmental and / or cultural benefits to our region including:

- building stronger communities by: improving connectivity and inclusion, increasing individual and community wellbeing, contributing to a sense of place, and strengthening shared community values;
- improving community and economic capacity and building social capital;
- celebrating our lifestyle, environment and culture;
- increasing commitment to sustainable practices and the promotion and protection of our natural environment; and
- contributing to a positive, vibrant image of the region.

Community organisation

"An entity that carries on activities for a public purpose; or another entity whose primary object is not directed at making a profit"³, i.e. not-for-profit organisation. "Any profit made by the organisation goes back into the operation of the organisation to carry out its purposes and is not distributed to any of its members"⁴. A Community organisation operates with a primary purpose of providing services to the community.

Community Purpose

A purpose that is in the public interest to residents of the Sunshine Coast Local Government Area.

Conflict of Interest

A conflict of interest is a conflict between:

- (a) an officer's or Councillor's personal interests (including personal interests arising from their relationships or club memberships, for example); and
- (b) the public interest;

that might lead to a decision that is contrary to the public interest.⁵

Donations

A voluntary gift of product, service or cash without expectation of return.

² Sunshine Coast Council 2010, *Sponsorship Policy*.

³ *Local Government Regulation* 2012, Schedule 7, p. 235.

⁴ Australian Taxation Office 2011, *Is your Organisation Non-Profit?*,
http://www.ato.gov.au/nonprofit/content.aspx?menuid=0&doc=/content/24481.htm&page=2#P8_467

⁵ *Local Government Act* 2009, s173, p. 154
Sunshine Coast Regional Council

STRATEGIC POLICY – COMMUNITY GRANTS

Grant

Funds provided to a recipient through a formal program for a specified purpose, directed at achieving goals and objectives consistent with council policy, where the recipient is selected on merit against a set of criteria.

Individual

A singular entity, as distinguished from a group, who carries on activities for a community purpose and benefit. The individual cannot apply the funds to make a profit.

In-Kind Support

In-kind support includes paid and volunteer labour, administrative support, rent-free accommodation or donations of materials, equipment or services.

Naming Rights

The right to name property, either tangible property or an event, usually granted in exchange for financial consideration.

Privately-owned

Belonging to an individual person, i.e. a private residence or land.

Service Level Agreements

A formally negotiated agreement between council and an organisation, individual or community group that details the nature, quality and scope of a service to be provided. The purpose of a service level agreement is to formalise the services of a provider and outline the responsibilities of both council and the provider in the provision of a defined service.

Sponsorship

"A contractual business arrangement under which a sponsor, for a specified term, provides a contribution in cash and/ or in kind ("contra") in return for specified negotiated commercial benefits. Benefits purchased may include the right to public recognition or association with a service, program, event, activity, individual or infrastructure. Sponsorship is different from grants funding, where money or goods are provided to recipients through a formally recognised program for a specified purpose, but with no expectation of commercial return⁶."

RELATED POLICIES AND LEGISLATION

Sunshine Coast Council

- *Sunshine Coast Community Plan: Our Vision for 2030*
- *Sunshine Coast Corporate Plan 2009-2014*
- *Mayoral and Councillor Discretionary Funding Policy (2013)*
- *Cultural Development Policy (2012)*
- *Placemaking Policy and Charter (2012)*
- *Sport and Active Recreation Plan 2011-2026*
- *Waterways and Coastal Management Strategy 2011-2021*
- *Sunshine Coast Positive Ageing Strategy 2011-2016*
- *Sunshine Coast Access and Inclusion Plan 2011-2016*
- *Sunshine Coast Reconciliation Action Plan 2011-2016*
- *Sponsorship Policy (2010)*
- *Events Policy (2010)*
- *Heritage Levy Policy (2010)*
- *Festive Season Strategy (2010)*
- *Community Events and Celebrations Strategy (2010)*
- *Sunshine Coast Youth Strategy 2010-2015*
- *Biodiversity Strategy Implementation Plan 2010-2015*

⁶ Sunshine Coast Council 2010, *Sponsorship Policy*.
Sunshine Coast Regional Council

STRATEGIC POLICY – COMMUNITY GRANTS

- *Community Engagement Policy (2009)*
- *Environment Levy Policy (2009)*

Queensland Government

- *Local Government Regulation (2012)*
- *Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	Create new	Y	Council Ordinary Meeting	20/06/2013

Sunshine Coast Council		Sunshine Coast Regional Council
STRATEGIC POLICY		
MAYORAL AND COUNCILLOR DISCRETIONARY FUNDING		
Corporate Plan Reference:	3. <i>Innovation and Creativity</i> 3.1 <i>Partnerships and alliances that drive innovation</i> 4. <i>Health and Wellbeing</i> 4.2 <i>Active lifestyles</i> 5. <i>Social Cohesion</i> 5.2 <i>Strong Community Groups and Networks</i>	
Endorsed by Council on:	20 June 2013	
Policy Owner and Department:	Executive Director, Community Services	

POLICY PURPOSE

The purpose of this policy is to provide a framework which guides the administration of council's Mayoral and Councillor Discretionary Funding Program in a manner consistent with council's Community Grants Policy and corporate priorities; and complies with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

This policy is to be read in conjunction with the Mayoral and Councillor Discretionary Funding Program Guidelines.

POLICY OUTCOME

The outcomes of this policy include:

- an ability for discretionary funds to be budgeted for community purposes and allocated by a councillor at the councillor's discretion, including discretionary funds for capital works that are for a community purpose;
- achieving the objectives of council's Corporate Plan, long-term asset management plan and annual budget;
- providing community organisations with financial support to meet identified community need and provide benefit to the broader Sunshine Coast community;
- developing vibrant, engaged and more resilient communities;
- distributing funds in an equitable, transparent and sustainable manner.

POLICY SCOPE

This policy applies to the discretionary funds made available from Councillors to community organisations. This policy does not apply to council's community grants, sponsorship, donations, advertising, naming rights, service level agreements, joint ventures or business grants.

In relation to this policy, any Councillor may choose to opt out of using the allocation of \$50,000 as Mayoral and Councillor discretionary funding, and still retain the full component of the funding in the Councillors Emergent Capital Works and Minor Operational Works budget.

STRATEGIC POLICY – MAYORAL AND COUNCILLOR DISCRETIONARY FUNDING

POLICY STATEMENT

This funding program provides Councillors with an annual amount (subject to annual budget allocations) for the allocation of discretionary funding to spend for community purposes to benefit Sunshine Coast residents. With an emphasis on community development and strategic and sustainable investment, this policy aims to build community capacity, encourage participation, and develop vibrant, engaged and more resilient local communities.

This policy ensures an equitable, open and transparent process for community organisations to seek financial assistance which complies with relevant legislation. The policy and associated supporting guidelines act as tools to ensure that decision-making around the provision of discretionary funding enriches the sense of community in our vibrant, green and diverse region.

Council may allocate discretionary funding and a community grant to a community organisation for the one project, providing the community organisation discloses in their Mayoral and Councillor Discretionary Funding application that assistance is being sought via council's Grants programs.

The Mayoral and Councillor discretionary funding can be allocated to Councillor Emergent Capital Works and Operational Works Funding for community purposes but the opposite does not apply.

The Mayoral and Councillor discretionary funding cannot be:

- stored or accumulated for use over more than two financial years;
- utilised for administration support service for Councillors;
- used for land acquisitions without a supporting council resolution; or
- used for any purposes contrary to the Corporate Plan, strategy, policy or adopted resolution.

GUIDING PRINCIPLES

The following principles provide a consistent approach to the administering of this policy and the delivery of council's Mayoral and Councillor Discretionary Funding Program:

- Community organisations are provided with funding support to provide community benefit to the Sunshine Coast community, in line with council's corporate priorities.
- Vibrant, engaged and more resilient communities are developed through capacity building and partnerships.
- Community organisations are enabled to attract other funding and in-kind support.
- Community organisations and volunteers are acknowledged for the positive contribution they make to the local community and council's vision for the future.
- Funds are distributed in an equitable and transparent manner that ensures good governance and adherence to the *Local Government Act 2009* and the *Local Government Regulation 2012*.

ELIGIBILITY CRITERIA

Community organisations may apply for Mayoral and Councillor Discretionary Funding provided they meet the eligibility criteria as set out below.

Who can apply?

Community organisations are eligible to apply for funding if they meet all of the following criteria:

- Operate within the Sunshine Coast region or are able to demonstrate that the project or program will benefit residents of the Sunshine Coast.
- Have appropriate insurance and adhere to sound Workplace Health and Safety practices.
- Are able to demonstrate financial viability.
- Have met acquittal conditions for previous council grants and have no debt to council, or have entered into scheduled payment arrangements with council which are being adhered to.

STRATEGIC POLICY – MAYORAL AND COUNCILLOR DISCRETIONARY FUNDING

Who cannot apply?

- Government agencies or departments of local, state or federal government;
- Educational, religious or medical organisations, where the application is for the organisation's core business;
- Businesses and Individuals (unless otherwise stipulated within the supporting guidelines).

Project / Program Eligibility

To be eligible to apply for funding, Mayoral and Councillor Discretionary Funding program applications must:

- be submitted on the required application form;
- demonstrate a purpose that is in the public interest;
- align with the priorities of council's Corporate Plan; and
- adhere to the specific terms and conditions as set out in the supporting guidelines.

As soon as practicable after an amount has been allocated from a councillor's discretionary funds, council must publish a notice stating:

- the name of the community organisation to which the amount has been allocated; and
- the amount and purpose of the allocation.

APPLICATION PROCESS

This application process enables divisional Councillors to plan, prioritise and administer the distribution of discretionary funds to community organisations in a transparent, equitable and inclusive manner.

Councillor Support Officers and Council's Grant Development Officers can help community organisations develop their project application if required.

Community Services will ensure that an availability notice regarding the Mayoral and Councillor Discretionary Funding program is published on council's website and information is available at key council locations.

Applying for discretionary funding

- Applications of a localised nature (local community benefit) can be submitted to the divisional Councillor/s where the community organisation is located or where there will be most benefit.
- Applications which have broader regional community benefits (within the Sunshine Coast region only) can be submitted to the Mayor.
- The preferred method for submitting applications is online. Councillor support officers and Grants officers can assist community organisations in lodging their online application.
- Applicants are responsible for obtaining all appropriate permits, approvals, insurance etc. relating to the project.

Assessing discretionary applications

- This policy's guiding principles inform decision-making around the allocation of Mayoral and Councillor discretionary funds.
- Applications are checked against eligibility criteria and the community organisations ability to meet the funding programs terms and conditions.
- The number and types of projects approved will depend on the demand for funding, available program budget and corporate priorities. In some instances, part-funding may be offered.

Acquittal Requirements

- All discretionary funding must be acquitted within eight weeks of project completion.

STRATEGIC POLICY – MAYORAL AND COUNCILLOR DISCRETIONARY FUNDING

- Applicants must use funds for the purpose for which the funding was awarded, unless written permission for a variation has been obtained from the divisional Councillor/s prior to activities being undertaken.

Discretionary Funding Decisions

Discretionary funding allocations and decisions will be determined by the divisional Councillor/s where the community organisation is located or where there will be the most benefit. If the community benefit can be demonstrated to exist across Councillor divisions, the Councillors involved can agree on a part or equal contribution funding arrangement by mutual agreement.

Regional discretionary funding allocations and decisions will be determined by the Mayor.

In accordance with state legislation, discretionary funding targeted for allocation to capital works requires the Mayor and CEO approval. If the councillor seeking funding for capital works is the Mayor, then the Deputy Mayor and CEO approval is required.

Applicants who believe there has been an administrative error in the assessment of their application can contact council to investigate their claim.

Conflict of Interest Provisions

Councillors are required to declare any potential conflicts of interest with an application. In this instance, the Mayor or Deputy Mayor and CEO or delegate may be responsible for approving a discretionary funding application to ensure organisational transparency.

MEASUREMENT OF SUCCESS

The outcomes of this policy can be measured by the extent to which:

- the policy progresses in achieving desired strategic outcomes; and
- there is compliance with relevant legislation and the supporting guidelines.

ROLES AND RESPONSIBILITIES

The **Community Services** Department is the primary administrator of council's community grants, partnerships and discretionary funding programs, working in collaboration with various council departments to develop, promote, manage and regularly review the programs. The department plays a lead role in the provision of support and advice to potential grant applicants, and, where applicable, participates in assessment panels to review applications and determine outcomes.

Where discretionary funding is applied, relevant details will be publically recorded by Community Services as prescribed in the *Local Government Regulation 2012*.

The **Finance and Business** Department assists in the financial administration of council's community grants, partnerships and discretionary funding programs.

The **Infrastructure Services** Department is responsible to scope, evaluate, provide feedback on and manage any new capital or operational works based applications in accordance with the Councillor Emergent Capital Works and Operational Works Policy.

The **Executive Office** Department provides direction and where required approval for discretionary funding applications where a councillor potential conflict of interest exists to ensure organisational transparency.

Council officers are responsible for implementing this policy when supporting, partnering, facilitating, or delivering grants-related activities to ensure a consistent approach across council, in line with all relevant legislation.

STRATEGIC POLICY – MAYORAL AND COUNCILLOR DISCRETIONARY FUNDING

DEFINITIONS

Acquittal

The process by which a recipient demonstrates in writing to the funding body that it has expended the funds in accordance with the terms and conditions of the funding agreement on completion of the activity or project.

Business

A person, partnership or organisation which is not a community organisation, and is engaged in a profit-seeking enterprise or activity.

Co-Funding

Council is not able to be the sole funder for every project. Depending on the amount requested, gathering funds from other sources may be required. These could include:

- applicant contribution
- grants from other funding bodies
- sponsorship
- in-kind support.

Community Benefit

Council recognises that grants funding delivers significant social, economic, environmental and / or cultural benefits to our region including:

- building stronger communities by: improving connectivity and inclusion, increasing individual and community wellbeing, contributing to a sense of place, and strengthening shared community values;
- improving community and economic capacity and building social capital;
- celebrating our lifestyle, environment and culture;
- increasing commitment to sustainable practices and the promotion and protection of our natural environment; and
- contributing to a positive, vibrant image of the region.

Community Organisation

"An entity that carries on activities for a public purpose; or another entity whose primary object is not directed at making a profit"¹, i.e. not-for-profit organisation. "Any profit made by the organisation goes back into the operation of the organisation to carry out its purposes and is not distributed to any of its members"². A community organisation operates with a primary purpose of providing services to the community.

Community Purpose

A purpose that is in the public interest to residents of the Sunshine Coast region.

Discretionary Funds

"Discretionary funds are funds in the local government's operating fund that are budgeted for use by a Councillor at the Councillor's discretion"³ for the benefit of the community.

Grant / Funding

Funds provided to a recipient through a formal program for a specified purpose, directed at achieving goals and objectives consistent with council policy, where the recipient is selected on merit against a set of criteria.

Individual

A person which is not a community organisation.

¹ Local Government Regulations 2012

² Australian Taxation Office 2011, *Is your Organisation Non-Profit?*, http://www.ato.gov.au/nonprofit/content.aspx?menuid=0&doc=/content/24481.htm&page=2#P8_467

³ Local Government Act 2009
Sunshine Coast Regional Council

STRATEGIC POLICY – MAYORAL AND COUNCILLOR DISCRETIONARY FUNDING

In-Kind Support

In-kind support includes paid and volunteer labour, administrative support, rent-free accommodation or donations of materials, equipment or services.

Sponsorship

“A contractual business arrangement under which a sponsor, for a specified term, provides a contribution in cash and/ or in kind (“contra”) in return for specified negotiated commercial benefits. Benefits purchased may include the right to public recognition or association with a service, program, event, activity, individual or infrastructure. Sponsorship is different from grants funding, where money or goods are provided to recipients through a formally recognised program for a specified purpose, but with no expectation of commercial return⁴.”

RELATED POLICIES AND LEGISLATION

Sunshine Coast Council

- *Sunshine Coast Community Plan: Our Vision for 2030*
- *Sunshine Coast Corporate Plan 2009-2014*
- *Community Grants Policy (2013)*
- *Cultural Development Policy (2012)*
- *Placemaking Policy and Charter (2012)*
- *Councillor Code of Conduct (2011)*
- *Public Art Policy (2011)*
- *Regional Sport and Active Recreation Plan (2011)*
- *Sunshine Coast Aquatic Plan (2011)*
- *Waterways and Coastal Management Strategy 2011-2021*
- *Sunshine Coast Positive Ageing Strategy 2011-2016*
- *Sunshine Coast Access and Inclusion Plan 2011-2016*
- *Sunshine Coast Reconciliation Action Plan 2011-2016*
- *Events Policy (2010)*
- *Heritage Levy Policy (2010)*
- *Festive Season Strategy (2010)*
- *Sunshine Coast Climate Change and Peak Oil Strategy (2010)*
- *Sunshine Coast Wellbeing Charter (2010)*
- *Community Events and Celebrations Strategy (2010)*
- *Economic Development Strategy (2010)*
- *Sunshine Coast Youth Strategy 2010-2015*
- *Biodiversity Strategy Implementation Plan 2010-2015*
- *Wellbeing Charter (2010)*
- *Procurement Policy (2009)*
- *Community Engagement Policy (2009)*
- *Environment Levy Policy (2009)*
- *Sunshine Coast Waste Minimisation Strategy (2009)*
- *Employee Code of Conduct (2008)*

Queensland Government

- *Local Government and Other Legislation Amendment Bill (2012)*
- *Local Government Regulation (2012)*
- *Queensland Local Government Act (2009)*
- *Statutory Bodies Financial Arrangements Act (1982)*

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	Create new	Y	Council Ordinary Meeting	31/01/2013
1.1	Updated scope	Y	Council Ordinary Meeting	20/06/2013

⁴ Sunshine Coast Council 2010, *Sponsorship Policy*.
 Sunshine Coast Regional Council

11 CONFIDENTIAL SESSION

11.2 CORPORATE SERVICES

**11.2.2 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - LAND ACQUISITION
MAROOCHY RIVER**

File No: ECM

**Authors: Project Manager
Corporate Services Department
Coordinator Property, Projects and Development
Corporate Services Department**

This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.
