

13 February 2023

At the conclusion of the Corporate, Finance, Properties and
Tenders Committee

Resilient Communities Committee

Agenda

- 1. Confirmation of Minutes**
- 2. Statement of Ethical Obligations and Disclosures of Interest**
- 3. Grants and Sponsorship - Aboriginal and Torres Strait Islander Collaboration Fund and Accommodation Grant Program**
- 4. Memorandum of Understanding - ANZAC Day 2023-2025**

Disclaimer, Terms and Guidelines for Speakers at Council Committees

As part of our democratic process, the City invites members of the community to speak directly to Councillors during Committee meetings about items on the agenda.

Webcast

In accordance with the *City of Sydney Code of Meeting Practice*, Committee meetings are recorded and webcast live on the City of Sydney website at www.cityofsydney.nsw.gov.au.

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Consent

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Guidelines

To enable the Committee to hear a wide range of views and concerns within the limited time available, we encourage people interested in speaking at Committee to:

1. Register to speak by calling Secretariat on 9265 9702 or emailing secretariat@cityofsydney.nsw.gov.au before 10.00am on the day of the meeting.
2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

Committee meetings can continue until very late, particularly when there is a long agenda and a large number of speakers. This impacts on speakers who have to wait until very late, as well as City staff and Councillors who are required to remain focused and alert until very late. At the start of each Committee meeting, the Committee Chair may reorder agenda items so that those items with speakers can be dealt with first.

Committee reports are available at www.cityofsydney.nsw.gov.au

Item 1.
Confirmation of Minutes

Minutes of the following meetings of the Resilient Communities Committee are submitted for confirmation:

Meeting of 5 December 2022

Item 2.**Statement of Ethical Obligations**

In accordance with section 233A of the Local Government Act 1993, the Lord Mayor and Councillors are bound by the Oath or Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of the City of Sydney and the City of Sydney Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their ability and judgement.

Disclosures of Interest

Pursuant to the provisions of the Local Government Act 1993, the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose and manage both pecuniary and non-pecuniary interests in any matter on the agenda for this meeting.

In both cases, the nature of the interest must be disclosed.

This includes receipt of reportable political donations over the previous four years.

Item 3.

Grants and Sponsorship – Aboriginal and Torres Strait Islander Collaboration Fund and Accommodation Grant Program

File No: S117676

Summary

The City of Sydney's Grants and Sponsorship Program supports initiatives and projects that build the social, cultural, environmental and economic life of the city. To achieve the objectives of Sustainable Sydney 2030-2050 Continuing the Vision, genuine partnership between government, business and the community is required.

The provision of grants and sponsorships is a mechanism to further the aims identified in the City's social, cultural, economic and environmental policies. Applications are assessed against these policies and against broad City objectives and plans. In this way, the City and the community act collaboratively to achieve the goals of Sustainable Sydney 2030-2050 Continuing the Vision.

Aboriginal and Torres Strait Islander Collaboration Fund

The City advertised the Aboriginal and Torres Strait Islander Collaboration Fund in the annual Grants and Sponsorship Program.

This funding program supports a strong and sustainable Aboriginal and Torres Strait Islander community-controlled sector to deliver projects that meet the needs and aspirations of Aboriginal and Torres Strait Islander people in the local area. Funding supports increased self-determination and equity for Aboriginal and Torres Strait Islander people through projects that connect people with community, Country and culture.

The Aboriginal and Torres Strait Islander Collaboration Fund is open all year for applications until the annual budget is exhausted.

Two eligible applications meeting the February Committee timeframes for the Aboriginal and Torres Strait Islander Collaboration Fund were received. This report recommends one grant to a value of \$30,500 in cash in the 2022/23 financial year.

On 22 August 2022, Council adopted a Grants and Sponsorship Policy. All grants in this report were assessed in accordance with the Grants and Sponsorship Policy, the Grants and Sponsorship Program Guidelines, the priorities set out in Sustainable Sydney 2030-2050 Continuing the Vision and various other relevant City strategies and action plans.

Grant recipients will be required to sign a contract, meet specific performance outcomes and acquit their grant. All figures in this report exclude GST.

Accommodation Grant Program

The Accommodation Grant Program is part of the City's Grants and Sponsorship Program. This funding program supports community, cultural and sustainability focused organisations by providing accommodation in City-owned buildings within the community property portfolio at an approved subsidised rent which results in Grant tenants paying nil or below market rent.

This report also notes that under the Accommodation Grant Program, the lessee at 19 Greenknowe Avenue, Potts Point has changed legal entity from the Sydney Children's Hospital Network (ABN 53 188 579 090) to South Eastern Sydney Local Health District (SESLHD) (ABN 70 442 041 439). The lessee has advised that the service, staff, and clients remain the same. Due to the change of legal entity a new lease is required to be issued for this tenancy. Council is required to approve the change of recipient legal name.

Recommendation

It is resolved that:

- (A) Council approve the cash recommendation for the Aboriginal and Torres Strait Islander Collaboration Fund program as shown at Attachment A to the subject report;
- (B) Council note the applicant who was not recommended in obtaining a cash grant for the Aboriginal and Torres Strait Islander Collaboration Fund program as shown at Attachment B to the subject report;
- (C) Council approve the change of recipient legal name for the lessee at 19 Greenknowe Avenue, Potts Point from Sydney Children's Hospital Network to South Eastern Sydney Local Health District and note that a new lease will be issued for this tenancy;
- (D) Council note that all grant amounts are exclusive of GST;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (F) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Attachments

Attachment A. Recommended For Funding - Aboriginal and Torres Strait Islander Collaboration Fund

Attachment B. Not Recommended For Funding - Aboriginal and Torres Strait Islander Collaboration Fund

Background

1. The City of Sydney's Grants and Sponsorship Program supports residents, businesses and not-for-profit organisations to undertake initiatives and projects that build the social, cultural, environmental and economic life of the City.
2. On 30 August 2022, the City announced the Aboriginal and Torres Strait Islander Collaboration Fund as being open for application on the City's website, with grant applications open all year round, until budget is exhausted.
3. Information about this grant program (such as application dates, guidelines, and eligibility criteria) was made available on the City's website. The City actively promoted the grant program when it first opened through the corporate website, e-newsletters, Facebook, Instagram, Twitter, LinkedIn, AdWords, ArtsHub, Google display ads and Koori Radio. Email campaigns were utilised to target interested parties who have applied previously for grants at the City or who have expressed an interest in the City's programs.
4. As per the Grants and Sponsorship Program Guidelines, the Aboriginal and Torres Strait Islander Collaboration Fund program is dedicated to local Aboriginal and/or Torres Strait Islander peoples, groups and organisations and is open to not-for-profit organisations, for-profit organisations, sole traders and individuals or unincorporated community groups auspiced by a not-for-profit or for-profit organisation.
5. One eligible application was received from for-profit organisations or sole traders through the Aboriginal and Torres Strait Islander Collaboration Fund and no for-profit organisation is recommended in this report.

Grants assessment process

6. The City's Grants and Sponsorship Program is highly competitive. Applications that are not recommended have either not scored as highly against the assessment criteria as the recommended applications or have incomplete or insufficient information. The City's Grants and Sponsorship team provides feedback to unsuccessful applicants.
7. The assessment process includes advice and recommendations from a suitably qualified assessment panel. The applications are scored against defined assessment criteria for each grant program as well as the integrity of the proposed budget, project plan, partnerships, contributions and connection to the local community and industry sectors.
8. The assessment criteria for the Aboriginal and Torres Strait Islander Collaboration Fund are:
 - evidence of the need for the project and proposed outcomes and relevance to Aboriginal and Torres Strait Islander communities;
 - capacity and experience of the applicant to deliver the project;
 - demonstrated connection to and benefit for local Aboriginal and Torres Strait Islander communities; and
 - how the project will deliver against the funding priorities.

9. The assessment meeting for the Aboriginal and Torres Strait Islander Collaboration Fund was held on 13 January 2023. The assessment panel consisted of City staff from the Indigenous Leadership and Engagement, Cultural Space and Sector Development Teams, Social City, and People and Culture Unit.
10. Once recommended applications are approved by Council, a contract is developed which includes conditions that must be adhered to and acquitted against.
11. It is expected that all successful applicants will work cooperatively with relevant City staff throughout the project for which they have received funding.
12. All grants and sponsorships are recommended on the condition that any required approvals, permits and development consents are obtained by the applicant.

Aboriginal and Torres Strait Islander Collaboration Fund

13. The application recommended for the Aboriginal and Torres Strait Islander Collaboration Fund program is outlined in Attachment A to this report.
14. The Aboriginal and Torres Strait Islander Collaboration Fund budget is set out below:

Total budget for 2022/23	\$500,000
Less: Total cash committed to previously approved applications	(\$154,109)
Total cash available	\$345,891
Total number of eligible applications this allocation	2
Total cash value requested from applications	\$100,000
Total value-in-kind support requested from applications	\$0
Total number of applications recommended for cash and/or value in-kind support	1
Total amount of cash funding recommended for payment in 2022/23	\$30,500
Total amount of value in-kind support recommended for 2022/23	\$0
Cash amount remaining for payment in 2022/23	\$315,391

Accommodation Grant Program

Sydney Children's Hospital Network

15. The Sydney Children's Hospital Network provides early childhood health services to families with babies/children aged up to five years.
16. The Sydney Children's Hospital Network currently have a tenancy through the Accommodation Grant Program at 19 Greenknowe Avenue, Potts Point.
17. On 22 June 2021, Council approved a lease renewal through the Accommodation Grant program for The Sydney Children's Hospital Network for a five-year period expiring on 30 June 2026.
18. The lessee has advised they have changed their legal entity name from The Sydney Children's Hospital Network to South Eastern Sydney Local Health District. However, there will be no change to services and they intend on continuing to operate with the same staff and clients at 19 Greenknowe Avenue, Potts Point.
19. It has been confirmed that South Eastern Sydney Local Health District are a State Government Entity and are eligible for the Accommodation Grant Program.
20. The City will enter into a new lease with South Eastern Sydney Local Health District for the tenancy at 19 Greenknowe Avenue, Potts Point so that they can continue to operate their services and support the local community under the new entity name.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

21. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This grant is aligned with the following strategic directions and objectives:
 - (a) Direction 6 - An equitable and inclusive city - the recommended grant projects in this report will contribute to strengthening partnerships and relationships with Aboriginal and Torres Strait Islander peoples and prioritise their cultural, social, environmental, spiritual and economic aspirations.
 - (b) Direction 8 - A thriving cultural and creative life - the recommended grant projects in this report will contribute to supporting artistic and creative endeavours in our city, helping foster initiative, experimentation and enterprise by creative workers and providing new opportunities for audiences to engage in the city's cultural life.

Organisational Impact

22. The grants and sponsorships contract management process will involve key staff across the City of Sydney. Identified staff set contract conditions and performance measures for each approved project, and review project acquittals, which include both narrative and financial reports.

Cultural / Economic / Social / Environmental

23. The City's Grants and Sponsorship Program provides the City with a platform to support cultural, economic, environmental and social initiatives from the communities and business, within the local area.

Financial Implications

24. There are sufficient funds allocated in the 2022/23 grants and sponsorship budget, included in the City's operating budget for 2022/23 to support the recommended grants. Details and total values for the Aboriginal and Torres Strait Islander Collaboration Fund grant are provided in the table above.

Relevant Legislation

25. Section 356 of the Local Government Act 1993 provides that a council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
26. Section 356(3)(a) to (d) is satisfied for the purpose of providing grant funding to for-profit organisations because:
 - (a) the funding is part of the Aboriginal and Torres Strait Islander Collaboration Fund;
 - (b) the details of the program were included in the Council's adopted operational plan for financial year 2022/23;
 - (c) the program's proposed budget does not exceed 5 per cent of Council's proposed income from ordinary rates for financial year 2022/23; and
 - (d) this program applies to a significant group of persons within the local government area.

Critical Dates / Time Frames

27. The funding period for the Aboriginal and Torres Strait Islander Collaboration Fund for financial year 2022/23 is for activities taking place 12 months from the project start date. Contracts will be developed for all successful applications after Council approval to ensure their funding is released in time for the commencement of projects.
28. There are no critical timeframes associated with the Accommodation Grant Program tenancy.

Public Consultation

- 29. During September 2022, a briefing session took place where stakeholders were notified about the grants and how to apply.
- 30. An online briefing session for general grants enquiries was held on 6 September 2022. A total of 53 attendees participated in the session.
- 31. Q&A sessions were held for those grant applicants wanting more assistance with their grant applications for the Aboriginal and Torres Strait Islander Collaboration Fund. A total of 13 attendees participated in these sessions.
- 32. Q&A sessions are ongoing for the Aboriginal and Torres Strait Islander Collaboration Fund program.

EMMA RIGNEY

Director City Life

Alana Goodwin, Grants Coordinator

Attachment A

**Recommended for Funding
Aboriginal and Torres Strait Islander
Collaboration Fund**

Aboriginal and Torres Strait Islander Collaboration Fund 2022/23

Recommended for Funding

Organisation Name	Project Name	Project Description	\$ Amount Requested	VIK Requested	\$ Amount Recommended	VIK Recommended	Additional Conditions
Aboriginal Dance Theatre Redfern	Back on track after Covid: Aboriginal dance and cultural workshops	Re-establishing our dance, culture and arts programming for Aboriginal and Torres Strait Islander children, youth and men.	\$50,000	Nil	\$30,500	Nil	Nil

Attachment B

**Not Recommended for Funding
Aboriginal and Torres Strait Islander
Collaboration Fund**

Aboriginal and Torres Strait Islander Collaboration Fund 2022/23

Not Recommended for Funding

Organisation Name	Project Name	Project Description	\$ Amount Requested	VIK Requested
Westbourne College Pty Ltd	Emotional intelligence / Personal Health - Wellbeing Training	Westbourne College will run training in early 2023 to Indigenous learners in the City of Sydney LGA to provide fully accredited educational qualifications to Aboriginal and Torres Strait Islander People.	\$50,000	Nil

Item 4.

Memorandum of Understanding - ANZAC Day 2023-2025

File No: X084995

Summary

A Memorandum of Understanding (MOU) between the City of Sydney (City), The Returned and Services League of Australia (NSW Branch) (RSL NSW), the Dawn Service Trust Inc. (the Trust) and the State of New South Wales (the State) proposes to provide a commitment between the State and the City, RSL NSW and the Trust to cooperate in the organisation and staging of ANZAC Day services (ANZAC Day Dawn Service, the ANZAC Day March, the Commemoration Service and the Sunset Service) from 2023 through to 2025.

These arrangements enable the City to work collaboratively with the State, RSL NSW and the Trust to deliver the annual events, which are acknowledged by all parties as significant events as part of the veteran landscape and an appropriate way to commemorate and acknowledge ANZAC Day in Sydney.

The scope of the agreement includes the principles, roles and responsibilities that each of the four agencies (the City, NSW Department of Premier and Cabinet (DPC), the Trust, and RSL NSW) will cooperate under regarding the organisation and facilitation of the annual ANZAC Day events.

Implementing the Memorandum of Understanding will:

- clearly define the responsibilities of the City and associated agencies in regard to support, coordination and facilitation of ANZAC Day events, including associated costs;
- maintain the ongoing cooperative relationship with the associated agencies and other parties in regard to the organisation and facilitation of ANZAC Day events; and
- highlight the significance of, and demonstrate the City's commitment to the ongoing facilitation of ANZAC Day events in Sydney now and into the future.

The current Memorandum of Understanding was drawn up in 2020 and signed in 2021 after the 2020 ANZAC Day March and Commemorative Services were postponed due to the Covid-19 pandemic. The original Memorandum of Understanding covered a period of three years from 2020 through to 2022 inclusive.

Recommendation

It is resolved that:

- (A) authority be delegated to the Chief Executive Officer to enter into and finalise a Memorandum of Understanding with The Returned and Services League of Australia (NSW Branch), the Dawn Service Trust Inc. and the State of New South Wales as outlined in this report and Confidential Attachment A to the subject report;
- (B) Council approve for the 2023, 2024 and 2025 ANZAC Day events:
 - (i) annual funding of one third of actual costs up to a maximum of \$70,000 (excluding GST) to the State of New South Wales for Hostile Vehicle Mitigation measures;
 - (ii) annual funding of \$10,000 (excluding GST) to the Dawn Service Trust Inc.; and
 - (iii) annual value-in-kind support for 150 veteran's themed banners for up to two weeks (pending availability); and
- (C) Council note that the final Memorandum of Understanding will be provided to Council via the CEO Update.

Attachments

- Attachment A.** ANZAC Day 2023-2025 Memorandum of Understanding Key Terms (Confidential)

Background

1. The City is involved in ANZAC Day Events and Ceremonies both in a participative role and that of coordination and facilitation. This has been undertaken in conjunction with the Department of Premier and Cabinet, Dawn Services Trust (the Trust) and RSL NSW who are the primary agencies involved in a range of events that take place annually on 25 April.
2. The City has previously provided support towards the facilitation of ANZAC Day ceremonies and events in the form of pre- and post-event cleaning, lighting coordination, removal of infrastructure and equipment, access to power, provision of banners, access to the venue sites, and cash grants to assist with the cost of event facilitation.
3. The development of a Memorandum of Understanding between all agencies was undertaken in order to clearly define the roles and responsibilities of each party in relation to the coordination and facilitation of the event and financial commitments specifically in relation to Hostile Vehicle Mitigation (HVM).
4. The roles and responsibilities of key stakeholders have been defined and outline the support and coordination required from the City and other stakeholders.
5. The Memorandum of Understanding will cover the official NSW ANZAC Day Dawn Service, Martin Place; ANZAC Day March, Sydney CBD; the Commemoration Service at the ANZAC Memorial, Hyde Park South and the Sunset Service, Martin Place Cenotaph.
6. The responsibilities of the City include:
 - (a) assisting with the coordination of the event, participation in relevant stakeholder meetings, and provision of event-related documentation;
 - (b) provision of representation in the event control centre to oversee the security and logistical aspects of the events on ANZAC Day;
 - (c) financial contribution towards the Hostile Vehicle Mitigation, event delivery, and the provision of value-in-kind for the creation of event-themed banners; and
 - (d) contribution to city coordination, preparation for and management of the clean-up following the event.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

7. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This plan is aligned with the following strategic directions and objectives:
 - (a) Direction 8 - A thriving cultural and creative life - the Memorandum of Understanding demonstrates the City's recognition of the significance and ongoing commitment to the facilitation and support of ANZAC Day Events.

Organisational Impact

8. Given the City already participates in the coordination and facilitation of ANZAC Day activities, including providing financial contributions and value-in-kind support, there are no new organisational impacts.

Risks

9. The Trust and RSL NSW have cited an inability to carry out the event without the City's support both in a practical sense and financially.

Social / Cultural / Community

10. ANZAC Day is a socially significant day in that it commemorates those service men and women who served in conflict on behalf of Australia. There is a community expectation that ANZAC Day traditions in the form of the dawn service and ANZAC Day parade be held annually as part of this commemoration and day of reflection.

Economic

11. Whilst the significance of ANZAC Day is commemoration, the day and associated events do attract a high level of foot traffic into the City which has a natural flow on effect for local businesses.

Financial Implications

12. Under the terms of the Memorandum of Understanding, the City agrees to contribute one third of the actual cost, up to a maximum of \$70,000 (excluding GST), annually towards the Hostile Vehicle Mitigation of ANZAC Day for the 2023, 2024 and 2025 events.
13. A further \$10,000 (excluding GST) will be paid annually to the Dawn Services Trust Inc to assist in the implementation and delivery of the events.
14. Support for the event includes 150 veterans-themed banners, printed and installed for up to two weeks (pending availability) to the value of approximately \$30,000 value-in-kind.
15. Funding has been included in the 2022/23 operating budget and future year forward estimates.

Relevant Legislation

16. Local Government Act 1993.
17. Section 356 of the Local Government Act 1993 provides that a council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
18. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

19. Attachment A contains confidential commercial information which, if disclosed, would:
 - (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
 - (b) prejudice the commercial position of the person who supplied it.
20. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.
21. Anzac Memorial (Building) Act 1923.
22. RSL NSW Act 2018.

Critical Dates / Time Frames

23. The Memorandum of Understanding is required to be in place prior to 25 April 2023 in order to enable the coordination of 2023 ANZAC Day events.

Public Consultation

24. Consultation has been undertaken with the external agencies involved in the delivery of ANZAC Day events in order to develop the Memorandum of Understanding and the Roles and Responsibilities of Key Stakeholders.

EMMA RIGNEY

Director City Life

Peter Rugg, Manager Venue Management

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