

14 August 2023

At the conclusion of the Cultural and Creative Committee

## **Resilient Communities Committee**

**Agenda**

- 1. Confirmation of Minutes**
- 2. Statement of Ethical Obligations and Disclosures of Interest**
- 3. Grants and Sponsorship - Food Support Grants**
- 4. Grants and Sponsorship - Ad Hoc Grant - Grant of Licence to Australians for Indigenous Constitutional Recognition Ltd**

## 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.

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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](mailto: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](http://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 19 June 2023

**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 – Food Support Grants**

Document to Follow

## Item 4.

### **Grants and Sponsorship - Ad Hoc Grant - Grant of Licence to Australians for Indigenous Constitutional Recognition Ltd**

**File No: S098790**

#### **Summary**

The 2023 Voice referendum will ask voters to approve an alteration to the Australian Constitution, creating the Aboriginal and Torres Strait Islander Voice to represent Indigenous Australians to the parliament and federal government on matters of Indigenous affairs.

While a date hasn't been announced as at the time of writing, the Federal Government has stated its intention to hold the referendum sometime between September and December 2023. Exact timing is a matter for Government.

Council resolved to support a "Yes" vote in the Voice to Parliament referendum through a program of information, awareness, communications, events and community support.

Yes23 is a campaign led by Australians for Indigenous Constitutional Recognition Ltd, a registered charity which has requested the City of Sydney provide it with short term, rent free, office accommodation from which to run the campaign.

The City currently has 137.5 m2 of functional office space located at Suite 17.02B on Level 17, Town Hall House, 456 Kent Street, Sydney which is currently vacant and is off market for leasing, pending a refurbishment in 2023. The suite "as is" is fit for the proposed use.

This report recommends an ad-hoc grant to Australians for Indigenous Constitutional Recognition Limited in the form of a 100 per cent subsidised licence for Suite 17.02B, Level 17, Town Hall House, 456 Kent Street, Sydney for a term of three months in accordance with section 356 of the Local Government Act 1993.

All figures in this report are exclusive of GST.

## Recommendation

It is resolved that:

- (A) Council approve an ad-hoc grant to Australians for Indigenous Constitutional Recognition Limited to licence Suite 17.02B, Level 17, Town Hall House, 456 Kent Street, Sydney from 8 August 2023 to 7 November 2023 in accordance with section 356 of the Local Government Act 1993 on the following rental subsidy which incorporates all outgoings and utilities:

Licence Term	Market Rental Value (approximate)	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
8 August 2023 – 7 November 2023	\$25,781.25	100%	\$25,781.25	\$0

- (B) Council note that the Chief Executive Officer has entered into a three-month licence agreement for Suite 17.02B, Level 17, Town Hall House, 456 Kent Street, Sydney with Australians for Indigenous Constitutional Recognition Limited (YES23);
- (C) Council note that the City will be required to report and declare this financial assistance provided in accordance with the applicable legislation from time to time;
- (D) Council note that the funding for this grant will be sourced from the amount approved by Council on 15 May 2023 to support the Voice to Parliament;
- (E) 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.** 15 May 2023 CEO Memo - City of Sydney Campaign to Support the Voice to Parliament



## Background

1. The 2023 Voice referendum will ask voters to approve an alteration to the Australian Constitution, creating the Aboriginal and Torres Strait Islander Voice to represent Indigenous Australians to the parliament and federal government on matters of Indigenous affairs.
2. While a date hasn't been announced at the time of writing, the Federal Government has stated its intention to hold the referendum sometime between September and December 2023. Exact timing is a matter for Government.
3. Council resolved to support a "Yes" vote in the Voice to Parliament referendum through a program of information, awareness, communications, events and community support. These initiatives have commenced and will continue until the referendum is held.
4. Yes23 is a campaign led by Australians for Indigenous Constitutional Recognition Ltd, a registered charity, which has requested the City of Sydney provide it with short term, rent free, office accommodation from which to run the campaign.
5. The City currently has 137.5 m<sup>2</sup> of functional office space on Level 17 of Town Hall House which is currently vacant and is off market for leasing, pending a refurbishment of the suite late 2023. The suite "as is" is fit for the proposed use.
6. On 25 July 2023, the Lord Mayor wrote to Councillors requesting support for a proposal to provide Yes23 with short term, rent free, office accommodation from which to run the campaign. A majority of Councillors indicated support for the proposal.
7. On 4 August 2023, the Chief Executive Officer entered into a three-month licence agreement for Suite 17.02B, Level 17, Town Hall House, 456 Kent Street, Sydney with Australians for Indigenous Constitutional Recognition Limited (YES23). That licence contains a term providing that if Council does not resolve to support a grant as recommended in this report, Yes23 will either vacate the premises as soon as reasonably practical or pay the market rent (at their option).

## Key Implications

### Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

8. 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 program is aligned with the following strategic directions and objectives:
  - (a) Direction 1 - Responsible governance and stewardship - Partnership, collaboration and cooperation are essential to achieve holistic outcomes for our communities. The provision of this currently empty office space is an opportunity to extend the City's adopted position to support the Yes23 campaign as well as put empty space to worthwhile use without incurring any impact to the City's budgeted income.

- (b) Direction 6 - An equitable and inclusive city - Providing free access to empty office space (which is currently unavailable to the market) to the registered charity that is leading a national campaign in support of a Yes vote, extends inclusive access to City owned spaces.

### **Organisational Impact**

9. Staff resources are available to administer this short-term licence.

### **Risks**

10. As with all activity relating to the referendum, it is important the City upholds the commitment in the Stretch Reconciliation Action Plan (RAP) to consult the Aboriginal and Torres Strait Islander community about the Uluru Statement from the Heart to identify appropriate ways to support the community's aspirations. Through the community's discussions about the referendum and Uluru Statement from the Heart - Truth, Treaty and Voice at events hosted in City of Sydney community venues, some Aboriginal and or Torres Strait Islander community groups and individuals may decide not to support a "Yes" vote, and this position should be respected.
11. The City's approach to communication and information sharing should take care that it doesn't inadvertently foster division within the local Aboriginal and Torres Strait Islander community.

### **Social / Cultural / Community**

12. As with all activity relating to the referendum, the City will prioritise care and compassion for the local Aboriginal and Torres Strait Islander community, being mindful of potential negative ramifications for community members. The City will actively discourage any discrimination or racism and will uphold the principles of self-determination. Respectful dialogue will be encouraged in all activities related to the referendum.

### **Financial Implications**

13. The total value of this ad hoc grant in the 2023/24 financial year is estimated at \$25,781.25 in revenue foregone, compared to market value rent.
14. There will be no impact on the 2023/24 budget given the premises will be vacant for the remainder of 2023 due to a planned refurbishment and no rental income had been accounted for in the first six months of the 2023/24 financial year.
15. It is expected that the \$25,781.25 in revenue foregone for Yes23 office space will be accommodated within the Voice campaign budget already approved by Council on 15 May 2023.

### **Relevant Legislation**

16. Commonwealth of Australia Constitution Act.
17. Commonwealth Electoral Act 1918.
18. (Cth) Referendum (Machinery Provisions) Act 1984 as amended by the (Cth) Referendum (Machinery Provisions) Amendment Act 2023.

- 19.** 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.

**Critical Dates / Time Frames**

20. The licence period is 8 August 2023 to 7 November 2023.

**KATE DEACON**

Director Strategic Development and Engagement

## **Attachment A**

**15 May 2023 CEO Memo – City of Sydney  
Campaign to Support the Voice to  
Parliament**

## Resolution of Council

**15 May 2023**

### **Item 4.1**

#### **City of Sydney Campaign to Support the Voice to Parliament**

##### **Memorandum by the Chief Executive Officer**

To Council:

Council resolved to support a “Yes” vote in the Voice to Parliament referendum through a program of information, awareness, communications, events and community support.

This memorandum provides Council with an overview of the City’s proposed campaign activities to support the Voice to Parliament and notes funding has been allocated for key elements of the campaign that will be undertaken to implement the Council resolutions as set out below. This includes value in kind sponsorship for three significant events in landmark venues (through value in-kind sponsorship for venue hire).

#### **Background**

The Federal Government intends to hold a constitutional referendum for the establishment of a Voice to Parliament. To commence a referendum, a Bill is required that sets out the question to be determined to pass both the House of Representatives and the Senate, or to pass twice through one of those houses three months apart. Therefore, the final timing and details of the referendum will not be known until this occurs.

Once a Bill has been passed, writs can be issued, and a referendum will be held. It is most likely that this referendum will take place later this year.

Activities in the six-month period prior to the writ being issued are required to comply with the Referendum (Machinery Provisions) Act 1984, particularly around the authorisation and publication of material intended or calculated to affect the result of a referendum.

The City will ensure the campaign to support the Voice will comply with legislative requirements, including any required authorisation of referendum material and reporting in relation to expenditure on the campaign.

The City was a major sponsor of the Sydney Peace Prize which recognised the Uluru Statement from the Heart. The City provided free tickets to Aboriginal and Torres Strait Islander community leaders and representatives to attend.

This campaign implements Action 4.9 of the City's Stretch Reconciliation Action Plan, which commits the City to consult the Aboriginal and Torres Strait Islander community about the Uluru Statement from the Heart to identify appropriate ways to support their aspirations.

This campaign also responds to the following Resolutions of Council:

**22 June 2022 – Item 3.1 – 2022 Federal Election**

- (a) develop a resource kit for communities seeking to hold public forums to inform communities about the proposed referendum, and consider allowing City venues to be used for this purpose at reduced or no cost;

**22 August 2022 - Item 3.2 – Progressing the Uluru Statement from the Heart**

- (b) investigate options for the City to conduct a campaign in support of the “yes” vote in the proposed constitutional referendum;
- (c) investigate opportunities to use our library system, communications, talks programs and other means to advance the truth-telling aspirations of the Uluru Statement of the Heart and Reconciliation Australia;

**20 February 2023 – Item 13.11 - Progressing the City's Campaign to Support the Voice to Parliament Referendum**

- (d) investigate working with and providing support, including financial support and access to City venues, to recognised community organisations who actively support and campaign for a “Yes” vote;
- (e) where appropriate, share information, resources and materials about the Uluru Statement of the Heart and Voice to Parliament;
- (f) note that the Chief Executive Office is developing a plan setting out action the City may take in support of a “Yes” vote for consideration by Council;
- (g) bring the plan referred to Item 13.11 (A) (iv) above to Council as soon as possible for consideration;
- (h) investigate the following for possible inclusion in the plan: working with and providing support, including financial support and access to City venues, for recognised community organisations who actively support and campaign for a “Yes” vote;
- (i) investigate the following for possible inclusion in the plan: where appropriate, sharing information, resources and materials about the Uluru Statement of the Heart and Voice to Parliament;

Free access to community venues for small-scale events by eligible community groups is provided under the Council resolution that:

### **12 December 2022 – Item 11.4 - Extension of Free Hire of Community Spaces for Local Community Groups**

- (a) Council included in the 2022/23 budget that venue hire be waived, and public liability insurance coverage be provided for free, for local community groups;
- (b) the Council decision provided free use of community halls, meeting rooms and other community spaces for not-for-profit groups, where a group resides in or provides services largely to communities in the City of Sydney. That is: incorporated associations and unincorporated associations whose membership base and purpose is within the City of Sydney Local Government Area. Government agencies, political parties, and groups who do not reflect the Inclusion and Equity principles in the City of Sydney's Community Strategic Plan and other City of Sydney plans such as our Stretch Reconciliation Action Plan and Inclusion (Disability) Action Plan are not included.

The 2022/2023 Quarter 3 Review – Delivery Program 2022-2026 report currently before Council seeks Council approval for value-in-kind sponsorships to up to three not-for-profit community organisations, unincorporated community groups or individuals auspiced by a not-for-profit organisation to host free public events of over 500 attendees to support the “yes” campaign. These value-in-kind sponsorships of up to \$30,000 plus GST per event will contribute towards the venue hire, equipment hire and staffing fees only associated with using an appropriate City venue, which may include Sydney Town Hall, Lower Town Hall or Paddington Town Hall (pending availability).

The City will prioritise care and compassion for the local Aboriginal and Torres Strait Islander community, being mindful of potential negative ramifications for community members. The City will actively discourage any discrimination or racism and will uphold the principles of self-determination. Respectful dialogue will be encouraged in all activities related to the referendum.

### **Financial Implications**

The campaign will be funded by Strategic Development and Engagement and City Life budgets across savings in the 2022/23 operational budget and included in the draft 2023/24 budget currently before Council.

### **Relevant Legislation**

- (a) Commonwealth of Australia Constitution Act.
- (b) Commonwealth Electoral Act 1918.
- (c) (Cth) Referendum (Machinery Provisions) Act 1984 as amended by the (Cth) Referendum (Machinery Provisions) Amendment Act 2023.
- (d) Local Government Act 1993 s 356 relating to the provision of financial assistance.

## **Critical Dates / Time Frames**

The date of the referendum, details and official materials will be provided by the Federal Government once all relevant Bills have been passed.

## **MONICA BARONE**

Chief Executive Officer

Moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

It is resolved that Council:

- (A) endorse the City's communications and engagement activities to support the 'yes' campaign for the Voice to Parliament, including street banners, utilising library resources and community centres, providing information to the community through workshops and normal communications channels and a CityTalk event;
- (B) note the cost of the communications and engagement campaign will be approximately \$260,000, with additional costs of up to \$90,000 to support up to three not-for-profit community events in venues, \$160,000 in revenue foregone for street banners and \$20,000 for community centre venues. The total value of revenue foregone for referendum-related use will be reported to Council alongside other community use as a supplementary report to the Operational Plan;
- (C) note that information about the referendum will be provided to City staff, and that support will be provided to enable a safe, respectful and non-discriminatory work environment during this time;
- (D) note that the 2022/2023 Quarter 3 Review – Delivery Program 2022-2026 report before Council seeks endorsement for provision of value in kind sponsorship for up to three public events related to the referendum as set out in that report;
- (E) note the free venue hire of community spaces and free public liability insurance coverage, as endorsed by Council on 12 December 2022, to enable local community groups to host small-scale events and activities at City of Sydney facilities that provide opportunities for the community to discuss the referendum and Uluru Statement of the Heart - Truth, Treaty and Voice. The total value of revenue foregone for referendum-related use will be reported to Council alongside other community use as a supplementary report to the Operational Plan;
- (F) endorse the Lord Mayor to authorise any material that requires authorisation, subject to any applicable legal obligations;
- (G) note that in implementing this campaign, the City will prioritise care and compassion for the local Aboriginal and Torres Strait Islander community, being mindful of potential negative ramifications for community members. The City will actively discourage any discrimination or racism and will uphold the principles of self-determination. Respectful dialogue will be encouraged in all activities related to the referendum; and
- (H) note that the City may be required to report and declare any financial assistance provided in accordance with the applicable legislation from time to time.



The substantive motion was carried on the following show of hands –

Ayes (9) The Chair (the Lord Mayor, Councillors Chan, Davis, Ellsmore, Gannon, Kok, Scott, Weldon and Worling

Noes (1) Councillor Jarrett.

Motion carried.

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