

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