

2023 Special Business Rate Expression of Interest Guidelines



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Special Business Rate Expression of Interest Guidelines

This document provides guidelines for Expressions of Interest (EOI) process to enter into Service Agreements with Businesses and Not for Profit Organisations for the purpose of promotion, beautification and development of City of Newcastle's Special Business Rate (SBR) precincts.

How to Apply

Please read through these guidelines prior to commencing your application. EOIs to be completed online through CN's [SmartyGrants grant management platform](#).

Suitable projects to be funded via the competitive EOI process include those that:

- Provide positive promotional exposure;
- Provide economic benefit through increased tourist visitation and spending;
- Support business growth and employment;
- Demonstrate a commitment for legacy and impact beyond the project's life;
- Enhance public places that provide for diverse activity and strengthen our social connections;
- Celebrate culture, heritage and place;
- Contribute to a creative, culturally rich and vibrant community; and
- Contribute to safe activated places that are used by people day and night.

City of Newcastle (CN) commits itself to the following principles:

- Provide accountability and transparency; merit-based provision of support and a system of accountability for the recipient;
- Provide alignment with CN strategies and CN priorities outlined in the Newcastle 2040 Community Strategic Plan;
- Facilitating active participation by community stakeholders in the use and development of Public Places;
- Creating vibrant and welcoming public places and neighbourhoods where people feel a strong sense of ownership in their community and a commitment to improving experiences;
- Creating Public Places that feel safe for all, including the most vulnerable in the community; and
- Provide value for money - considers the value for money received in return for CN's investment.

1. Allocation of SBR Funds

Monies will be provided under a competitive EOI process administered by CN.

- 1.1** The minimum amount of funding per application is \$4,000. The maximum amount of funding per application is subject to the SBR Precinct for which the application pertains.
- 1.2** CN may decide to offer to an applicant an amount less than what is applied for.
- 1.3** If a Service Agreement is entered into, applicants are prohibited from seeking additional support (funding or in-kind) from CN for the same project/service/ activity.
- 1.4** In line with encouraging project legacy and longer-term impact, multi-year projects for a maximum duration of two years will be considered.

2. Program Structure

- 2.1** CN will hold at least one competitive EOI round each financial year subject to available funding.
- 2.2** The Assessment Panel will consider projects under the following categories:
 - Industry / business development;
 - Place Activation / Event;
 - Beautification / infrastructure development; and
 - Promotion.
- 2.3** CN will require all successful recipients to publicly acknowledge CN as a project/event partner. The application form will require information on how this will be achieved (including, for example, the inclusion of CN's logo on advertising and collateral, invitations to events and functions for CN representative/s). For successful applicants, this requirement will be included in the Service Agreement and evidence will be required in the acquittal reporting.
- 2.4** CN will advertise the details of the EOI on CN's website and other forms of public media.
- 2.5** CN may host public information session(s) in connection with an EOI round to provide information to prospective applicants about the SBR process.
- 2.6** Successful recipients must attend a Collaboration Forum after the commencement of the project period.
- 2.7** CN's Executive Director Creative & Community Services may determine to allocate a portion of the total funding available each financial year (along with any unexpended or returned funds) for ad hoc applications outside the competitive round(s). If such funding is allocated, it will be advertised on CN's website.

3. Role of the Assessment Panel

- 3.1** An assessment panel will be convened to:
 - 3.1.1** Assess and approve EOIs.
 - 3.1.2** Authorise the payment of SBR funding to successful applicants.

4. Quorum and Attendance at Assessment Panel Meetings

- 4.1** A quorum of the Assessment Panel meetings will comprise three of the members provided in Annexure A Clause 3.
- 4.2** The relevant CN Officer will convene meetings of the Assessment Panel and other CN officers may be invited to attend as appropriate. Only the Assessment Panel members listed in Annexure A Clause 3 have voting capacity.

5. Eligibility Criteria

- 5.1** EOIs must comply with the following eligibility criteria:
 - 5.1.1** Applicants must be a registered organisation with an ABN (or ACN) or Not for Profit organisation. Consideration may be given to applications from individuals where their application is auspiced by, or partnering with, a registered organisation;
 - 5.1.2** Applications from businesses must demonstrate partnership with the community;
 - 5.1.3** Applicants must be able to demonstrate that the project will predominantly benefit businesses of the SBR Precinct;
 - 5.1.4** Only one application per project, per financial year, may be successful in obtaining funding from CN;
 - 5.1.5** Applicants must lodge a completed application using CN's EOI Application Form in accordance with these guidelines;
 - 5.1.6** The project must occur in a publicly accessible place within a SBR Precinct. Consideration may be given to projects within close proximity of a SBR Precinct, provided applicants can demonstrate a clear nexus and benefit for the SBR Precinct;
 - 5.1.7** The project/service/activity must be consistent with the goals and objectives defined in CN's Newcastle 2040 Community Strategic Plan;
 - 5.1.8** The Applicant is responsible for obtaining all regulatory approvals for the project/service/activity;
 - 5.1.9** Applicants must provide evidence that they have appropriate insurances in place if requested by CN;
 - 5.1.10** Applicants must provide evidence that they have obtained consent of any relevant property owners if appropriate;

- 5.1.11** The following minimum number of quotes must be obtained for each expenditure item:
 - Under \$3,000 – No written quote required
 - Between \$3,000 and \$150,000 – Two written quotes
 - Between \$150,000 and \$200,000 – Three written quotes.
- 5.1.12** No more than a total of 20% of the requested funding amount can be for administration, project management or contingency costs, including wages;
- 5.1.13** It is CN's intention that SBR funding will be apportioned across the following categories:
 - Industry / business development
 - Place Activation / Event
 - Beautification / infrastructure development
 - Promotion.
- 5.2** The following are ineligible for funding:
 - 5.2.1** Late or incomplete applications;
 - 5.2.3** Applicants who have overdue or non-compliant acquittals from previous funding from CN under any of CN's funding programs;
 - 5.2.4** Events, projects or activities with a religious, political or sectarian purpose, where that purpose may exclude or offend members of the broader community;
 - 5.2.5** EOIs seeking funds for retrospective projects or activities;
 - 5.2.6** General fundraising appeals;
 - 5.2.7** Proposals that duplicate a project, service or activity already existing within the SBR Precinct;
 - 5.2.8** Purchase of land or buildings;
 - 5.2.9** Applications seeking funds for prize money, gifts or awards including gift vouchers;

- 5.2.10** Applications for events that have previously received continuous funding under any CN grant or sponsorship programs or SBR EOI rounds for a period of five (5) years or more;
- 5.2.11** Applications seeking funds for personal benefit such as travel, meal or accommodation costs;
- 5.2.12** Applicants who have an outstanding debt(s) to CN;
- 5.2.13** Applicants who have had a previous Funding or Service Agreement with CN terminated due to a breach of the agreement;
- 5.2.14** Applications for activities primarily driven by generating profit for individuals or companies; and
- 5.2.15** Applications assessed by CN to hold unacceptable risk. Applicants may be required to submit a preliminary risk assessment for any activities with potential high risk. Applicants will be notified of the requirement prior to the assessment process commencing.

6. Assessment Criteria

6.1 Applications that satisfy the Eligibility Criteria set out in Section 5 will be assessed against the following Assessment Criteria and weightings:

Criteria	Criteria Description	Weighting
Project supports businesses within the SBR Precinct	Supports the development of industries that increase the vibrancy and activity within the SBR precinct, events that increase visitation to local businesses, place activations that improve the amenity and vitality of the business precinct and promotions that attract people to the diversity of the precinct.	30%
Strategic alignment	The extent to which the proposed project supports Council-endorsed strategies and plans.	30%
Delivery	Ability to demonstrate the delivery of project outcomes can occur on time and within budget.	15%
Value with public money	Demonstrated value for money through careful consideration of costs, benefits, options and risk. Funding co-contributions from applicant and partner organisations are encouraged.	10%
Collaborations and partnerships	The extent to which the proposed project demonstrates constructive and cooperative relationships with other business operators and key stakeholders.	5%
Knowledge building capacity	The ability of the proposed project to capture information and learnings to inform future initiatives towards economic and community development.	5%
Legacy and ongoing impact	Ability to demonstrate the proposed project can continue to have a positive impact on local businesses and the community beyond the proposed project's lifespan.	5%

7. Assessment of Applications

- 7.1 The relevant CN Officer will conduct a preliminary assessment against the Eligibility and Assessment Criteria set out in Sections 5 and 6 of these guidelines. Applications deemed ineligible will not progress to further assessment.
- 7.2 The relevant CN Officer is authorised to amend estimates and projections included in the application prior to assessment, based on information available to CN or CN's experience. Any significant changes will be notified to the applicant with the reasoning documented.
- 7.3 If the applicant does not agree with amendments suggested by the relevant CN officer, the application will still be presented to the Assessment Panel for assessment with information from the relevant CN Officer as to why amendments are recommended.
- 7.4 The Assessment Panel will be convened to assess applications. The Panel's assessment must be recorded on an evaluation form and retained in CN's records management system.
- 7.5 Allocation of funding will be made in accordance with the Panel's assessment.
- 7.6 All Assessment Panel members and CN officers in attendance must ensure they meet their obligations under CN's Code of Conduct (in particular the provisions covering Conflicts of Interest), the SBR Expenditure Policy and any other relevant legislation.
- 7.7 All decisions of CN are final, and no negotiations will be entered into with successful or unsuccessful applicants.

8. Notification and Payments

- 8.1 All applicants will be notified of the outcome of their application.
- 8.2 No payments will be made before the Service Agreement is signed by both parties.
- 8.3 CN officers as outlined in the SBR Expenditure Policy can authorise payment of SBR funding.
- 8.4 All payments under the Service Agreement must be invoiced to CN in accordance with achievement of the milestones documented in the Service Agreement.
- 8.5 Awarding of funding from CN via a Service Agreement in no way implies any ongoing funding commitment or obligation by CN including for payments for works (including maintenance) delivered outside of the financial year in which the project was agreed to be completed.
- 8.6 Awarding of a Service Agreement does not imply that CN has given any other consent or waived any applicable fees. Applicants should note that many activities will require approvals and consent from CN, NSW Police and other state government agencies, and applicants are wholly responsible for obtaining such approvals. The failure to obtain approvals will void the Service Agreement and may in result in funding being revoked even where works have been completed.
- 8.7 Successful applicants are required to attend a Collaboration Forum prior to commencement of their projects, with the aim of establishing networks and practical steps for cooperation between successful applicants and other related programs funded by CN.
- 8.8 CN will not be liable for funding any expenditure over and above the funding amount as set out in the Service Agreement.

Annexure A – Definitions

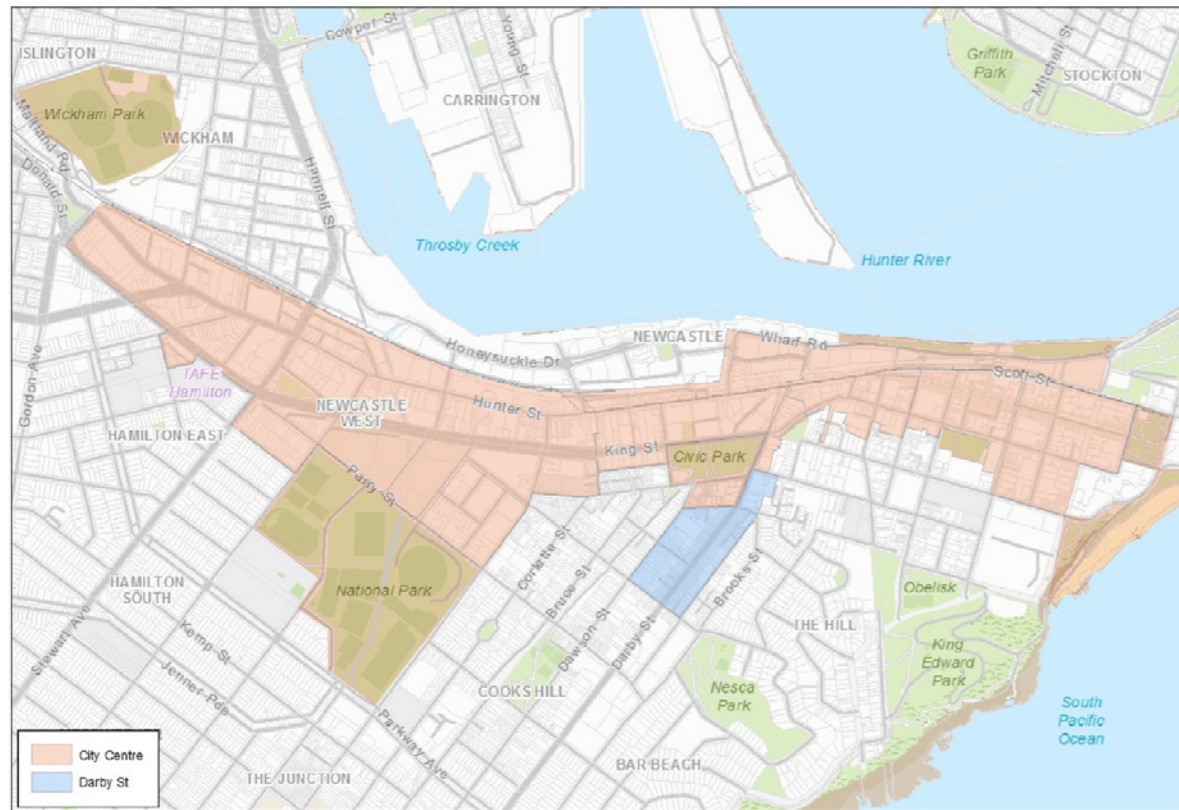
9. Acquittals

- 9.1** Successful applicants must provide a final acquittal report to CN within the timeframe specified in the Service Agreement.
- 9.2** Acquittal report information required will be specified in the Service Agreement and may include:
 - 9.2.1** Final accounts (audited, if appropriate).
 - 9.2.2** Evidence of how CN was acknowledged during the project.
 - 9.2.3** An assessment of the outcomes realised against the outcomes anticipated or proposed in the EOI application form.
 - 9.2.4** Formal advice of funds not spent (funds not expended for the purpose outlined in the application must be returned to CN).

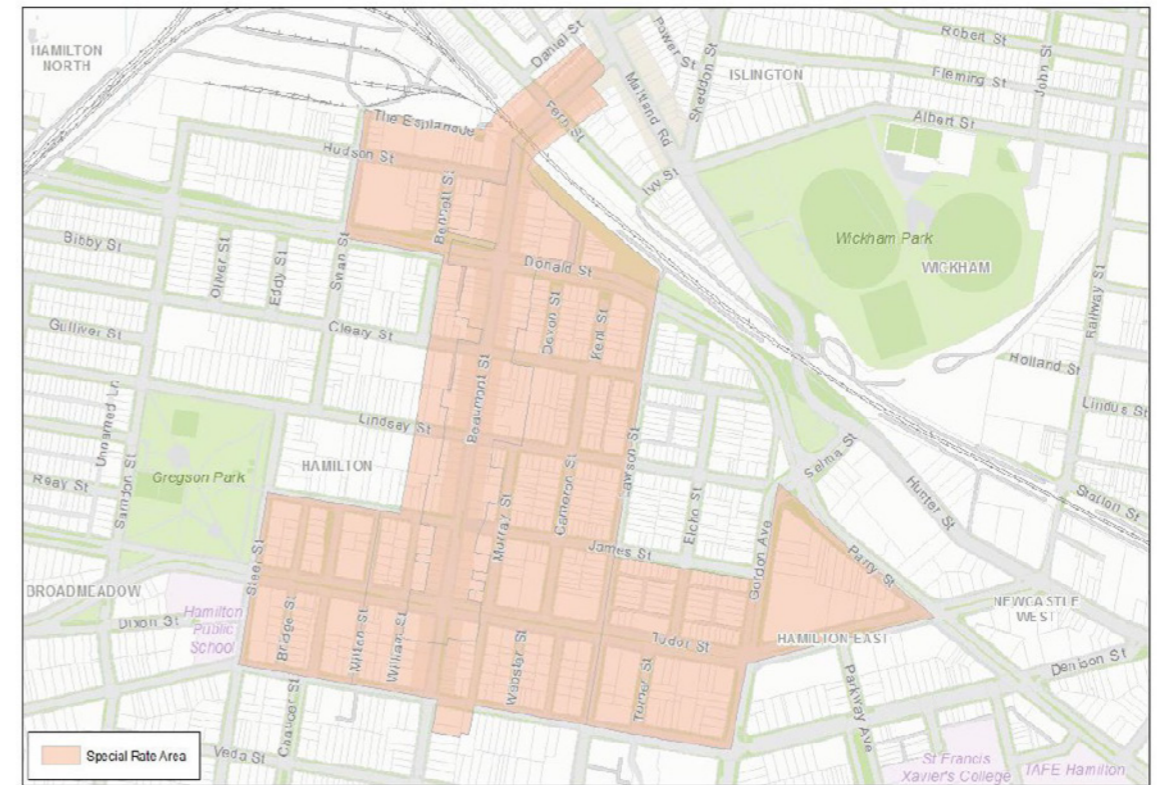
- 1** Service Agreement means the agreement entered into by CN and an applicant whose Expression of Interest (EOI) has been successful.
- 2** Special Business Rate (SBR) means the special business rate levy paid by businesses within the Special Business Rate Precincts to CN.
- 3** Assessment Panel means the panel comprising:
 - 3.1** Lord Mayor (or nominee).
 - 3.2** Executive Director Creative and Community Services (or nominee).
 - 3.3** Executive Manager Media Engagement Economy and Corporate Affairs (or nominee).
 - 3.4** Councillor from Relevant Ward (or nominee).
 - 3.5** Chair of the relevant BIA (or nominee).
- 4** SBR Precinct means the precincts within the Newcastle Local Government Area which pay a Special Business Rate Levy as identified in Annexure B.
- 5** Public Places means:
 - 5.1** Community land owned by CN;
 - 5.2** Land over which CN has care and control; or
 - 5.3** Publicly accessible land owned by another government body or property owner where written permission has been granted for a community project accessible to the general public.
- 6** Relevant CN Officer means the CN employee responsible for administering the SBR Funds.
- 7** CEO means Chief Executive Officer of the City of Newcastle and includes their delegate or authorised representative.
- 8** City of Newcastle (CN) means Newcastle City Council.
- 9** Council means the Elected Council.
- 10** Unless stated otherwise, a reference to a section or clause is a reference to a section or clause of these guidelines.

Annexure B – SBR Precinct Map

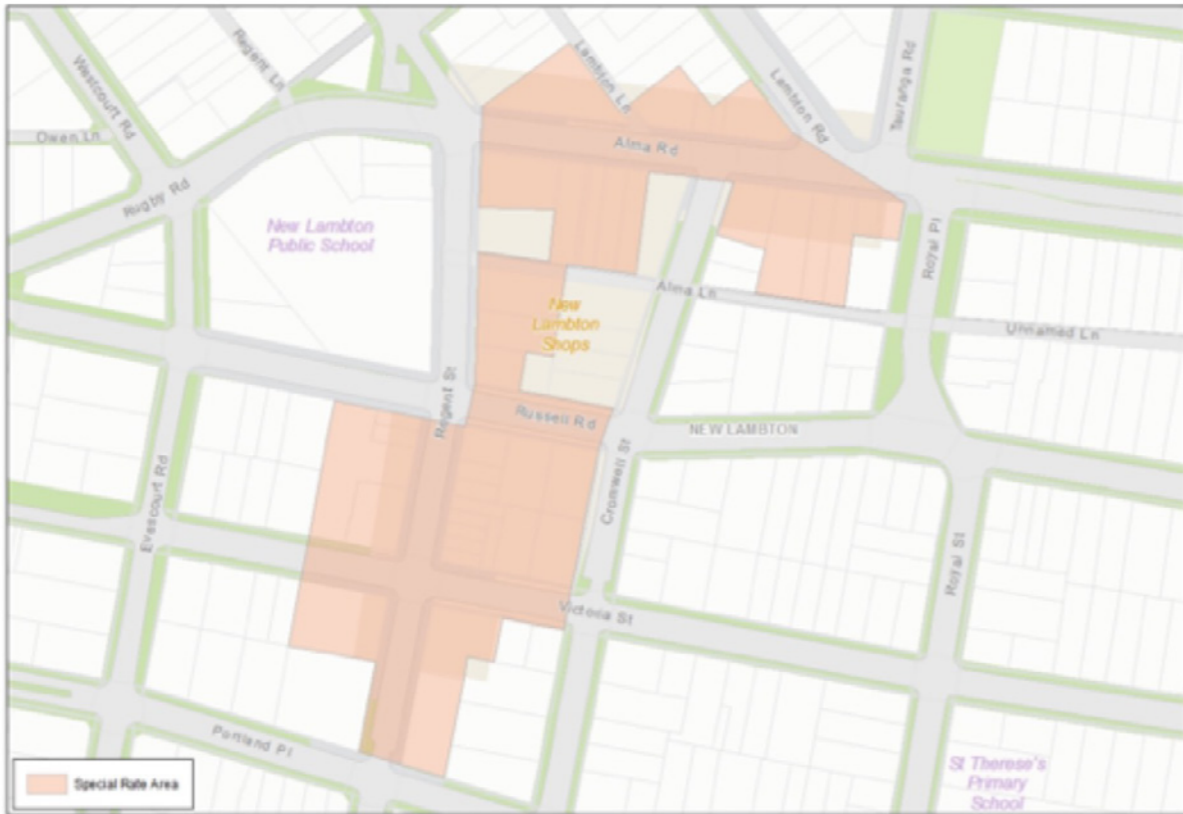
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