

ITEM 6. REPORT OF THE CORPORATE, FINANCE, PROPERTIES AND TENDERS COMMITTEE - 22 FEBRUARY 2016

ITEM 6.1

DISCLOSURES OF INTEREST

No Councillors disclosed any pecuniary or non-pecuniary interests in any item on the agenda for this meeting of the Corporate, Finance, Properties and Tenders Committee.

The Committee recommends the following:-

ITEM 6.2

2015/16 QUARTER 2 REVIEW - DELIVERY PROGRAM 2014-2017 (S096187)

It is resolved that Council:

- (A) note the financial performance of Council for the second quarter, ending 31 December 2015, including the Quarter 2 Net Surplus of \$18.6M as outlined in the subject report and summarised in Attachment A to the subject report;
- (B) note the Quarter 2 Capital Works expenditure of \$125.4M, a revised full year forecast of \$245.2M and approve the proposed adjustments to the adopted budget, as detailed in Attachment B to the subject report;
- (C) note the Quarter 2 Plant and Assets expenditure of \$9.2M, net of disposals, and full year forecast of \$22.8M;
- (D) note the Information Services Capital Works expenditure of \$2.3M, net of disposals, and a full year forecast of \$8.0M;
- (E) note the operational performance indicators and Quarter 2 achievements against the Operational Plan 2015/16 objectives, as detailed in Attachment C to the subject report;
- (F) note the supplementary reports, including contracts issued over \$50,000, major legal issues and the Quick Response, Banner Pole and Reduced Rate Grant Programs in Quarter 2, as detailed in Attachment C to the subject report; and
- (G) note the Environmental Sustainability Progress Report at Attachment E to the subject report.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Mant and carried unanimously.)

The Committee recommends the following:-

ITEM 6.3

INVESTMENTS HELD AS AT 31 DECEMBER 2015 (S106935)

It is resolved that the Investment Report as at 31 December 2015 be received and noted.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Green and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

ITEM 6.4

INVESTMENTS HELD AS AT 31 JANUARY 2016 (S034147)

It is resolved that the Investment Report as at 31 January 2016 be received and noted.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Green and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

ITEM 6.5

AMENDMENT TO THE CITY'S CODE OF CONDUCT (S121910)

It is resolved that Council:

- (A) note the amendments to the *Local Government Act 1993* made to the *Local Government Amendment (Councillor Misconduct and Poor Performance) Act 2015*; as shown at Attachment B to the subject report; and
- (B) adopt the amended City of Sydney Code of Conduct, as shown at Attachment A to the subject report.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Green and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

ITEM 6.6

NAMING PROPOSAL - THE GREEN SQUARE COMMUNITY AND CULTURAL PRECINCT (S123931)

It is resolved that:

- (A) Council provide in-principle approval for the following naming options for the site of the former South Sydney Hospital and buildings:
 - (i) the entire redevelopment site of the South Sydney Hospital being named the Green Square Community and Cultural Precinct;
 - (ii) the redeveloped nurses' quarters being named Joynton Avenue Creative Centre;
 - (iii) the redeveloped casualty building be named Waranara Early Education Centre; and
 - (iv) the redeveloped pathology building being named Banga Community Shed;
- (B) Council approve the public exhibition, for a minimum period of 28 days, of the proposed naming options for the site of the former South Sydney Hospital and buildings; and
- (C) a further report be submitted to Council at the end of the exhibition period.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Green and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

ITEM 6.7

NAMING PROPOSAL - SYDNEY PARK WETLANDS - POST EXHIBITION (S125682)

It is resolved that:

- (A) Council approve the following names for the four wetlands located within Sydney Park:
 - (i) Wirrambi Wetland;
 - (ii) Guwali Wetland;
 - (iii) Bunmarra Wetland; and
 - (iv) Gilbanung Wetland; and
- (B) an application be made to the Geographical Names Board for the naming of the wetlands as shown in clause (A), in accordance with the Geographical Names Act 1996.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Doutney and carried unanimously.)

The Committee recommends the following:-

ITEM 6.8

LAND CLASSIFICATION - 44 BOURKE ROAD ALEXANDRIA (\$104977)

It is resolved that Council classify 44 Bourke Road, Alexandria (being land comprised in certificate of title, folio identifier 37/817055) as operational land in accordance with section 31 of the Local Government Act 1993.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Green and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

ITEM 6.9

LAND OWNER'S CONSENT – LODGEMENT OF A DEVELOPMENT APPLICATION FOR GREEN SQUARE PLAZA EVENTS (S100167 AND S100174)

It is resolved that:

- (A) Council grant owner's consent for the submission of a Development Application to seek approval to use the Green Square Plaza as a major event space from 2018; and
- (B) note that the granting of owner's consent does not fetter the City's discretion in relation to the assessment of the Development Application under the Environmental Planning and Assessment Act 1979 (NSW), or for any related application required under the Roads Act 1993 (NSW), the Local Government Act 1993 (NSW) or any other legislation.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Mant and carried unanimously.)

The Committee recommends the following:-

ITEM 6.10

GREEN SQUARE TRUNK STORMWATER DRAIN - ADDITIONAL SCOPE (S121015)

It is resolved that:

- (A) Council approve an increase to the Risk and Contingency Allowance for Green Square Trunk Stormwater Drain Project as outlined in the confidential Financial Implications, Attachment B to the subject report;
- (B) Council approve the proposed additional funds to be brought forward from the future years as detailed in confidential Attachment B;
- (C) Council approve the scope for the Alexandra Canal shared pedestrian and cycle path adjacent to the Sydney Water owned open channel between Maddox Street and south of Huntley Street as indicated in Attachment A to the subject report;
- (D) Council approve an exemption from inviting tenders for the construction of the Alexandra Canal shared path in accordance with section 55(3)(i) of the Local Government Act 1993 as a result of the following extenuating circumstances:
 - (i) better efficiencies will be achieved in respect of time and monies by constructing the shared path as a variation to the Trunk Drain works through:
 - (a) ability to incorporate design requirements of the shared path to provide the best possible public amenity into the channel widening design and avoiding major rework;
 - (b) avoiding major rework to canal piling, capping beam and area created for shared path beside the upgraded open channel;
 - (c) reduction of preliminary costs for construction of shared path through part utilisation of contract administration, site supervision, site establishment, environmental management and off-site overheads for channel widening works; and
 - (d) best utilisation of current resources by avoiding tender and contract process separately by the City at a later date;
 - (ii) potential risks associated with working adjacent to an operating channel are best managed by construction of the shared path by the Non-Owner Participants who are widening the open channel;
 - (iii) the community will derive an environmental benefit in that the noise and traffic impacts associated with construction of the shared path will be minimised if the works are completed concurrently with the channel widening works; and
 - (iv) benefits of the current approach of the competitive alliance through assured value for money outcome is utilised by firming up all costs as lump sum through an independent Quantity Surveyor assessment and Council approval; and

- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer an agreement with the Sydney Water Corporation to enable construction and maintenance of the proposed Alexandra Canal shared pedestrian and cycle path for public use for which Council will have ongoing operational and maintenance control.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Green and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

ITEM 6.11

EXEMPTION FROM TENDER - HEAD CONTRACTOR HYDE PARK SOUTH CAFÉ AND LANDSCAPE WORKS (S122012)

It is resolved that:

- (A) Council endorse direct negotiation with Arenco Pty Ltd (Head Contractor) to undertake Hyde Park South café, landscape (Hyde Park Improvement Work Package 4) and footpath works;
- (B) Council note that the proposed scope of Hyde Park South café, landscape Improvement Work Package 4, City Infrastructure and traffic operation's footpath works are to be delivered as one package. The project scope is detailed in Attachment A to the subject report;
- (C) Council approve an exemption from tender for the Head Contractor's works in accordance with section 55(3)(i) of the Local Government Act 1993, because of extenuating circumstances as detailed in Attachment B and confidential Attachment C to the subject report; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts between the City and the Head Contractor for the delivery of the Hyde Park South café, landscape and footpath works.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Green and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

ITEM 6.12

TENDER - MECHANICAL PLANT ROOM BOILER AND CHILLER REPLACEMENT - 343 GEORGE STREET SYDNEY (S126848)

It is resolved that:

- (A) Council reject all tenders for the mechanical plant room boiler and chiller replacement at 343 George Street, Sydney for the reasons set out in confidential Attachment A to the subject report;
- (B) Council not invite fresh tenders, as it is considered that inviting fresh tenders would be unlikely to deliver a better result;
- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with contractors that are suitably qualified and demonstrate a capability to fully undertake the scope of works;
- (D) authority be delegated to the Chief Executive Officer to enter into a contract, subject to the conclusion of negotiations, with suitable companies for the delivery of the mechanical plant room boiler and chiller replacement at 343 George Street, Sydney; and
- (E) Council be informed of the successful contractor by the CEO Update.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Green and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

ITEM 6.13

TENDER - CUSTOMS HOUSE - BUILDING MANAGEMENT CONTROL SYSTEM UPGRADE (S126767)

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for Customs House, building management control system upgrade; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Green and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

ITEM 6.14

TENDER - KENT STREET UNDERPASS UPGRADE (S110378)

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for Kent Street Underpass upgrade project; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Mant and carried.)

The Committee recommends the following:-

ITEM 6.15

TENDER – HAROLD PARK – COUNCIL COMMUNITY CENTRE PROJECT (S122152)

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'C' for the Harold Park – Council Community Centre Project; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Green and carried.)

The Committee recommends the following:-

ITEM 6.16

TENDER - WAYFINDING SIGNAGE IMPLEMENTATION - MANUFACTURE AND INSTALLATION SERVICES (S118896.007)

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for Wayfinding signage implementation – manufacture and installation services for a period of five years, with the option of an extension of 12 months;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) authority be delegated to the Chief Executive Officer to exercise the option referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Green and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

ITEM 6.17

TENDER - TURRUWUL PARK FITNESS HUB (S116371)

It is resolved that:

- (A) Council approve the scope of works for the Turruwul Park Fitness Hub as described in the subject report;
- (B) Council accept the tender offer of Tenderer 'C' for the Turruwul Park Fitness Hub;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (D) Council approve the additional funds sought from the Public Domain program as outlined in confidential Attachment B to the subject report.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Mant and carried unanimously.)

The Committee recommends the following:-

ITEM 6.18

TENDER - CITY FARM COMMUNITY HUB CONSTRUCTION (S076831)

It is resolved that:

- (A) Council reject the tender submissions received for the City Farm Community Hub for the reasons set out in confidential Attachment B to the subject report;
- (B) Council enter into negotiations with contractors who are suitably qualified and demonstrate a capacity to undertake the City Farm Community Hub works, noting that:
 - (i) inviting fresh tenders may not attract additional suitable contractors over and above those that have responded to this tender; and
 - (ii) Council's reasons for determining to enter into negotiations with contractors are to ensure that the unique requirements for the scope and quality of the City Farm Community Hub are delivered in accordance with the approved master plan and community expectations;
- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with contractors who are suitably qualified and demonstrate a capability to undertake the scope of works;
- (D) authority be delegated to the Chief Executive Officer to enter into a contract, subject to the conclusion of negotiations, with suitable companies for the City Farm Community Hub; and
- (E) Council be informed of the successful contractor by the CEO Update.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Doutney and carried unanimously.)

The Committee recommends the following:-

ITEM 6.19

TENDER – CONSULTANCY SERVICES – CITY OF SYDNEY CURATOR (2015/661807)

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for the provision of consultancy services as City of Sydney Curator for a period of three years, with the option of a an extension of two years, if appropriate;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) authority be delegated to the Chief Executive Officer to exercise the option referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Green and carried unanimously – as part of an in globo motion.)