

**ITEM 6. REPORT OF THE CORPORATE, FINANCE, PROPERTIES AND TENDERS COMMITTEE - 14 NOVEMBER 2016****ITEM 6.1****DISCLOSURES OF INTEREST**

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Item 6.2 on the agenda, in that Sydney University is mentioned briefly in regard to a collaboration with Victoria Park. Councillor Scott stated that she is employed by the University, but not in any way related to the department which is handling this matter.

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

The Committee recommends the following:-

**ITEM 6.2**

**2016/17 QUARTER 1 REVIEW - DELIVERY PROGRAM 2014-2017 (S096187)**

It is resolved that Council:

- (A) note the financial performance of Council for the first quarter, ending 30 September 2016, including the Quarter 1 Net Surplus of \$44.9M and the full year Net Surplus forecast of \$60.9M, as outlined in the subject report and summarised in Attachment A to the subject report;
- (B) approve the formal write-off of a commercial rent-related debt for \$172,834 inclusive of GST, as outlined in paragraphs 15 and 16 of the subject report;
- (C) note the Quarter 1 Capital Works expenditure of \$44.1M, a revised full year forecast of \$286.7M and approve the proposed adjustments to the adopted budget, including the transfer of \$0.2M from capital works contingency as detailed in Attachment B to the subject report;
- (D) note the Information Services capital expenditure of \$2.4M, net of disposals, and a full year forecast of \$11.8M;
- (E) note the Quarter 1 Plant and Assets expenditure of \$1.2M, net of disposals, and full year forecast of \$25.3M; and
- (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 1, as detailed in Attachment C to the subject report.

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

The Committee recommends the following:-

**ITEM 6.3**

**INVESTMENTS HELD AS AT 31 OCTOBER 2016 (X005605)**

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

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Phelps, seconded by Councillor Kok and carried unanimously.)

The Committee recommends the following:-

**ITEM 6.4**

**PUBLIC PRESENTATION OF THE 2015/16 FINANCIAL STATEMENTS AND AUDITOR'S REPORTS (X005160)**

It is resolved that Council:

- (A) present the 2015/16 Annual Financial Statements and auditor's reports to the public; and
- (B) adopt the 2015/16 Annual Financial Reports, subject to the receipt of any submissions over the ensuing seven day period.

(At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Phelps, seconded by Councillor Kok and carried unanimously.)

**ITEM 6.5****NAMING PROPOSAL – GIRARD PLAZA (FORMERLY NAPOLEON PLAZA) - POST EXHIBITION (X005053)**

The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter be deferred to the meeting of Council on 21 November 2016.

**Officer's Recommendation**

The officer's recommendation to the Corporate, Finance, Properties and Tenders Committee was as follows –

It is resolved that:

- (A) Council approve the name "Girard Plaza" for the public open space located in Central Sydney, bounded by Kent Street, Sussex Street and Napoleon Street; and
- (B) an application be made to the Geographical Names Board for the naming of the public open space as approved in clause (A), in accordance with the Geographical Names Act 1996.

**Officer's Report**

The officer's report on this matter can be found at Item 5 of the agenda paper for the meeting of the Corporate, Finance, Properties and Tenders Committee on 14 November 2016, Volume 1.

**Speakers**

Mr William Lloyd addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.5

**Extension of Time**

During discussion on this matter, pursuant to the provisions of Clause 250(3) of the Local Government (General) Regulation 2005, it was –

Moved by Councillor Phelps, seconded by Councillor Scully –

That Mr Lloyd be granted an extension of three minutes to speak on this matter.

Carried.

The Committee recommends the following:-

**ITEM 6.6**

**LEASE - BLUE MOUNTAINS INTERNATIONAL HOTEL MANAGEMENT SCHOOL - LEVELS 4 AND 5, 540 GEORGE STREET, SYDNEY (S091297)**

It is resolved that:

- (A) Council approve the granting of a lease for a second further term from 30 April 2018 to 29 April 2022, under the essential terms and conditions as set out at Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to finalise the terms of the lease, and authorise its execution on behalf of the Council.

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

The Committee recommends the following:-

**ITEM 6.7**

**EXEMPTION FROM TENDER – UTILITY MANAGEMENT INFORMATION SYSTEM – CONTRACT EXTENSION (X004808)**

It is resolved that:

- (A) in accordance with the Local Government Act 1993, section 55(3)(i), Council approve exemption from tender for the extension to the existing service contract up to the amount and period indicated in confidential Attachment D to the subject report;
- (B) Council note the reasons why a satisfactory result would not be achieved by inviting tenders are:
  - (i) the City has already commenced the tendering process to procure a Software as a Service (SaaS) solution in mid-2016 with implementation of the service by mid-2017;
  - (ii) to ensure the continuous monitoring, management and reporting on utilities until the new SaaS solution is implemented and fully operational by mid-2017, and avoid interruptions to data and management of utilities; and
  - (iii) the contract extension cost is considered fair and reasonable; and
- (C) authority be delegated to the Chief Executive Officer to finalise the terms of the contract with Loquinar Pty Ltd to accommodate the extension outlined in clause (A) above.

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

The Committee recommends the following:-

**ITEM 6.8**

**EXEMPTION FROM TENDER - EXTENSION OF TEMPORARY HOARDING HIRE AND NEW HOARDING AND HIRE 14-26 WATTLE STREET, ULTIMO (S098888.004)**

It is resolved that:

- (A) Council approve exemption from tender and engagement of Cooper Constructions for the sum set out in confidential Attachment B to the subject report for:
  - (i) a variation to extend the current hire contract for hoarding to Wattle Street for 18 months (highlighted in red on Attachment A to the subject report);
  - (ii) the construction of a Class B safety hoarding to Fig Street; and
  - (iii) a variation to the current contract to include the hire fee for Fig Street for 18 months (highlighted in yellow on Attachment A to the subject report); and
- (B) Council note that the exemption is sought under section 55, Chapter 6, Part 3 of the Local Government Act 1993, because a satisfactory result would not be achieved by inviting such tenders, given the extenuating circumstances as outlined in the subject report.

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



The Committee recommends the following:-

**ITEM 6.9**

**EXEMPTION FROM TENDER – ARTSREADY TRAINEESHIP PROGRAM (X001671)**

It is resolved that Council:

- (A) approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 noting that, because of the unavailability of competitive or reliable tenderers, a satisfactory result would not be achieved by inviting tenders to provide the ArtsReady Traineeship program for a further three years for the calendar year period 2017-2019;
- (B) note that the reason why a satisfactory result would not be achieved by inviting tenders is going to tender would not deliver a competitive process as AFL Sports Ready Limited is the only group training organisation with a commitment to the arts/cultural/creative sector and a dedicated traineeship program to assist organisations with talent management; and
- (C) Council enter into a contract with AFL Sports Ready Limited for three years from 2017 to 2019.

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

The Committee recommends the following:-

**ITEM 6.10**

**TENDER – RECORDS AND ARCHIVES DIGITISATION SERVICES (X005032)**

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for Category 1: Bulk digitisation for a period of three years, with the option of an extension of two years, if appropriate;
- (B) Council accept the tender offer of Tenderer 'E' for Category 2: On-demand digitisation for a period of three years, with the option of an extension of two years, if appropriate;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the options referred to in clauses (A) and (B), 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 Councillor Phelps, seconded by Councillor Miller and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

**ITEM 6.11**

**TENDER - CONSTRUCTION OF A NEW PARK AT 222 PALMER STREET, DARLINGHURST (S089994)**

It is resolved that:

- (A) Council approve the scope of works for the construction of a new park at 222 Palmer Street Darlinghurst as described in the subject report;
- (B) Council accept the tender offer of Tenderer 'A' for the construction of a new pocket park at 222 Palmer Street Darlinghurst; and
- (C) 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 Councillor Phelps, seconded by Councillor Miller and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

**ITEM 6.12**

**TENDER - VICTORIA PARK IMPROVEMENTS, CAMPERDOWN (S117289)**

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'C' for Victoria Park improvements, Camperdown;
- (B) Council undertake works on private land for the University of Sydney;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender and exercise the works deed with the University of Sydney; and
- (D) Council approve an increase in budget costs for total project to deliver the full scope of works as outlined in confidential Attachment E to the subject report.

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

The Committee recommends the following:-

**ITEM 6.13**

**TENDER - ALEXANDRIA PARK AND ERSKINEVILLE OVAL PUBLIC TOILETS UPGRADE (S126823)**

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'G' for Alexandria Park and Erskineville Oval public toilets 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 Councillor Phelps, seconded by Councillor Miller and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

**ITEM 6.14**

**TENDER – PERRY PARK SPORTS STADIUM COMPLEX (S053950)**

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for construction of the new sports stadium at Perry Park, Alexandria; 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 Councillor Phelps, seconded by Councillor Miller and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

**ITEM 6.15**

**TENDER - LEASING AND OPERATION OF VARIOUS CAFÉS WITHIN PARKS (S100618)**

It is resolved that:

- (A) Council reject the tenders received for the appointment of a kiosk operator for the Pirrama Park Kiosk, for the reasons set out in confidential Attachment G to the subject report;
- (B) authority be delegated to the Chief Executive Officer to enter into negotiations and a subsequent lease with a suitably qualified kiosk operator to operate the Pirrama Park kiosk;
- (C) Council be informed of the successful kiosk operator for the Pirrama Park kiosk by way of a CEO Update;
- (D) Council accept the tender offer of Tenderer 'D' for the appointment of a café operator for Bandstand Cafe for a term of five years, with an additional 5 year option to renew;
- (E) Council approve the issue of a lease under section 103 of the Crown Lands Act 1989 (subject to the issue of a public notice and subsequent Crown consent under section 102 of the Crown Lands Act 1989) to Tenderer 'D' for the operation of the Bandstand Café at 301 Darlinghurst Road, Darlinghurst, as shown on the Premise Plan at Attachment D to the subject report, for a term of five years with an additional five year option to renew;
- (F) Council accept the tender offer of Tenderer 'A' for the appointment of a café operator for Bellevue Cottage for a five year lease, with an option to renew for an additional five year term;
- (G) Council approve the issue of a lease under section 47 of the Local Government Act 1993 to Tenderer 'A' for the operation of the Bellevue Cottage at 55 Leichhardt Street, Glebe, as shown on the Premise Plan at Attachment F to the subject report, for a term of five years, with an additional five year option to renew;
- (H) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the relevant leases relating to the tender; and
- (I) authority be delegated to the Chief Executive Officer to exercise the options referred to in clauses (D) and (F), 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 Councillor Phelps, seconded by Councillor Miller and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

**ITEM 6.16**

**TENDER - INTERNAL AUDIT SERVICES (2016/503818)**

It is resolved that:

- (A) Council accept the tender offers of Tenderers 'A' and 'B' for internal audit services for a period of three years from the commencement date, with the option for the City to extend for two further one-year periods, 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 options 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 Councillor Phelps, seconded by Councillor Miller and carried unanimously – as part of an in globo motion.)



The Committee recommends the following:-

**ITEM 6.17**

**TENDER - SYDNEY CHINESE NEW YEAR PROJECTIONS ONTO THE SYDNEY OPERA HOUSE AND THE SYDNEY HARBOUR BRIDGE (2016/551948)**

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for the Sydney Chinese New Year projections onto the Sydney Opera House and the Sydney Harbour Bridge for a period of one year, with the option of an extension in 2017 and 2018 at the City's discretion;
- (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 Councillor Kok, seconded by Councillor Miller and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

**ITEM 6.18**

**TENDER - PANELS FOR STREET SIGNS, PAVEMENT MARKING AND TACTILE GROUND SERVICE INDICATORS SERVICES CONTRACT (S125248)**

It is resolved that:

- (A) Council accept the tenders of Tenderers 'A', 'B' and 'C' for inclusion on the Street Signs Panel for a period of three years, with an additional two one-year extension options at the City's discretion;
- (B) Council accept the tenders of Tenderers 'G' and 'H' for inclusion on the Tactile Ground Surface Indicators Panel for a period of three years, with an additional two one-year extension options at the City's discretion;
- (C) Council reject the tenders received for the Pavement Marking Panel, for the reasons set out in confidential Attachment A to the subject report;
- (D) Council not invite fresh tenders for the Pavement Marking Panel, as it is considered that inviting fresh tenders would not attract additional suitable companies over and above those that have responded to this tender;
- (E) authority be delegated to the Chief Executive Officer to enter into negotiations and contract with suitably qualified companies to undertake the scope of works and administer the contracts relating to the works;
- (F) Council be informed of the successful company for the Pavement Marking Panel by way of a CEO update; and
- (G) authority be delegated to the Chief Executive Officer to exercise the options referred to in clauses (A) and (B), if appropriate, and negotiate the price to extend the contracts accordingly.

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

The Committee recommends the following:-

**ITEM 6.19**

**TENDER - SECURITY PATROLS AND ALARM RESPONSE SERVICES (\$122105.001)**

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'F' for security patrols and alarm response services for a period of three years, with the option of an extension of two, 12 month periods based on performance and ongoing requirements of Council;
- (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 Councillor Phelps, seconded by Councillor Miller and carried unanimously – as part of an in globo motion.)

The Committee recommends the following:-

**ITEM 6.20**

**TENDER - LEGAL SERVICES PANEL (X006353)**

It is resolved that:

- (A) Council accept the tender offers of Tenderers 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H', 'I', 'K', 'L', 'N', 'O', 'P', 'R', 'S', 'T' and 'U' for appointment to the legal services panel in the areas of law noted in confidential Attachment A to the subject report and at the rates set out in confidential Attachment B to the subject report for a period of three years, with the option of two extensions, each of one year, 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 options 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 Councillor Phelps, seconded by Councillor Miller and carried unanimously – as part of an in globo motion.)

The Sub-Committee recommends the following:-

**ITEM 6.21**

**EORA JOURNEY ECONOMIC DEVELOPMENT PLAN – ADOPTION POST EXHIBITION AND PRIORITY PROJECTS (X005109.002)**

It is resolved that:

- (A) Council note the results and response to the public exhibition of the draft Eora Journey Economic Development Plan as shown at Attachment B to the subject report;
- (B) Council adopt the Eora Journey Economic Development Plan as shown at Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to make amendments to the Eora Journey Economic Development Plan in order to correct any minor drafting errors;
- (D) the City issue a call for Expressions of Interest from tourism organisations/ operators for a one-off Business Enterprise Project to access grant funding up to a maximum of \$100,000, to develop an Aboriginal and Torres Strait Islander tourism project in the Redfern area; and
- (E) Council note that any recommendations for grant provision as part of the Business Enterprise Project will be reported to Council for resolution at a later date.

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