

ITEM 18. VARIATION TO CONTRACT - SYDNEY NEW YEAR'S EVE CROWD AND TRANSPORT MANAGEMENT SERVICES**FILE NO: X008402****SUMMARY**

This report seeks approval to vary the contract with Australian Concert and Entertainment Security Pty Ltd, trading as ACESGroup, to add to the scope of services, the resourcing of additional security and public safety measures for 2017 Sydney New Year's Eve.

Sydney New Year's Eve is one of the biggest annual celebrations in the world, attracting one million spectators along the Sydney Harbour foreshore and a global audience of one billion. The event is recognised as a Hallmark Event by the NSW Government and has an annual direct economic impact on NSW of more than \$133 million.

The City has responsibilities for the event as both event owner/producer and as a key landowner for areas that attract large crowds. This includes the preparation of an integrated crowd management plan for the event, and implementation of the plan by way of infrastructure and resources on land that is owned by the City.

Earlier this year, the City invited tenders for the supply of crowd and transport management services for 2017 Sydney New Year's Eve, with an option to extend to cover the 2018 event. On 26 June 2017, Council resolved to accept the tender offer from ACESGroup.

Planning for Sydney New Year's Eve involves extensive collaboration with multiple agencies and landowners. Following recent engagement with law enforcement agencies, additional resources are required for security and public safety for this year's event.

The additional scope of services exceeds the contingency already approved by Council for the contract. Accordingly, approval to vary the contract to increase the value to include the additional scope of services for 2017 Sydney New Year's Eve is being sought.

RECOMMENDATION

It is resolved that:

- (A) Council approve a variation to the contract with Australian Concert and Entertainment Security Pty Ltd, trading as ACESGroup, for the additional scope of services for 2017 Sydney New Year's Eve, as described in confidential Attachment A to the subject report;
- (B) authority be delegated to the Chief Executive Officer to vary the contract with Australian Concert and Entertainment Security Pty Ltd, trading as ACESGroup, as outlined in the subject report; and
- (C) Council approve funding from the 2017/18 General Contingency budget, should the additional costs be unable to be fully funded from savings in the 2017/18 Sydney New Year's Eve operating budget.

ATTACHMENTS

Attachment A: Financial Implications of Additional Services (Confidential)

(As Attachment A is confidential, it will be circulated separately from the Business Paper and to Councillors and relevant senior staff only).

BACKGROUND

1. Sydney New Year's Eve is one of the world's biggest annual celebrations, and a Hallmark Event for NSW. The City has responsibilities for the event as both event owner/producer and as a key landowner for areas that attract large crowds. The event attracts more than one million people to the foreshores of Sydney Harbour.
2. In 2016, to meet the *NSW Whole of Government Crowd Management Guidelines* issued in August of that year by the NSW Government, the City prepared an integrated crowd management plan for the event. The focus of the plan is the safe ingress and egress of crowds across the land of multiple landowners.
3. Earlier this year, the City invited tenders for the supply of crowd and transport management services for 2017 Sydney New Year's Eve, with an option to extend to cover the 2018 event. The scope of work included components of the crowd management plan and the implementation of it on City land.
4. On 26 June 2017, Council resolved to accept the tender offer from Australian Concert and Entertainment Security Pty Ltd, trading as ACESGroup, to provide the services.
5. In August 2017, the Federal Government released *Australia's Strategy for Protecting Crowded Places from Terrorism*. The Strategy aims to protect people working in, using, and visiting crowded places. Events are specifically considered a crowded place in the Strategy. Under the Strategy, owners and operators of crowded places have the primary responsibility for protecting people in those places from foreseeable threats.
6. Planning for Sydney New Year's Eve involves extensive collaboration with multiple agencies and landowners. Following recent engagement with law enforcement agencies, additional resources are required for security and public safety for this year's event.
7. As the additional resources are required in an operational environment involving the arrival and departure (ingress and egress) of crowds, there is a need to ensure the measures implemented are consistent with the crowd and transport management arrangements already planned.
8. Accordingly, the City sought a quotation from ACESGroup to deliver the additional services, the details for which are outlined in confidential Attachment A. The City has assessed the quotation provided and is confident it provides value for money to the City. The City does not have the in-house resources to deliver the additional services.
9. Delivery of the services by the City's crowd and transport management services contractor removes any integration risk to the City between this scope of work and its crowd and transport management obligations, and reduces the overall risk, given the contractor's familiarity with the event, stakeholders and overall planning.

BUDGET IMPLICATIONS

10. Additional funds are likely required for the services due to the work not being forecast as a requirement for 2017 Sydney New Year's Eve, and only arising in late November 2017. Proceeding with the contract variation may require the use of General Contingency, as detailed in confidential Attachment A.

RELEVANT LEGISLATION

11. Local Government Act 1993
12. Attachment A contains confidential commercial information of the City's contractor 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.
13. 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 commercially achieve the best outcome for its ratepayers.
14. Attachment A also contains confidential information about the additional security and public safety measures proposed for 2017 Sydney New Year's Eve. To ensure operational integrity of security and public safety arrangements for the event, law enforcement agencies require that the specific details not be publicly disclosed. The information, if disclosed, could prejudice the maintenance of law.

CRITICAL DATES / TIME FRAMES

15. The implementation of the additional security and public safety measures must occur for the 2017 Sydney New Year's Eve event on 31 December.
16. To enable sufficient time to secure the necessary resources, and vary the contract, approval to proceed with the variation is required as soon as possible, ideally no later than 11 December 2017.

ANN HOBAN

Director City Life

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