

Minutes of the Corporate, Finance, Properties and Tenders Committee - 14 November 2022

Members Lord Mayor - Councillor Clover Moore (Chair), Deputy Lord Mayor - Councillor Sylvie Ellsmore, Councillor HY William Chan, Councillor (Waskam) Emelda Davis (Deputy Chair), Councillor Lyndon Gannon, Councillor Shauna Jarrett, Councillor Robert Kok, Councillor Linda Scott, Councillor Jess Scully (Deputy Chair) and Councillor Yvonne Weldon.

At the commencement of business at 2.02pm those present were -

The Lord Mayor, Councillors Chan, Davis, Ellsmore, Kok, Scully and Weldon.

Apologies

Councillor Lyndon Gannon extended his apologies for his inability to attend the meeting of the Corporate, Finance, Properties and Tenders Committee.

Councillor Shauna Jarrett extended her apologies for her inability to attend the meeting of the Corporate, Finance, Properties and Tenders Committee.

Councillor Linda Scott extended her apologies for her inability to attend the meeting of the Corporate, Finance, Properties and Tenders Committee.

Moved by Councillor Scully, seconded by Councillor Ellsmore –

That the apologies of Councillors Gannon, Jarrett and Scott be accepted and leave of absence from the meeting of the Corporate, Finance, Properties and Tenders Committee be granted.

Carried unanimously.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 2.42pm.

Item 1

Confirmation of Minutes

Moved by Councillor Scully, seconded by Councillor Kok –

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday 17 October 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 2

Statement of Ethical Obligations and Disclosures of Interest

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 6.3 on the agenda, in that a not for profit organisation for which she is a member of the Coordinating Committee – Redfern Eveleigh Darlington Waterloo Watch resident action group, or REDWatch – was the beneficiary of a venue waiver, which is noted in the report.

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because her involvement in REDWatch is as a volunteer, and this item relates to a waiver offered in the past, which Council is noting.

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

The Corporate, Finance, Properties and Tenders Committee recommends the following:

Item 3

2022/23 Quarter 1 Review - Delivery Program 2022-2026

It is resolved that:

- (A) Council note the financial performance of Council for the first quarter, ending 30 September 2022, including a Quarter 1 Net Operating Result for the Year of \$53.2M and the full year forecast of \$89.0M, as outlined in the subject report and summarised in Attachment A to the subject report;
- (B) Council note the Quarter 1 Capital Works expenditure of \$33.4M and a revised full year forecast of \$196.6M, and approve the proposed adjustments to the adopted budget, including bringing forward \$6.1M of funds into the 2022/23 capital budget and \$0.5M from the capital works contingency as detailed in Attachment B to the subject report;
- (C) Council note the Technology and Digital Services Capital Works of \$4.6M, net of disposals, and a full year forecast of \$20.4M, and approve the allocation of \$0.3M from capital works contingency as detailed in Attachment B to the subject report;
- (D) Council note the Quarter 1 Plant and Equipment expenditure of \$1.4M, net of disposals, a revised full year forecast of \$10.9M, and approve bringing forward \$1.9M of funds into the 2022/23 budget and \$30K from capital works contingency as detailed in Attachment B to the subject report;
- (E) Council note the Quarter 1 net Property Acquisitions of \$114.6M, and the full year forecast net Property Acquisitions of \$112.8M; and
- (F) Council 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.

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

X039568

The Corporate, Finance, Properties and Tenders Committee recommends the following:

Item 4**City of Sydney 2021/22 Annual Reporting and Public Presentation of the 2021/22 Financial Statements and Audit Reports**

It is resolved that:

- (A) Council present the 2021/22 Annual Financial Statements and Auditor's Reports to the public as shown at Attachment B to the subject report;
- (B) Council adopt the 2021/22 Annual Financial Reports subject to the receipt of any submissions over the ensuing seven day period;
- (C) Council endorse the 2021/22 Annual Report, including the Statutory Returns, Financial Statements and Q4 Operational Plan report as shown at Attachments A, B and C to the subject report;
- (D) Council endorse the organisational structure and senior positions included within the Annual Report Statutory Returns;
- (E) Council note the 2021/22 annual report on the City's Inclusion (Disability) Action Plan 2021-2025 as shown at Attachment D to the subject report;
- (F) Council note the 2021/22 Green Report as shown at Attachment E to the subject report; and
- (G) authority be delegated to the Chief Executive Officer to make any minor amendments to the reports to correct any drafting errors and finalise design, artwork and accessible formats for publication.

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

X084202

The Corporate, Finance, Properties and Tenders Committee recommends the following:

Item 5**Investments Held as at 31 October 2022**

It is resolved that the Investment Report as at 31 October 2022 be received and noted.

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

X020701

The Corporate, Finance, Properties and Tenders Committee recommends the following:

Item 6

Post Exhibition - Councillors' Expenses and Facilities Policy

It is resolved that:

- (A) Council adopt the revised Councillors' Expenses and Facilities Policy as shown at Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to make amendments to the Councillors' Expenses and Facilities Policy in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

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

S051923

The Corporate, Finance, Properties and Tenders Committee recommends the following:

Item 7

Sydney Metro Compulsory Acquisition by Agreement - City's Stratum Interest, De Mestre Place, Sydney

It is resolved that:

- (A) Council note the acquisition by compulsory process of the City's freehold interest in road known as De Mestre Place;
- (B) Council note that compensation for the compulsory acquisition of De Mestre Place is assessed under the Roads Act 1993 as detailed within the report;
- (C) Council endorse the compulsory acquisition by agreement under the Land Acquisition (Just Terms Compensation) Act 1991 by Sydney Metro of Lot 1 in Deposited Plan 1003818 being a freehold stratum lot, limited in height and depth within De Mestre Place; and
- (D) Council endorse the negotiated compensation amount and the commercial terms for the acquisition of the freehold stratum as detailed within confidential Attachment C to the subject report and delegate authority to the Chief Executive Officer to finalise an agreement generally in accordance with these terms.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Chan, and carried unanimously.)

X036064

Item 8**Lease Approval and Permanent Road Closure - Part Jones Street, Ultimo**

The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter shall be deferred to the meeting of Council on 21 November 2022.

Officer's Recommendation

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

It is resolved that:

- (A) Council endorse the permanent road closure of Jones Street, Ultimo, between Broadway and Thomas Street, vesting in the City of Sydney as operational land, and as shown as Proposed Lot 100 in the Draft Plan of First Title Creation at Attachment B to the subject report;
- (B) Council approve the proposed 40 year lease to the University of Technology Sydney for the occupation of Jones Street, Ultimo, between Broadway and Thomas Street, in accordance with the terms and conditions contained in Confidential Attachment I to the subject report;
- (C) Council note the surrender of the existing short-term lease of an unused road to University of Technology Sydney will occur in accordance with the delegations from the Chief Executive Officer to Directors and staff, one day prior to the commencement of the new lease, subject to the terms and conditions outlined in Confidential Attachment I to the subject report; and
- (D) authority be delegated to the Chief Executive Officer to:
 - (i) negotiate, execute and administer the terms of the lease in accordance with the essential terms and conditions contained in the Confidential Attachment I to the subject report; and
 - (ii) approve the publication of a Government Gazette to give effect to the permanent road closure and classification as operational land.

Officer's Report

The officer's report on this matter can be found at Item 8 on the agenda of the meeting of the Corporate, Finance, Properties and Tenders Committee on 14 November 2022.

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