

5 December 2022

At 2.00 pm

**Corporate, Finance, Properties and
Tenders Committee**

Agenda

1. **Confirmation of Minutes**
2. **Statement of Ethical Obligations and Disclosures of Interest**
3. **Investments Held as at 30 November 2022**
4. **Conduct of the 2024 Local Government Election**
5. **Post Exhibition - Naming Proposal - Two Lanes at 180 George Street, Sydney**
6. **Sale of City Owned Land - Proposed Lot 22, Part 19-21 Lachlan Street, Waterloo**
7. **Project Scope and Contract Variation - Hyde Park Lighting**
8. **Exemption from Tender and Contract Negotiation Outcome - Domestic, Cleansing (Putrescible) and Parks Waste Receipt, Processing and Disposal Services**
9. **Exemption from Tender and Contract Variation - Meals on Wheels Pre-Packed/Cooked Individual Chilled and Frozen Meals**
10. **Tender - T-2021-616 - Reject and Negotiate - Revitalisation of Perry Park: Park Upgrade, Synthetic Sportsfield, Amenities and Associated Works and Contract Variation - Head Design Consultant**
11. **Tender - T-2021-615 - Construction of North Rosebery Park and Green Link**
12. **Cancellation of Tender - Alexandra Canal Depot Workspace Relocation Stage 2 Construction**
13. **Public Access IT Refresh Project**

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1. Register to speak by calling Secretariat on 9265 9702 or emailing secretariat@cityofsydney.nsw.gov.au before 10.00am on the day of the meeting.
2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

Committee meetings can continue until very late, particularly when there is a long agenda and a large number of speakers. This impacts on speakers who have to wait until very late, as well as City staff and Councillors who are required to remain focused and alert until very late. At the start of each Committee meeting, the Committee Chair may reorder agenda items so that those items with speakers can be dealt with first.

Committee reports are available at www.cityofsydney.nsw.gov.au

Item 1.

Confirmation of Minutes

Minutes of the following meetings of the Corporate, Finance, Properties and Tenders Committee are submitted for confirmation:

Meeting of 14 November 2022.

Item 2.

Statement of Ethical Obligations

In accordance with section 233A of the Local Government Act 1993, the Lord Mayor and Councillors are bound by the Oath or Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of the City of Sydney and the City of Sydney Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their ability and judgement.

Disclosures of Interest

Pursuant to the provisions of the Local Government Act 1993, the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose and manage both pecuniary and non-pecuniary interests in any matter on the agenda for this meeting.

In both cases, the nature of the interest must be disclosed.

This includes receipt of reportable political donations over the previous four years.

Item 3.

Investments Held as at 30 November 2022

Document to Follow

Item 4.

Conduct of the 2024 Local Government Election

File No: X001937

Summary

Council is required by the Local Government Act 1993 (the Act) to resolve the conduct of local government elections. The next local government election will occur on 14 September 2024.

The Act requires that, at least 18 months before the next local government election, councils must resolve that either the Chief Executive Officer or the NSW Electoral Commissioner (the Commissioner) will administer the election. The 18-month cut-off for a council resolution for the 2024 local government election is 14 March 2023.

If a council resolves that the Commissioner will administer their election, it must enter into an arrangement to do this with the Commissioner at least 15 months before the election, in this case by 14 June 2023.

It is open to councils to engage the Commissioner to conduct elections only or elections, council polls and constitutional referenda. A council may take a poll of electors for information and guidance on any matter.

The Commissioner, via the NSW Electoral Commission, has considerable expertise and experience in conducting elections, and has successfully conducted previous elections for the City, including supporting the production of the City's non-resident rolls following changes to the City of Sydney Act 1988 in 2015.

This report recommends that Council resolve to engage the Commissioner to conduct the 2024 local government election, and any other elections, polls and constitutional referenda.

Council is also able to resolve that voting for elections will be exclusively by postal voting or by a combination of postal voting and attendance. If a resolution is not made by Council at least 18 months before the next local government election, then the next election will be conducted in the same way as the previous election. Voting in the City at the 2021 election was a combination of postal and attendance voting. The cut-off date for a resolution on this matter is 14 March 2023.

To enable electors to vote by their preferred method, it is recommended that a combination of postal and attendance voting is retained.

Recommendation

It is resolved that:

- (A) pursuant to s296(2) and (3) of the Local Government Act 1993, that an election arrangement be entered into by contract for the NSW Electoral Commissioner to administer all elections of Council;
- (B) pursuant to s296(2) and (3) of the Act, as applied and modified by s18, that a council poll arrangement be entered into by contract for the NSW Electoral Commissioner to administer all council polls of Council;
- (C) pursuant to s296(2) and (3) of the Act, as applied and modified by s18, that a constitutional referendum arrangement be entered into by contract for the NSW Electoral Commissioner to administer all constitutional referenda of Council;
- (D) authority be delegated to the Chief Executive Officer to negotiate and execute the contract with the NSW Electoral Commissioner; and
- (E) the means of voting at the 2021 election will be retained for the 2024 election (that is, a combination of attendance and postal voting).

Attachments

Nil.

Background

1. Section 296AA of the Local Government Act 1993 (the Act) requires that, at least 18 months before the next election, councils must resolve that either the Chief Executive Officer or the Commissioner will administer the election.
2. The next local government election is 14 September 2024, and the 18-month cut-off for Council's resolution is 14 March 2023.
3. The Commissioner, via the NSW Electoral Commission (NSWEC), has a great deal of expertise and experience in conducting elections and has successfully conducted the City's past elections, including supporting the development of the City's non-resident rolls.
4. It is open to councils to engage the Commissioner to conduct elections only or elections, council polls and constitutional referenda.
5. Because of the Commissioner's expertise it is recommended that Council resolve to enter into a contract for the Commissioner to conduct all elections, polls and constitutional referenda.
6. Any contract made will be automatically terminated 18 months before the 2028 local government election, or on reasonable notice by either the City or the Commissioner (section 296(6) and (7) of the Act).
7. The Act also enables Council to resolve that voting for the next election will be exclusively by postal voting or by a combination of postal or attendance voting (section 310B of the Act).
8. Voting in the City of Sydney at the 2021 election was a combination of postal and attendance voting.
9. Offering voters the opportunity to vote in person or by post will allow them to exercise their preferred voting method. As such, it is recommended that a combination of postal and attendance voting is retained.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

10. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
 - (a) Direction 1 - Responsible governance and stewardship. It will enable compliance with legislative requirements for the election of the Lord Mayor and Councillors.

Social / Cultural / Community

11. Engaging the Commissioner to administer the City's election will assure the community of compliant and fair elections.
12. Offering postal and attendance voting will give community members greater choice about the way they vote than if elections were conducted exclusively by postal voting.

Financial Implications

13. The exact costs of engaging the Commissioner will not be known until after the election as the Commissioner is required to invoice on a cost recovery basis.
14. The cost for the Commissioner to conduct the City's 2021 election was \$1,182,985. Allowance for a similar amount, plus cost indexation, has been included in expenditure estimates for financial year 2024/25.
15. A detailed cost estimate is expected to be provided by the Commissioner by mid-2023. Future year expenditure estimates will be adjusted accordingly on receipt.

Relevant Legislation

16. Local Government Act 1993.
17. City of Sydney Act 1988.

Critical Dates / Time Frames

18. Cut-off dates to comply with the Act are:

Resolution of Council regarding who will administer the 2024 election required by	14 March 2023
Arrangement with the Commissioner to administer all elections must be entered into by	14 June 2023

Options

19. Administration of an ordinary election is highly complex, requiring transparent and fair processes to:
 - (a) produce all electoral materials;
 - (b) hire and staff the appropriate number of venues for early and election day voting;
 - (c) respond to early voting and postal voting requests;
 - (d) manage candidates and scrutineers;
 - (e) print ballot papers;
 - (f) process and count marked ballot papers (using the weighted inclusive Gregory method of preference allocation); and
 - (g) manage post-election storage of ballot papers to enable a possible recount or countback.

20. The option of the City administering its own elections, polls and referenda has not been considered because the City has no experience or capacity to administer elections. Further, the Commissioner is already required to undertake some tasks in relation to the City's non-residential roll under the City of Sydney Act 1988.
21. The option of having an electoral services provider, other than the Commissioner, administer elections, polls and referenda on the City's behalf has not been considered in detail because:
 - (a) Production of the non-residential rolls requires extensive collaboration with NSWEC, especially during an election period. Working with a second external organisation during this period would require additional effort and resources from the City as well as having the potential to confuse electors.
 - (b) Only a handful of councils have engaged non-NSWEC electoral services providers. The lack of information available on their performance does not allow for an informed comparison between them and the NSWEC.
 - (c) The NSWEC has a great deal of expertise and experience in conducting elections and has successfully conducted the City's past elections.
22. If Council does not resolve the conduct of its elections, polls and referenda by 14 March 2023, it will only be able to engage the Commissioner to administer its ordinary election if the Commissioner deems there are exceptional circumstances. Without exceptional circumstances, the City will be required to make its own arrangements for the 2024 election. As such, 'no action' has not been considered as an option.

Public Consultation

23. There has been no public consultation by the City on this matter.

KIRSTEN MORRIN

Director Legal and Governance

Sally Aves, Manager Council Elections

Item 6.

Sale of City Owned Land - Proposed Lot 22, Part 19-21 Lachlan Street, Waterloo

File No: X020058

Summary

In the northeast of the Green Square Urban Renewal Area is the Lachlan neighbourhood which is transitioning from industrial and warehouse uses to mixed use and predominantly residential development, with high quality-built form and public domain.

Lachlan Precinct is a special character area within the City's Development Control Plan 2012 with adopted principles guiding the development aligned to the character, the connectivity with adjoining areas, the creation of open space such as the Dyuralya Square and the north-south public transport corridor linking to the Green Square Town Centre.

The City's urban design studies recognised existing large industrial land parcels would be further subdivided and smaller properties amalgamated to create suitable developable lots supported by a new internal street network, achieving a permeable and accessible pattern of streets and lanes which maximise legibility and orientation, encouraging walking and cycling.

A decade ago, to facilitate these strategic planning objectives, the City commercially acquired two critically located properties at 19-21 Lachlan Street and 7-19 Amelia Street which were substantially used in the creation of key infrastructure and open space.

To support the transition from the area's industrial and warehouse uses and ensure a high level of amenity, the City identified specific opportunity areas for developers to amalgamate properties and achieve bonus (the maximum) floor space under Sydney Local Environmental Plan 2012 through community infrastructure dedications.

The City's property at 19-21 Lachlan Street and the adjoining developer owned properties at 25-27 Lachlan and 1, 1a, 3 and 5 Amelia Street collectively comprise one of the opportunities for site amalgamation.

The City is currently progressing a subdivision of 19-21 Lachlan Street to separate the Gadigal Avenue road reserve and land surplus to the City's infrastructure needs which is proposed lot 22 with an area of 290 square metres.

The City has finalised negotiation with the developer/owner of the adjoining land to acquire proposed lot 22, being the City's remnant portion of 19-21 Lachlan Street, at a price reflecting the highest and best use for the land as achieved through the development consent granted for the amalgamated site.

The sale of the City's surplus portion of land for amalgamation for a mixed-use development is consistent with the planning controls for the Lachlan precinct under Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.

The land is classified as operational and there are no impediments to a sale.

Recommendation

It is resolved that:

- (A) Council endorse the sale of proposed lot 22 in an as yet unregistered plan of subdivision of 19-21 Lachlan Street, Waterloo, being Lot 18 in Deposited Plan 610311, at the price agreed to by both parties and supported by independent valuation as detailed in Confidential Attachment C to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to finalise all negotiations and enter into a Contract for Sale and any other documentation required to complete the sale.

Attachments

- Attachment A.** Identification Plan - Lachlan Precinct
- Attachment B.** Site Amalgamation, Proposed Subdivision and Photos
- Attachment C.** Commercial Considerations (Confidential)

Background

1. The Green Square Urban Renewal Area is one of the largest redevelopment areas in Australia covering 278 hectares comprising eleven precincts including the Town Centre.
2. The Lachlan Precinct is located in the north-east of the Green Square Urban Renewal Area with an area of approximately 170,000 square metres and is bounded by Lachlan Street, Bourke Street, South Dowling Street and O'Dea Avenue.
3. The precinct is forecast to deliver approximately 3,700 new dwellings and 15,000 square metres of public open space by 2030. Its redevelopment involves the delivery of major infrastructure, including stormwater management, pedestrian and cycle links, a new street network and a north-south transport corridor, Gadigal Avenue, linking the Green Square Town Centre and Central, all of which are integral to the success of Green Square as a model sustainable renewal project. Refer to Attachment A Identification Plan - Lachlan Precinct.
4. The City established special character areas in the Sydney Development Control Plan 2012 (Sydney DCP 2012) for various precincts within the Green Square Urban Renewal Area including the Lachlan Precinct to guide:
 - (a) the transition from industrial and warehouse uses to mixed use and predominantly residential development, with high quality-built form and public domain.
 - (b) achieving a new internal street network with streets and lanes which maximise legibility and orientation, encouraging walking and cycling.
 - (c) creating new public open spaces integrated into the neighbourhood, which together with greened, landscaped streets will provide amenity and connectivity throughout, and contribute positively to streetscape character.
5. The key principles for Lachlan Precinct include:
 - (a) permeable pattern of new streets and public open space;
 - (b) high quality streetscapes - prioritised for pedestrians;
 - (c) green links connecting adjoining neighbourhoods and new parks, Rope Walk, Wulaba and Dyuralya Parks;
 - (d) extending Gadigal Avenue and continuing the transit corridor through the eastern neighbourhoods of Green Square;
 - (e) creating a sustainable and vibrant corridor along Gadigal Avenue with retail, commercial and public service uses at ground level and high quality public domain; and
 - (f) a variety of building height and form across the neighbourhood, which responds to the hierarchy of streets and open spaces and residential amenity.

6. To facilitate the Lachlan Precinct urban renewal objectives the City commercially acquired strategically located properties totalling 5,751.12sqm including:
 - (a) 2,672.02sqm at 19-21 Lachlan Street: acquired in 2011, and
 - (b) 3,079.10sqm at 7-19 Amelia Street: acquired in 2012.
7. Approximately 95 per cent of commercially acquired land was used to deliver essential community infrastructure with:
 - (a) the Amelia Street acquisition predominantly for Dyuralya Square which opened in 2019, and
 - (b) the Lachlan Street acquisition (together with private developer land dedications and setbacks and the remaining part of Amelia Street) contributing to the City creating the Gadigal Avenue surface public transport corridor , connecting Green Square Town Centre and the City.
8. Reflecting the City's urban design objectives, the City has designed the corridor to cater for light rail or systems such as the proposed trackless tram with internal road networks to prioritise facilities for people walking and cycling.
9. The DCP 2012 identifies specific opportunities for developers to amalgamate sites and achieve the required community infrastructure dedications with redevelopment at the maximum floor space permitted under Sydney Local Environmental Plan 2012 (Sydney LEP 2012).
10. The City's property at 19-21 Lachlan Street and the developer owned land at 25-27 Lachlan Street and 1, 1a, 3 and 5 Amelia Street properties are collectively identified as Area 6 in Figure 5.107 Lachlan Precinct Required Land Amalgamation Map of Sydney DCP 2012.
11. The City is progressing a subdivision of 19-21 Lachlan Street to reflect the current built form creating separate lots for City's road infrastructure and surplus land.
12. Attachment B - Site Amalgamation, Proposed Subdivision and Photos includes identification plan for lands within Area 6 Lachlan Precinct Required Land Amalgamation Map, the proposed plan of subdivision showing proposed Lot 22 and supporting photos and graphics.

Proposed Development, Consent and Site Amalgamations

13. The land at 19-21 Lachlan Street and the developer owned land at 25-27 Lachlan Street and 1-5 Amelia Street, Waterloo are zoned B4 Mixed Use under Sydney LEP 2012.
14. Additional floor space (under Clause 6.14 of Sydney LEP 2012) is only achievable where landholdings are amalgamated, in accordance with Sydney DCP 2012, Lachlan Precinct – Required Land Amalgamation and the identified community infrastructure is provided.
15. In respect of 19-21 Lachlan Street, the City's surplus portion of land, proposed lot 22, is a rectangular parcel of land of 290m² with frontage to Gadigal Avenue of 39 metres and widths of between 7.74 metres and 6.57 metres.

16. In isolation the City's surplus portion has restricted development potential and therefore limited value.
17. Development Application D/2020/1457 was lodged by the adjoining developer / owner on 6 January 2020 for the demolition, remediation and construction of 6-storey shop top housing development containing 50 apartments at 19-21 and 25-27 Lachlan Street and 1-1A, 3 and 5 Amelia Street, Waterloo.
18. The development application and subsequent consent includes proposed Lot 22 and excludes the balance of 19-21 Lachlan Street (Lot 18) as it relates to the City's existing and proposed infrastructure including the road surface, bicycle lane and footpath.
19. On 1 November 2021, development consent was granted subject to conditions for a part two, four and six storey development comprising:
 - (a) 4 retail tenancies;
 - (b) 54 apartments including 13 x studios, 17 x 1-bedrooms and 19 x 2-bedrooms, and 1 x 3-bedroom;
 - (c) Basement car parking containing 55 car spaces;
 - (d) Basement parking for 5 motorbikes and 63 bicycle spaces; and
 - (e) Public domain works and land dedication to Council along Lachlan Street and Murray Street.
20. The development site has a 'base' floor space ratio of 1.5:1 under Clause 4.4 of Sydney LEP 2012. The site falls under 'Area 6' of the Floor Space Ratio Map. Clause 6.14 of Sydney LEP 2012 permits an additional 0.5:1 for the provision of 'community infrastructure'.
21. The amalgamated site area is 1,782.7m² including the City's proposed Lot 22 and before dedication of land to the City for community infrastructure purposes.
22. The developer is to provide land dedications of approximately 463m² for community infrastructure, including:
 - (a) 57.5m² being part of 5 Amelia Street, being the Murray Street Road reserve,
 - (b) 401m² being part of 25-27 Lachlan Street being the Lachlan Street Road Reserve, and
 - (c) 4.5m² being a splay at the south-western corner of proposed lot 22 (currently 19-21 Lachlan).
23. After the dedications of 463m² of land to the City for community infrastructure purposes the site area is 1,316.1m².
24. The sale of the City's surplus portion of land for amalgamation for a mixed-use development is consistent with the planning controls for the Lachlan precinct under Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012

Commercial Considerations

25. The City engaged property valuers, Preston Rowe Patterson, to establish the value of the City's surplus land, proposed lot 22.
26. Details of the valuation rationale, including offers made by the developer of the adjoining land, are contained at Attachment C - Commercial Considerations (Confidential).

Financial Implications

27. The sale of the surplus portion of 19-21 Lachlan Street, Waterloo being proposed lot 22 is not budgeted for in the current financial year.

Relevant Legislation

28. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
29. Attachment C contains confidential commercial information which, if disclosed, would:
 - (a) confer a commercial advantage on a person with whom City's is conducting (or proposes to conduct) business; and
 - (b) prejudice the commercial position of the person who supplied it.
30. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise City's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.
31. Under section 377 of the Local Government Act 1993 as amended (which contains the general power of a council to delegate), a council may, by resolution, delegate certain functions, but not the function to sell or acquire land or other property.

Critical Dates / Time Frames

32. Subject to Council endorsement the City would exchange contracts following the Council resolution to divest the surplus land.

Options

33. The commercial options for the divestment of the surplus land are detailed in Attachment C - Commercial Considerations (Confidential).

Public Consultation

34. There is no public consultation required for Council to endorse the disposal of this surplus land.

KIM WOODBURY

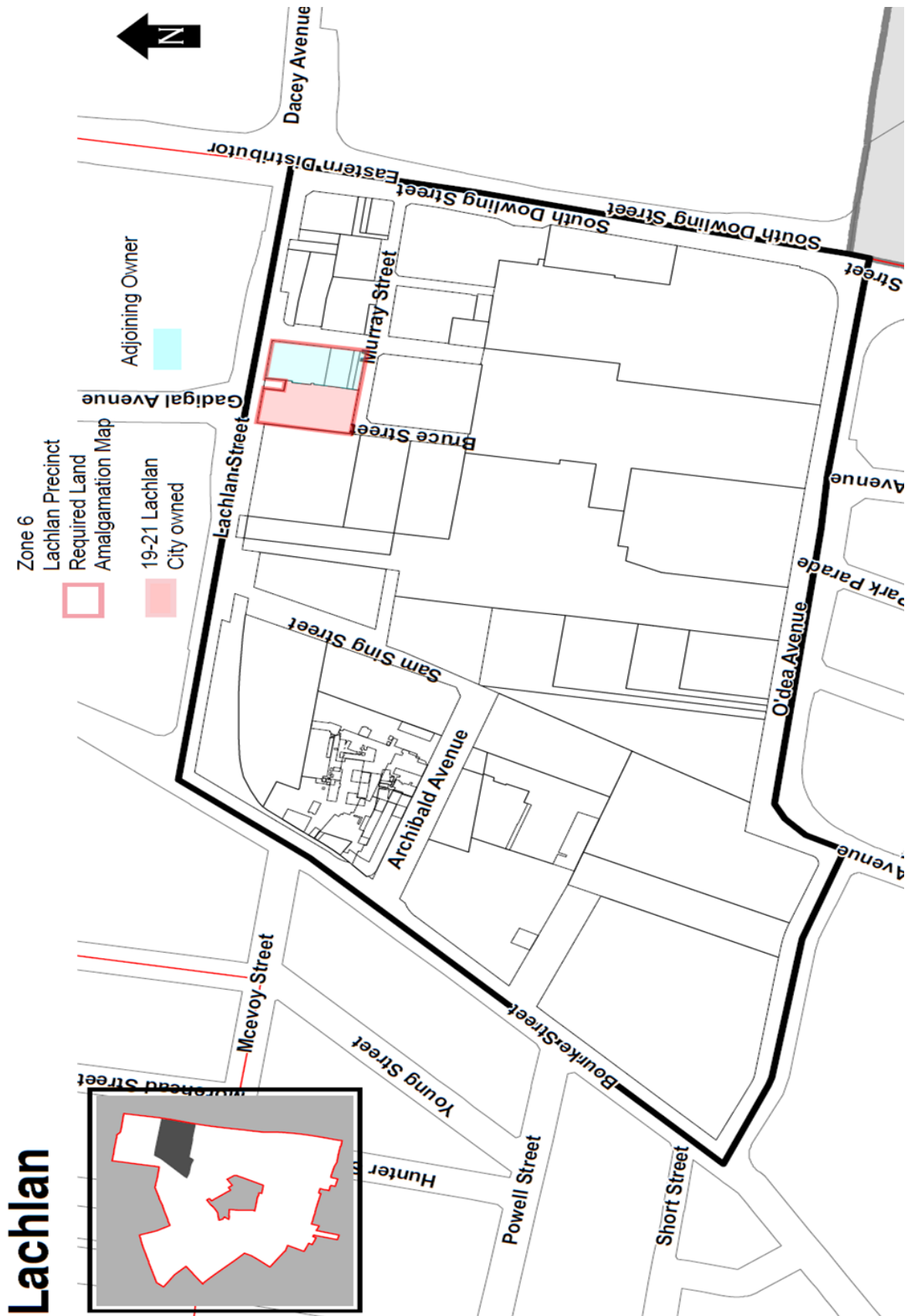
Chief Operating Officer

Nicholas Male-Perkins, Commercial Manager

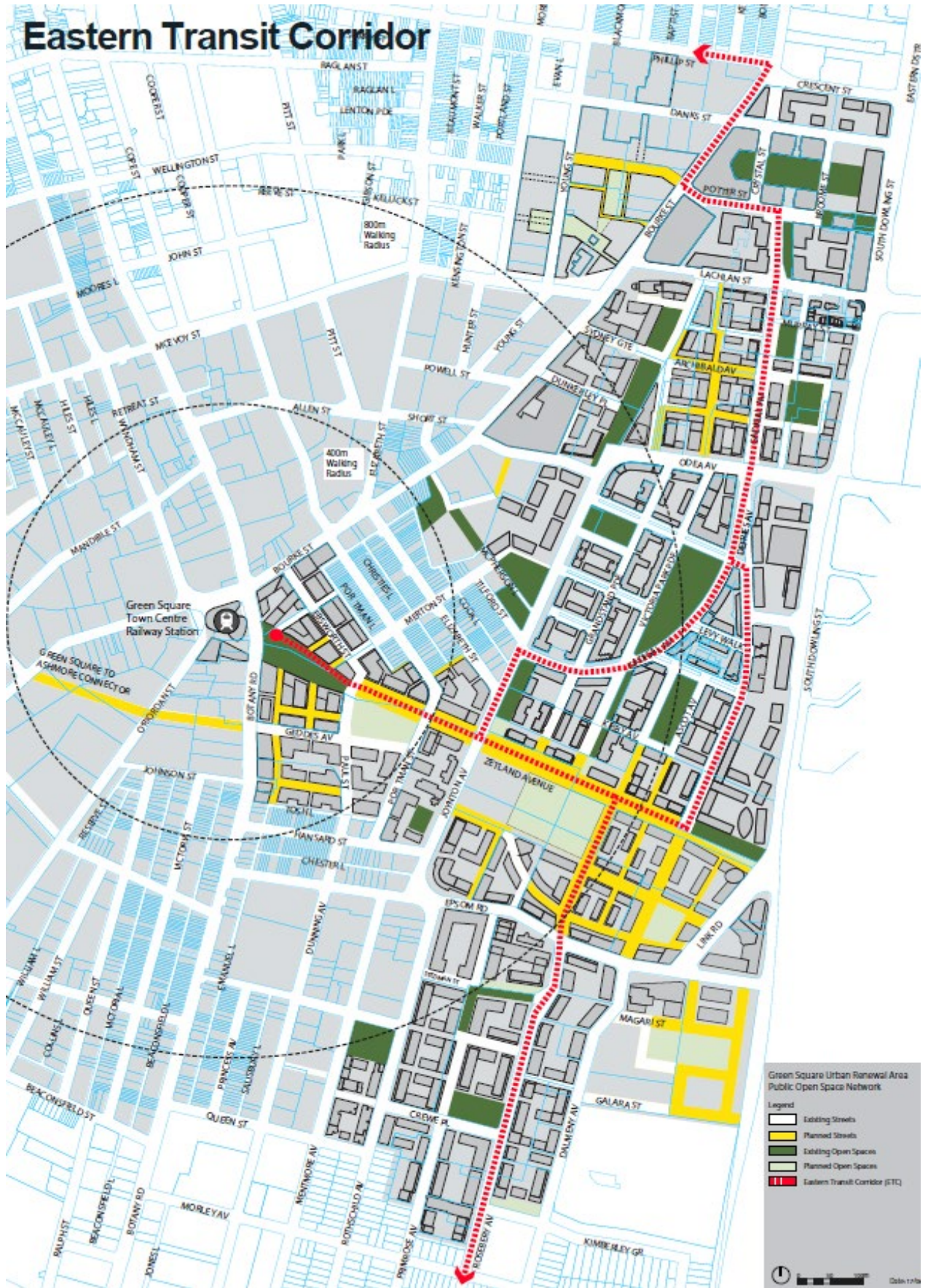
Attachment A

Identification Plan - Lachlan Precinct

Plan showing Lachlan Precinct



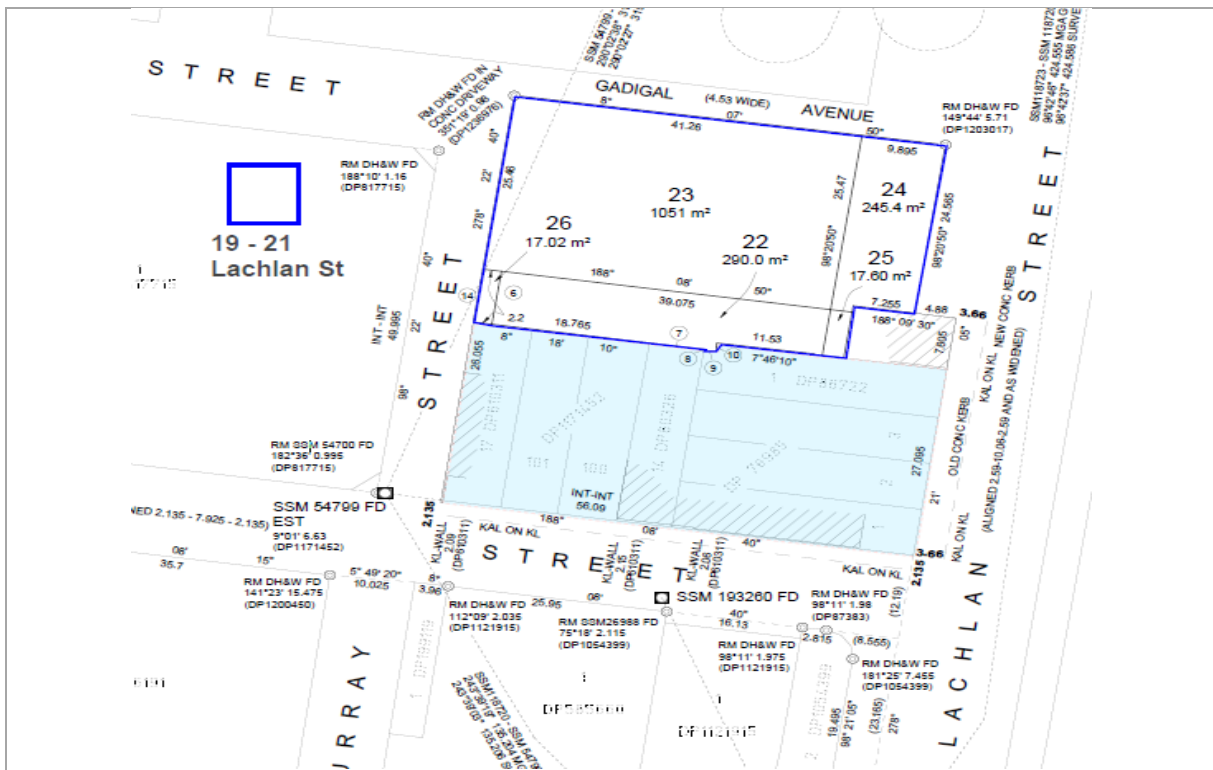
Eastern Transit Corridor



Attachment B

Proposed Plan of Subdivision and Photos

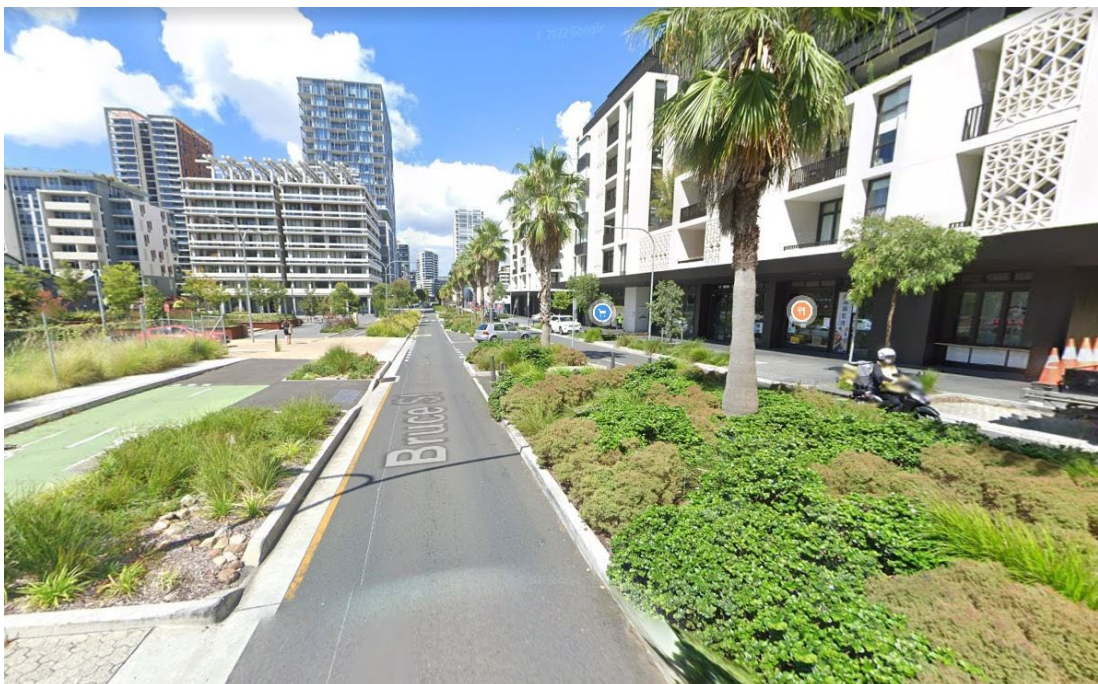
Plan of Subdivision and current built form





Looking north to Lachlan Avenue along Gadigal Avenue at junction with
Murray Street

Proposed Lot 22 to right



View from Lachlan Avenue facing south along Gadigal Avenue

Corner of Proposed Lot 22 to left



Proposed Lot 22 facing north from Murray Street with Gadigal Avenue to left



Proposed Lot 22 at corner of Murray Street and Gadigal Avenue
Adjoining developer owned land in background

Document is Restricted

Item 7.

Project Scope and Contract Variation - Hyde Park Lighting

File No: X019620

Summary

Hyde Park is Australia's oldest designated public park and culturally significant heritage landscape and is central to many of the City's cultural events.

The 2006 Plan of Management and Masterplan for Hyde Park identified a range of works to replace failing infrastructure and provide improvements to address the impacts on the park caused by its increasing use and popularity.

A program of renewal and improvement works aligned with the Plan of Management and Master Plan is progressively being undertaken to manage the potential impact of the works on users and events within the park. The proposed works will renew or replace old infrastructure, provide improvements to access and amenity and better enable the park to cater for its increasing use and popularity as a venue for major cultural activities.

The 2006 Plan of Management and Master Plan identified a need for the existing lighting to be rationalised and improved with particular emphasis on the Central Avenue, secondary paths, and the need to improve safety and security within the park.

This report describes the consultation and developed landscape design for the Hyde Park lighting, electrical infrastructure and power upgrade. The works are required to improve failing infrastructure to improve amenity and safety. This report seeks the endorsement of the project scope. It also seeks to increase the project budget and contract contingency of the existing head design consultant due to the extended program and additional design services required to complete the project.

Recommendation

It is resolved that:

- (A) Council endorse the project scope as outlined in the subject report and shown in Attachment A to the subject report, to proceed with design, documentation, and tender for construction of the Hyde Park lighting works;
- (B) Council note the indicative costs and financial implications detailed in Confidential Attachment C to the subject report;
- (C) Council approve the additional project budget for the Hyde Park Lighting project as outlined in Confidential Attachment C to the subject report;
- (D) Council approve the additional contract contingency for the consultancy contract with AECOM Australia as outlined in Confidential Attachment C to the subject report;
- (E) Council note that the total new total contract sum including contingency for the existing head design consultants contract is outlined in Confidential Attachment C to the subject report; and
- (F) authority be delegated to the Chief Executive Officers to negotiate, execute, and administer the variation of the contracts with the head consultants.

Attachments

- Attachment A.** Hyde Park Lighting and Power Design
- Attachment B.** Hyde Park Lighting Upgrade - Engagement Report
- Attachment C.** Financial Implications (Confidential)

Background

1. Hyde Park is Australia's oldest designated public park and culturally significant heritage landscape. It is Sydney's most significant park, used by some three million local, interstate and international visitors each year, hosting many significant events.
2. Hyde Park is Crown land and was dedicated for public recreation in 1878. The City of Sydney is the appointed Crown land / Reserve Trust Manager, responsible for the care, control and management of Hyde Park in accordance with the Crown Land Management Act 2016.
3. Hyde Park is located within the Governors' Domain and Civic Precinct, a National Heritage Listed place, listed on the State Heritage register and listed in Schedule 5 of the Sydney Local Environmental Plan 2012.
4. In October 2006, Council adopted the Plan of Management and Masterplan. The Plan of Management identified a range of works to replace failing infrastructure and provide improvements to address the impacts on the park caused by increasing use and popularity.
5. The 2006 Plan of Management and Masterplan identified a need for the existing lighting to be rationalised and improved with particular emphasis on the Central Avenue, secondary paths, and the need to improve safety and security within the park.
6. The Masterplan identified a number of shortcomings and opportunities in the current park lighting.
 - (a) A wide range of light poles with different designs and varying energy efficiencies.
 - (b) Inconsistent and inappropriate lux levels in the current lighting.
 - (c) Little control over lighting direction and lack of adaptability to user requirements.
 - (d) Lack of hierarchy to path lighting.
 - (e) Lighting at park entries and universal access ramps which do not conform to Australian Standards.
 - (f) Safety and security issues remain (particularly in Hyde Park South).
 - (g) Feature and path lighting at Sandringham and Nagoya Gardens is limited which has led to issues of safety and aiding vandalism.
 - (h) No strategic approach to lighting of monuments, art works and or lawn areas.
7. The lighting assets within Hyde Park were handed from Ausgrid to the City of Sydney in 2016.

Head Consultants Contract

8. In 2016-2017, AECOM were engaged to review the lighting, assess the existing power supply and electrical services and provide a coordinated palette of lighting fixtures.
9. In 2019, AECOM were awarded the design engagement through a reject and negotiate process to continue the design refinement and documentation of the lighting palette, event power and additional CCTV within the park. The engagement included construction phase services of the project.
10. The objectives of the upgrade required a coherent approach to lighting within Hyde Park that addressed:
 - (a) Effective lighting that responds to its urban design role and uses in the park.
 - (b) Rationalise existing light poles and fittings.
 - (c) Reveal and enhance the park's significant monuments, gardens and built form.
 - (d) Provide lighting to all lawn areas.
 - (e) Improve safety and security.
 - (f) Encourage night-time use (evening events, exercise groups, dog walking).
 - (g) Support a calendar of cultural activities and events.
 - (h) Achieve a high efficiency lighting design.
 - (i) Deliver a control system that provides flexibility and allows the City of Sydney to remotely meter, monitor, manage and control the park lighting system.
 - (j) Meet sustainability targets by improving energy efficiency and energy reduction from our current usage
 - (k) Maintainability and easy long-term maintenance for the City of Sydney asset managers.
11. There is now a requirement for additional funds in the design consultancy contract to provide additional services. This is due to project delays and additional consultancy services including staging plans of the works to allow business as usual access throughout the park to minimise inconvenience to parkland patrons and further contamination and landscape make good design work.
12. It is recommended that Council increase the value of the design consultancy contract contingency for the head consultant due to the extended project period and additional service required to complete the project. Further details are outlined in confidential Attachment C.

Project Scope

13. The proposed project scope includes:

Lighting to paths

14. New post top lights are proposed for primary and secondary paths in Hyde Park north and south, to replace the Ausgrid 1990's deteriorating cast iron poles. The new aluminium poles will be painted in a shade of grey to replicate the existing 1990's light poles. The cast iron poles replaced the original concrete 1930's lights in the 1990's.
15. The lighting configurations have been carefully considered, to ensure they are in line with the original 1932 Hyde Park lighting arrangement.
16. The light fittings to the post top lights will be consistent with the existing post top lights along the main Central Avenue. The character of the opalescent spheres will be retained, and the metal halide lights will be replaced with a warm luminescent LED fitting.
17. There are six original brass entry lights within Hyde Park. Two lights are located at the Pool of Reflection and four lights are located on the stair entries at the park on either side of Park Street. These six lights will be upgraded with warm LED fixtures.
18. The newly installed post top lights to the landscape at the Museum Station Café will be decommissioned. These lights were temporarily installed to provide a safe environment to the rear of the Café. New mast lights will be placed on the perimeter of the Café curtilage and will provide light to the stairs, ramps and Café seating area.

Lighting to lawn areas

19. Tapered mast lights will be erected along the perimeter of the park to provide a consistent low level of light to lawn areas. The directional and dimmable lighting will address safety and security and encourage night-time use for events, people exercising and people walking dogs.
20. The failing electrical infrastructure will be replaced, and new conduiting and electrical pits will be implemented to replace the existing direct buried electrical wires.
21. The new lights will be controlled by the City of Sydney external Central Management System. The lights will be connected to the Central Management System currently controlling the George Street lights. The lighting infrastructure, energy usage and fixture lifecycle will be controlled and monitored remotely.

Lighting to monuments and built form

22. The wall mounted lights to the Sandringham Gardens pergola are proposed to be replaced with modern wall mounted lighting. The lights have been chosen to be discreet to prevent visual distraction from the Sandringham Gardens, fountain and the King George V and VI Gates.
23. The lighting to monuments, statues and the Nagoya Gardens has been designed with the City of Sydney Public Art Collections and Cultural Heritage Managers. Discrete and strategically positioned up-lights will illuminate these items.

Power

24. New main switch boards (MSB's) that supply power within the park will be replaced to adhere to new Australian Standards and will meter the supply of power to the lights and power bollards supporting events within the park.
25. Power will be supplied for events via discreet power bollards, located at the edge of planting beds. The power bollards are proposed in locations within the park to reduce the number of generators required for events and reduce the need for cable trays across pathways.

CCTV and Security

26. Additional CCTV cameras are proposed for Hyde Park north and south to boost security within the park. An additional five new cameras are proposed for the north and three new cameras to the south, taking the total number of cameras to twelve across the park.
27. The post top lights adjacent to the cascades will be removed and replaced with new post top lights; the feature lighting to the Anzac Memorial will not be replaced.

Tree Management

28. All trees in Hyde Park will be protected during the upgrade. The alignment of the electrical trenches has been designed to minimise potential conflict with trees and their root systems. An arborist will be engaged during the construction to oversee the upgrade works.

Heritage Council

29. The design was presented to the Heritage Council of NSW Approvals Committee on three occasions as part of the pre-lodgement advice.
30. The first presentation was on the 4 August 2020 and the Approvals Committee resolved:
 - (a) To support the lighting upgrade works to Hyde Park.
 - (b) The replacement aluminium poles are considered acceptable.
 - (c) It is important to strongly acknowledge the Aboriginal cultural heritage values of Hyde Park.
 - (d) To engage more broadly with the wider Aboriginal community including the City of Sydney's Aboriginal and Torres Strait Islander Advisory Panel.
 - (e) To consider interpretation that acknowledges pre- and post-contact history.
 - (f) To suggest engaging an Aboriginal artist to help develop a stronger connection to Country on this project.
31. The second presentation was on the 11 August 2020. Members of the Heritage Council Approvals Committee undertook a night-time inspection with representatives of the City of Sydney and their lighting consultants.

32. Following the inspection, the Committee provided additional comments and agreed:
- (a) With the views of the City of Sydney Council's team that the most appropriate form of lighting is the Opalescent Globe.
 - (b) The prototypes installed at Hyde Park illustrate that the light from Opalescent Globe is considerably softer, warmer and avoids the harsh shadow effects of the clear globes.
 - (c) That the use of Opalescent Globes along the secondary paths and additional down lights from the poles would be considered acceptable.
 - (d) That the light grey colour of the existing poles is preferable to the darker test pole colour scheme.
33. The third presentation involved further consultation with the Heritage Office following feedback from the City's Design Advisory Panel. The Heritage Councils Approval Committee considered the recommendations by the Panel at its meeting on the 3 November 2020 and resolved that:
- (a) The Committee supports the lighting upgrade works to Hyde Park.
 - (b) The comments provided by the Committee after its meeting on the 4 August 2020 still stand.
 - (c) The juxtaposition of a modern fixture on secondary paths would be incompatible with the heritage values of the park.
 - (d) The proposal for lighting the secondary paths with opal lamps and consistent grey poles is considered appropriate for the integrity of the early lighting forms.
 - (e) The existing cone shaped secondary path lighting avoided light spill upwards along the edges of the park and the collateral effect of the change to opal fittings will need to be considered but is supported.
 - (f) Taller mast lighting for large lawn areas and the Anzac Memorial facades should be of the same colour as the pathway poles.
 - (g) Fittings mounted on the mast lighting poles should also be of the same grey colour.

Aboriginal cultural heritage values

34. The City of Sydney's project team have consulted with the City's Indigenous Leadership and Engagement team and City Design Unit to consider the recommendations made by the Heritage Office.
35. The Indigenous Leadership and Engagement team and the City Design Unit recommended that the Aboriginal cultural heritage values of Hyde Park would be best considered as part of the broader Eora Journey program of works.
36. In 2012, Council unanimously endorsed the Eora Journey: Recognition in the Public Domain interpretation Plan, to reactivate the knowledge of specific places and events in Aboriginal history at key sites within the city. The Eora Journey strongly acknowledges Aboriginal cultural heritage values and engages with the Aboriginal and Torres Strait Islander Advisory Panel.

37. One of seven projects proposed by Hetti Perkins is the Eora Journey Walk, based on the original Eora Journey concept by Dillon Kombumerri. The project proposes a landscaped walking trail from the site of first contact on Sydney Harbour to the home of Aboriginal activism in Redfern. Artworks will be commissioned at various sites along the walk that may include Hyde Park to reflect the living Aboriginal culture of Sydney. This work is planned to be developed in future years, following the development of Yananurala, an extension of the Eora Journey on the harbour foreshore.

Design Advisory Panel

38. The Hyde Park Lighting proposal was presented to the Design Advisory Panel on 30 July, 20 August 2020 and 17 November 2020, and the overall design and heritage approach was discussed. A night-time inspection was undertaken by the Lord Mayor and Panel with representatives of the City of Sydney and their lighting consultants to inform discussions on 20 August 2020.
39. The Panel endorsed the design and recommended the following:
- (a) The Panel accepts the recommendation of the council officers and in general support the Heritage Office proposals for consistent fittings throughout the paths with a hierarchy of spacing.
 - (b) For other mast lighting, the Panel does not support the use of light grey as these are not heritage fittings and need to be recessive in the landscape setting. The Panel recommends these are a dark grey colour as previously proposed.
 - (c) The Panel requests the opportunity to review options / prototypes of the luminaire and pole finish and to approve these prior to installation.
40. The design team will engage further with the Design Advisory Panel on the lighting colour for the post top and mast lights.

Anzac Memorial

41. The Anzac Memorial Trustees and Veterans have been consulted through the concept design stage. The initial consultation carried out in November 2018 and 23 September 2019.
42. A more recent update was provided to the Trustees on the 27 October 2022. The design team discussed proposed amendments to the post top lights adjacent to the cascades and requested further CCTV and sensor information to ensure this infrastructure is seamlessly integrated back onto the new poles.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

43. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
- (a) Direction 2 - A leading environmental performer - new lighting, power, metering, and monitoring will ensure the City of Sydney meets its sustainability targets.
 - (b) Direction 3 - Public places for all - the upgrade of the lighting, power and CCTV will improve the amenity and safety of the park for all park users.
 - (c) Direction 4 - Design excellence and sustainable development - the lighting will be replaced with an energy efficient LED fitting, contributing to meeting the City of Sydney's energy targets.
 - (d) Direction 5 - A city for walking, cycling and public transport - the proposal will upgrade the lighting encouraging night-time use and include additional services for events within the park.
 - (e) Direction 8 - A thriving cultural and creative life - the upgrade to the power and lighting will encourage night-time use and events within the park.

Organisational Impact

44. The proposal will improve the parks infrastructure reducing maintenance and forecast energy usage. The 2019 energy consumption for Hyde Park lighting kWhr/yr (12 hrs / 365 days) was recorded at 188,559 kWhr/yr compared to the proposed opalescent LED light fitting of 79,497 kWhr/yr,. It is estimated that there will be a 58 per cent reduction in energy consumption from 173.5 Co2 (tonnes) to 73 Co2 (tonnes) per year.
45. Risks associated with the proposal have been considered throughout the concept design and consultation phase. These include safety (park safety for visitors / users of the park and events staff), environmental impacts (trees, wildlife, and heritage) as well as community concerns. The risk of disruption to key events will be managed through staging and consultation during construction.

Social / Cultural / Community

46. The proposed works will include an upgrade of the lighting, security, and power to improve night-time safety and provide an improved distribution of power for events.

Environmental

47. The number of post top lights will be reduced by approximately 30% in number and the existing light fittings will be replaced with energy efficient LED's which will reduce the energy consumption and contribute to the Council's energy targets.

Economic

48. The number of lights is reduced and the existing light fittings will be replaced with energy efficient LED's which will reduce the energy consumption.

Financial Implications

49. The current project budget is insufficient to complete the required works as outlined in Confidential Attachment C.
50. The requested source of funds to address the budget shortfall is outlined in Confidential Attachment C.
51. It is recommended that Council approve the additional funds so that the works can be completed.

Relevant Legislation

52. Environmental Planning and Assessment Act 1979 (Part 4 and 5). An Environmental Impact Assessment will be carried out to ensure that all environmental impacts have been identified, assessed and, where required, action is identified to manage impacts. Some of the proposed works may not require planning approval and may be exempt development.
53. Heritage Act 1977. A heritage assessment will be prepared to determine requirements under the Heritage Act. Some of the proposed works may not require planning approval and may be exempt development.
54. Crown Lands Act 2016. Hyde Park is a Crown Reserve, Council is the Reserve Trust Manager.
55. The Hyde Park Plan of Management 2006 is currently being revised to respond to the new management requirements established under the Crown Land Management Act 2016.
56. The City of Sydney is presently engaging with external stakeholders before finalising the Hyde Park Plan of Management and reporting to Council for adoption in 2023.
57. The proposed lighting upgrade, subject to this report has been identified as a permissible development activity within the Hyde Park Plan of Management 2006 and has also been factored into the revision as an asset requiring ongoing maintenance and management.
58. Procurement of consultants and contractors for this project will be in accordance with the Local Government Act 1993.
59. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
60. Attachment C contains confidential commercial information of the contract 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.

61. 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 negotiate fairly and commercially to achieve the best outcome for its ratepayers.

Critical Dates / Time Frames

62. Current program dates are:
- | | |
|---|------------|
| (a) Finalise Construction Documentation | mid 2023 |
| (b) Construction Tender | mid 2023 |
| (c) Commence Construction | early 2024 |
| (d) Construction Completion | end 2025 |

Public Consultation

63. The concept design for the Hyde Park lighting and power upgrade was placed on public exhibition from 13 October until the 8 December 2021. Ten A1 core flute signs were displayed at St James Station and Museum Station entries and the forecourt to the new Anzac Memorial Education Centre on Liverpool Street, directing the community to the consultation webpage.
64. Over 1,092 properties were notified via letter. The plans were placed on the City's consultation website, Sydney Your Say, and the site was visited 248 times during the consultation period. Fifteen submissions were received for the Hyde Park Lighting upgrade project. During this consultation, the community were asked for feedback on the concept design. A summary of the comments and associated responses can be reviewed in Attachment B.

KIM WOODBURY

Chief Operating Officer

Sarah Scott, Senior Design Manager

Kathleen Ng, Senior Project Manager

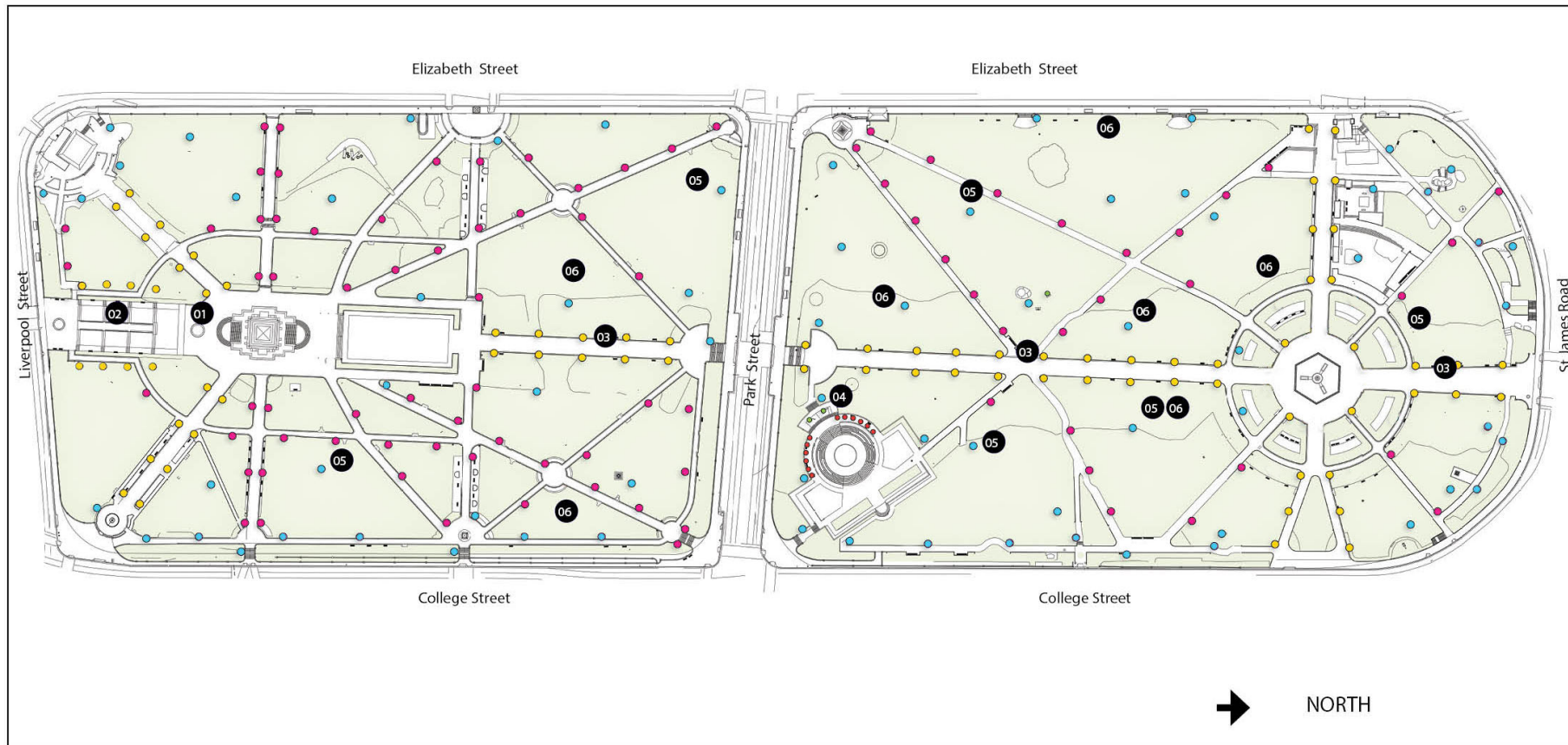
Sophie Spinks, Delivery Manager

Attachment A

Hyde Park Lighting and Power Design

Proposed Works

13

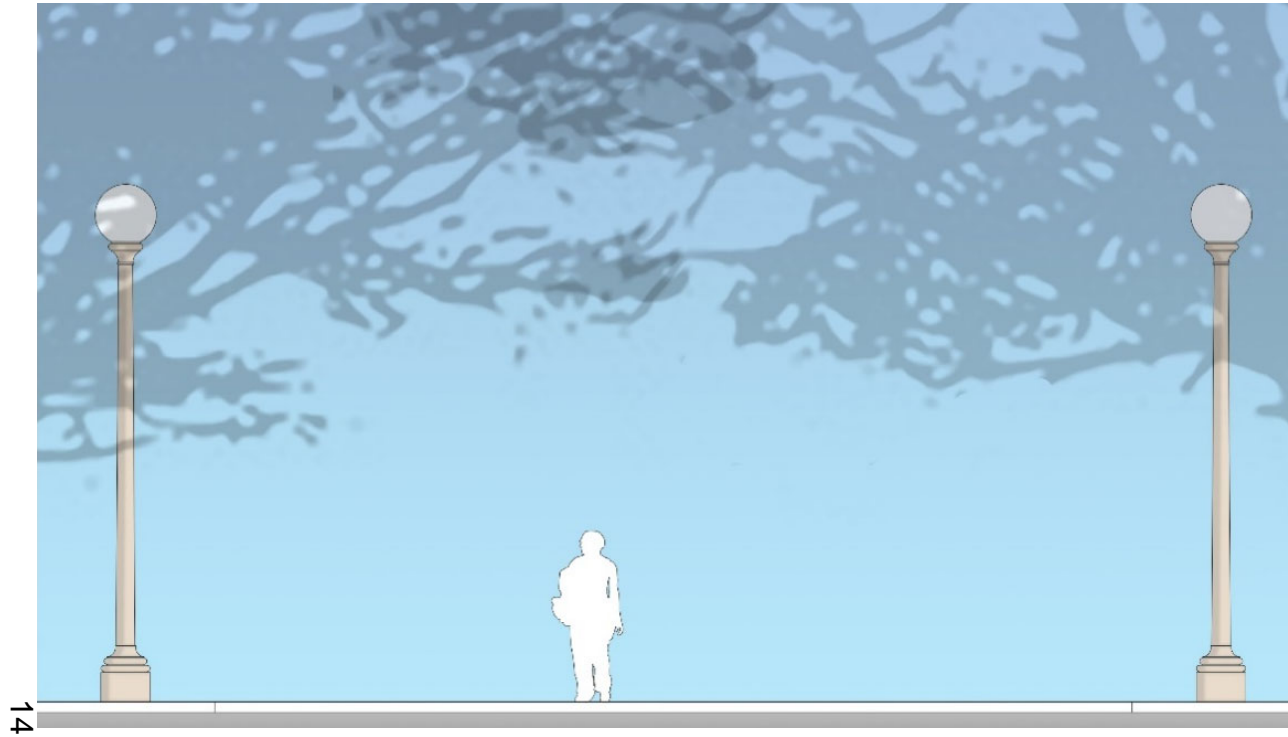


- 01 Retain existing Anzac Memorial lighting
- 02 Upgrade lighting to cascades to match post top lights in park
- 03 Install new double sided post top lights to main Central Avenue
- 04 New lights to pergola Sandringham Gardens
- 05 New mast lights to provide light wash to lawn areas
- 06 Indicative location of new power outlets for Events

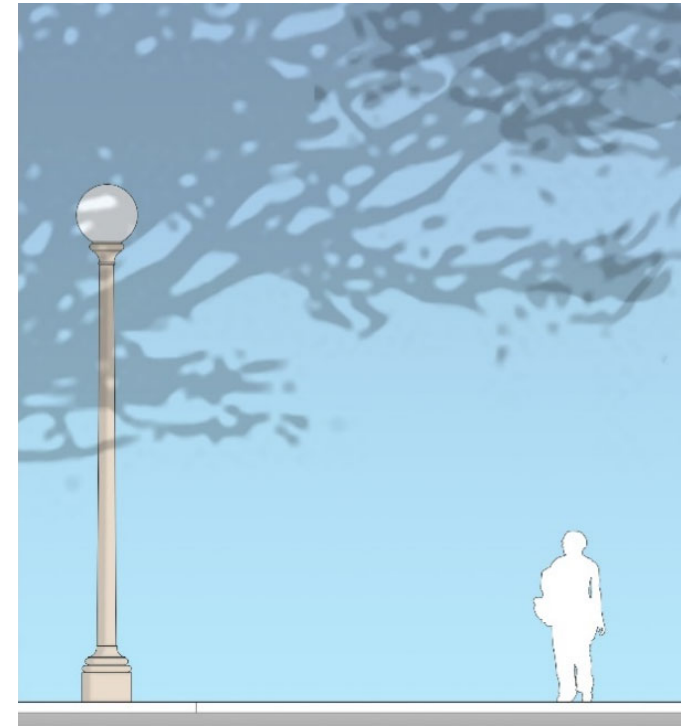


- Central Avenue Lighting
- Secondary path lighting
- Mast lighting
- Sandringham garden pergola lights

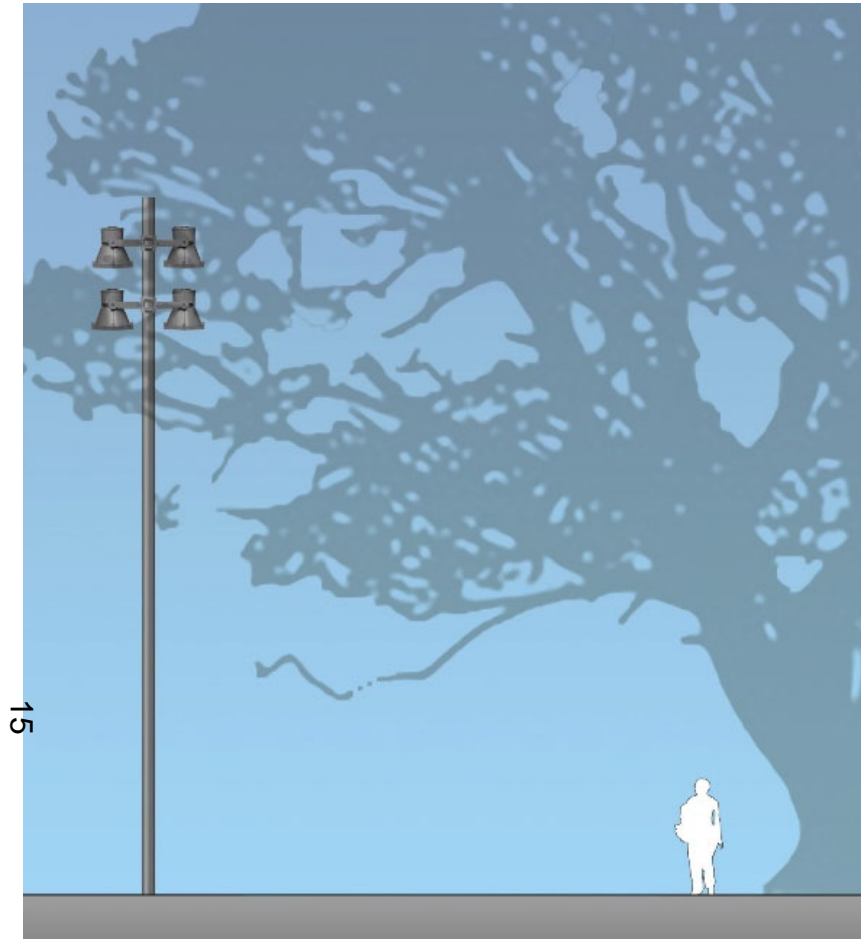
Hyde Park Lighting and power Upgrade



Hyde Park primary paths – double post top lighting arrangement



Hyde Park secondary paths – single lighting arrangement



Hyde Park lawn areas – mast lighting

Attachment B

Hyde Park Lighting Upgrade Engagement Report



Engagement report

Hyde Park lighting upgrade

December 2022



Contents

Background	3
Engagement summary	3
Key findings	4
Engagement activities	5

Background

Hyde Park is Australia's oldest designated public park and its heritage landscape is central to many of the city's cultural events. These works will renew or replace old lighting and power infrastructure, keeping the park safe and accessible for the thousands of visitors who enjoy the park each day.

A program of works was identified a number of years ago, several package of works have now been completed including: replacing fig trees near the Archibald Fountain, upgrading the Pool of Reflection in front of the Anzac Memorial, restoring paths and access points, and improving the area around the cafe at Museum Engagement summary.

From 18 October to 8 December 2021, we asked the community for feedback on plans to upgrade the lighting and power in Hyde Park as part of the Hyde Park Masterplan and Improvement works.

Consultation on the plan provided an opportunity for stakeholders and the community to review and comment on the design.

Consultation activities included online engagement, a letter to residents and project signage at the park.

This report outlines the community engagement activities that took place to support the consultation and summarises the key findings from the consultation.

Purpose of the engagement

The purpose of the engagement was to:

- gather feedback from stakeholders and the community about the proposed upgrade
- determine the level of satisfaction with the revised concept design.

Outcomes from the engagement

Submissions received during consultation

We received a total of 15 submissions via Survey Monkey and email during the public exhibition period. The Sydney Your Say page was visited 248 times during the consultation period.

Key findings

Subjects/topics raised in submissions

Several subjects/topics were raised in the feedback received. These were presented as concerns, suggestions and/or requests and are summarised below.

General comments	Total	City of Sydney Response
Integrate USB sockets or wireless power pads that could be used by locals and tourists to charge phones and other devices when they are using the park	1	The scope of the project is to upgrade the lighting to address safety and provide power for events. Power for locals and tourists is not part of the lighting upgrade.
A more heritage appropriate material other than aluminium should be used for the light posts	1	The light poles have been designed to replicate the original pole profile, the aluminium material addresses ease of maintenance and can be recycled.
Heritage lantern style lights should be used rather than the globe style currently in place	1	The opalescent spheres are consistent with the 1930's Masterplan light pole design.
Lower the lighting levels to create more ambiance in the park	1	The lighting levels have been designed with consideration to both the heritage significance and ambiance of the park and the need to provide a safe park environment.
Light posts should be of dark bronze finish so they are recessive during the day	1	The dark bronze finish was reviewed on site, the colour was not supported by the Heritage Office.
Lighting levels need to be sympathetic to surrounding residential buildings so as not to impact on their amenity. Install lights will no upward spill.	3	The lights within Hyde Park will be reduced in number, the post top lights will be located along paths and provide the same consistent glow of the current path lighting. Mast lights will be installed with downward facing flood lights to provide a soft wash of light to the open lawn areas.
Increasing ground level lighting will lead to increases in anti-social behaviour in the park	1	The City of Sydney organises a yearly survey and ask safety questions as part of the survey. Safety at night regularly features as an issue (either not safe or unknown). The last survey carried out identified 9% of the surveyed group felt the park was unsafe at night. When asked what would make the park feel safer, the group listed increased light levels. Increased lighting levels is

Engagement report

		paramount to increased perception and actual safety, rather than increasing anti-social behaviour.
Too many mast lights will lead to increased light pollution in the area and disturb nocturnal animals that live in the park	2	An ecologist has been consulted on the lighting proposal; the levels have been designed to reduce impacts on nocturnal animals frequenting the park.
Other	Total	City of Sydney Response
The four lights either side of the Park Street connection between the North and South end need to be reinstated and activated	1	The four entry lights to the stairs on Park Street and the two adjacent the Pool of Reflection at the Anzac Memorial will be upgraded with warm LED lighting.
Bike riders should not be allowed to use the paths in the park	1	<p>City of Sydney policy is that all parks and plazas allow people to ride. For Hyde Park it is particularly important, as paths in Hyde Park allow people to avoid riding on busy roads such as Elizabeth Street.</p> <p>On shared paths, people riding must always give way to people walking. The City of Sydney runs four onsite education sessions a week on shared paths to remind/educate path users about safe and considerate behaviour.</p> <p>The College Street and Liverpool Street cycleways at the eastern and southern end of Hyde Park are due for completion next year. The City expect that these new safe cycleway options will reduce the number of people riding in the park.</p>

Engagement activities

Overview of engagement

A Sydney Your Say webpage was created, along with an online survey. 1092 letters were sent to residents in the area and key stakeholders were contacted.

1. Sydney Your Say webpage

A Sydney Your Say webpage, <https://www.cityofsydney.nsw.gov.au/proposed-works-maintenance/upgrading-lighting-hyde-park> was created. The page included an electronic copy of the revised concept design, survey and other key information about the consultation.

2. Online feedback form via Survey Monkey

The community and stakeholders were able to give feedback using an online feedback form. A link to the feedback form was provided on the Sydney Your Say website.

3. Consultation letter

A letter was posted to residents, inviting them to give feedback on the proposal. 1092 letters were distributed.

4. Signage

Ten A1 coreflute signs were placed around the park directing the community to the consultation webpage.

Document is Restricted

Item 9.

Exemption from Tender and Contract Variation - Meals on Wheels Pre-Packed/Cooked Individual Chilled and Frozen Meals

File No: S074367

Summary

The City provides Meals on Wheels for eligible community members. This service assists people growing older and/or living with disability to live independently in their own homes and to remain active and connected within their communities. It also provides isolated clients with regular social contact, general welfare monitoring and nutritionally balanced meals.

The City's Meals on Wheels program currently sources pre-packed individual meals from a commercial food supplier, Master Catering Services Pty Ltd. The incumbent supplier was engaged following a competitive tender process approved by the Chief Executive Officer on 23 April 2020 following endorsement by the Tender Review Group on 22 April 2020, in accordance with the Register of Delegations from Council to the Chief Executive Officer.

The initial term of this contract was for one year (18 May 2020 to 18 May 2021), with two optional extension periods of one year each (18 May 2022 and 18 May 2023 respectively). This contract is due to expire on 18 May 2023.

Due to the associated impacts of the Covid-19 pandemic and the expansion of the Meals on Wheel geographical area to include parts of Inner West Council Meals on Wheels service from July 2020, the City's Meals on Wheels service saw a 26 per cent increase in people accessing the service during the Covid pandemic. While this growth has now slowed and slightly reduced due to the easing of the pandemic restrictions and a number of clients entering aged care facilities, it has still increased the need to procure and supply additional meals.

As a result, the City is forecasting to reach the approved contract value six months earlier than originally predicted. This report seeks approval to increase the value of the contract to accommodate this increased service level to ensure meal provision for vulnerable clients.

The City is also seeking to extend the current contract with Master Catering Services Pty Ltd by 12 months. There have been delays associated with the Commonwealth Government's aged care reforms. The Commonwealth has advised that a new model of Support at Home program for older people will be rolled out from July 2024. This program will replace the current Commonwealth Home Support Program (CHSP) and is likely to change the way services are funded in the future.

The Commonwealth has indicated that further details regarding funding will be communicated by July 2023. Extending the current meal provision contract will allow sufficient time for the City to research and develop new operational strategies to align with the proposed reforms, and to tender for a new contract period.

During the extended contract period, the City will commence a tender process, in line with the changes to Commonwealth funding or process, for the ongoing supply of meals.

This report recommends that Council grant an exemption from tender to extend the term of the existing contract to May 2024 and approve a contract variation for the provision of Meals on Wheels Pre-Packed/Cooked Individual Chilled and Frozen Meals.

Recommendation

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for Meals on Wheels Pre-Packed/Cooked Individual Chilled and Frozen Meals to extend the term of the existing contract by 12 months;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders because:
 - (i) the Commonwealth Government's funding model announcement (expected July 2023) is likely to have significant changes in how grant funding is allocated (post July 2024); and
 - (ii) extending the current meal provision contract will allow sufficient time for the City to research and develop new operational strategies to align with the proposed reforms;
- (C) Council approve a contract variation for Meals on Wheels Pre-Packed/Cooked Individual Chilled and Frozen Meals to:
 - (i) increase the contract value to accommodate an increased need to procure meals through the life of the contract, as shown in Confidential Attachment A to the subject report; and
 - (ii) extend the contract by 12 months to 18 May 2024 to enable a tender process to take place in line with any changes to funding provided by the Commonwealth;
- (D) Council note the total contract sum and contingency for Meals on Wheels Pre-Packed/Cooked Individual Chilled and Frozen Meals outlined in Confidential Attachment A to the subject report; and
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute, administer the variation to the contract and enter into any necessary documentation with the current supplier to give effect to the resolutions above.

Attachments

Attachment A. Financial Implications (Confidential)

Background

1. The City provides Meals on Wheels for eligible community members. This service assists people growing older and/or living with a disability to live independently in their own homes and to remain active and connected within their communities. It also provides isolated clients with regular social contact, general welfare monitoring and nutritionally balanced meals.
2. The City's Meals on Wheels service is available to residents of the City of Sydney local area and parts of Sydney's inner west, in Annandale, Balmain, Birchgrove, Leichardt, Lilyfield, Rozelle and Tempe who are:
 - 65 years of age and over or 50 years of age and over if Aboriginal or Torres Strait Islander; and
 - approved for funding under the National Disability Insurance Scheme (NDIS).
3. In May 2020, Council endorsed the expansion of the City of Sydney's Meals on Wheels service to include the suburbs of Balmain, Birchgrove, Annandale, Leichardt, Lilyfield, Camperdown, Rozelle and Tempe, following a request from the Commonwealth, with the additional demand accommodated within existing resources.
4. The service provides a diverse menu of healthy and affordable meals, which are sourced from an external commercial food supplier. The current incumbent supplier, Master Catering Services Pty Ltd, was engaged following a competitive tender process. The contract was approved by the Chief Executive Officer on 23 April 2020 following endorsement by the Tender Review Group on 22 April 2020, in accordance with the Register of Delegations from Council to the Chief Executive Officer. The initial term of this contract was for one year (18 May 2020 to 18 May 2021), with two optional extension periods of one year each (18 May 2022 and 18 May 2023 respectively). This contract is due to end on 18 May 2023.
5. Meals are delivered to clients Monday to Friday by City staff and volunteers. Meals for weekends and public holidays are usually delivered on the previous workday. Meal packages are delivered chilled, frozen or hot.
6. In addition to the delivery of meals, the Meals on Wheels service also provides ongoing welfare checks, along with referrals and social supports for those experiencing social isolation. The service supports people who need ongoing or short-term support. This includes people who are adapting to changed circumstances such as functional loss or who need to regain confidence and capacity to resume their usual activities.
7. Referrals for the service are made through the Commonwealth Government My Aged Care portal or via the National Disability Insurance Scheme (NDIS).
8. Due to the associated impacts of the Covid-19 pandemic and the expansion of the Meals on Wheel geographical area to include parts of Inner West Council Meals on Wheels in 2020, the City's Meals on Wheels service saw a 26 per cent increase in people accessing the service during the Covid pandemic. While this growth has now slowed and slightly reduced due to the easing of the pandemic restrictions and a number of clients entering aged care facilities, it has still increased the need to procure and supply additional meals during the life of the contract.

9. As a result, the City is forecasting to reach the approved contract value six months earlier than originally predicted. This report seeks approval to increase the value of the contract to ensure meal provision for vulnerable clients. Detailed financial information is provided in Confidential Attachment A.
10. The City is also seeking to extend the current contract with Master Catering Services Pty Ltd by 12 months.
11. There have been delays associated with the Commonwealth Government's aged care reforms. The Commonwealth has advised that a new model of Support at Home program for older people will be rolled out from July 2024.
12. This program will replace the current Commonwealth Home Support Program (CHSP) and is likely to change the way services are funded in the future.
13. The Commonwealth has already started making some changes to the administration of Commonwealth Home Support Program (CHSP) funding. This includes changes to the way payments are made, and to reporting. These changes have not impacted on the funding the City receives to support the Meals on Wheels Service.
14. The Commonwealth Government has indicated that details regarding further changes to funding will be communicated by July 2023.
15. Extending the current meal provision contract by 12 months to July 2024 will allow sufficient time for the City to research and develop new operational strategies to align with the proposed reforms.
16. Once further information is received from the Commonwealth regarding changes to funding, Council will be advised of any implications for the City's Meals on Wheels service, or asked to make any required decisions associated with the changes.
17. The tender for a new supplier of meals will take into account any implications, changes to funding or decisions of Council.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

18. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This program is aligned with the following strategic directions and objectives:
 - (a) Direction 6 - An equitable and inclusive city - everyone feels welcome and included in the city.
 - (b) Direction 7 - Resilient and diverse communities - everyone has equitable and affordable access to community and cultural facilities and programs, supporting social connection and wellbeing.

Risks

19. Meals on Wheels is a critical food supply chain for many vulnerable community members. The service operates Monday to Friday, while also offering weekend and public holiday food provisions. If the service was unable to operate, vulnerable people would be at risk of not having access to food or receiving essential social contact, which could lead to serious medical implications.
20. The City receives grant funding from the Commonwealth Government to support the operation of the Meals on Wheels program. Under the grant agreement the City is required to supply meals in accordance with the grant terms and conditions and expected outputs. If the City was unable to supply meals provisions the service would be at risk of jeopardising current and future funding.
21. There remains a high level of uncertainty regarding possible impacts of Covid-19, high inflation levels and increased living costs. This means that there may be increased community uptake or need, along with increased food, and delivery costs.

Social / Cultural / Community

22. The City's Meals on Wheels service commenced operations on 18 March 1957. It was the first service of its kind in New South Wales and the third in Australia. The Meals on Wheels service aims to support residents who are frail, aged or living with a disability to continue living independently within their own homes and communities by delivering nutritious meals, regular social interactions and general monitoring of health and wellbeing. The City's Meals on Wheels program continued to operate throughout the Covid-19 pandemic and continues to play a critical role in supporting many vulnerable community members through both food provision and social supports.

Financial Implications

23. There are sufficient funds allocated for this service to cover the costs associated with this contract in the current years' operating budget and future year's forward estimates.

Relevant Legislation

24. The original tender process was conducted in accordance with the Local Government Act 1993 and the then Local Government (General) Regulation 2005. The proposed exemption from tender and contract variation is consistent with the Local Government Act 1993 and Local Government (General) Regulation 2021.
25. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
26. Attachment A contains confidential commercial information 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.

27. 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 negotiate fairly and commercially to achieve the best outcome for its ratepayers.

Critical Dates / Time Frames

28. To ensure the City can continue Meals on Wheels services under the current contract with Master Catering Services Pty Ltd, it is critical that Council supports the decision to increase the contract value at the December Council meeting. The City can only continue to procure meals within the current contract parameters until early January 2023.
29. This contract is due to expire on 18 May 2023. The City will be developing an Expression of Interest process followed by a Request for Tender. It is planned that the Expression of Interest will be ready in early 2023, with the tender process to follow shortly after the funding model announcement, anticipated in July 2023.
30. The tender for a new supplier of meals will take into account any implications, changes to funding or decisions of Council. The new tender will also incorporate mechanisms in the contract that allow for future fluctuations in the number of meals required for supply, and supply chain costs.

EMMA RIGNEY

Director City Life

Luke Barnett, Direct Services Manager

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Item 11.**Tender T-2021-615 - Construction of North Rosebery Park and Green Link****File No: X022419.001****Tender No: T-2021-615****Summary**

This report provides details of the tenders received for the Construction of North Rosebery Park and Green Link .

North Rosebery Park and Green Link are on the site of the former Sweetacres factory of James Stedman Henderson Ltd, which opened in 1918 on Rothschild Avenue, Rosebery. A basic park and green link (temporary arrangements) were constructed, and the lands were dedicated to the City by the adjoining property developer. All neighbouring private dwellings are now complete and occupied.

North Rosebery Park is a rectangular piece of land (approximately 5,750m²) dedicated for park use under a voluntary planning agreement and developed by Meriton. The Park is bound to the west by Confectioners Way, to the north by medium density residential apartments, to the east by Rosebery Avenue and to the south by Crewe Place.

The Green Link is a through site link (approximately 4,200m²) dedicated for park use and public access under a voluntary planning agreement and developed by Meriton. The Green Link has two parts - running north south from Confectioners Way to Stedman Street, and east west from Rosebery Avenue to Stedman Street.

This report recommends that Council accept the tender offer of Tenderer B for the Construction North Rosebery Park and Green Link works.

Recommendation

It is resolved that:

- (A) Council accept the tender offer of Tenderer B for the Construction of North Rosebery Park and Green Link for the price and contingency outlined in Confidential Attachment A to the subject report;
- (B) Council note that the total contract sum and contingency for Construction of North Rosebery Park and Green Link as outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (D) Council approve additional funds for the project as outlined in Confidential Attachment A to the subject report.

Attachments

Attachment A. Tender Evaluation Summary (Confidential)

Background

1. The area that includes North Rosebery Park and Green Link is within the traditional homeland of the Gadigal people, one of the 29 clan groups of the Sydney metropolitan area that are collectively referred to as the Eora Nation.
2. North Rosebery Park and Green Link are on the site of the former Sweetacres factory of James Stedman Henderson Ltd, which opened in 1918 on Rothschild Avenue, Rosebery. A basic park and green link (temporary arrangements) were constructed, and the lands were dedicated to the City by the adjoining property developer. All neighbouring private dwellings are now complete and occupied.
3. North Rosebery Park is a rectangular piece of land (approximately 5,750m²) dedicated for park use under the voluntary planning agreement and developed by Meriton. The Park is bound to the west by Confectioners Way, to the north by medium density residential apartments, to the east by Rosebery Avenue and to the south by Crewe Place.
4. The existing park site is predominantly a flat turf area, which forms the temporary park delivered by Meriton. There are a range of trees of different ages and species on the perimeter near adjacent roads. Temporary seating and garbage bins have been installed within the park. Additionally, lighting has been provided to provide safe passage for pedestrians and residents.
5. The Green Link is a through site link (approximately 4,200 m²) dedicated for park use and public access under the voluntary planning agreement and developed by Meriton. The Green Link has two parts - running north-south from Confectioners Way to Stedman Street, and east-west from Rosebery Avenue to Stedman Street.
6. Both sections of the Green Link site have been temporarily upgraded including lighting to provide safe passage for pedestrians and residents accessing buildings. A temporary planted area on the north-south section was delivered to provide a pleasant outlook for residents. The east-west Green Link contains a number of mature fig trees, to be retained and protected in the future upgrade.
7. The project team engaged Gallagher Studios as Head Design Consultant to develop the design for the project.
8. Indigenous Cultural Consultants, Old Ways New, were also engaged for design development to ensure that the project contributes to recognising the City's Indigenous heritage, celebrating Aboriginal and Torres Strait Islander cultures in the public domain, and enriching local knowledge about the cultural landscape. In addition, the consultant produced a Country Centred Design Report, which broadly identifies project opportunities for the integration of Indigenous themes and narratives within the project.
9. The concept design was approved by Council on 18 October 2021. Further refinements were made during the design development phase and Council approved the revised scope on 19 September 2022.
10. An open Expression of Interest (E-2021-567) was held for the North Rosebery Park and Green Link construction, which closed on Monday 17 January 2022. Seven suppliers provided responses. A shortlist of three companies was endorsed to tender for the works.

Invitation to Tender

11. The tender was advertised on Tenderlink on 6 October 2022 and closed on 22 November 2022.

Tender Submissions

12. 2 submissions were received from the following organisations:
 - Ford Civil Contracting Pty Ltd (ABN 24 002 542 814)
 - Regal Innovations Pty Ltd (ABN 79 002 411 814)
13. No late submissions were received.
14. One Tenderer from the Expression of Interest shortlist withdrew before the deadline.

Tender Evaluation

15. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
16. The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Summary – Attachment A.
17. All submissions were assessed in accordance with the approved evaluation criteria being:
 - (a) Company profile, capacity and demonstrated experience in carrying out works of a similar size and nature, including work on parks with playground equipment and direct involvement by Aboriginal and Torres Strait Islander people;
 - (b) Personnel allocation including position held, qualifications, % of time on the project and relevant experience; subcontractors;
 - (c) Proposed program and capacity to achieve the program/deliverables including duration, sequencing and appropriately detailed breakdown of work tasks under contract and the ability to meet project milestones;
 - (d) Proposed project delivery approach including all Project Management Plans, perceived risks and mitigation strategies and innovation;
 - (e) Work health and safety;
 - (f) Financial and commercial trading integrity including insurances; and
 - (g) The lump sum price and schedule of price.

Performance Measurement

18. The City will ensure that performance standards are achieved during construction through regular assessment of the following Key Performance Indicators:
 - (a) Safety and Environment - works performed safely, to avoid incidents and non-conformances. The site management plan is to be developed and implemented in such a way as to ensure the safety of all depot staff and visitors and to ensure ongoing depot operations
 - (b) Communication - weekly site meetings and daily online / phone correspondence.
 - (c) Programming and Resources - approach and methodology strategically planned to maximise the efficient and effective use of resources and materials while ensuring all documentation and contract requirements are submitted on time.
 - (d) Quality Assurance - inspections, witness and hold points as necessary to meet the quality standards set out by the City.
 - (e) Cost Variations - all efforts made to mitigate a variation to the contract with negative cost implications.
19. The City will ensure the works are in accordance with the contract documents including the General Conditions of Contract, Preliminaries, Specifications and Schedules.
20. At the end of construction, the City will assess the Contractor and complete a performance review and any lessons learnt shared and utilised in future projects.

Financial Implications

21. Additional funds are required for this project due to the recommended tenderer exceeding pre-tender estimates. Acceptance of the recommended tender will therefore require Council to increase the budget, as detailed in Confidential Attachment A.
22. The total contract sum and contingency for North Rosebery Park and Green Link construction works is detailed in Confidential Attachment A.

Relevant Legislation

23. The tender has been conducted in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2021.
24. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

25. Attachment A contains confidential commercial information of the tenderers and details of Council's tender evaluation and contingencies 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.
26. 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 negotiate fairly and commercially to achieve the best outcome for its ratepayers.

Critical Dates / Time Frames

27. The following key dates apply to this project:
 - (a) Contract execution January 2023
 - (b) Site establishment March 2023
 - (c) Date for practical completion October 2023

Options

28. An alternative option is to not proceed with the tendered works. This option is not recommended because it would have an ongoing impact of reduced amenities for residents.
29. No other alternative viable options have been identified during the tender evaluation process.

Public Consultation

30. Community consultation was undertaken from 5 March to 6 April 2021.
31. The Review of Environmental Factors for the project was exhibited to the public between 1 June to 28 June 2022. Additional public, community and property owner consultation will be undertaken throughout the project as it progresses.

KIM WOODBURY

Chief Operating Officer

Sathy Nada, Project Manager

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Item 12.

Cancellation of Tender - T-2022-736 - Alexandra Canal Depot Workspace Relocation Stage 2 Construction

File No: X038195.022

Tender No: T-2022-736

Summary

This report provides details of the tenders received for Alexandra Canal Depot Workspace Relocation Stage 2 Construction.

Alexandra Canal Depot was constructed in 2016 and is a purpose-built depot for the operational amenities required by the various teams within the City Services division including Depot Management, Fleet Services, City Infrastructure and Traffic Operations, and Cleansing and Waste.

A workspace relocation project was phased with three separate stages.

Stage 1 included the consolidation and relocation of the Fleet Services workspaces within the Alexandra Canal Depot to create space for the Parks Maintenance Team and was completed in January 2021.

Stage 2 works, to which this tender relates, included the proposed construction of four new bulk storage bays beside three existing City Infrastructure and Traffic Operations bays, supply and installation of a dust suppression system to all bulk storage bays and the link bin areas, and supply and installation of two motorised retractable covers to the new bays. The proposed works included civil, hydraulic and electrical services reticulation.

Stage 3 construction works for a new Parks Office space and plant stock area was completed in early November 2022.

This report recommends that Council decline to accept the tender offer for the Alexandra Canal Depot Workspace Relocation Stage 2 Construction, cancel the tender and note that a proposed adjustment of scope and procurement method will be developed for the Alexandra Canal Depot Workspace Relocation Stage 2 Construction.

Recommendation

It is resolved that Council:

- (A) decline to accept the tender offer for Alexandra Canal Depot Workspace Relocation Stage 2 Construction;
- (B) cancel the tender for the Alexandra Canal Depot Workspace Relocation Stage 2 Construction for the reasons outlined in Confidential Attachment A to the subject report; and
- (C) note that a proposed adjustment of scope and procurement method will be developed for the Alexandra Canal Depot Workspace Relocation Stage 2 Construction.

Attachments

Attachment A. Tender Evaluation Summary (Confidential)

Background

1. Alexandra Canal Depot was constructed in 2016 and is a purpose-built depot for the operational amenities required by the various teams within the City Services division including Depot Management, Fleet Services, City Infrastructure and Traffic Operations, and Cleansing and Waste.
2. The Alexandra Canal Depot was constructed with capacity for future adaptation with opportunities across the entire site for co-location of services.
3. A workspace relocation project was phased with three separate stages:
 - (a) Stage 1 included the consolidation and relocation of the Fleet Services workspaces within the Alexandra Canal Depot to create space for the Parks Maintenance Team and was completed in January 2021.
 - (b) Stage 2 works, to which this tender relates, included the proposed construction of four new bulk storage bays beside three existing City Infrastructure and Traffic Operations bays, supply and installation of a dust suppression system to all bulk storage bays and the link bin area, and the supply and installation of two motorised retractable covers to the new bays. The proposed works included civil, hydraulic, and electrical services reticulation.
 - (c) Stage 3 included the construction of a new outdoor plant stock area, as well as the relevant services and amenities required by the Park Maintenance Team, within an existing workshop space and new mezzanine level, and reached completion in early November 2022.
4. The Parks Maintenance Team was located in the Nursery Depot within Sydney Park in Barwon Park Road, St Peters. Termite damage was uncovered in early 2020 requiring a temporary relocation of the City's Parks Maintenance team from the Nursery Depot in Sydney Park to Alexandra Canal Depot.
5. After extensive consultation with all relevant staff, it was determined that the future operations of the Nursery Depot would remain at Alexandra Canal Depot. This project aligns with the updated Depot Strategy 2021 and Sydney Park Plan of Management 2014.
6. The Alexandra Canal Depot Workspace Relocation project has facilitated the temporary and permanent relocation of the Parks Maintenance team into the Alexandra Canal Depot.

Invitation to Tender

7. The tender was advertised on Tenderlink on Thursday 26 May 2022 and closed on Tuesday 21 June 2022.

Tender Submissions

8. One submission was received from the following organisations:
 - Rogers Construction Group Pty Ltd (ABN 56 615 190 517).
9. No late submissions were received.

Tender Evaluation

10. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.

Financial Implications

11. If this tender is cancelled, the scope will be reviewed and the financial implications for adjusted scope will be reviewed prior to any procurement process commencing.

Relevant Legislation

12. The tender has been conducted in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021.
13. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
14. Attachment A contains confidential commercial information of the tenderers and details of Council's tender evaluation and contingencies 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.
15. 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 negotiate fairly and commercially to achieve the best outcome for its ratepayers.

Critical Dates / Time Frames

16. The following key dates apply to this project:

- | | |
|---|---------------|
| (a) Council approval to cancel tender | December 2022 |
| (b) Analysis of options (scope adjustment / procurement method) | early 2023 |
| (c) New Stage 2 procurement | early 2023 |
| (d) Stage 2 Contract execution | mid 2023 |
| (e) Practical Completion | mid-late 2023 |

Options

17. Options are detailed in Confidential Attachment A.

KIM WOODBURY

Chief Operating Officer

Lillian Luxon, Project Manager

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