

## **Minutes of the Corporate, Finance, Properties and Tenders Committee - 14 August 2023**

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

At the commencement of business at 2.04pm those present were -

The Lord Mayor, Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Scott, Weldon and Worling.

### **Hybrid Meeting Arrangements**

The Chair (the Lord Mayor) advised that Councillor Weldon was attending the meeting of the Corporate, Finance, Properties and Tenders Committee remotely, via audio visual link, pursuant to the provisions of clause 4.20 of the Code of Meeting Practice.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 3.29pm.

### **Item 1**

#### **Confirmation of Minutes**

Moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday 19 June 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

### **Item 2**

#### **Statement of Ethical Obligations and Disclosures of Interest**

The Lord Mayor (Councillor Clover Moore AO) disclosed a less than significant, non-pecuniary interest in Item 6 on the agenda, in that she is currently in the process of acquiring an apartment in a separate Deicorp-owned development within Green Square.

The Lord Mayor considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because there is no connection between the Council's sale of this land to Deicorp, which was identified over a decade ago in Council's Development Control Plan and Masterplans for the precinct, and her private purchase of this separate property. She has not discussed or had any contact with Deicorp in relation to this matter.

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 3 on the agenda, in that her husband is the CEO of the Pharmacy Guild. Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because there will be no decisions relating to pharmacies required on this item.

- a less than significant, non-pecuniary interest in Item 10 on the agenda, in that she is a Council-nominated member of Southern Sydney Regional Organisation of Councils (SSROC). Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because no tender matters have been discussed prior to the briefings.

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

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

### **Item 3**

#### **2022/23 Quarter 4 Review – Delivery Program 2022-2026**

It is resolved that Council:

- (A) note the interim financial performance of Council for the 2022/23 financial year ending 30 June 2023, including the Net Surplus of \$179.5M as outlined within the report and summarised at Attachment A to the subject report;
- (B) note the full year Capital Works expenditure of \$144.6M for 2022/23, approve the proposed revote of \$21.7M and adjustments to future years forward estimates, to increase the adopted 2023/24 budget to \$237.6 including \$8.0M of contingency to progress the planned capital works, as detailed in the Attachment B to the subject report;
- (C) note the Technology and Digital Services capital expenditure of \$18.6M for 2022/23, and approve the proposed revote of \$2.5M and other adjustments totalling (\$1.2M), to increase the adopted 2023/24 TDS capital budget to \$21.0M as shown in Attachment B in the subject report;
- (D) note the full year Plant and Equipment expenditure of \$8.4M for 2022/23 (net of disposals), and approve the proposed revote of \$3.2M, to increase the adopted 2023/24 net budget to \$17.2M as show in Attachment B in the subject report;
- (E) note the full year net Property Acquisitions of \$92.5M;
- (F) note the operational performance indicators and quarter and full year achievements against the Delivery Program 2022-2026 objectives, as detailed in Attachment C to the subject report; and
- (G) note the supplementary report which details major legal issues, the quick response, street banner and venue hire support grants and sponsorship programs, fee-waived and discounted community facilities hire, international travel, property and land use matters approved under delegation and contracts over \$50,000 in Quarter 4, as detailed in Attachment D to the subject report.

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

X084366

**Item 4**

**Investments Held as at 30 June 2023**

It is resolved that the Investment Report as at 30 June 2023 be received and noted.

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

X020701

**Item 5**

**Investments Held as at 31 July 2023**

It is resolved that the Investment Report as at 31 July 2023 be received and noted.

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

X020701

**Item 6**

**Proposed Sale of Surplus City Owned Land – Part 17 Zetland Avenue, Zetland**

It is resolved that:

- (A) Council endorse the sale of proposed Lot 112 in a proposal plan of subdivision of 17 Zetland Avenue West, Zetland being Lot 11 in Deposited Plan 121716 to Deicorp Projects (Joynton Avenue) Pty Ltd 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 with Deicorp Projects (Joynton Avenue) Pty Ltd and enter into a Contract for Sale and any other documentation required to complete the sale.

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

X086239

**Item 7**

**Tender - T-2022-810 - Venue Management Catering Services**

It is resolved that:

- (A) Council accept the tender offer of Tenderer B for the provision of catering services to the City's landmark venues for the price and contingency outlined in Confidential Attachment A to the subject report for a period of two years, with the option of an extension of three years if the City deems that the supplier's performance is meeting expectations;
- (B) Council note that the total contract sum and contingency for the provision of catering services to the City's landmark venues is outlined in Confidential Attachment A to the subject report, and
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender.

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

X093477.003

**Item 8**

**Tender - T-2023-917 - Oxford Street West and Liverpool Street Cycleway Construction**

It is resolved that:

- (A) Council accept the tender of Tenderer D for the construction of a separated bi-directional cycleway along the northern kerb side lane of Liverpool Street and Oxford Street between Elizabeth Street and Flinders Street, Darlinghurst for the price and contingency outlined in Confidential Attachment B to the subject report;
- (B) Council note that the total contract sum and contingency for the construction of the Oxford Street West and Liverpool Street cycleway is outlined in Confidential Attachment B to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender; and
- (D) Council approve the additional funds as outlined in Confidential Attachment B to the subject report.

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

X037203

**Item 9****Tender - T-2023-953 - Pyrotechnical Services for Sydney New Year's Eve**

It is resolved that:

- (A) Council accept the tender offer of Tenderer A for Pyrotechnic Services for 2024 and 2025 Sydney New Year's Eve (with two additional options to extend to cover the 2026 and 2027 events, and further 2028 and 2029 events);
- (B) Council note that the total contract sum and contingency for Pyrotechnic Services for 2024 and 2025 Sydney New Year's Eve (with two additional options to extend to cover the 2026 and 2027 events, and further 2028 and 2029 events) is outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the options referred to in Clause (A), if appropriate.

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

X092284.002

**Item 10****Exemption from Tender - SSROC T2022-03 - Provision of Linemarking Services**

It is resolved that:

- (A) Council approve an exemption from tender for the Provision of Linemarking Services as Southern Sydney Regional Organisation of Councils (SSROC) has an arrangement with a suitable panel of suppliers resulting from a competitive tender process;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
  - (i) SSROC conducted a tender process in 2022 which resulted in a suitable panel of competitive suppliers being available to the City, providing a value for money outcome; and
  - (ii) there is unlikely to be any material benefit or cost saving to repeating the tender process;
- (C) Council note that the total contract sum is detailed in Confidential Attachment A to the subject report; and
- (D) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the Provision of Linemarking Services, for a period of up to six years, and for the total contract sum detailed in Confidential Attachment A to the subject report.

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

X095581