

Item 6

Report of the Corporate, Finance, Properties and Tenders Committee - 11 October 2021

Item 6.1

Disclosures of Interest

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.10 on the agenda, in that Clara Klemski, a board member of Brand X, an organisation recommended to receive grant funding, made a donation of \$25 to the City of Sydney Labor team in 2018.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not had contact with this individual regarding this item.

- a less than significant, non-pecuniary interest in Item 6.11 on the agenda, in that the owner of Parliament on King, a business not recommended to receive a grant in Item 6.11, is known to her family.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not had contact with this individual regarding this item.

- a less than significant, non-pecuniary interest in Item 6.11 on the agenda, in that she sits on the advisory board of the Centre for Workforce Futures at Macquarie University. An unrelated part of the university is recommended to receive grant funding for a project unrelated to the Centre for Workforce Futures in Item 6.11.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not had contact with any individual regarding this item and was unaware of the grant application and recommendation until the Committee papers were published.

- a less than significant, non-pecuniary interest in Item 6.11 on the agenda in that a number of staff from the University of Technology Sydney have made donations to the City of Sydney Labour team both in 2021 and in the past.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not had contact with any individual regarding this item.

Councillor Angela Vithoukas disclosed a significant, non-pecuniary interest in Item 6.10 on the agenda, in that she has had a friendship with some of the board of Monkey Baa Theatre, although she is not sure if they are still part of the organisation. Councillor Vithoukas has not had any contact with them about this grant at all, and the first time she was aware of their participation in the grant round was when she read the Committee papers this week.

Councillor Vithoukas stated that she would not be present at, or in sight of, the meeting at any time this matter is being considered, discussed or voted on by the Council or Committee.

Councillor Jess Scully disclosed a less than significant, non-pecuniary interest in Item 6.11 on the agenda, in that Mundane Matters Pty Ltd is recommended for a Knowledge Exchange Sponsorship. They are a local business specialising in the circular economy. I recently provided a testimonial for this business in support of their processes and product, not related to their project under consideration.

Councillor Scully considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she was not aware of this recommendation until the Committee papers were published, and have had no communication with them about their grant application.

At a later stage of the meeting, during discussion on Item 6.11 on the agenda, Councillor Phelps disclosed a less than significant, non-pecuniary interest in Item 6.11, in that she is a patron of the ACON Pride in Health + Wellbeing program. ACON is recommended for a grant.

Councillor Phelps stated that she had not been approached or had any discussion with any person about this grant, but for an abundance of caution, she would be absent for the decision on that grant in this item.

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

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

Item 6.2

Presentation of the 2020/21 Financial Statements and Audit Reports to Council

It is resolved that Council:

- (A) receive the Financial Statements for City of Sydney for the year ended 30 June 2021, as shown at Attachment A to the subject report;
- (B) authorise the Lord Mayor, Councillor Jess Scully (member – Audit, Risk and Compliance Committee), Chief Executive Officer, and the Chief Financial Officer to sign the General Purpose Financial Statements;
- (C) authorise the Lord Mayor, Councillor Jess Scully (member – Audit, Risk and Compliance Committee), Chief Executive Officer, and the Chief Financial Officer to sign the Special Purpose Financial Statements;
- (D) receive the auditor’s reports on the 2020/21 Annual Financial Statements; and
- (E) authorise that notice be given, through Sydney Your Say, of public presentation of the audited 2020/21 Financial Statements for the City of Sydney at the Council meeting on 15 November 2021.

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

X025180

Speakers

Margaret Crawford (NSW Auditor General) and Caroline Karakatsanis (Director Financial Audit – Audit Office of NSW) addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.2.

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

Item 6.3

Audit Risk and Compliance Committee Annual Report to Council 2020/21

It is resolved that Council note the Audit Risk and Compliance Committee's 2020/21 Annual Report, as shown as Attachment A to the subject report.

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

S083523

Speakers

Elizabeth Crouch (Past Chair – Audit, Risk and Compliance Committee) and Carolyn Walsh (Chair – Audit, Risk and Compliance Committee), addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.3.

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

Item 6.4

Review of the Investment Policy and Strategy

It is resolved that Council adopt the revised Investment Policy and Investment Strategy for the management and investment of Council's funds, as shown in Attachments A and B to the subject report.

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

X020701

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

Item 6.5

Investments Held as at 30 September 2021

It is resolved that the Investment Report as at 30 September 2021 be received and noted.

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

X020701

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

Item 6.6

Tender - T-2021-511 - Green Square to Ashmore Connector Road

It is resolved that:

- (A) Council accept the tender offer of Tenderer E for the construction of Green Square to Ashmore Connector Road and Associated Works for the price and contingency outlined in Confidential Attachment A to the subject report;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) Council approve the additional funds as detailed in Confidential Attachment A to the subject report.

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

X010053.012

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

Item 6.7

Exemption from Tender and Contract Variations - Contracts Impacted by the Postponement of the 2021 Local Government Election

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55 (3)(i) of the Local Government Act 1993 to extend the term of the existing contracts for:
- (i) Street Signs, Pavement Marking and Tactile Ground Surface Indicator Services with Streets Ahead Maintenance Pty Ltd;
 - (ii) Public Art Collection Basic Maintenance Services with Urban Maintenance Systems Pty Ltd; and
 - (iii) Security Patrols and Alarm Response Services with Southern Cross Protection Pty Ltd;
- by reason of extenuating circumstances noting that a satisfactory result for the City would not be achieved by inviting tenders at this time;
- (B) Council note the reason that a satisfactory result would not be achieved by inviting tenders at this time are that because of the new date for the 2021 Local Government Elections and corresponding later date of the caretaker period, the City will not have adequate time in which to complete the appropriate tender processes which consequently will not result in value for money;
- (C) Council approve variations to the contracts for:
- (i) Street Signs, Pavement Marking and Tactile Ground Surface Indicator Services with Streets Ahead Maintenance Pty Ltd;
 - (ii) Public Art Collection Basic Maintenance Services with Urban Maintenance Systems Pty Ltd; and
 - (iii) Security Patrols and Alarm Response Services with Southern Cross Protection Pty Ltd;
- to extend the terms of the three contracts to 30 June 2022; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, administer and enter into any necessary documentation to give effect to the clauses above.

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

X026413

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

Item 6.8

Lease Approval (Confidential)

It is resolved that Council approve the recommendation contained within Confidential Attachment A to the subject report.

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

S096173

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

Item 6.9

Property Matter (Confidential)

It is resolved that Council approve the recommendation contained within confidential Attachment A to the subject report.

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

X025359

The Economic Development and Business Sub-Committee recommends the following:

Item 6.10

Grants and Sponsorship - Round Two 2021/22 - Economic Grants

It is resolved that:

- (A) Council approve the cash recommendations for the Business Support - Live Music and Performance Grant Program as per Attachment A to the subject report, except for the grant to Monkey Baa Theatre for Young People Limited;
- (B) Council approve the cash recommendation for the Business Support – Live Music and Performance Grant to Monkey Baa Theatre for Young People Limited as per Attachment A to the subject report;
- (C) Council note the applicants who were not successful in obtaining a cash grant for the Business Support - Live Music and Performance Grant Program as per Attachment B to the subject report;
- (D) Council approve the cash recommendations for the Business Support - Night Time Diversification Grant Program as per Attachment C to the subject report;
- (E) Council approve the cash recommendations for the Business Support - Night Time Diversification Grant Program as per Attachment D to the subject report;
- (F) Council note the applicants who were not successful in obtaining a cash grant for the Business Support - Night Time Diversification Grant Program as per Attachment E to the subject report;
- (G) Council note that all grants amounts are exclusive of GST;
- (H) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (I) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this alternative recommendation was moved and voted on in seriatum, as follows –

All clauses, excluding clause (B), were moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.

Clause (B) was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

S117676

The Economic Development and Business Sub-Committee recommends the following:

Item 6.11

Grants and Sponsorship - Round Two 2021/22 - Knowledge Exchange Sponsorship Program

It is resolved that:

- (A) Council approve the cash and revenue/value-in-kind recommendations for the Knowledge Exchange Sponsorship Program as per Attachment A to the subject report, except for the grant to Acon Health Limited;
- (B) Council approve the cash and revenue/value-in-kind recommendations for the Knowledge Exchange Sponsorship Program to Acon Health Limited as per Attachment A to the subject report;
- (C) Council note the applicants who were not successful in obtaining a cash grant for the Knowledge Exchange Sponsorship Program as per Attachment B to the subject report;
- (D) Council note that all grants amounts are exclusive of GST and all value-in-kind offered is subject to availability;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (F) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this alternative recommendation was moved and voted on in seriatum, as follows –

All clauses, excluding clause (B), were moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.

Clause (B) was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

S117676