

Item 6

Report of the Corporate, Finance, Properties and Tenders Committee - 15 August 2022

Item 6.1

Disclosures of Interest

No 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

2021/22 Quarter 4 Review - Delivery Program 2017-2021

It is resolved that Council:

- (A) note the interim financial performance of Council for the 2021/22 financial year ending 30 June 2022, including the Net Surplus of \$68.8M as outlined within the report and summarised at Attachment A to the subject report;
- (B) note the full year Capital Works expenditure of \$162.3M for 2021/22, approve the proposed revote of \$30.4M and adjustments to future years forward estimates, to increase the adopted 2022/23 budget to \$200.9M excluding 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 \$14.1M (net of disposals) for 2021/22, and approve the proposed revote of \$8.6M and other adjustments totalling \$3.5M (including transfer of \$2.9M of multi-year projects included in the operating budget), to increase the adopted 2022/23 TDS capital budget to \$19.0M as shown in Attachment B in the subject report;
- (D) note the full year Plant and Assets expenditure of \$7.9M for 2021/22 (net of disposals), and approve the proposed revote of \$5.9M and deferral of \$7.6M of fleet purchases to 2023/24 (reflecting supply chain constraints), to reduce the adopted 2022/23 net budget to \$11.3M as show in Attachment B in the subject report;
- (E) note the full year net Property Divestment proceeds of \$32.5M;
- (F) note the operational performance indicators and quarter and full year achievements against the Delivery Program 2017-2021 objectives, as detailed in Attachment C to the subject report;
- (G) note the supplementary reports, including contracts issued over \$50,000, major legal issues and the Quick Response, Banner Pole and Reduced Rate Grant Programs in Quarter 4, as detailed in Attachment D to the subject report; and
- (H) note the Community Recovery Plan report, as shown at Attachment E to the subject report.

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

X039568

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

Item 6.3

Investments Held as at 30 June 2022

It is resolved that the Investment Report as at 30 June 2022 be received and noted.

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

X020701

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

Item 6.4

Investments Held as at 31 July 2022

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

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

X020701

Item 6.5**Public Exhibition - Naming Proposal - Two New Lanes at 180 George Street, Sydney**

The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter shall be deferred to the meeting of Council on 22 August 2022.

Officer's Recommendation

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

It is resolved that Council:

- (A) provide in-principle approval to name the east-west aligned lane "Crane Place" and that the name be placed on public exhibition for community comment for a minimum period of 28 days;
- (B) provide in-principle approval to name the northeast-southwest aligned lane "Cabinetmaker Place" and that the name be placed on public exhibition for community comment for a minimum period of 28 days;
- (C) note that a further report will be submitted to Council, detailing the results of the public consultation process;
- (D) note the stakeholder consultation process to be undertaken for the naming of the new public plaza; and
- (E) note that a further report be submitted to Council to seek in-principle support for the name of the plaza to go on public exhibition for 28-days.

Officer's Report

The officer's report on this matter can be found at Item 5 on the agenda of the meeting of the Corporate, Finance, Properties and Tenders Committee on 15 August 2022.

X086317

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

Item 6.6

Public Exhibition - Councillors' Expenses and Facilities Policy

It is resolved that Council:

- (A) approve the draft Councillors' Expenses and Facilities Policy as shown at Attachment A to the subject report, for public exhibition for a period of 28 days and specifying a period of not less than 42 days during which submissions may be made; and
- (B) note that a further report will be submitted to Council following exhibition.

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

S051923

Item 6.7**Post Exhibition - Grants and Sponsorship Policy and Guidelines**

The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter shall be deferred to the meeting of Council on 22 August 2022.

Officer's Recommendation

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

It is resolved that:

- (A) Council note the submissions received from the community on the exhibited draft grants and sponsorship policy guidelines, as shown at Attachment E to the subject report;
- (B) Council approve the grants and sponsorship policy as shown at Attachment A to the subject report;
- (C) Council approve the grants and sponsorship guidelines as shown at Attachment B to the subject report;
- (D) Council approve the Revised Operational Plan 2022/23 - Addendum as shown at Attachment C;
- (E) Council note the Chief Executive Officer has delegated authority to implement the Quick response grant, Creative live/work spaces grant, Short-term empty properties grant, Venue hire support grants and sponsorship and Street banner sponsorship in accordance with the grants and sponsorship policy criteria and monetary limits; and
- (F) authority be delegated to the Chief Executive Officer to approve any minor editorial corrections prior to publication and authorise the relevant staff to implement any such corrections.

Officer's Report

The officer's report on this matter can be found at Item 7 on the agenda of the meeting of the Corporate, Finance, Properties and Tenders Committee on 15 August 2022.

S117676

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

Item 6.8

Delegations of Authority to the Lord Mayor and Chief Executive Officer

It is resolved that Council:

- (A) approve the Delegations to the Lord Mayor, as shown at Attachment A to the subject report;
- (B) approve the Delegations to the Chief Executive Officer, as shown at Attachment B to the subject report;
- (C) revoke the existing Delegations to the Lord Mayor dated 29 June 2020 and to the Chief Executive Officer dated 16 May 2022;
- (D) confirm that all other delegations by Resolution of Council continue in force; and
- (E) note that the Delegations to the Lord Mayor and the Delegations to the Chief Executive Officer will be updated administratively to reflect any new delegations made by Council resolution.

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

X085376.001 and X085376.001

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

Item 6.9

Adoption - Code of Conduct and Procedures for the Administration of the Code of Conduct

It is resolved that Council:

- (A) adopt the City of Sydney Code of Conduct shown at Attachment A to the subject report; and
- (B) adopt the City of Sydney Procedures for the Administration of the Code of Conduct as shown at Attachment 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.)

S121629.017

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

Item 6.10

Adoption - Internal Reporting Policy - Corrupt Conduct and Serious Wrongdoing

It is resolved that Council:

- (A) adopt the Internal Reporting Policy - Corrupt Conduct and Serious Wrongdoing, as shown at Attachment A to the subject report; and
- (B) authorise the Chief Executive Officer to update the contact information in Appendix A of the Policy as and when required.

(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.)

S121629.035

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

Item 6.11

Macleay Streetscape Improvements – Works on Private Land

It is resolved that:

- (A) Council enters into Access Deeds with the owners of 77 and 81 Macleay Street, Potts Point, generally in accordance with Confidential Attachment B to the subject report, that allows the City to fund and undertake footway upgrade works to the privately owned sections of footway in Macleay Street currently burdened by an Easement for public right of way in favour of the City;
- (B) authority be delegated to the Chief Executive Officer to finalise and execute the Access Deeds; and
- (C) Council note the financial implications detailed in Confidential Attachment C to the subject report.

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

S120379

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

Item 6.12

Tender - T-2021-568 - Construction of Wimbo Park, Surry Hills

It is resolved that:

- (A) Council accept the tender offer of Tenderer C for the construction of Wimbo Park, Surry Hills for the price and contingency as set out 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 that the additional funds sought are brought forward from the provision for Open Space Renewal works in 2025/26, as shown in the forward estimates, included in the City's current Long Term Financial Plan as outlined 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 the Chair (the Lord Mayor), and carried unanimously.)

X009056

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

Item 6.13

Tender - Reject and Negotiate - T-2021-607 - Public Access IT Refresh

It is resolved that:

- (A) Council decline to accept the tender offers for Public Access IT program for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender;
- (C) authority be delegated to the Chief Executive Officer to enter negotiations with any person with a view to entering into a contract on terms that are appropriate in relation to the subject matter of the tender;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute, and administer the contracts relating to the tender; and
- (E) Council be informed of the successful vendor via the CEO Update.

(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.)

X039997.001

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

Item 6.14

Tender - Reject and Negotiate - T-2021-565 - Waterloo Library Roof Remediation Works

It is resolved that:

- (A) Council decline to accept the tender offers for the Waterloo Library Roof Remediation Works for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender;
- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract on terms that are appropriate in relation to the subject matter of the tender;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (E) Council be informed of the successful contractor via the CEO Update.

(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.)

X011539.001

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

Item 6.15

Cancellation of Part of Tender - T-2020-486 - Compact Footway Sweeping and Scrubber Machines - Footway Scrubber Machine

It is resolved that Council:

- (A) decline to accept the tender offers for the Footway Scrubber Machines portion of Tender T-2021-486 and cancel the portion of the tender for the Footway Scrubber Machines, noting that the remaining parts of the tender will proceed; and
- (B) note that a revised request for tender will be issued at a later date.

(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.)

X082973.001

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

Item 6.16

Exemption from Tender - Parking Machine Service and Maintenance

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 noting that, because of the unavailability of competitive or reliable tenderers, a satisfactory result would not be achieved by inviting tenders to provide service and maintenance of the City's parking machines;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
 - (i) going to tender would not deliver a competitive process due to the inability of any other tenderer to provide service inclusive of an integrated management and reporting system using the existing hardware within the machines; and
 - (ii) the service includes provision of compliant payment gateway processing, which can only be enabled by the same provider as that providing the management system;
- (C) Council note that the current parking machines do not need to be replaced and significant cost would be incurred if they were replaced;
- (D) Council approve entering into a contract with the existing service and maintenance contractor for a maximum five year term (three years plus two options of one year each, subject to satisfactory performance); and
- (E) authority be delegated to the Chief Executive Officer to negotiate and approve the terms of the contract of the services agreement with the contractor provided that the contract is consistent with this resolution.

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

X006775.019

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

Item 6.17

Contract Variation - 540 George Street Building Façade Remediation

It is resolved that:

- (A) Council approve a contract variation for the 540 George Street Building Façade Remediation contract to undertake the additional remediation for the amounts set out in Confidential Attachment A to the subject report;
- (B) Council approve an increase to the contract contingency to address any latent conditions for the amounts set out Confidential Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to negotiate variations to the contract relating to 540 George Street Building Façade Remediation.

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

X022286.004