

Item 6

Report of the Corporate, Finance, Properties and Tenders Committee - 17 June 2024

Item 6.1

Confirmation of Minutes

Moved by Councillor Kok, seconded by Councillor Worling –

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday 6 May 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 6.2

Statement of Ethical Obligations and Disclosures of Interest

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Items 6.3 and 6.4 on the agenda, in that she is the President of Australian Local Government Association (ALGA), of which Local Government NSW (LGNSW) is a member, which the City is a member of. The budget, should the Council choose to rejoin LGNSW, may fund this LGNSW membership in the future. She is the Chair of CareSuper, a profit to member superannuation fund, which the Council's budget may fund in the form of employee or Councillor superannuation payments, if staff or Councillors are members. This is the set of circumstances that would apply to any superannuation fund in Australia. She is also the Deputy President of the Australian Council of Superannuation Investors (ACSI), which provides with environmental, social and governance (ESG) advice, research and training about investments.

Councillor Scott considers that these non-pecuniary conflicts of interest are not significant and do not require further action in the circumstances because she applies her judgement to the decisions as a Councillor for the City of Sydney.

Councillor Yvonne Weldon disclosed a significant non-pecuniary interest in Item 6.9 on the agenda, in that she has a long-standing personal relationship with Emily McDaniel.

Councillor Weldon stated that she would not be voting on this matter.

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 6.3

Integrated Planning and Reporting Program and Budget 2024/25 – Adoption

It is resolved that:

- (A) Council note the submissions received from the community, and staff responses, on the exhibited suite of the Integrated Planning and Reporting documents as shown at Attachment C to the subject report;
- (B) Council note the proposed changes to the documents, including fees and charges, as incorporated within the Operational Plan and Resourcing Strategy, and set out in Attachment D to the subject report;
- (C) Council adopt the Operational Plan 2024/25, as shown at Attachment A to the subject report;
- (D) Council adopt the Resourcing Strategy 2024, as shown at Attachment B to the subject report including the revised Asset Management Policy now included as an appendix to the Community Asset Management Plan;
- (E) Council adopt the draft Operating and Capital Budgets and future years' forward estimates as reflected in the Operational Plan 2024/25 and Resourcing Strategy 2024 including:
 - (i) Operating income of \$716.4M, operating expenditure before depreciation of \$597.3M for an Operating Result of \$119.1M, and a Net Surplus of \$115.4M after allowing for interest income, depreciation and capital contributions;
 - (ii) Capital Works expenditure of \$228.5M; including a capital contingency of \$8.0M;
 - (iii) Plant and Assets net expenditure of \$18.6M;
 - (iv) Capital Works (Technology and Digital Services) of \$24.0M; and
 - (v) Net Property Acquisitions of \$28.0M;
- (F) Council adopt the Rates Structure, Domestic Waste Management Charges, Stormwater Charges and User Fees and Charges discussed within the subject report and included within the Operational Plan 2024/25; and
- (G) authority be delegated to the Chief Executive Officer to approve any minor editorial and document design corrections prior to publication.

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

X101909

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

Item 6.4

Investments Held as at 31 May 2024

It is resolved that Investment Report as at 31 May 2024 be received and noted.

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

X020701

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

Item 6.5

Post Exhibition - Grants and Sponsorship Policy and Guidelines

It is resolved that:

- (A) Council note the submissions received from the community on the draft Grants and Sponsorship Program Guidelines as shown at Attachment A to the subject report;
- (B) Council adopt the Grants and Sponsorship Program Guidelines as shown at Attachment B to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to make minor amendments to Grants and Sponsorship Program Guidelines in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

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

S117676

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

Item 6.6

Public Exhibition - Naming Proposal - Ngamuru Avenue

It is resolved that:

- (A) Council provide in-principle approval to name the new road connecting Bowden Street in Alexandria to Geddes Avenue in Zetland, "Ngamuru Avenue", and that the name be placed on public exhibition for a minimum period of 28 days; and
- (B) note that a further report will be submitted to Council on the results of the public consultation process.

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

X100685

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

Item 6.7**Lease Approval - Woolstores Alexandria**

It is resolved that:

- (A) Council note the lease proposal information included in Confidential Attachment A to the subject report;
- (B) Council approve the granting of a new lease in accordance with the essential lease terms and conditions contained within Confidential Attachment B to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease, including in relation to the exercise of the option, in accordance with the essential terms and conditions contained within Confidential Attachment B to the subject report.

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

X091647.002

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

Item 6.8

Lease Approval - 180 George Street, Sydney

It is resolved that:

- (A) Council note the lease proposal information included in Confidential Attachment A to the subject report;
- (B) Council approve the granting of a new lease in accordance with the essential lease terms and conditions contained within Confidential Attachment B to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease, including in relation to the exercise of the option, in accordance with the essential terms and conditions contained within Confidential Attachment B to the subject report.

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

X100664.001

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

Item 6.9

Exemption From Tender – Curatorial Services - Eora Journey - Yananurala

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 enter into a contract for curatorial services for the Eora Journey: Recognition in the Public Domain – Yananurala with Emily McDaniel (ABN: 6745690104) for a three year term, with the option to extend for two additional 12-month terms, if appropriate, for the total contract value outlined in Confidential Attachment B to the subject report;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because of the following extenuating circumstances:
 - (i) the social and cultural complexities of the Eora Journey - Yananurala projects and the risk of the loss of goodwill and relationships built-up by the Yananurala Curator from engaging with Aboriginal and Torres Strait Islander artists and community members in the City of Sydney and more broadly over the past four years;
 - (ii) Ms McDaniel has developed cultural and community knowledge by working with local Aboriginal and Torres Strait Islander community members and consultants and changing now would be high risk to the City for the development of projects; and
 - (iii) the loss of professional insights gained by the Yananurala Curator in the development of Eora Journey - Yananurala projects which includes working with NSW government authorities on whose land Yananurala projects will be located;
- (C) Council note the total contract value for curatorial services for the Eora Journey: Recognition in the Public Domain – Yananurala is outlined in Confidential Attachment B to the subject report;
- (D) authority be delegated to the Chief Executive Officer to negotiate, finalise, execute and administer (including exercising options, if appropriate) the contract relating for curatorial services for the Eora Journey: Recognition in the Public Domain – Yananurala for the term and total contract sum detailed in Confidential Attachment B to the subject report;
- (E) Council note the revised project timeline at Attachment A to the subject report for Yananurala which forms the basis of the contract award; and
- (F) Council note the expanded role of the Eora Journey – Yananurala Curator to include the implementation of the remaining Eora Journey: Recognition in the Public Domain projects relating to Aboriginal and Torres Strait Islander people in addition to Council endorsed Yananurala projects - the Redfern Terrace, in development as part of the Redfern Community Centre park upgrade; and future projects, the Avenue of Hope; the Eora Journey walk from the harbour to Redfern; and Redfern Tours.

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

S110607.005

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

Item 6.10

Exemption from Tender - Barges and Tugs for 2024 and 2025 Sydney New Year's Eve

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 engage with a suitable service provider for Barge and Tug services for the 2024 and 2025 New Year's Eve events;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
 - (i) given the industry capacity issues and ongoing discussions with the pyrotechnic service provider for the 2024 Sydney New Year's Eve event; there is insufficient time to undertake required market consultation, scoping discussions and then conduct a tender process for these services; and
 - (ii) the industry is currently experiencing ongoing high levels of demand and capacity issues. As a result, the City needs to work with service providers to determine the scope that can be delivered within the remaining timeframes and the appropriate engagement model;
- (C) Council approve the maximum total contract value under (A) for the provision of Barge and Tug services as outlined in Confidential Attachment A to the subject report, for a period of up to two years; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, finalise, execute and administer the contract for Barge and Tug services for up to two years.

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

X100794.003

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

Item 6.11

Exemption from Tender - George Street Beacon Lights, Seasonal Star Lights and Central Management System

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 extenuating circumstances, a satisfactory result would not be achieved by inviting tenders to provide and manage the George Street beacon lights, seasonal star lights and central management system;
- (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 the services using the existing hardware and control system; and
 - (ii) the existing beacon lights, seasonal star lights and central management system are still in good working order and significant cost would be incurred if they were replaced;
- (C) Council approve entering into a contract with Hub Australasia Pty Ltd for a maximum three year term;
- (D) Council note the revised total contract sum for the extended term is set out in Confidential Attachment A to the subject report; and
- (E) authority be delegated to the Chief Executive Officer to negotiate and finalise the terms of the contract 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 Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

S120340.002

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

Item 6.12

Exemption from Tender - ePlanning Phase-3 - Replacement of Planning Xchange and Extension of Pathway

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 replace Technology One's Planning Xchange (ICON) application with a suitable solution that can integrate with the City's existing systems because a satisfactory result would not be achieved by inviting tenders;
- (B) Council note the reasons why a satisfactory outcome would not be achieved by inviting tenders are:
 - (i) a market scan has confirmed that a limited number of suppliers are able to provide a suitable solution to support planning lodgement, assessment and determination functionality that can integrate with City's existing systems to meet the City's ePlanning needs; and
 - (ii) adopting new systems would result in extensive business disruption associated with a transition of several core business functions to new systems and would result in significant additional costs;
- (C) authority be delegated to the Chief Executive Officer to negotiate, finalise, execute, and administer (including exercising options, if appropriate) the contract with the selected provider on terms acceptable to the City;
- (D) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 to enter into a contract with Infor Global Solutions (ANZ) Pty Limited for provision of the Pathway system for five years with two further optional extensions of two years each;
- (E) Council note the reasons why a satisfactory outcome would not be achieved by inviting tenders for provision of the Pathway system are:
 - (i) integration of the ePlanning solution and Pathway is required because Pathway is system of record for properties, names and addresses;
 - (ii) adopting new systems would result in extensive business disruption associated with a transition of several core business functions to new systems and would result in significant additional costs; and
 - (iii) the proposed contract term allows integration between systems to be implemented and embedded but also allows the City to exit the contract at appropriate intervals if market offerings for similar modules change;
- (F) Council note the total contract value for contract term with Infor Global Solutions (ANZ) Pty Limited for the Pathway system is outlined in Confidential Attachment A; and
- (G) authority be delegated to the Chief Executive Officer to negotiate, finalise, execute, and administer (including exercising options, if appropriate) documentation required to contract with Infor Global Solutions (ANZ) Pty Limited for provision of the Pathway system.

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