

Resolution of Council

17 March 2025

Item 6.8

Exemption from Tender - Management and Operation of the City of Sydney Creative Studios - Brand X Productions

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 existing contract for the management of the City of Sydney Creative Studios for a period of 3 years and 2 months, noting that a satisfactory result would not be achieved by inviting tenders at this time;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders because:
 - (i) the available operational data for the Creative Studios is insufficient to provide a true reflection of the potential of the facility, or sufficient history to inform the best long-term operating model for the facility;
 - (ii) the market for facility operators is currently very limited, with market conditions for operators remaining challenging; and
 - (iii) the continuing impact of the Covid-19 pandemic and cost-of-living crisis are having a significant impact on the creative sector, impacting the ability of the sector to respond to a tender at this time;
- (C) Council approve the additional funds for the contract extension as outlined in Confidential Attachment A to the subject report;
- (D) Council note the change in the contract operating model outlined in Confidential Attachment A to the subject report;
- (E) Council note the revised total contract value for the management of the City of Sydney Creative Studios is outlined in Confidential Attachment A to the subject report; and
- (F) authority be delegated to the Chief Executive Officer to finalise negotiations and enter into any necessary documentation to give effect to the clauses above.

Carried unanimously.

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