

Resolution of Council

7 April 2025

Item 6.6

Tender – Reject and Negotiate - T-2024-1253 – Management of the City of Sydney Leisure (Active Wellbeing) Services / Exemption from Tender and Contract Variations - Management of Aquatic and Leisure Facilities - Belgravia Leisure

It is resolved that:

- (A) Council decline to accept the tender offers received for City Leisure (Active Wellbeing) Services for the reasons outlined 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 tenderers over and above those that have responded to this tender, noting all major management groups were given the opportunity to participate through a targeted Expression of Interest and subsequent select tender process;
- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with any person including the tenderers identified in Confidential Attachment A to the subject report with a view to entering into a contract on terms that are appropriate in relation to the subject matter of the tender;
- (D) as part of the negotiations, Council considers the competitiveness of wages and benefits paid for staff directly engaged in the provision of services to the community in Aquatic and Leisure Facilities;
- (E) Council note that the outcome of negotiations will be reported back to Council for Council endorsement;
- (F) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 to extend the current contracts for the management of Cook and Phillip Park Aquatic and Fitness Centre, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools; and the contract for Gunyama Park Aquatic and Recreation Centre with Belgravia Health and Leisure Group Pty Limited as Trustee for The Belgravia Unit Trust for an additional 12 months with a revised expiry date of 30 June 2026;

- (G) Council note that a satisfactory result would not be achieved by inviting tenders for these services because the extension is required to ensure service continuity to finalise negotiations following a thorough tender process;
- (H) Council approve a variation to the two current contracts with Belgravia Health and Leisure Group Pty Limited as Trustee for The Belgravia Unit Trust to change the term of the existing contracts to expire on 30 June 2026, adding transitional provisions to align the two contracts, including the financial arrangements, and to increase the total contract value of both contracts as outlined in Confidential A of this report. The required funding is reflected in the 2025/26 draft operating budget; and
- (I) authority be delegated to the Chief Executive Officer to negotiate, execute, and administer the variation to the contracts and enter into any necessary documentation with the current supplier to give effect to the resolutions above.

The motion, as varied by the consent, was carried on the following show of hands –

Ayes (8) The Chair (the Lord Mayor), Councillors Arkins, Gannon, Kok, Maxwell, Miller, Weldon and Worling

Noe (2) Councillors Ellsmore and Thompson.

The motion, as varied by consent, was carried.

X099484.010