

Resolution of Council

17 November 2025

Item 6.13

Exemption from Tender - Bay Street East Depot - Competitive Design Process for Engagement of Head Design Consultant

It is resolved that:

- (A) Council note that in accordance with 6.21D(1)(c) of the Sydney Local Environmental Plan 2012 a competitive design process is required to be undertaken for the Bay Street Depot project;
- (B) Council note the details of the proposed competitive design process to be undertaken for the Bay Street Depot project as outlined in this report and Attachment A to the subject report;
- (C) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for the appointment of the winning competitor (at the completion of the competitive design process) as the Head Design Consultant for the project;
- (D) Council note that an exemption from tender is recommended for the following reasons:
 - (i) an expression of interest process to select suitably qualified companies to provide Head Design Consultancy Services for the project was undertaken in 2022. This process received 44 responses and 5 companies were selected to participate in a selected tender;
 - (ii) it is proposed to invite the 5 companies selected through the 2022 expression of interest to participate in the invited competitive design process noting that these companies are suitably qualified, meet the requirements set out in the City's Competitive Design Policy, and the site specific Design Excellence Strategy;
 - (iii) conducting a tender process would not be consistent with the requirements for the conduct of a competitive design process in the manner proposed for this project; and

- (iv) the winning competitor of the competitive design process is required to be appointed as the Head Design Consultant in accordance with the requirements of Section 5.1 Design Integrity of the City's Competitive Design Policy;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the competitive design process and engagement of the successful Competitor as the Head Design Consultant; and
- (F) Council be informed of the successful Competitor via the CEO Update.

Carried unanimously.

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