



26 JULY 1999

Meeting No 1294

MINUTES of a Meeting of the Council of the City of Sydney held in the Council Chamber at the Sydney Town Hall, commencing at 5.43 pm on 26 July 1999 pursuant to Notice 10/1294 dated 22 July 1999.

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PRESENT

The Right Hon The Lord Mayor Councillor Frank Sartor
(Chairman)

Councillors - Christopher Cotman, Kathryn Greiner, Graham Jahn, John Emmet McDermott, The Hon Henry Tsang MLC and Julie Walton.

At the commencement of business at 5.43 pm those present were:-

The Lord Mayor, Councillors Cotman, Greiner, Jahn, McDermott and Walton.

Councillor Tsang arrived at the meeting at 5.45 pm during discussion on Item 1.

The General Manager, Deputy General Manager, Director City Development, Director City Projects and Director Legal and Secretariat were also present.

Opening Prayer

The Lord Mayor opened the meeting with prayer.

ITEM 1. CONFIRMATION OF MINUTES

Moved by Councillor Walton, seconded by Councillor Cotman -

That the minutes of the Council Meeting of 28 June 1999, as circulated to Councillors, be confirmed.

Carried.

ITEM 2. MINUTES BY THE LORD MAYOR**ADDITIONAL MATTER FOR COUNCIL**

FILE NO:

DATE: 23/7/99

MINUTE BY THE LORD MAYOR

To Council:

Attached for consideration by Council at its meeting on 26 July 1999 is a report by the Senior Strategic Planner on Central Sydney Development Control Plan 1996 - Draft Amendment No 8 - Urban Form and Design.

I bring forward this item for the consideration of Council.

(SGD) COUNCILLOR FRANK SARTOR

Lord Mayor

**ITEM 14. CENTRAL SYDNEY DEVELOPMENT CONTROL PLAN 1996 –
DRAFT AMENDMENT NO.8 - URBAN FORM AND DESIGN
(S006408)**

Moved by Councillor McDermott, seconded by Councillor Jahn -

That consideration of this matter be deferred to a later stage of the meeting and dealt with as Item 14 in conjunction with Reports to Council.

Carried.

ADDITIONAL MATTER FOR COUNCIL

FILE NO:

DATE: 26/7/99

MINUTE BY THE LORD MAYOR

To Council:

Attached for consideration by Council at its meeting on 26 July 1999 is a report by the Specialist Planner on Development Application: 647-649 George Street Sydney.

I bring forward this item for the consideration of Council.

(SGD) COUNCILLOR FRANK SARTOR
Lord Mayor

ITEM 15. DEVELOPMENT APPLICATION: 647-649 GEORGE STREET SYDNEY (D1999-00224)

Moved by Councillor McDermott, seconded by Councillor Jahn -

That consideration of this matter be deferred to a later stage of the meeting and dealt with as Item 15 in conjunction with Reports to Council.

Carried.

ITEM 3. MEMORANDA BY THE GENERAL MANAGER

There were no Memoranda by the General Manager at this meeting of Council.

ITEM 4. MATTERS FOR TABLING

The following reports had been received and were laid on the table:

Institute of Municipal Management
NSW Division

Annual Report 1998-1999

Sydney Legacy

73rd Annual Report 1998-99

Moved by Councillor Greiner, seconded by Councillor McDermott -

That the annual reports be received and noted.

Carried.

ITEM 5. REPORT OF THE FINANCE, PROPERTIES AND TENDERS COMMITTEE - 19 JULY 1999**PRESENT**

The Right Hon The Lord Mayor Councillor Frank Sartor
(Chairman)

Councillors Christopher Cotman, Kathryn Greiner, Graham Jahn, John Emmet McDermott, and Julie Walton.

At the commencement of business at 5.28 pm those present were:-

The Lord Mayor, Councillors Cotman, Greiner, Jahn, McDermott, and Walton.

Apology

The Hon Councillor Henry Tsang MLC extended his apologies for his inability to attend the meeting of the Finance, Properties and Tenders Committee as he was overseas.

Moved by the Chairman (the Lord Mayor), seconded by Councillor Walton -

That the apology from Councillor Tsang be accepted and leave of absence from the meeting be granted.

Carried.

The meeting of the Finance, Properties and Tenders Committee concluded at 5.37 pm.

Report of the Committee

Moved by the Chairman (the Lord Mayor), seconded by Councillor Greiner -

That the Report of the Finance, Properties and Tenders Committee of its meeting of Monday 19 July 1999 be received, and the recommendations set out below for Items 5.1 to 5.3, inclusive, be adopted.

Carried.

The Committee recommended the following:-

INVESTMENTS HELD BY COUNCIL AS AT 30 JUNE 1999 AO2-00360)**5.1**

That arising from consideration of a report by the Management Accounting Officer to the Finance, Properties and Tenders Committee on 19 July 1999, on Investments Held by Council as at 30 June 1999, it be resolved that the report be received and noted.

Carried.

Closed Meeting

At 5.30 pm, the Finance, Properties and Tenders Committee resolved -

That, due notice of the intention to close the meeting having been given, the meeting be closed in accordance with the provisions of Section 10A (2)(d)(i) of the Local Government Act 1993 to discuss Items 5.2 and 5.3 on the agenda as these matters comprised discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it;

and it was further resolved that the meeting be closed for these items on the basis that discussion of these matters in open session would, on balance, be contrary to the public interest, specifically, there is a need to preserve confidentiality having regard to the subject matters and the circumstances of communications.

Items 5.2 and 5.3 were then dealt with by the Finance, Properties and Tenders Committee while the meeting was closed to the public. Item 5.2 was subsequently dealt with by Council in open session, while Item 5.3 was dealt with as Item 12 on the Business Paper while the meeting of Council was closed to the public.

TOWN HALL HOUSE - RENEWAL OF LEASE TO PACT SERVICES PTY LTD OF SUITES 1 & 2, LEVEL 17 (L02-00872)

5.2

That arising from consideration of a report by the Senior Property Manager to the Finance, Properties and Tenders Committee on 19 July 1999 on Town Hall House - Renewal of Lease to Pact Services Pty Ltd of Suites 1 & 2, Level 17, it be resolved that a new lease be granted to Pact Services Pty Ltd for Suites 1 & 2, Level 17, Town Hall House, on the terms as set out in paragraph 7 of the subject report.

Carried.

DAY STREET, SYDNEY BENEATH THE WESTERN DISTRIBUTOR AT THE REAR OF 55-59 SUSSEX STREET - PROPOSED LEASE RENEWAL (L02-00790)

5.3

That consideration of this matter be deferred until the meeting of Council on 26 July 1999.

Carried.

Note - This item was dealt with by Council as Item 12 on the Business Paper.

Note - The Finance, Properties and Tenders Committee requested that a further report be prepared on compliance with previous consent conditions.

ITEM 6. REPORT OF THE PLANNING COMMITTEE - 19 JULY 1999

Councillor Graham Jahn
(Chairman)

Councillors Christopher Cotman, Kathryn Greiner, John Emmet McDermott and Julie Walton.

At the commencement of business at 6.10 pm those present were -

Councillors Cotman, Greiner, Jahn, McDermott and Walton.

Apology

The Hon Councillor Henry Tsang extended his apologies for his inability to attend the meeting of the Planning Committee as he was overseas.

Moved by Councillor Jahn, seconded by Councillor McDermott -

That the apology from Councillor Tsang be accepted and leave of absence from the meeting be granted.

Carried.

Councillor Cotman left the meeting of the Planning Committee at 8.30 pm at the conclusion of discussion on Item 6.10. Councillor Cotman was not present for discussion on Items 6.7, 6.8 or 6.12.

Order of Business

The Planning Committee resolved, in accordance with Clause 11(2) of the Local Government (Meetings) Regulation 1993, that the order of business be altered for the convenience of the public present, such that the agenda items be dealt with in the following order -

11. Section 96(2) Application: 32-36 Regent Street, Chippendale
 1. Progress Report on Development Applications
 3. Development Application: Pier 8/9, Walsh Bay - DUAP Referral
 2. Development Application: Bond Store 4 East, Walsh Bay - DUAP Referral
 4. Development Application: Sites 4/5 and 8/9, Wharves 9 and 10, Darling Harbour
 5. Submission on the Draft Master Plan for the Former Government Printing Office Site & the Former Mortgage Land and Finance Company Site, Harris Street, Ultimo - Referral from DUAP
 6. Development Application: DUAP Referral - Sydney Cove Passenger Terminal, Circular Quay West
 13. Development Application: Burns Philp Building, 5-11 Bridge Street, Sydney
 14. Development Application: Sydney Square and Town Hall Arcade Void Area, George Street, Sydney
 9. Plan Making in NSW - Discussion Paper regarding the Review of Part III of the Environmental Planning and Assessment Act 1979

10. Development Application: Monte Paschi House, 73 York Street, Sydney - Application for Heritage Floor Space
7. DUAP Referral - Draft Masterplan Amendment McCaffery's Hill, Former CSR Site, Pyrmont
8. Development Application: McCaffery's Hill - Residential Development, Lend Lease CSR Site, Pyrmont - DUAP Referral
12. Development Application: Sublime Nightclub, 244-248 Pitt Street, Sydney

The meeting of the Planning Committee concluded at 8.45pm.

Report of the Committee

Moved by Councillor Jahn, seconded by Councillor Greiner -

That the Report of the Planning Committee of its meeting of Monday 19 July 1999 be received, and the recommendations set out below for Items 6.1 and Items 6.3 to 6.10, inclusive, and Item 6.14 be adopted, with Items 6.11 to 6.13, inclusive, being noted, and Item 6.2 being dealt with as shown immediately following that item.

Carried.

The Committee recommended the following -

PART "A" - DETERMINED BY COUNCIL

PROGRESS REPORT ON DEVELOPMENT APPLICATIONS (A03-00138/1)

6.1

That consideration of this matter be deferred until the meeting of Council on 26 July 1999.

Carried.

Note - This item was dealt with by Council as Item 7 on the Business Paper.

Note - The Chairman of the Planning Committee requested that further information be provided for Councillors on a number of development applications as discussed at the meeting of the Planning Committee.

DEVELOPMENT APPLICATION: BOND STORE 4 EAST, WALSH BAY- DUAP REFERRAL (01999/00033)

6.2

That arising from consideration of a report by the Specialist Planner to the Planning Committee on 19 July 1999, in relation to the Development Application referral DA 96-06-99 from the Department of Urban Affairs and Planning for the redevelopment of Pier 8/9, Walsh Bay made by Multiplex Constructions Pty Ltd, it be resolved that -

- (A) the report by the Specialist Planner be received and noted;
- (B) a copy of the submission contained at Attachment E to the subject report, as amended to conform with the resolution of the Central Sydney Planning Committee of 15 July 1999 and as further amended at the meeting of the Planning Committee, be forwarded to the Department of Urban Affairs and Planning for its consideration in the determination of the development application;
- (C) the Director City Development brief Councillors in general terms on submissions to State Government authorities regarding the degree of success of those representations, the administrative costs incurred and how coordination is achieved between planners dealing with specific sites and more general planning matters.

Amendment. At the request of Councillor Jahn and by consent the motion was amended by the addition of the following new Clauses (D), (E) and (F) -

- (D) the Department of Urban Affairs and Planning be requested to impose a condition on any consent for the Bond Store 4 East Development Application, and for all development applications located within the Walsh Bay Redevelopment Area, that notifies residents of these properties that they are not entitled to participate in the City's On-Street Resident or Residents' Visitors Parking Schemes;
- (E) the exclusion from the above parking schemes shall appear on the Section 149 Certificates that are issued under the Environmental Planning and Assessment Act 1979;
- (F) the applicant be sent a copy of Council's submission.

Motion, as amended by consent, carried.

Note - The draft resolution of the Central Sydney Planning Committee on this matter from its meeting of 15 July 1999 and Response to Report submitted by Walsh Bay Partnership dated 19 July 1999 were circulated to members prior to the meeting of the Planning Committee.

Note - Mr Gavin Carrier and Ms Millicent Chalmers addressed the meeting of the Planning Committee on Item 6.2.

DEVELOPMENT APPLICATION: PIER 8/9, WALSH BAY- DUAP REFERRAL (01999/00034)

6.3

That arising from consideration of a report by the Specialist Planner to the Planning Committee on 19 July 1999, in relation to the Development Application referral DA 96-06-99 from the Department of Urban Affairs and Planning for the redevelopment of Pier 8/9, Walsh Bay made by Multiplex Constructions Pty Ltd, it be resolved that -

- (A) the report by the Specialist Planner be received and noted; and
- (B) a copy of the submission contained at Attachment E to the subject report be forwarded to the Department of Urban Affairs and Planning for its consideration in the determination of the development application.

Carried.

DEVELOPMENT APPLICATION: SITES 4/5 AND 8/9, WHARVES 9 AND 10, DARLING HARBOUR (01999/00042)

6.4

That arising from consideration of a report by the Specialist Planner to the Planning Committee on 19 July 1999, in relation to the Development Application referral Planning DA-101-06-99 from the Department of Urban Affairs and made by Wharves 9 and 10 Pty Ltd for the sites identified as Sites 4, 5, 8 and 9 Wharves 9 and 10 Darling Harbour, it be resolved that -

- (A) the report by the Specialist Planner be received and noted; and
- (B) a copy of the submission contained at Attachment D to the subject report, as amended to conform with the resolution of the Central Sydney Planning Committee of 15 July 1999 and as further amended at the meeting of the Planning Committee, be forwarded to the Department of Urban Affairs and Planning for its consideration in the determination of the development application.

Carried.

Note - The draft resolution of the Central Sydney Planning Committee on this matter from its meeting of 15 July 1999 was circulated to members prior to the meeting of the Planning Committee.

SUBMISSION ON THE DRAFT MASTER PLAN FOR THE FORMER GOVERNMENT PRINTING OFFICE SITE & THE FORMER MORTGAGE LAND AND FINANCE COMPANY SITE, HARRIS STREET, ULTIMO - REFERRAL FROM DUAP (099/00043)

6.5

That arising from consideration of a report by the Area Planning Manager to the Planning Committee on 19 July 1999, in relation to the Draft Master Plan for the redevelopment of the Government Printing Office (GPO) and Australian Mortgage Land and Finance Company (AML&F) sites, Ultimo it be resolved that -

- (A) the report by the Area Planning Manager be received and noted;
- (B) a submission in the form of that contained in Attachment G to the subject report, as amended to conform with the resolution of the Central Sydney Planning Committee of 15 July 1999 and as further amended at the meeting of the Planning Committee, be forwarded to the Department of Urban Affairs and Planning for its consideration in the assessment of the Draft Master Plan.

Carried.

Note - The draft resolution of the Central Sydney Planning Committee on this matter from its meeting of 15 July 1999 was circulated to members prior to the meeting of the Planning Committee.

Note - Mr John Hutchinson and Mr Robin Graham addressed the meeting of the Planning Committee on this matter.

DEVELOPMENT APPLICATION: DUAP REFERRAL - SYDNEY COVE PASSENGER TERMINAL, CIRCULAR QUAY WEST (O1999/00036)

6.6

That consideration of this matter be deferred until the meeting of Council on 26 July 1999.

Carried.

Note - This item was dealt with by Council as Item 8 on the Business Paper.

Note - The draft resolution of the Central Sydney Planning Committee on this matter from its meeting of 15 July 1999 was circulated to members prior to the meeting of the Planning Committee.

Note - Mr Lindsay Clare, Mr Chris Mills and Mr Stephen San Lorenzo addressed the meeting of the Planning Committee on this matter.

DUAP REFFERAL - DRAFT MASTERPLAN AMENDMENT MCCAFFERY'S HILL, FORMER CSR SITE, PYRMONT (O1999/00041)**6.7**

That arising from consideration of a report by the Specialist Planner to the Planning Committee on 19 July 1999, in relation to the referral from the Department of Urban Affairs and Planning relating to the McCaffery's Hill Amendment to the Lend Lease Master Plan, it be resolved that the submission included as Attachment D to the subject report, as amended to conform with the resolution of the Central Sydney Planning Committee of 15 July 1999 and as further amended (including a request for reformatting) at the meeting of the Planning Committee, be endorsed and forwarded to the Department for Urban Affairs and Planning for consideration.

Carried.

Note - The draft resolution of the Central Sydney Planning Committee on this matter from its meeting of 15 July 1999 was circulated to members prior to the meeting of the Planning Committee.

DEVELOPMENT APPLICATION: MCCAFFERY'S HILL - RESIDENTIAL DEVELOPMENT, LEND LEASE CSR SITE, PYRMONT – DUAP REFERRAL (0/1999/)**6.8**

That arising from consideration of a report by the Specialist Planner to the Planning Committee on 19 July 1999, in relation to Department of Urban Affairs and Planning Referral DA No. 97-06-99 made by Lend Lease for the site at McCaffery's Hill for demolition of the existing structures and construction of a residential development which is to comprise 165 apartments and 239 car spaces, it be resolved that the submission at Attachment C to the subject report, as amended to conform with the resolution of the Central Sydney Planning Committee of 15 July 1999, be forwarded to the Department of Urban Affairs and Planning for consideration during determination of the Development Application.

Carried.

PLAN MAKING IN NSW - DISCUSSION PAPER REGARDING THE REVIEW OF PART III OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (S008206)

6.9

That consideration of this matter be deferred until the meeting of Council on 26 July 1999.

Carried.

Note - This item was dealt with by Council as Item 9 on the Business Paper.

Note - The draft resolution of the Central Sydney Planning Committee on this matter from its meeting of 15 July 1999 was circulated to members prior to the meeting of the Planning Committee.

DEVELOPMENT APPLICATION: MONTE PASCHI HOUSE, 73 YORK STREET, SYDNEY - APPLICATION FOR HERITAGE FLOOR SPACE (D1999/00064)

6.10

That arising from consideration of a report by the Specialist Planner to the Planning Committee on 19 July 1999, in relation to Development Application D1999/00064 made by Tower Holdings Pty Ltd for the site at 73 York Street, Sydney for Conservation Works and an Award of Heritage Floor Space, it be resolved that -

- (A) Consideration of the application be deferred for 21 days to enable the receipt of reports that satisfactorily address the following matters -
- (1) as the existing building does not comply with the Deemed-to-Satisfy provisions of the Building Code of Australia for Type A Construction, a report prepared by an appropriately qualified person, identifying areas of non-compliance and proposed "alternative solutions" shall be submitted to Council for approval. The report shall nominate how the heritage fabric of the building will be protected when proposing works required for the "alternative solution". In particular, the report is to provide:
 - (a) details of the performance requirements that the proposed "alternative solution" is intended to meet;
 - (b) details of the assessment methods used to establish compliance with those performance requirements;
 - (c) details of how the proposal is to address Part C of the Building Code of Australia (Fire Resisting Construction and Protection of Openings, Fire and Smoke doors and fire stairs);

- (d) details of how the proposal is to address Part D of the Building Code of Australia (Access and Egress, Travel Distances, Discharge of Exits and Access for people with disabilities); and
 - (e) details of how the proposal is to address Part E of the Building Code of Australia. Specifications of all proposed Essential Services must be included.
 - (f) details of any variations of standards to be applied for under the Heritage Act, the Local Government Act or other relevant legislation to enable the heritage fabric to be protected.
- (2) a report prepared by an appropriately qualified heritage practitioner that assesses the impact of the works required by (1) above on the heritage significance of the premises.
- (B) The matter be resubmitted to the next available meeting of the Planning Committee.
- Carried.

PART "B" - DETERMINED BY PLANNING COMMITTEE UNDER DELEGATED AUTHORITY

The Planning Committee recommended that Council note that Items 6.11, 6.12 and 6.13 were determined by the Planning Committee under delegated authority.

Carried.

SECTION 96(2) APPLICATION: 32-36 REGENT STREET, CHIPPENDALE (D1998/05458)

6.11

Moved by Councillor Jahn, seconded by Councillor Greiner -

That arising from consideration of a report by the Specialist Planner to the Planning Committee on 19 July 1999, in relation to the Section 96 (2) Application to modify Development Application D1999/05458 made by Kerrie L Kemp and John B Sivewright for the site at 32-36 Regent Street, Chippendale, it be resolved that consent be granted subject to the following -

- (A) Replace Condition 5 (a) with the following new Condition:

The height of the building (as defined in the Dictionary in the Central Sydney Local Environmental Plan 1996) must not exceed RL 54.4 (AHD). Any proposal to increase this height must be referred to the Planning Committee for consideration.

- (B) Amend Condition 15 (b) to read as follows:

The following car parking requirements apply:-

- (a) ...
- (b) *One space for cycle racks or equivalent cycle storage space.*

- (C) Insert the following new Condition 15A:

Shower and change facilities shall be provided and maintained within the ground floor commercial unit.

- (D) Amend Condition 36 (a) to read as follows:

The design of the building shall be modified as follows:

- (a) *Delete all plant and structure above RL 54.4.*

Carried.

DEVELOPMENT APPLICATION: SUBLIME NIGHTCLUB, 244-248 PITT STREET, SYDNEY. (D1999-00060)

6.12

Moved by Councillor Jahn, seconded by Councillor Greiner -

That arising from consideration of a report by the Director City Development to the Planning Committee on 19 July 1999, in relation to Development Application D98-00060 made by Vince Squillance and Associates for the basement level of 244-248 Pitt Street Sydney (Sublime Nightclub) for an increase in the capacity of the premises from 400 to 750 people, it be resolved that the application be refused for the following reasons -

- (A) based on information as to the operation of the premises, Council is not satisfied that the operation of the premises is such as to guarantee that the proposed increase in patron numbers, and associated impacts, is acceptable;
- (B) insufficient internal queuing space exists for patrons, which is likely to exacerbate external impacts from patrons waiting to enter the premises;
- (C) the proposal would adversely affect the amenity of the area, when combined with the recent approval to extend the operating hours of the premises (to 24 hours on Thursdays to Sundays);
- (D) it is prudent and consistent with proper management of land (an objective of the Environmental Planning and Assessment Act 1979) to review the impacts of the extended trading of the nightclub premises (after completion of the one year trial via development application D99-00061) prior to considering any increase in patron numbers;

- (E) the proposal is inconsistent with matters for consideration and objectives contained in Central Sydney Local Environmental Plan 1996 (Amendment No. 4);
- (F) granting consent would not be in the public interest.

Carried.

Note - A letter from Holman Webb Solicitors, for the operators of Sublime Nightclub, dated 19 July 1999 was circulated to members prior to the meeting of the Planning Committee.

Note - At 5.53 pm at the meeting of Council, during discussion on Item 6.12, Councillor Cotman left the meeting of Council, and returned at 5.55 pm during discussion on Item 7.

DEVELOPMENT APPLICATION: BURNS PHILP BUILDING, 5-11 BRIDGE STREET, SYDNEY (D98/05451)

6.13

Moved by Councillor Jahn, seconded by Councillor Greiner -

That arising from consideration of a report by the Area Planning Manager to the Planning Committee on 19 July 1999, with regard to Development Application D98-05451 made by the Stock Exchange Hotel Pty Ltd for the fit-out and use of the basement, eastern ground floor and mezzanine of the Burns Philp Building at 5-11 Bridge Street, Sydney as a licensed bar, gaming room and restaurant, it be resolved that -

- (A) Consideration of the application be deferred because Council has concerns about the merits of the application and that -
 - (1) the Owners' Corporation of the building be notified that Council considers that it is on notice as to a possible irregularity regarding the issuing of owners consent and that it be provided with a copy of the correspondence from the Byrnes Corporation regarding this matter and that, until this possible irregularity is resolved, Council may not be able to rely on the execution under seal of the Owners Corporation on the development application;
 - (2) comments be sought from the Owners Corporation on this matter within 21 days; and
 - (3) the applicant be advised that, unless Council is satisfied as to the authority under which the seal was affixed, it will return the development application on expiration of the above mentioned period.
- (B) the application be submitted to the first available Planning Committee meeting for determination after expiration of the above mentioned 21 day period.

Carried.

Note - Mr David Brigden and Ms Judith Rintoul addressed the meeting of the Planning Committee on this matter.

PART "A" (CONTINUED) - DETERMINED BY COUNCIL**DEVELOPMENT APPLICATION: SYDNEY SQUARE AND TOWN HALL ARCADE VOID AREA, GEORGE STREET, SYDNEY (D99-00294)****6.14**

That arising from consideration of a report by the Director City Development to the Planning Committee on 19 July 1999, on Development Application for Sydney Square and Town Hall Arcade Void Area, George Street, Sydney, it be resolved that -

- (A) Council indicate, as a matter of policy -
- (1) that the void space or Sydney Square should not be used for mechanical exhaust;
 - (2) that an application for tables and chairs in the void space may be considered on its merits;
 - (3) that any signage for the arcade tenancies should not be placed within the void or within Sydney Square;
- (B) a draft determination consistent with this policy decision, and incorporating all other necessary conditions, be prepared for Council's consideration.

Carried.

Note - A letter from Arms Cooper Kapp dated 19 July 1999 was circulated to members prior to the meeting of the Planning Committee.

Note - Mr Harry Andrews and Mr Ernie Kapp addressed the meeting of the Planning Committee on this matter.

ITEM 7. PROGRESS REPORT ON DEVELOPMENT APPLICATIONS (A03-00138/1)

Moved by Councillor Jahn, seconded by Councillor Greiner -

That arising from consideration of reports by the Manager Development to the Planning Committee on 19 July 1999 and to Council on 26 July 1999, in relation to the Progress Report on Development Applications, it be resolved that -

- (A) the report be received and noted;
- (B) a briefing of Councillors be held at the next available opportunity on extended trading hours for licensed premises, separated between those approved by Council and those approved under delegated authority.

Carried.

ITEM 8. DEVELOPMENT APPLICATION: DUAP REFERRAL - SYDNEY COVE PASSENGER TERMINAL, CIRCULAR QUAY WEST (O1999/00036)

Moved by Councillor Jahn, seconded by Councillor Greiner -

That arising from consideration of reports by the Area Planning Manager to the Planning Committee on 19 July 1999 and to Council on 26 July 1999, in relation to the referral from the Department of Urban Affairs and Planning of a Development Application made by Sydney Ports Corporation for the site known as Sydney Cove Passenger Terminal at Circular Quay West for partial demolition of the existing building and construction of additions and alterations to allow for rationalisation of the shipping facilities and provision of retail units, it be resolved that -

- (A) the submission, prepared by the Chairman of the Planning Committee and circulated to Councillors prior to the meeting of Council and as amended at the meeting of Council, be endorsed and forwarded to the Department of Urban Affairs and Planning for consideration;
- (B) Council attempt to track the effectiveness of its submission in order that submissions be made more effective, bearing in mind that appearing at Council Committee meetings is usually the only opportunity the public has to comment on applications to be determined by the Crown, a function which is invaluable and should remain; and that a report be submitted to Council in due course.

Carried.

ITEM 9. PLAN MAKING IN NSW - DISCUSSION PAPER REGARDING THE REVIEW OF PART III OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (S008206)

Moved by Councillor Jahn, seconded by Councillor Walton -

That arising from consideration of reports by the Specialist Planner - Strategic/Section 94 to the Planning Committee on 19 July 1999 and to Council on 26 July 1999, regarding Council's submission to Plan - Making in NSW: Opportunities for the Future, it be resolved that Council:

- (A) submit Attachment A to the subject report to the Department of Urban Affairs and Planning as the comment from Council in response to the discussion paper; and
- (B) support the inclusion of a representative of Council in any working party initiated by the Department of Urban Affairs and Planning, to progress the review of Part III of the Environmental Planning and Assessment Act 1979.

Carried.

Note - Council then dealt with Items 14 and 15 which had been deferred from an earlier stage of the meeting.

ITEM 14. CENTRAL SYDNEY DEVELOPMENT CONTROL PLAN 1996 – DRAFT AMENDMENT NO.8 - URBAN FORM AND DESIGN (S006408)

Moved by Councillor Jahn, seconded by Councillor Tsang -

That arising from the consideration of a report by the Senior Strategic Planner to Council on 26 July 1999, on Draft Amendment No.8 to Central Sydney Development Control Plan 1996 on Urban Form and Design, it be resolved that Council:

- (A) endorse the preparation of Draft Amendment No.8 to Central Sydney Development Control Plan 1996 on Urban Form and Design;
- (B) endorse 'in principle' the proposed new structure of Central Sydney Development Control Plan 1996, as indicated at Attachment A to the subject report;
- (C) request the Director City Development to expedite the preparation of a Draft Amendment to Central Sydney Development Control Plan 1996, that amplifies the requirements of the 'Design Excellence' provisions set out in Draft Amendment No.8 to Central Sydney Local Environmental Plan 1996; and that a further report be presented to the next meeting of Council.

Carried.

ITEM 15. DEVELOPMENT APPLICATION: 647-649 GEORGE STREET SYDNEY (D1999-00224)

Moved by Councillor Jahn, seconded by Councillor Tsang -

That arising from consideration of a report by the Specialist Planner to Council on 26 July 1999 in relation to Development Application D99-00224 made by Claude Neon (Aust) Pty Ltd for the site at 647-649 George Street Sydney to display an illuminated vinyl skin general advertising display on the existing structure for a period of one year on the subject building, it be resolved that consideration of this matter be deferred to the next meeting of the Planning Committee.

Carried.

ITEM 10. QUESTIONS ON NOTICE**CCTV CAMERA (S006649)**

1. By Councillor Greiner -

Question

Lord Mayor, on the corner of Dixon and Little Hay Street a closed-circuit television camera has been installed.

Would you please ensure that there is, in both Chinese and English text, a sign which indicates that the area is under video surveillance?

Answer by the Lord Mayor

The Deputy General Manager advises that -

“In the Haymarket area 13 closed circuit television cameras have been installed, including one on the corner of Dixon and Little Hay Streets.

There are a large number of signs indicating that the area is under video surveillance. Ten of those signs, in the Chinatown area, have both English and Chinese text.”

QUEEN VICTORIA BUILDING - AWNING (S006649)

2. By Councillor Greiner -

Question

Lord Mayor, the issue of the leaking awning surrounding the Queen Victoria Building has been brought to your notice yet nothing has been done.

Will you please ensure that speedy repair works are undertaken to the awning surrounding the Queen Victoria Building as bus commuters and pedestrians are rained on as evidenced during last week's heavy rain?

Answer by the Lord Mayor

When the Deputy Lord Mayor, Councillor Tsang, asked a similar Question Without Notice at the last Council meeting, the Director City Projects provided the following information to Council -

“The awning does not have a gutter system on it; it was never designed that way. It is basically a shade structure and designed to provide waterproofing at the edge of the building, but it was never intended to run downpipes and gutters back to the building.”

The Director confirms that the awning does not need repair.

PARKING (S006649)

3. By Councillor Greiner -

Question

Lord Mayor, I have received copy of a letter addressed to you from the Sydney Philharmonia Choirs who are based at Pier 4, Hickson Road, Millers Point, drawing attention to the parking arrangements now in place in Hickson Road.

As there is very little public transport to this area, will you please arrange for Council to liaise with these cultural organisations to arrange relief from the costs of parking which they now face when attending rehearsals in the evening?

Answer by the Lord Mayor

I have received a number of letters about parking charges near the Wharf Theatre in Hickson Road. The Sydney Traffic Committee, in February 1999, approved the extension of evening parking restrictions in that area.

The correspondence from these groups was only received a week ago and relevant staff are currently giving careful consideration to the issues raised by the correspondents. I will ensure that replies to these letters are sent as soon as practicable.

CHINATOWN WORKS (S006647)

4. By Councillor Tsang -

Question

Lord Mayor, following the recent Chinatown Forum, various questions were raised by the community.

1. Feature light fittings over Dixon and Sussex Streets:

To reduce the impact of the shiny metal frames, will the Council instruct the contractors to spray the frames a grey or a suitable colour?

2. Plinth of Lion sculpture:

The original plinth has a variable height to counter the fall of Dixon Street. Will Council instruct the architect and contractor to adjust the plinth so that the lion will look level and balanced?

3. Completion date:

When will the work be completed?

Answer by the Lord Mayor

The Director City Projects advises that -

- “1. The design consultants are currently sourcing prices for this work. A suitable colour scheme for the lower aluminium section is to be selected.
2. Design options are being prepared and prices sought for the alteration of one plinth. After comparing the difference in height of the northern pair of plinths on-site, it is apparent that one plinth needs to be lowered by approximately 150mm to achieve the desired level plane.
3. It is anticipated that the work will be completed by late August.”

QUESTIONS WITHOUT NOTICE

COUNCIL ELECTIONS (S006321)

1. By Councillor Tsang -

Question

Lord Mayor, are you aware that there are ambitious but irresponsible candidates for the forthcoming election circulating documents and press releases which may defame the Council and its Councillors?

Would you receive this document prepared by a Mr Victor Shen, an unsuccessful State election candidate who now looks like continuing his long road to failure?

Would you ask the General Manager to seek legal advice and appropriate action to refrain him from such reckless propaganda?

Answer by the Lord Mayor

The answer to the first question is yes. The answer to the second question is yes. Regarding the third question about legal advice, I am happy to refer it to the General Manager and the Director Legal and Secretariat. I have some doubt as to whether election comment enters into the authority of Council to act. Nevertheless, I will refer it to them to see if there is any matter that Council should address.

Point of Order

Councillor Greiner raised a point of order that the Deputy Lord Mayor was engaging in statements rather than asking a question.

The Chairman (the Lord Mayor) overruled the point of order on the basis that they were closely related multiple questions.

TRAFFIC AND TRANSPORT (S006324)

2. By Councillor Greiner -

Question

Lord Mayor, Council recently released a transport document outlining traffic and transport into the next millennium.

What are the costings of this document? How much did the whole transport package cost that was elucidated in this particular document?

Answer by the Lord Mayor

I do not know how much the document cost. I know that the notion of issuing discussion papers and ideas papers was unanimously supported by Council. The items in the report are not costed. It is simply talking about and promoting debate on issues that need to be addressed at local and state - and possibly even national - levels.

Can I say, Councillor Greiner, that it has been very well received.

CITY LIFE & CULTURE (S006322)

3. By Councillor McDermott -

Question

Lord Mayor, I refer to Council's recent publication on City Life & Culture which states in part that "Australians could well be said to have a curious attitude to culture." Elsewhere it says that "Culture is shaped by place in subtle and often undetected ways." It is accompanied by this other interesting document entitled "Living City".

Is Council, as part of its cultural drive, going to adopt these two colours as the colours for the City of Sydney?

Answer by the Lord Mayor

No.

FORUM SHOPPING (S006324)

4. By Councillor Greiner -

Question

Lord Mayor, I have received a number of letters from residents in Wattle Crescent anxious about a new development application for the site opposite their apartments. I understand that the current development application is the same as the one that has been refused, but with a State Environmental Planning Policy No 1 objection that now allows the application to go to the Central Sydney Planning Committee.

How many applications actually go through this forum shopping process and why has Council not engaged in trying to prevent this from happening?

Answer by the Lord Mayor

Councillor Greiner, I shall ask Councillor Walton to answer this question.

Councillor Walton, would you mind informing Councillor Greiner exactly what we have been trying to do with amendments to the City of Sydney Act 1988 over many years on this very issue?

Councillor Walton

Lord Mayor, this was a matter considered at great length in Council's submission to Commissioner Simpson on the subject of what to do about planning in the City of Sydney and the role of the Central Sydney Planning Committee in particular.

It was pointed out by Council very strenuously at the time that, with the current arrangements, there was considerable scope for forum shopping, that we were concerned that there was a great deal of forum shopping going on and we pleaded with the Government and the Commissioner to please do something about it.

It was reduced to some extent by certain measures that were taken a couple of years ago, but it is still there and I suppose we can only say it again when the next opportunity arises.

Answer by the Lord Mayor (continued)

It has been a concern that we have raised with the former Government and the current Labor Government and we have made some inroads, but it is one of the problems with the system.

Councillor Tsang

Lord Mayor, I am happy to receive any submission and take it to State Parliament.

Answer by the Lord Mayor (continued)

Thank you, Deputy Lord Mayor.

CUSTOMS HOUSE (S006322)

5. By Councillor McDermott -

Question

Lord Mayor, I refer to an article in The Daily Telegraph of 21 July 1999 entitled "What if you spent \$25m on a building and nobody came."

You will remember that I voted against Customs House and I said that it would be a white elephant. I now read in The Daily Telegraph that there are empty tables at this restaurant - in fact it is practically deserted - there is no ground floor tenant and key tenants are not happy.

What sort of annual loss does Council anticipate to have for the current 12 month period as regards this building?

Point of Order

During discussion on Question Without Notice 5, the Chairman (the Lord Mayor) invited Councillor McDermott to repeat the question. Councillor McDermott declined to do so. Following further discussion, the Chairman (the Lord Mayor) ruled that Councillor McDermott was out of order and called for the next question.

FORUM SHOPPING (S006323)

6. By Councillor Jahn -

Question

Lord Mayor, having regard to the earlier question in relation to forum shopping, would the Chairman of the Central Sydney Planning Committee bear in mind in future the possibility of delegating projects back to Council which are the same projects re-heard at the Central Sydney Planning Committee after a long history with the community?

Answer by the Lord Mayor

The answer to that is, due to intervention by Councillor Walton and myself, we did get the City of Sydney Act 1988 amended so that the Central Sydney Planning Committee can delegate those things back and I am happy to take up that issue with the Central Sydney Planning Committee.

CUSTOMS HOUSE (S006325)

7. By Councillor Cotman -

Question

Lord Mayor, I refer to the recent newspaper report about Customs House headed "What if you spent \$25m on a building and nobody came". Since the financial viability of this project was put to Council originally as a determinant of Council's expenditure, what steps have been taken to ensure the success of Customs House?

Answer by the Lord Mayor

The General Manager can answer that more fully, but the simple fact is that Mark Skelsey, to his enormous discredit, did not bother to give anywhere near as much coverage to Graham Reading's half hour explanation of how well Café Sydney is doing, nor did he contact the Manager of the City Exhibition Space or the General Manager about how well the Exhibition Space is going. The truth of the matter is that those spaces are doing extremely well

Councillor Cotman, you will recall that there is a transitional strategy that will take us three years to get the whole building at the level we want it. I believe that is close to being on track.

General Manager, would you please add to that?

General Manager

Thank you, Lord Mayor. Visitor numbers have been steadily increasing since the building opened last December. At the moment we are getting 2,000 to 2,500 people per week through the fourth floor. The fifth floor has been opened ten days and is doing very good business both at lunch time and in the evening. The third floor is the Museum which, with a cover charge, is not meeting its original expectations. I have been in conversation with the Australian Museum and they have a strategy to address that. The Centre for Contemporary Craft is doing okay.

The article was quite ironic in the sense that, on the day in question, I was having lunch there with two other people and, for some reason, we did not make the photo. I was meeting on that day with people who were looking at renting out the first floor. The first floor is made up of three businesses. One is the Barnet Long Room, which is for functions, and that is ahead of budget. I don't know where the private dining room is up to, but I would suspect that it is doing quite well. The third aspect of their restaurant is not doing as well as originally expected.

If you go to the ground floor, the Quay Bar is doing exceptionally well. It is ahead of forecast. With the shops, one is doing better than budget and the other is slightly under budget. The coffee shop is doing okay and we have signed a heads of agreement to lease the whole of the ground floor.

My expectation was that we would break even after three and a half years. The Budget this year has been adopted to do that and we are still on line to do that. The whole building is now leased which, to me, is an achievement. We are now in a situation where I believe one of the tenants in one of their businesses is struggling and, perhaps not surprisingly, that business has received some publicity.

From the overall perspective, after six months of trading, we are on line to break even after three and a half years. I think the amount of positive feedback that we have received, certainly since we opened upstairs, has been extremely refreshing. The fourth floor has been extremely successful and I think the decision to put the Exhibition Space on the fourth floor has been strongly vindicated. You will remember at the time there was great debate about where it should go and I think we should acknowledge that that has been a very good decision.

All of the tenants and the Management Board have now signed off on the marketing plan for the whole building. I would have thought that the next three months, and certainly the whole of Christmas/New Year period, will be very successful. I would hope that we will have the fit-out signed off for the ground floor and that will be the last part of the building in a sense and then the traders will be through all the renovations and through all the problems with fit-outs.

I think it is fair to say that the last marketing meeting I went to with the tenants was extremely positive and a lot better than I expected it to be.

CITY OPEN DAY (S006321)

8. By Councillor Tsang -

Question

Lord Mayor, are you aware of this wonderful article in The Sydney Weekly "Make a date for our big day."

Can you give us an update on City Open Day?

Answer by the Lord Mayor

Deputy Lord Mayor, a document on City Open Day has been issued which we have all received. Today I noticed these very colourful banners throughout the City. They look very spectacular and they advertise Open Day next Sunday.

The General Manager has been closer to the carriage of this issue than I have, but my understanding is that a lot of people are involved. A lot of the issues are listed here, including bus trips around the City, private sites like the GPO, Customs House, the Exhibition Space, the Town Hall and hard hat tours of the Recital Hall. I think it has been very positively received. I think a lot of people who come into the City to have a look at it will be very pleasantly surprised.

General Manager, would you like to add to that?

General Manager

Thank you, Lord Mayor. The concept is that we will have 20 different activities on during the day, which is a mix of hard hat tours, children friendly activities and publicly available spaces for self guided tours. There will be a series of bus loops providing free bus trips around the City, as set out in the map, going from Railway Square to up to 20 sites around the City.

We have been cooperating with private building owners and people who have run similar activities in the past. The level of bookings for the hard hat tours has been terrific. The GPO was completely booked out today for the first series of inspections. I would certainly like to thank Grocon and all of the private sites who have cooperated with us.

There will be the sculpture tour. There is also a speaker's corner and a whole raft of activities throughout the program. The person on the front cover of the brochure - as I have been asked many times today - is actually the Executive Assistant to the Director City Projects.

From my point of view, it has been a very difficult project, but it is certainly one that has attracted a lot of interest, a lot of feedback from the public and a lot of bookings for the tours. A program has gone to all Councillors today, with an invitation to lunch, and I am certainly looking forward to the day.

DISABLED ACCESS (S006324)

9. By Councillor Greiner -

Question

Lord Mayor, on the issue of disabled access in the City, I am sure that you are aware that the telephones and the telephone billboards which were to be installed did not originally meet Australian Standards for the Disabled, which has been one reason for the delay.

Why was this allowed to happen? Did the tender and contract for the telephones not ask for Australian Standards to be met? Are there other aspects of the City's street works which also do not meet the Australian Standards for the Disabled?

Answer by the Lord Mayor

General Manager, would you please respond?

General Manager

Thank you Lord Mayor. Clearly in the specifications there was a requirement for all tenders to meet the Australian Standard pertaining to access and requirements of the Disability Discrimination Act 1992. As you would be aware, the disability movement has raised concerns with a number of aspects and in each case we have gone to mediation or gone to the Tribunal. You will remember that, with one of the air bridges, a disability group approached us and wished to pursue the issue. We went to mediation, we went to the Tribunal. On both occasions we went to the Tribunal, our position was supported by the Tribunal. Clearly, one of those groups felt very strongly about the issue and wished to continue to pursue it.

We have used the Access Committee to provide guidance on a number of issues. As always, no matter what the Standard says, there are people who have a slightly different view and wish to push the issue further in some aspects. There have been discussions at length about telephones, bus shelters, paving heights, kerb ramps and with a whole range of matters. We believe that the solutions in all situations meet the requirements. Clearly, when there is a dispute or when people wish to put a point of view that we do not meet the requirements, we obviously have those discussions, go to mediation or go to the appropriate forum. That is what we have done.

To my knowledge, there has not been any disability forum which has said that the telephones or the bus shelters or the kerb ramps are wrong. We have certainly made some minor design alterations on the way through, particularly with kerb heights. It has been through the Access Committee on a number of occasions.

There have been three or four issues and with each one we have handled it the same way, that is, we have discussed it with the group involved and, if need be, we have gone to mediation or the Tribunal.

Do you wish to add anything to that, Director City Projects?

Director City Projects

On the telephones, the requirements were covered in the tender in terms of the height and disability codes. There was an issue early in the piece with the installation of some of the earlier phone structures in terms of height. The height did not actually relate to the structures. It was the mounting height of the phone on the structure.

That has been addressed with the manufacturer and has been repaired. It was basically required to comply with the code. To my knowledge, they currently comply.

Answer by the Lord Mayor (continued)

To sum up, Council has been to the Tribunal on a couple of occasions and won. That is not to say that when issues are raised we do not take them seriously.

FOOTPATH WIDENING PROGRAM (S006320)

10. By Councillor Walton -

Question

Lord Mayor, there has been some comment about lanes available for traffic following the footpath widening works. I wonder if you could tell us what in fact is the percentage change that has been made?

Answer by the Lord Mayor

There have been statements made, and reported as if they were fact, that the City has lost 30 percent of its lanes as a result of the footpath widening. This is completely untrue. The proportion of lanes lost ranges between 0.5 percent and 1.6 percent. If you take the peak period for maximum lanes available for traffic, it will be 1.6 percent. If you take non-peak, it is less than 1.6 percent because those lanes are used for parking anyway.

In fact, the reduction in trafficable lane capacity is very, very small. Anyone who says different to that is not telling the truth. Further, there are traffic studies that show - and traffic modelling has been done - that once the work has been completed the effect on traffic congestion will be insignificant and the degree to which there is congestion in the City at the moment, as we all know, is to do with economic activity, the Eastern Distributor and some of the construction that is currently happening.

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 (S006322)

11. By Councillor McDermott -

Question

Lord Mayor, how is Council progressing as regards introducing its regulations in the area of exempt development, complying development and certification as dealt with in the Environmental, Planning and Assessment Act 1979 since July last year?

Answer by the Lord Mayor

I will take the question on notice and the answer can be circulated in the Councillors' Information Service.

CUSTOMS HOUSE (S006323)

12. By Councillor Jahn -

Question

Lord Mayor, given the unreported success of Customs House at the Australian Property Institute recently, is it not deeply disappointing to come across unbalanced stories such as that written by Mark Skelsey in The Daily Telegraph on 21 July 1999, especially in view of the tendency to fill buildings with gambling machines as opposed to the slow and steady route of building cultural centres in the City which are not so easily occupied?

Answer by the Lord Mayor

I think it is a great pity that those stories start to happen. That is not to say that I do not think Mark Skelsey is actually quite a fair journalist. I just think on this particular occasion either he or his sub-editor produced an impression that I do not believe accurately reflects the building.

Customs House has just won the Australian Property Institute's State Division 1999 Excellence in Property Award. The jury commented that Customs House was an outstanding example of a creative adaptation of a public asset to a commercial advantage. I think it reflects the fact that we have taken a lot of care and trouble with that building. It is like bringing it into a commercial surplus. The plan is to take three to three and a half years. That is the strategy. We have been going steadily and slowly rather than putting in whatever commercial tenants we could find, which we could easily have done. At the moment, it could well be running at a huge commercial surplus selling souvenirs or leased for office uses.

But it has won a major award and, when I take people through Customs House, they call it the best kept secret Sydney has.

BARRICADES IN GEORGE STREET (S006324)

13. By Councillor Greiner -

Question

Lord Mayor, may I, through you, ask the Director City Projects why is there still along George Street, outside Grace Brothers, a series of white barricades in the gutter which have now been hit by trucks and buses so often that it is actually falling back on itself.

Why is it there and when can we get rid of it?

Answer by the Lord Mayor

I will take the question on notice and the answer can be circulated in the Councillors' Information Service.

ITEM 11. NOTICES OF MOTION

There were no Notices of Motion at this meeting of Council.

Closed Meeting

At 7.00 pm, the Council resolved -

That, due notice of the intention to close the meeting having been given, the meeting be closed in accordance with the provisions of Section 10A (2)(d)(i) of the Local Government Act 1993 to discuss Items 12 and 13 on the agenda as these matters comprised discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it; and

and it was further resolved that the meeting be closed for these items on the basis that discussion of these matters in open session would, on balance, be contrary to the public interest, specifically, there is a need to preserve confidentiality having regard to the subject matters and the circumstances of communications.

Items 12 and 13 were then dealt with by Council while the meeting was closed to the public.

ITEM 12. DAY STREET, SYDNEY BENEATH THE WESTERN DISTRIBUTOR AT THE REAR OF 55-59 SUSSEX STREET - PROPOSED LEASE RENEWAL (L02-00790)

Moved by the Chairman (the Lord Mayor), seconded by Councillor Tsang -

That arising from consideration of reports by the Senior Property Manager to the Finance Properties and Tenders Committee on 19 July 1999, and to Council on 26 July 1999, on Day Street, Sydney, Beneath the Western Distributor at the Rear of 55-59 Sussex Street - Proposed Lease Renewal, it be resolved that -

(A) approval be given to -

- (1) the granting of a lease pursuant to Section 153 of the Roads Act 1993, to the owner of the adjoining premises 55-59 Sussex Street, Sydney, currently Seafirst Australia Pty Limited, for a term of five years from 1 December 1999, of part of Day Street shown stippled on Plan No: S4-130/515A, shown at Attachment A to the subject report, and containing an area of about 425 square metres for use as a carpark at a rental to be set by the General Manager and subject to the conditions in the schedule shown at Attachment B to the subject report;
- (2) the execution of all relevant documentation and plans by Council's Attorney;

- (B) the General Manager be requested to ensure that a multi-disciplinary report is submitted to Council, assessing the current and any alternative uses of the site, as well as how the appearance of the area might be improved.

Carried.

ITEM 13. ARGYLE PLACE AND KENT STREET INTERSECTION RECONSTRUCTION, TENDER NO. 9915 (S004887)

Moved by Councillor Walton, seconded by Councillor Tsang -

That arising from consideration of a report by the Senior Architect, City Projects, to Council on 26 July 1999, on Argyle Place and Kent Street Intersection Reconstruction, Tender No 9915, it be resolved that -

- (A) Council decline to accept any of the tenders.
- (B) authority be delegated to the General Manager to negotiate with the tenderers to achieve a reduced fixed lump sum price for a reduced scope of works within allocated funding, subject to the Chairman of the Projects and Public Spaces Committee being fully briefed;
- (C) authority be delegated to the General Manager to enter into a contract for the works.

Carried.

ITEM 14. CENTRAL SYDNEY DEVELOPMENT CONTROL PLAN 1996 – DRAFT AMENDMENT NO.8 - URBAN FORM AND DESIGN (S006408)

Note - This matter was dealt with at an earlier stage of the meeting.

ITEM 15. DEVELOPMENT APPLICATION: 647-649 GEORGE STREET SYDNEY (D1999-00224)

Note - This matter was dealt with at an earlier stage of the meeting.

At 7.20pm the meeting concluded.

Chairman of a meeting of the Council of the City
of Sydney held on 16 August 1999 at which
meeting the signature herein was subscribed.