



20 SEPTEMBER 1999

Meeting No 1297

MINUTES of a Meeting of the Council of the City of Sydney held in the Council Chamber at the Sydney Town Hall, commencing at 4.08pm on 20 September 1999 pursuant to Notice 13/1297 dated 16 September 1999.

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PRESENT

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

Councillors - Dixie Coulton, Nick Farr-Jones, Kathryn Greiner, Robert Ho, Fabian Marsden and Lucy Turnbull.

At the commencement of business at 4.08pm those present were:-

The Lord Mayor, Councillors Coulton, Farr-Jones, Greiner, Ho, Marsden and Turnbull.

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.

Councillor Farr-Jones left the Council meeting at 5.02pm at the conclusion of discussion on Item 9.

Photographing of Council Meeting

At this stage of the meeting, the Lord Mayor advised Council that a request had been received to take photographs of the meeting of Council.

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

That permission be granted for the taking of photographs of the meeting of Council for a period not exceeding 20 minutes.

Carried.

ITEM 1. LORD MAYORAL VISIT TO BOSTON AND LOS ANGELES

FILE NO:

DATE: 16/9/99

To Council:**MINUTE BY THE LORD MAYOR**

The Lord Mayor has been invited to travel to North America in October 1999 to speak at two academic Conferences.

In January 1999 I was invited to present a paper at the *Waterfronts in Post-Industrial Cities* Conference hosted by the Office of Executive and Special Programs of Harvard University Graduate School of Design. The Conference will be held at Harvard University, Boston in early October 1999.

The organisers have invited the Mayors of many other waterfront cities to attend.

The Conference organisers will pay the travel and accommodation costs associated with my participation.

The Second Conference is hosted by the University of California, Los Angeles (UCLA) School of Public Policy and Social Research and will be held in Los Angeles, in late October 1999. The theme of this Conference is *Global City-Regions*.

The conference will provide a forum for discussion between government officials, researchers and policy makers on four aspects which will shape the development of Global City Regions into the 21st Century. These are: economic development, social welfare, the environmental consequences of urbanisation and governance. Alongside these themes, problems concerning infrastructure and technology will be considered.

The Conference will consist of a mix of plenary lectures, presentation of papers and associated discussions, and roundtable groups. Mr James Wolfensohn, President of the World Bank will give the keynote address.

As with the Harvard Conference, the School of Public Policy and Social Research has agreed to pay the Lord Mayor's travel and accommodation costs associated with this Conference.

In the days between the Lord Mayor's participation at these events, it is proposed he travel to New York and Europe for discussion with a number of Cultural organisations relevant to the future direction of the Museum of Contemporary Art, Sydney. As colleagues may be aware, the City of Sydney has been requested to become involved with the MCA. Knowledge of overseas initiatives and trends in this area are vital before the City settles the degree and nature of its involvement.

Whilst the travel and accommodation to the Boston and Los Angeles Conferences are covered by the organisers, there will be some expenditure for approval by Council for this trip. Some additional expenses to Council would be involved for travel within the United States and to Europe.

RECOMMENDATION:

Accordingly, it is recommended that Council endorse the Lord Mayor's visits to Harvard and the University of California and approve the expenses associated with any side trips relevant to the Museum of Contemporary Art matter, and other current City of Sydney issues.

(SGD) COUNCILLOR FRANK SARTOR
Lord Mayor

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

That the Minute by the Lord Mayor to the extraordinary meeting of Council on 20 September 1999, on Lord Mayoral Visit to Boston and Los Angeles, be endorsed and that Council approve the expenses associated with any side trips relevant to the Museum of Contemporary Art matter, and other current City of Sydney issues.

Carried unanimously.

ITEM 2. ELECTION OF DEPUTY LORD MAYOR (S008348)

FILE NO: S008348

DATE: 16/9/99

MEMORANDUM BY THE GENERAL MANAGERTo Council:

Section 231 of the Local Government Act 1993 provides:

- (1) The councillors may elect a person from among their number to be the deputy mayor.
- (2) The person may be elected for the mayoral term or a shorter term.
- (3) The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.
- (4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.

In the previous Council, the Deputy Lord Mayor was elected for two years.

Nominations are to be made in writing by two or more Councillors (one of whom may be the nominee).

The Local Government (Elections) Regulation 1993 provides the method of conducting an election for Deputy Lord Mayor. If more than one Councillor is nominated the Council is to resolve whether the election is to proceed by:-

- preferential (secret) ballot;
- ordinary (secret) ballot; or
- open, exhaustive voting.

Procedures for the election have been circulated separately to Councillors.

The last time that the Deputy Lord Mayor's position was contested the method of voting selected by the Council was open, exhaustive voting.

RECOMMENDATION:

That Council:

- (A) determine the term of office for the Deputy Lord Mayor;
- (B) determine the method of voting; and
- (C) elect a Deputy Lord Mayor.

(SGD) GREG MADDOCK

General Manager

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

That arising from consideration of a Memorandum by the General Manager, dated 16 September 1999, it be resolved that Council forthwith elect a Deputy Lord Mayor for the two year period ending 30 September 2001 and, further, should there be more than one person nominated for the position, the election be conducted by open, exhaustive voting.

Carried.

At this stage of the meeting, the General Manager, as Returning Officer, invited nominations from Councillors for the office of Deputy Lord Mayor.

The General Manager announced that one duly completed, written nomination had been received, namely, for Councillor Lucy Turnbull.

The General Manager then declared Councillor Turnbull duly elected to the office of Deputy Lord Mayor in accordance with the provisions of Section 231 of the Local Government Act for the term commencing 21 September 1999 and ending 30 September 2001.

The Chairman (the Lord Mayor) congratulated Councillor Turnbull on her election as the first female Deputy Lord Mayor in the history of the City of Sydney. The Lord Mayor's congratulations were endorsed by all other Councillors.

Councillor Turnbull thanked the Chairman (the Lord Mayor) and all Councillors for their support in electing her to the position of Deputy Lord Mayor.

ITEM 3. CENTRAL SYDNEY PLANNING COMMITTEE - ELECTION OF COUNCILLORS (S00-8349)

FILE NO: S00-8349

DATE: 16/9/99

MEMORANDUM BY THE GENERAL MANAGER

To Council:

The Central Sydney Planning Committee is constituted by the City of Sydney Act 1988.

Section 34(1) of that Act provides that the Committee shall consist of seven members:-

- (a) the Lord Mayor of Sydney;
- (b) a senior government employee with architectural experience nominated by the Minister administering the Public Works Act 1912;
- (c) 2 Councillors of the City of Sydney elected by the City Council;
- (d) the Director of Planning under the Planning Act; and
- (e) 2 persons appointed by the Minister administering Part 4 of the Planning Act.

The two persons appointed by the Minister pursuant to clause (e) are Ms Antoinette le Marchant and Mr Neil Bird. The term of office for Ms le Marchant expires on 3 September 2000 and the term of office for Mr Bird expires on 16 December 2001.

Clause 2(1)(b) of Schedule 1 of the City of Sydney Act 1988 provides:

An ordinary election of elected members is to be held at a meeting of the City Council held within 3 weeks of the election of the Lord Mayor by electors of the City of Sydney under section 289 of the Principal Act (ie the Local Government Act 1993).

The method of election to be used is a matter for the Council to decide. The methods may be by:-

- preferential (secret) ballot;
- ordinary (secret) ballot; or
- open, exhaustive voting.

Previously, the Council has chosen to hold a separate election for each of the two positions and the elections were by open, exhaustive voting.

Procedures for the election have been circulated separately to Councillors.

The Act provides that Council may appoint an alternate for each of the elected members.

RECOMMENDATION:

That Council:-

- (A) determine the method of voting for the election of Councillors to the Central Sydney Planning Committee;
- (B) elect two Councillors to be members of the Central Sydney Planning Committee; and
- (C) appoint alternates for each member.

(SGD) GREG MADDOCK
General Manager

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

That arising from consideration of a Memorandum by the General Manager, dated 16 September 1999, on Central Sydney Planning Committee - Election of Councillors, it be resolved that -

- (A) Council forthwith elect two Councillors to be members of the Central Sydney Planning Committee for a two year term ending on 30 September 2001 and that each representative be chosen by a separate election;
- (B) should more than one person be nominated for each of the two positions, the election be conducted by open, exhaustive voting; and
- (C) Council then appoint a Councillor to act as alternate for both of Council's representatives on the Central Sydney Planning Committee.

Carried.

At this stage of the meeting, nominations were invited for the election of a Councillor to the first position on the Central Sydney Planning Committee in accordance with the provisions of the City of Sydney Act 1988.

The General Manager, as Returning Officer, subsequently announced that one nomination had been received, namely, Councillor Lucy Turnbull.

Councillor Turnbull indicated her acceptance of the nomination.

The General Manager declared Councillor Lucy Turnbull to be an elected member of the Central Sydney Planning Committee pursuant to Section 34(1) (c) of the City of Sydney Act 1988.

At this stage of the meeting, nominations were invited for the election of a Councillor to the second position on the Central Sydney Planning Committee in accordance with the provisions of the City of Sydney Act 1988.

The General Manager, as Returning Officer, subsequently announced that two nominations had been received, namely -

Councillors Nick Farr-Jones
 Robert Ho

Councillors Farr-Jones and Ho in turn indicated their acceptance of their nominations.

An election for the second position was then conducted and resulted as follows -

Councillor Farr-Jones	-	2 votes
Councillor Ho	-	5 votes

The General Manager declared Councillor Ho to be an elected member of the Central Sydney Planning Committee pursuant to Section 34(1) (c) of the City of Sydney Act 1988.

At this stage of the meeting, nominations were called for the position of alternate representative for Councillors Turnbull and Ho on the Central Sydney Planning Committee.

The General Manager, as Returning Officer, subsequently announced that two nominations had been received, namely -

Councillors Dixie Coulton
 Nick Farr-Jones

Councillors Coulton and Farr-Jones in turn indicated their acceptance of their nominations.

An election for the position of alternate representative was then conducted and resulted as follows -

Councillor Coulton	-	5 votes
Councillor Farr-Jones	-	2 votes

The General Manager, pursuant to Section 34 (3) of the City of Sydney Act 1988, declared Councillor Coulton to be the alternate representative on the Central Sydney Planning Committee for the Councillors in the event of either Councillor being absent.

ITEM 4. COUNCIL COMMITTEES - MEMBERSHIP (S00-8350)

FILE NO: S00-8350

DATE: 14/9/99

MEMORANDUM BY THE GENERAL MANAGER

To Council:

The Local Government (Meetings) Regulation 1993 provides -

- Clause 29 (1) A council may, by resolution, establish such committees as it considers necessary.
- (2) A committee is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council;
- (3) The quorum for a meeting of a committee is to be:
- (i) such number of members as the council decides; or
 - (ii) if the council has not decided a number - a majority of the members of the committee.

Clause 30 A Council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Council on 18 September 1995 determined the number, functions, procedures, delegations and quorums of Committees; the details of the functions, quorums and delegations of the Committees, as previously determined by Council, are shown at Attachment A.

It will be necessary for Council to determine those matters to enable the cycle of meetings for the new Council to commence.

Council has previously delegated to the Planning Committee certain powers to determine matters under the Environmental Planning and Assessment Act. This legislation has been substantially amended. If Council wishes to continue with a Planning Committee, a revised form of delegation is shown at Attachment A. The amended delegation clarifies the Committee's power to grant deferred and staged commencement development consents and gives the Planning Committee the power to approve submissions to other consent authorities.

RECOMMENDATION:

That Council -

- (A) determine the number, functions, procedures, delegations and quorums of Committees;
- (B) determine membership of all Committees; and
- (C) determine Chairmanship and Deputy Chairmanship of all Committees.

(SGD) GREG MADDOCK

General Manager

Note - A document entitled Proposed Committee Structure and Terms of Reference was circulated to Councillors at the meeting.

Part 1 - Structure, Terms of Reference and Meeting Times

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

That the proposed structure, terms of reference, delegations and meeting times for both the Standing Committees and Sub-Committees of Council, as circulated at the meeting of Council, and as set out below, be adopted.

Carried

Planning Development And Transport Committee

Meeting Time: 6.00 pm Mondays, (Meetings in tandem with Community Services, Small Business and Tourism Committee)

Functions: To deal with all matters relating to:

- (a) Development applications, not dealt with by the Central Sydney Planning Committee.
- (b) Planning instruments ie LEPs, DCPs, Policies
- (c) Transport initiatives and issues
- (d) Parking
- (e) Traffic and Sydney Traffic Committee
- (f) Access
- (g) Design of City projects, including public spaces, street furniture, parks, city buildings and community facilities
- (h) City Safety Program

Delegations: Council delegates its powers under the Environmental Planning and Assessment Act 1979 to the Planning Committee as follows:-

- under section 80(1), to determine development applications;
- under section 80(3) to grant deferred commencement consent;
- under section 80(4) and 80(5) to grant staged development consent;
- and under section 96 to approve modifications to any of those consents;

except -

- (a) where fewer than four (4) councillors are present;
- (b) where one or more councillors requests that an application, or applications, be referred to Council for determination, such request either being made in person at the meeting or submitted in writing to the relevant Committee Secretary prior to the finalisation of the item at the meeting;
- (c) where the report on an application is not distributed to Councillors with the agenda papers at the usual time of distribution

The items to which the delegation applies are to be so listed on the agenda.

The Council also authorises the Planning Committee to approve submissions, relating to the matters listed above, to other consent authorities.

Community Services, Small Business And Tourism Committee

Meeting Time: 6.00 pm Mondays,(Meetings in tandem with the Planning, Development and Transport Committee)

Functions: To deal with all matters relating to:

- (a) Community services
- (b) Recreation services
- (c) Assistance to community groups
- (d) Libraries
- (e) City retailing
- (f) Small Business
- (g) Precinct and community consultation
- (h) Tourism
- (i) Health inspections
- (j) Recycling
- (k) Environmental management

- (l) Operational and promotional issues relating to Restaurants and hotels
- (m) Liquor Licensing

Finance, Properties And Tenders Committee

Meeting Time: 4.00pm Mondays,(Meetings in tandem with the Cultural and City Care Committee)

Functions: To deal with matters relating to:

- (a) Finance
- (b) Consideration of budgets and quarterly budget performance
- (c) Information Technology Policy
- (d) Asset management
- (e) Internal and external audit
- (f) Fees and charges
- (g) Rating matters
- (h) Council vehicles and fleet management
- (i) Industrial relations
- (j) Organisational policy issues eg industrial agreements
- (k) Council property management, including management, maintenance, leasing, licensing and sale of Council property (including footways) and the use, leasing and purchase of non-Council property
- (l) Tenders

Cultural And City Care Committee

Meeting Time: 4.00 pm Mondays, (Meetings in tandem with Finance, Properties and Tenders Committee)

Functions: To deal with all matters relating to:

- (a) The Cultural and City Events program
- (b) Visual Arts including the Sculpture Walk and the Open Museum
- (c) Performing Arts
- (d) Themed weekends in the City
- (e) City Care program including:
 - Graffiti removal
 - footpath and street cleaning
 - waste collection
 - trees
 - City aesthetic improvement program
 - Street and footpath maintenance
- (f) The Management and maintenance of open spaces
- (g) Living Colour program (flowers)
- (h) Street furniture program
- (i) Financial assistance to cultural organisation
- (j) Cultural venue Management
- (k) City lighting program
- (l) History projects
- (m) the Film Industry

Access Committee (Sub-Committee of Planning Development and Transport Committee)

Meeting Time: The Committee shall meet when required and shall determine the days and times it meets, or when convened by the Lord Mayor.

Quorum: 5, or half the members whatever is the lesser

Functions:

1. To consider and advise Council on issues relating to access to the city for persons with disability, including those relating to private and public buildings and spaces
2. To provide a forum for representatives of people with disabilities to raise issues of concern to them relating to access.

Traffic Committee (Sub-Committee of Planning Development and Transport Committee) The Committee is a Statutory Committee, established under the Roads Act.

Meeting Time: The Committee shall meet when required and shall determine the days and times it meets.

Quorum: 3

Function: The function of the Traffic Committee is to advise Council on any proposal concerning a traffic control facility.

Retail Management Committee (Sub-Committee of Community Services, Small Business and Tourism Committee)

Meeting Time: As determined by the Committee or the Lord Mayor

Quorum: Five, or half the membership, whatever is the lesser

- a) to advise on the City Retail Marketing program
- b) to advise on specific City promotional initiatives of relevance and/or benefit to City Retailing
- c) to advise on all obstacles to the growth of retailing in the City

- d) to consider and advise on specific geographic areas, or niches, of retailing that require special attention
- e) liaise and hear representations from retailers and retail organisations on issues of relevance to retailers
- f) to refer retail issues for the attention of the Council, The Lord Mayor and General Manager and the Retail Management Unit

Priorities And Outcomes Committee

Meeting Time: As determined by the Lord Mayor

Quorum: Two (2)

- Functions:
- (a) To review capital works projects and priorities within the framework approved annually by Council.
 - (b) To advise on budget priorities within the annual framework approved by Council.
 - (c) To consider and approve contract and tender specifications and briefs to designers and consultants.
 - (d) To advise on legal and jurisdictional issues.
 - (e) To advise on strategic property issues.
 - (f) To discuss and advise on organisational performance.
 - (g) To advise on the use of civic venues and councillor services.
 - (h) To advise on the management of New Year's Eve, the Olympics and the Centenary of Federation from a City perspective.
 - (i) To advise on Council's negotiation in respect of the Museum of Contemporary Art.
 - (j) To advise on, and assist with, the City aesthetic improvement strategy.
 - (k) To deal with matters requiring strategic overview and co-ordination across Council functions and boundaries.

Positioning Sydney Committee

Meeting Time: As determined by the Committee, or the Deputy Lord Mayor

Quorum: Five (5) or half the membership, whatever is the lesser

Purpose: The purpose of the Committee is to address issues relating to Sydney's standing and role in a global context, with particular emphasis on commercial growth opportunities in new industries, and the cultural and artistic life of Sydney.

Functions:

1. Advise generally on opportunities and initiatives for the promotion and enhancement of the commercial growth of Sydney, and Central Sydney in particular, along with Sydney's standing as an international arts and cultural centre
2. Explore what steps the City of Sydney can take to promote the growth of the financial services, IT, telecommunications, and film industries, either on its own, and/or in collaboration with industry participants and industry groups and associations, and with state and federal governments.
This will involve identifying key ingredients to promote the growth of these industries and require the support of State and Federal Governments.
3. Examine the role the City of Sydney can play in promoting the export of Sydney-based IT products and services overseas, and inward investment in Sydney-based IT industries.
4. Look at ways the City of Sydney can encourage and promote dialogue and collaboration between
 - Other Sydney- based IT industries,
 - Awareness of and collaboration between Sydney's IT industries and the rest of Australia
 - Other cities and regions where IT is a significant contributor to economic growth – such as San Francisco.
5. Evaluate the impact of electronic commerce on city business, particularly city retailing. Assess ways of supporting and assisting the city's stakeholders in the light of technological changes in the retailing sector

Part 2 - Membership of Committees

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

That members to be appointed to the following Committees for a two year term ending 30 September 2001 are -

Planning Development and Transport Committee

Councillor Dixie Coulton
Councillor Nick Farr-Jones
Councillor Kathryn Greiner
Councillor Robert Ho
Councillor Fabian Marsden
Councillor Lucy Turnbull

Community Services, Small Business and Tourism Committee

Councillor Dixie Coulton
Councillor Nick Farr-Jones
Councillor Kathryn Greiner
Councillor Robert Ho
Councillor Fabian Marsden
Councillor Lucy Turnbull

Finance, Properties Tenders Committee

The Lord Mayor Councillor Frank Sartor
Councillor Dixie Coulton
Councillor Nick Farr-Jones
Councillor Kathryn Greiner
Councillor Robert Ho
Councillor Lucy Turnbull

Cultural and City Care Committee

The Lord Mayor Councillor Frank Sartor
Councillor Dixie Coulton
Councillor Nick Farr-Jones
Councillor Kathryn Greiner
Councillor Robert Ho
Councillor Lucy Turnbull

Carried.

Part 3 - Chairpersons and Deputy Chairpersons of Standings Committees

At this stage of the meeting, the following Councillors were nominated for the positions of Chairperson or Deputy Chairperson of the Committees, Sub Committees and Special Committees as shown. In each case the Councillor nominated accepted the nomination and was elected unopposed.

- (A) Planning Development and Transport Committee;
Chairperson - Councillor Lucy Turnbull
Deputy Chairperson - Councillor Dixie Coulton
- (B) Finance, Properties and Tenders Committee;
Chairperson - Lord Mayor Councillor Frank Sartor
Deputy Chairperson - Councillor Lucy Turnbull
- (C) Community Services, Small Business and Tourism Committee;
Chairperson - Councillor Fabian Marsden
Deputy Chairperson - Councillor Dixie Coulton
- (D) Cultural and City Care Committee;
Chairperson - Councillor Dixie Coulton
Deputy Chairperson - Lord Mayor Councillor Frank Sartor

Part 4 - Sub-Committees and Special Committees

- (A) Access Committee (sub-committee of the Planning Development and Transport Committee).
Chairperson - Councillor Nick Farr-Jones
Deputy Chairperson - Councillor Lucy Turnbull

The membership of the Access Committee was approved as shown below;

- (B) Traffic Committee (sub-committee of the Planning Development and Transport Committee).
Chairperson - Councillor Lucy Turnbull
Deputy Chairperson - to be a senior officer nominated by the General Manager

The membership of the Traffic Committee was approved as shown below;

- (C) Retail Management Committee (sub-committee of the Community Services, Small Business and Tourism Committee).
Chairperson - Councillor Robert Ho
Deputy Chairperson - Councillor Fabian Marsden

The membership of the Retail Management Committee was approved as shown below;

- (D) Priorities and Outcomes Committee (Special Committee).
 Chairperson - Lord Mayor Councillor Frank Sartor
 Deputy Chairperson - Councillor Lucy Turnbull

The membership of the Priorities and Outcomes Committee was approved as shown below;

- (E) Positioning Sydney Committee.
 Chairperson - Councillor Lucy Turnbull
 Deputy Chairperson - Councillor Dixie Coulton

The membership of the Positioning Sydney Committee was approved as shown below;

Access Committee (Sub-Committee of Planning Development and Transport Committee)

Members:

Mr Alan Burns - St Vincent de Paul Society
 Ms Sandra Dark - Association of Blind Citizens
 Ms Susan Thompson - National Association of Blind Citizens
 Mr Peter Mendle - Lions Club of Sydney
 Ms Julie Harris - Cheltenham
 Ms Joan Hume - Disabilities Unit (TAFE)
 Ms Terry Fletcher - Disability Awareness Training Consultant
 Mr Noel Hiffernan - Public Sector Union
 Ms Margaret Wood - Pyrmont Residents Group
 Mr Michael Kofod - NSW Council for Intellectual Disability
 Ms Maria H Long - NSW Department of Sport, Recreation and Racing
 Mr Howard T Halstead - Rotary Club of Sydney
 Mr David McLeish - Rotary Club of Sydney
 Miss Janet Stretton - Director of Nursing, Sydney Eye Hospital
 Ms Kim Rowles - NSW Labor Council
 Mr Lester Tropman - Access and Mobility Sub-Committee of ACROD

Membership includes councillors and external appointments as determined by Council or the Lord Mayor from time to time. Initial membership shall be as above. The Committee is to limit its core membership to this number and may invite other persons to attend meetings on a casual basis as appropriate.

The Chairperson shall be appointed by Council.

Traffic Committee Sub-Committee of Planning Development and Transport Committee) The Committee is a Statutory Committee, established under the Roads Act.

Members: Membership as determined by Roads and Traffic Authority guidelines being:

(a) Four formal (voting) representatives, one from each of the following -

- Council
- Public Service
- Roads and Traffic Authority
- Local Members of Parliament

(b) Informal (non-voting) representatives, where relevant, from each of the following -

- State Transit Authority
- NSW Taxi Council
- Private bus operators
- Transport Workers Union
- Local Taxi Co-operatives
- Others as appropriate

The Chairperson shall be determined by Council.

Retail Management Committee (Sub-Committee of Community Services, Small Business and Tourism Committee)

Members: Two Councillors being the Chair and the Deputy Chair and representatives of City Retailers appointed by the Lord Mayor

Priorities And Outcomes Committee

Members: The Chairs of Standing Committees

Positioning Sydney Committee

Members: The Chair and Deputy Chair, plus suitably qualified persons appointed by the Lord Mayor, in consultation with the Deputy Lord Mayor

Policies And Procedures Of Committees

- (a) The structure and functions of Committees is standing policy of Council.
- (b) All correspondence from, or to, all Committees, and Sub-Committees, shall be handled through normal Council processes.

Correspondence to any Committee/Sub-Committee shall be tabled at the Committee meeting and placed on the relevant file.

The contents of any outward correspondence, purporting to state the views of a Committee/Sub-Committee shall conform with existing Council policy and shall be circulated to Councillors via the Councillors' Information Service.

- (c) All Committees and Sub-Committees shall be advisory to Council and have no independent role, except where specific authorities are delegated to them by Council.
- (d) The quorum for each Committee shall be half of the members except where otherwise specified in this policy.
- (e) Matters dealt with in Committee shall be submitted to Council without recommendation only when the chairperson so determines.
- (f) The chairpersons of Standing Committees shall have a casting vote.

ITEM 5. SCHEDULE OF COUNCIL MEETINGS TO THE END OF 1999 (A04-01171)

FILE NO: A04-01171

DATE: 14/9/99

MEMORANDUM BY THE GENERAL MANAGER

To Council:

On 21 November 1998 Council adopted a Schedule of Meetings and Briefings for 1999.

The Schedule for the remainder of 1999, previously adopted by Council and shown at Attachment A, is submitted to Council for confirmation or such changes as the Council may consider appropriate.

RECOMMENDATION:

That arising from consideration of a Memorandum by the General Manager to the extraordinary meeting of Council on 20 September 1999, on Schedule of Meetings and Briefings for the remainder of 1999, it be resolved that the Schedule, as shown at Attachment A to the subject Memorandum by the General Manager, be confirmed.

(SGD) GREG MADDOCK

General Manager

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

That arising from consideration of a Memorandum by the General Manager to the extraordinary meeting of Council on 20 September 1999, on Schedule of Meetings and Briefings for the remainder of 1999, it be resolved that the Schedule, as circulated and as amended at the meeting of Council, be confirmed, subject to authority being delegated to the Chairman (the Lord Mayor) to reschedule the Council meeting on Tuesday 9 November 1999 to Monday 8 November 1999 if there is a compelling reason to do so.

Carried.

SCHEDULE OF MEETINGS AND BRIEFINGS FOR THE REMAINDER OF 1999	
DATE	MEETING
MONDAY 27 SEPTEMBER	COMMITTEES
FRIDAY 1 OCTOBER - 3.30pm	EXTRAORDINARY COUNCIL
MONDAY 4 OCTOBER	RECESS (Labour Day - Public Holiday)
MONDAY 11 OCTOBER	RECESS
MONDAY 18 OCTOBER	RECESS
MONDAY 25 OCTOBER	BRIEFINGS
MONDAY 1 NOVEMBER - 4.00pm	COMMITTEES
TUESDAY 9 NOVEMBER - 5.30pm (Tentative date may be changed to Monday 8 November)	COUNCIL
MONDAY 15 NOVEMBER	BRIEFING
MONDAY 22 NOVEMBER	COMMITTEES
MONDAY 29 NOVEMBER	COUNCIL
MONDAY 6 DECEMBER	BRIEFINGS
MONDAY 13 DECEMBER	COMMITTEES
MONDAY 20 DECEMBER	COUNCIL
MONDAY 27 DECEMBER 1999	RECESS

The Recess continues until the first Committee meetings of 2000.

ITEM 6. DELEGATIONS OF AUTHORITY TO THE LORD MAYOR AND THE GENERAL MANAGER (S008351/S008352)

FILE NO: S008351/S008352

DATE: 20/9/99

MEMORANDUM BY THE GENERAL MANAGER

To Council:

The Local Government Act 1993 provides -

Section 380 Each council must review all its delegations during the first 12 months of each term of office.

It has been usual practice for Council to delegate various powers that involve ongoing functions to the Lord Mayor and General Manager.

The Council has generally issued standing delegations to the Lord Mayor and the General Manager. Specific delegations have been issued on an as required basis.

The General Manager's standing delegation was originally granted in September 1993. It was renewed in September 1995 and subject to some minor changes it is proposed to confirm it. (Attachment A) The changes are generally for clarification, eg, changes to paragraphs 11A and 17 incorporate previous Council resolutions. Proposed changes are marked.

The Lord Mayor has customarily received authority to act as Council during recess periods, with the delegation effective from midnight of the day of the last Council meeting prior to a recess period as approved by the Council, up to the time of commencement of the first Committee meeting at the conclusion of the recess period. This has been a standing delegation from the last Council and it is proposed to confirm it (Attachment B).

In addition certain procedural matters have been delegated to the Lord Mayor. This has been a standing delegation and it is proposed to confirm it with some amendments. The proposed changes are marked. (Attachment C)

Delegated authority has also been granted to the Lord Mayor and General Manager on a case by case basis as considered appropriate by the Council to deal with specific matters. Some of these matters are ongoing or are not yet completed. It is appropriate that Council note that the delegations found at Attachments D, E and F are still being acted on and renew these delegations.

This Memorandum does not deal with any delegations which have been granted by Council in policy documents or Codes. It is appropriate that such delegations be revisited as and when the policies themselves are revisited in due course.

RECOMMENDATION:

That arising from consideration of a Memorandum by the General Manager to the extraordinary meeting of Council on 20 September 1999, on Delegations of Authority to the Lord Mayor and the General Manager, it be resolved that Council delegate to the Lord Mayor and General Manager the powers, functions and authorities as shown in Attachments A, B, C, D, E and F to the subject Memorandum by the General Manager.

(SGD) GREG MADDOCK

General Manager

Moved by Councillor Turnbull, seconded by Councillor Coulton -

That arising from consideration of a Memorandum by the General Manager to the extraordinary meeting of Council on 20 September 1999, on Delegations of Authority to the Lord Mayor and the General Manager, it be resolved that Council delegate to the Lord Mayor and General Manager the powers, functions and authorities as shown in Attachments A, B, C (as amended at the meeting of Council), D, E and F to the subject Memorandum by the General Manager, and as follows:-

The motion was carried on the following show of hands -

Ayes (6) The Chairman (the Lord Mayor), Councillors Coulton, Farr-Jones, Ho, Marsden and Turnbull.

Noes (1) Councillor Greiner

Carried.

Note: At this stage of the meeting the Chairman (the Lord Mayor) welcomed the Hon Henry Tsang MLC (former Deputy Lord Mayor) and the Hon Helen Sham Ho MLC to the meeting

DELEGATIONS

DELEGATIONS TO THE GENERAL MANAGER UNDER THE LOCAL GOVERNMENT ACT 1993

SYDNEY CITY COUNCIL INSTRUMENT OF DELEGATION TO THE GENERAL MANAGER

Sydney City Council:

- A. Revokes the previous standing delegation of functions of the Council to the General Manager dated 25 September 1995.
- B. Recognises that certain functions are conferred on the General Manger by the Local Government Act 1993.
- C. Delegates to the person holding the position of General Manager its functions under the Local Government Act 1993 and any other legislation conferring functions on the Council, except –

POWERS OTHERWISE DEALT WITH

- (1) the functions which are required by or under the Local Government Act 1993 or by or under any other Act or instrument to be performed by the governing body of the Council;
- (2) functions delegated to the Lord Mayor relating to specific issues or projects, the Planning Committee, the East Circular Quay Project Control Group or the Chairman, Projects and Public Spaces Committee.

POLICY AND PROCEDURE

- (3) power to make or amend Council policy;
- (4) witnessing the affixing of the Common Seal of the Council;
- (5) release for public exhibition and comment of any plan or policy which is required by legislation to be exhibited.

BUDGET AND RESOURCE ALLOCATION

- (6) the setting of Council's budget;
- (7) the allocation of revenue gains outside the budget;
- (8) any variation of approved expenditure that goes beyond one operating unit;

- (9) the setting and variation of priorities for Council's programs, including priorities relating to the Capital Works program, studies, policy development programs and other initiatives specified by Council;
- (10) in relation to any new capital works item and any other capital works item specified by Council in the budget approval process:
 - the approval of project briefs
 - the appointment of consultants
 - the approval of final design
 - the approval to commence works;
- (11) determination of applications for grants and donations;
- (12) any expenditure from the general contingency fund except with the approval of the Lord Mayor;

ORGANISATIONAL STRUCTURE AND PERSONNEL MATTERS

- (13) the approval of the organisation structure including and above operational unit manager level;
- (14) consultation prior to the appointment of senior staff;
- (15) entering into any enterprise agreement or altering personnel policies that would affect a class of employees and would have ongoing implications for Council in terms of cost or service delivery;

COUNCIL OPERATIONS AND SERVICES

- (16) carrying out new non-core services not already being undertaken at the date of this resolution of Council;
- (17) significant variation of any existing Council service that would have ongoing implications for Council in terms of cost or service delivery;
- (18) contract specifications relating to matters such as service levels and design

PROPERTY, LAND USE AND RELATED MATTERS

- (19) granting of leases or licences, and approving applications for use of public land or crown land excluding:
 - (i) leases on Council's commercial properties with rental valued at less than \$100,000 per annum
 - (ii) those involving the use of a footway or part of a crown reserve which:
 - conforms with Council's public space and urban design policies; and

- is recommended for approval by Council's Urban Designer; and
 - is for a period not exceeding five years; and
 - is not associated with hotels in residential areas; and
 - has not been the subject of significant objections from neighbours; and
 - is subject to a condition of approval that the licence may be interrupted, or terminated, by Council at any time should the footway be required for another purpose;
- (iii) those involving the erection of a hoarding where:
- the proposed structure would not significantly impede pedestrian or traffic flow; and
 - the hoarding would not extend beyond the footpath; and
 - the permit is for a period not exceeding three (3) years; and
 - the proposed structure would not have a significant or unusually adverse impact on neighbouring public spaces or buildings
- (iv) those relating to a temporary use of public land or crown land (including parks and open spaces) not exceeding one week.
- (20) adoption of a plan of management for community land;
- (21) matters relating to community land pending the adoption of a plan of management;
- (22) granting of owner's consent to the lodgement of an application to carry out development on property owned or managed by Council except where such development involves:
- (i) alterations or additions to the fit-out or internal fabric or appearance of the building;
 - (ii) minor changes to the external fabric or appearance of the building.

CULTURAL

- (23) development of sister city relationships and formation of sister city committees;
- (24) the approval of civic and ceremonial events;
- (25) the granting of civic honours;

PLANNING AND DEVELOPMENT

- (26) determination of applications for development consent under the Environmental Planning and Assessment Act 1979 involving the erection of a building of more than three storeys;
- (27) determination of applications for approval to demolish a heritage item or for the award of Heritage Floor Space;
- (28) determination of applications for approval to demolish a residential building;
- (29) determination of applications for consent or approval which involve a variation under s82 of the Local Government Act 1993 of a prescribed standard or a Council policy;
- (30) determination of applications for approval to construct a bridge or tunnel.

This delegation must be exercised in a manner that is consistent with the policies and decisions of Council.

This delegation takes effect from the date of this Instrument of Delegation.

**COUNCIL RECESS -
DELEGATION OF AUTHORITY TO THE LORD MAYOR**

(A) Council delegate to the Lord Mayor, as a standing delegation, its powers, authorities, duties and functions other than:-

- (i) those reserved to the Council itself by Section 377 of the Local Government Act 1993;
- (ii) those powers and functions delegated to the General Manager by Council resolution on 20 September 1999;

with such delegations to be effective from midnight on the day of the last Council meeting prior to a recess period as approved by the Council, up to the time of commencement of the first Committee meeting at the conclusion of the recess period; and

(B) any such decisions made by the Lord Mayor pursuant to such delegation to be reported on a weekly basis in the Councillors' Information Service.

DETERMINATION OF THE FUNCTIONS AND POWERS OF THE LORD MAYOR (C13-00106)

It be resolved that subject to compliance with existing Council policies and decisions and pursuant to Section 226 and Section 377 of the Local Government Act 1993 and as a matter of policy, Council delegates to the Lord Mayor, on an ongoing basis, the following powers and functions, additional to those contained in the Local Government Act 1993 and the City of Sydney Act 1988:

General and Policy Direction

- (1) to direct the General Manager, except as otherwise provided by the Act;
- (2) to carry out such other functions and exercise such powers, as Council may determine from time to time.

Management of Council meetings and business

- (3) the authority to call and schedule meetings of Council and Council Committees, briefings and inspections;
- (4) to determine the agendas for all meetings of Council and Council Committees, subject to the Local Government Act 1993 and the Local Government (Meetings) Regulation 1993 and any other Act or Regulation, except where Council determines that a specific item be placed on its agenda;
- (5) the power to expel a person or persons from a meeting is delegated to the Lord Mayor or to another Chairman of the meeting in respect of a Council meeting and to the Chairman of each Council Committee of which all members are Councillors in respect of a meeting of that Committee.

Expenditure

- (6) to approve all expenditure from contingency funds, provided it is within the terms of the budget adopted by Council, after consultation with the General Manager;
- (7) to approve all reasonable travel by Councillors and staff to destinations outside Australia, and all expenses associated with overseas travel and Council related business attended to, subject to such expenditure being reported in the annual report as well as in quarterly performance reports to Council

External relations and representations

- (8) to approve all press statements and publications issued on behalf of Council, unless Council determines otherwise on a specific issue;

- (9) to determine who should represent Council on external organisations and committees and interagency working parties (subject to consultation with the General Manager where staff are involved), and at civic ceremonial and social functions, where the Lord Mayor is unable to attend and Council has not determined its representative(s);

Organisational Accountability and Performance Management

- (10) to oversee the performance of the General Manager, and that of the organisation and programme areas within the organisation, subject to prior consultation with Councillors prior to completion the General Manager's annual performance review, and to generally ensure that the organisation is accountable for its actions and performance.
- (11) to have direct access to Council's audit and review functions;
- (12) to obtain access to all Council files and records;
- (13) to obtain direct and independent advice relevant to Council functions, all such cases to be reported to Council, where appropriate;

Mayoral and Civic Role

- (14) in respect of the Office of the Lord Mayor, to
 - (i) determine the structure of the Unit
 - (ii) allocate expenditure within the Unit, not exceeding the global budget of the Unit approved annually by Council
 - (iii) determine the number and description of all staff positions
 - (iv) be fully and formally consulted in respect of the appointment (or dismissal) of all staff
 - (v) direct staff within the Unit and allocate tasks;
- (15) To carry out the civic and ceremonial functions of the Lord Mayoral office, pursuant to the provisions of the Local Government Act 1993.

**GENERAL MANAGER'S SPECIFIC ONGOING
DELEGATIONS**

DELEGATION (Brief Description)	RESOLUTION FROM COUNCIL MEETING (Extract)	REPORT TITLE & DATE
1996		
Each time, a development of significant scale is delayed the General Manager is to send a letter to the Chief Executive of the relevant organisation drawing their attention to the delay	...that: (C) each time, if in the opinion of the General Manager, a development of significant scale is delayed by the action, or inaction, of a government agency or the applicant, the General Manager is to send a letter to the Chief Executive of the relevant organisation drawing their attention to the delay and requesting that they expedite the matter.	Progress Report on Development Applications – 22 April 1996
Approve variations to the capital works program	...that: (B) the General Manager be authorised to vary the annual capital works program subject to the project being listed in the 3 year capital works forward program, and having been signed off by Council in respect of the design. (C) the General Manager be required to advise all Councillors in writing within a reasonable time of any such changes and to formally advise Councillors at quarterly briefings. (E) the designated Capital Works Review Meetings be held in August, December, March and June as set out in the report.	Capital works - 8 July 1996.
Approve the	...that:	City of Sydney Sculpture

expenditure of the staged commissions	<p>(C) authority be delegated to the General Manager to approve the expenditure of the staged commissions provided Councillors are briefed on each artwork commission and the necessary approvals of each artwork concept have been obtained and the appropriate funds have been approved by Council.</p> <p>(D) authority be delegated to the General Manager to determine the grant applications and to develop sponsorship packages for the remainder of the funds.</p>	Walk - 16 December 1996
1997		
Determination of the final locations of all street furniture	<p>...that:</p> <p>(C) Authority be delegated to the General Manager to determine the final locations of all street furniture, having regard to the requirements of Council following a tour of inspection by Councillors of proposed city sites; Councillors being circulated, in advance of the tour of inspection, with details of proposed locations of fruit stalls, newsstands, APT's, flower stalls, kiosks and touch screens;</p>	Look of the City – Street Furniture - 12 May 1997
Allocate and draw down quantities of stone paving for street upgrade works	<p>...that</p> <p>(B) authority be delegated to the General Manager to allocate and draw down quantities of stone paving in accordance with project requirements and the contract conditions.</p>	Stone Paving Supply Tender - 21 July 1997

<p>Council delegate its functions under Section 65 and Section 69 of the EP&A Act</p>	<p>...That arising from consideration of a report by the Manager Planning Policy to Council on 11 August 1997, on Delegation of Sections 65 and 69 of the Environmental Planning and Assessment Act Functions, it be resolved that Council delegate its functions under Section 65 and Section 69 of the Environmental Planning and Assessment Act to the General Manager.</p>	<p>Delegation of Sections 65 and 69 EPA Act Functions - 11 August 1997</p>
<p>Finalise the terms of the Contract Agreements for the Recital Hall</p>	<p>...that: (C) authority be delegated to the General Manager to finalise the terms of the Contract Agreements;</p>	<p>Angel Place Recital Hall – Consulting and Venue Management Tender - 15 September 1997</p>
<p>Offer adequate incentives out of the Cost Plan</p>	<p>...that: (D) authority be delegated to the General Manager to offer adequate incentives out of the Cost Plan savings and interest earned to secure appropriate cultural facilities as tenants in Customs House</p>	<p>Customs House – Variations to Cost Plan - 22 September 1997</p>
<p>Authority to conclude the terms and execute the relevant lease documentation for Customs House</p>	<p>...that: (B) the General Manager be authorised to arrange and execute the relevant lease documentation for these leases and negotiate any final change necessary to conclude the agreements; (C) Council delegate to the General Manager the authority to conclude the terms of the remaining tenancies and execute the relevant lease documentation for those tenancies within the total budget for the project.</p>	<p>Leasing Agreements for Tenancies in Customs House - 17 November 1997</p>

<p>Conclude all sponsorship agreements for New Year's Eve</p>	<p>...that:</p> <p>(B) Authority be delegated to the General Manager to conclude all sponsorship agreements, including media and non-media sponsors.</p>	<p>New Year's Eve Media Partners - 1 December 1997</p>
<p>Determine all future development applications for brothels and restricted premises</p>	<p>...that:</p> <p>(A) authority be delegated to the General Manager to determine all future development applications for brothels and restricted premises in the City's Local Government Area, subject to:</p> <p>(1) the General Manager not sub-delegating this authority to other staff;</p>	<p>Brothel Development Applications – Delegation to General Manager - 8 December 1997</p>
<p>Grant Council's consent as owner to the lodgement of Development Applications for up to seven signs on Council's properties</p>	<p>...that:</p> <p>(B) Authority be delegated to the General Manager to grant Council's consent as owner to the lodgement of Development Applications for up to seven special signs on Council's properties;</p> <p>(C) Having regard to the need to ensure that the signage is only temporary, further negotiations to develop the special signs proposal with the selected parties be on the basis of the likely time limit for special signs on Council's properties being restricted to a maximum period described in paragraph 31(c) of the subject report;</p> <p>(D) A range of community information options be presented by the selected respondents relating to the percentage of all advertising content, incorporation of information</p>	<p>Special Signs - 15 December 1997</p>

	<p>panels, semi-permanent mobile structures and inclusion of city information advertising on other signage sites;</p> <p>(E) All funds raised through special signs leases shall be attributable to certain projects to be determined by Council; the appropriate projects shall be determined at the time of consideration of the development applications and leases.</p> <p>(F) The Street Furniture Group shall review the signage proposals before applications are submitted to Council.</p> <p>(G) Council support the submission from Cody Outdoor Advertising Pty Ltd as the preferred respondent to be invited to further negotiate advertising rights for up to seven special signs in the City of Sydney;</p> <p>(H) authority be delegated to the General Manager to contract and document all agreements pertaining to the provision of special signs.</p>	
<p>Appropriate action be taken to prosecute and implement policy for removal of greyhounds from Wentworth Park.</p>	<p>...that:</p> <p>(D) The General Manager be authorised to take all appropriate action to prosecute and implement this policy.</p>	<p>Wentworth Park – 15 December 1997</p>

<p>Prepare and finalise a Memorandum of Understanding for priority stakeholders of the Sydney Town Hall</p>	<p>... that</p> <p>(C) authority be delegated to the General Manager to prepare and finalise, through consultation and negotiation, a Memorandum of Understanding for each of the priority stakeholders of the Sydney Town Hall including the Sydney Symphony Orchestra, the Sydney Festival and the Sydney Writer's Festival, subject to consultation with the Lord Mayor.</p>	<p>Draft Policy for Venue Management Service of the Sydney Town Hall - 15 December 1997</p>
<p>1998</p>		
<p>Exercising the functions of the RTA</p>	<p>...that:</p> <p>(B) authority be delegated to the General Manager to regulate traffic in accordance with the delegation from the Roads & Traffic Authority.</p> <p>Note: Delegation from RTA dated 27 March 1998.</p>	<p>Roads & Traffic Authority - Delegation to Council to Regulate Traffic - 14 April 1998.</p>
<p>To vary easements and lease agreements in relation to East Circular Quay</p>	<p>...that:</p> <p>(D) in relation to 1-59 and 61-69 Macquarie Street -</p> <p>(i) authority be delegated to the General Manger to vary existing easements and/or create new easements in relation to new architectural features approved by the Central Sydney Planning Committee;</p> <p>(ii) the General Manager review the requirement to enter into a lease for the entry and exit portals of the development (pursuant to condition No 18 of the Notice of Determination No Z94-00279 dated 16 September 1994) and land currently subject to an agreement to lease from the City of Sydney and authority be delegated to the General</p>	<p>ECQ - Easements and Leases - 27 April 1998</p>

	<p>Manager to vary this requirement if considered necessary to satisfy the provisions of the relevant Strata Titles legislation, provided that Council's interests, as a result of any variations, are not diminished;</p> <p>(E) in relation to 1-59 and 61-69 Macquarie Street, authority be delegated to the General Manager to resolve any legal changes necessary for the strata subdivision associated with the change in the Strata Titles Act 1973 and the Strata Schemes (Freehold Development) Act 1973.</p>	
<p>Levy a s611 charge</p>	<p>...that:</p> <p>(B) authority be delegated to the General Manager to levy a s611 charge on all organisations who are in possession, occupation or enjoyment or a rail, pipe, wire, pole, cable, tunnel or structure laid, erected, suspended, constructed or placed on/over or under a public place and to pursue recovery of that revenue should it remain unpaid;</p>	<p>Charging Organisations for Locating Pipes, Conduits, Rails etc. on/over under Council Land Pursuant to Section 611 of the Local Government Act - 25 May 1998</p>
<p>Develop sponsorship/funding strategies in respect of the art works forming parts of the Sculpture Walk</p>	<p>...that:</p> <p>(C) subject to the requirements of clause (B) authority be delegated to the General Manager to enter into fabrication and procurement contracts for the art works listed in Category 1;</p> <p>(G) the General Manager be authorised to develop sponsorship/funding strategies in respect of the art works in Category 2, not inconsistent with approaches made for corporate funding of other (non-art) projects.</p>	<p>City of Sydney Sculpture Walk - 22 June 1998</p>

<p>The City adopt a fee schedule for the shooting of film and television with the City</p>	<p>...that:</p> <p>(C) the City adopt a fee schedule for the shooting of film and television within the city that does not discourage these endeavours, and that the General Manager be granted authority to exercise flexibility in regard to such fees, in exceptional cases.</p>	<p>City of Sydney Support for Film & Television – 22 June 1998</p>
<p>Approval of leases and licences on Crown Reserves</p>	<p>...that:</p> <p>(A) approval be given to –</p> <p>(ii) the delegation of authority to the General Manager to approve leases and licences on Crown Reserves provided -</p>	<p>Outdoor Cafes on Crown Reserves – Proposed Licences and Delegation of Authority - 27 July 1998</p>
<p>Authorise the levying of a s611 charge</p>	<p>...that:</p> <p>(B) authority be delegated to the General Manager to authorise the levying of a charge made on 27 July 1998, and Council believes that the delegation to the General Manager by resolution of Council of 25 May 1998 also has this effect;</p>	<p>Additional Charges Under Section 611 of the Local Government Act - 27 July 1998</p>
<p>Enter into negotiations with the Tenderers for the operation and management of the Cook & Phillip Park Aquatic Centre & Park</p>	<p>...that:</p> <p>(D) authority be delegated to the General Manager to enter into negotiations with the Tenderers identified in paragraph (B) above in respect of the issues referred to in paragraphs 93 and 94 of the subject report and to execute all contract documentation with a preferred tenderer upon satisfactory resolution of the negotiations.</p>	<p>Cook & Phillip Park Tender No. 9817 - 21 September 1998</p>

<p>Capital works - funding</p>	<p>...that:</p> <p>(C) authority be delegated to the General Manager to arrange to defer the repayment of the principle element only of loans (part of the principle) obtained from the Commonwealth Bank while continuing to ensure full settlement by the original liquidating year of 2993/04 or to restructure Council's loan portfolio to achieve a similar result with or without the Commonwealth Bank;</p> <p>(D) authority be delegated to the General Manager to arrange securitisation of the projected QVB rental income to a maximum of \$25 million subject to a briefing of Councillors being held before the sum of \$15 million is exceeded, if that becomes necessary;</p> <p>(E) authority be delegated to the General Manager to sell and leaseback the light fleet of vehicles;</p> <p>(F) authority be delegated to the General Manager to pursue the following possible sources of funds;</p> <p>Worldcom Developer contributions RTA contribution to Joint Task Force CBA loan rescheduling Sell & leaseback light fleet Securitise QVB rental</p> <p>And any other sources of funds (operating surpluses, contributions by corporations, Energy Australia agreement, special signs and asset sales):</p>	<p>Additional capital works - 21 September 1998</p>
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Enter into a contract for the works upon successful completion of negotiations	<p>...that:</p> <p>(B) authority be delegated to the General Manager to enter into a contract for the works upon successful completion of negotiations;</p>	Priority Project – York Street, Tender 9818 for Construction Works - 12 October 1998
Effect the Plan of Subdivision at Albert Street Waste Disposal Depot	<p>...that:</p> <p>(B) authority be delegated to the General Manager to effect the Plan of Subdivision and other documents for the sale of the subject land, and that such documents clearly specify the nature of the tenancies on the site.</p>	Proposed Sale of Surplus Land at Albert Street Waste Disposal Depot, St Peters - 7 December 1998
Enter into contracts with the Artists for Sculpture Walk	<p>...that:</p> <p>(C) authority be delegated to the General Manager to enter into contracts with the artists listed in (B).</p>	City of Sydney Sculpture Walk – Additional Funding - 7 December 1998
Sign all documentation relating to the compulsory acquisition of the Corporation and Haymarket Buildings.	<p>...that:</p> <p>(D) authority be delegated to the General Manager to sign all documentation relating to the compulsory acquisition of both properties.</p>	Acquisition of 181-187 Hay Street (Corporation Building) and 744 George Street (Haymarket Library) Sydney - 14 December 1998
Finalise a submission to the DLG, acquisition agreement with DLWC, the plan of subdivision for Hyde Park and Cook & Phillip Park	<p>...that:</p> <p>(B) authority be delegated to the General Manager to finalise:</p> <p>(i) a submission to the Department of Local Government in relation to the acquisition;</p> <p>(ii) the terms of any acquisition agreement with the DLWC;</p> <p>(iii) the plan of subdivision in accordance with Attachment “C”; and</p>	Parkland Initiatives – Hyde Park and Cook & Phillip Park - 14 December 1998

	<p>(iv) any other procedural matter unnecessary to complete the acquisition;</p> <p>(G) authority be delegated to the General Manager to seek expressions of interest and call tenders for the design and construction of the expanded Phillip Centre.</p>	
1999		
Investigate and negotiate the alternative of accepting transferable floor space in lieu of cost	<p>...that:</p> <p>(C) authority be delegated to the General Manager to investigate and negotiate the alternative of accepting transferable floor space in lieu of cost (with a commensurate increase in the quantum of sale by Ipoh Gardens in this case) and the general question of changing the contract with Ipoh Gardens to accept our share as transferable floor space, subject in both cases to legal advice that the City is able to receive, buy and sell heritage floor space.</p>	Ipoh Gardens and Assignment of 1927 metres of Transferable Floor Space - 18 January 1999
Vary fees and charges for Cook & Phillip Park	<p>...that:</p> <p>(ii) events that prevent lap swimming not be allowed without the approval of the General Manager;</p>	Cook & Phillip Park Centre – Fees and Charges - 18 January 1999
Purchase heritage floorspace for the City Heritage Floorspace Bank	<p>...that:</p> <p>(F) authority be delegated to the General Manager to purchase heritage floorspace for the City Heritage Floorspace Bank at times when he considers that the price of heritage floorspace is appropriately low and to sell heritage floor space from the</p>	City Heritage Floorspace Bank - 18 January 1999

	Bank when he considers that the price is unreasonably high, subject to availability of funds being approved by the Lord Mayor.	
Approve the commissioning of projects if funding becomes available for Sculpture Walk.	...that: (F) authority be delegated to the General Manager to make the appropriate contractual and implementation arrangements with respect to these projects after they are approved for commissioning;	City of Sydney Sculpture Walk - 18 January 1999
Grant consent as owner to lodgement of development application on Hickson Road and Towns Place.	...that: (A) authority be delegated to the General Manager to grant consent as owner of Hickson Road, Towns Place and both the Hickson Road steps to the lodgement by Walsh Bay Finance Pty Ltd of the development applications for the staged redevelopment of Walsh Bay that relates to the City's roads and assets with the exception of the final design resolution of the Hickson Road and Town's Place carriageway;	Hickson Road, Towns Place and Adjoining Public Steps, Walsh Bay Development – Owners Consent for Lodgement of Development Applications with the Department of Urban Affairs and Planning - 15 February 1999
Complete and execute all necessary documentation to finalise subdivision of 4-16 Campbell Street, St Peters	...that: (B) authority be delegated to the General Manager to complete and execute all necessary documentation to finalise this matter.	Property at 4-16 Campbell Street, St Peters – Proposed Subdivision for Dedication of Road Area - 15 February 1999
To approve commencement of fabrication of artwork in Chinatown	...that: (B) subject to the total cost of the project, inclusive of contingencies, being no more than \$180,000, authority be delegated to the General Manager to approve commencement of fabrication of the artwork once the agreed	Chinatown Public Art Commission - 15 February 1999

	amount of funding from the Chinatown Community has been secured.	
Alter scope of works to include additional works for Sydney Town Hall Interiors Refurbishment	<p>...that:</p> <p>(C) authority be delegated to the General Manager to enter into contracts with Olympia Joinery Pty Limited for the works outlined in Clauses (A) and (B);</p> <p>(D) authority be delegated to the General Manager to alter the scope of works to include additional works in the other spaces in the Town Hall including Council Chamber, the Grand Staircase, the Finance Committee Room, the Lord Mayor's Office, and other areas in need of repair, if such works are practical, warranted and feasible.</p>	Sydney Town Hall Interiors Refurbishment – Phase 4 & Town Hall House Level 22 & 23 Base Building Refurbishment Tenders - 29 March 1999
Make appropriate contractual arrangements for commissioning Anne Graham's art work.	<p>..that:</p> <p>(B) authority be delegated to the General Manager to make the appropriate contractual arrangements with the artist after funding has been secured.</p>	City of Sydney Sculpture Walk - 29 March 1999
Vary working hours to minimise impact on retailers	<p>...that:</p> <p>(B) authority be delegated to the General Manager to vary the working hours to minimise impact on retailers provided he is satisfied with the assessment contained in a noise impact statement submitted for the site.</p>	Development Application: AMP Tower (Centrepont), 184-190 Pitt Street, Sydney - 29 March 1999
Take all necessary steps to effect the closure under Section 34 of the Roads Act	<p>...that:</p> <p>(B) the General Manager be directed to take all necessary action to pursue the closure and to negotiate, in consultation with the Lord Mayor, alternative delivery arrangements for</p>	Pitt Street Mall - 29 March 1999

	<p>potentially affected retailers;</p> <p>(C) authority be delegated to the General Manager to take all necessary steps to effect the closure including the necessary application to the Minister for Roads under Section 34 of the Roads Act;</p>	
Martin Place	<p>...that:</p> <p>(C) authority be delegated to the General Manager to enter into negotiations with all or some of the tenderers for Precinct 5 and Precinct 2 with a view to incorporating the amphitheatre area;</p> <p>(E) authority be delegated to the General Manager to enter into a contract with the successful contractor for Precinct 5 and Precinct 2 within the approved project budget;</p>	Martin Place Upgrade Stage 2 (Precincts 2 & 5), Tender for Construction Works - 10 May 1999
Enter into negotiations with Department of Housing & City West Housing Corporation for graffiti removal contract.	<p>...that:</p> <p>(B) authority be delegated to the General Manager to enter into negotiations with the Department of Housing and City West Housing Corporation with a view to reaching an agreement with the Department for their buildings to be covered by the graffiti removal contract; and</p>	Graffiti Management Proposal for the City - 10 May 1999

<p>Lodge a development application and pursue the resolution of design issues for Phillip Park Child Care Centre.</p>	<p>...that:</p> <p>(B) authority be delegated to the General Manager to lodge a development application and pursue the resolution of all relevant issues;</p> <p>(C) authority be delegated to the General Manager to invite tenders, subject to approval of the development application, and to execute all relevant documents;</p>	<p>Phillip Park Child Care Centre – Design Issues - 10 May 1999</p>
<p>Delegations in respect of the annual budget</p>	<p>...that:</p> <p>(E) note that authority continues to be delegated to the General Manager to vary fees and charges for commercial operations;</p> <p>(H) note that expenditure on plant and assets will continue to require the specific approval of the General Manager for each individual item.</p>	<p>Draft Budget 1999/2000 - Approval to place on Public Exhibition - 10 May 1999</p>
<p>Negotiate and execute an agreement with the SOCOG</p>	<p>...that:</p> <p>(B) authority be delegated to the General Manager to negotiate and execute an agreement with the Sydney Organising Committee for the Olympic Games (SOCOG) within the parameters of the 1999/2000 and 2000/2001 budget allocations;</p>	<p>Olympic Preparations - 10 May 1999</p>
<p>Approve the timing and scheduling of works for Park Street Shopfront Upgrade.</p>	<p>...that:</p> <p>(B) authority be delegated to the General Manager to enter into a contract for these works; and</p> <p>(C) the General Manager personally approve the timing and scheduling of these works.</p>	<p>Park House Shopfront Upgrade – Approval to accept Tender - 28 June 1999</p>

<p>Negotiate a contract with Studio Kite for the design, procurement and installation of new decorations for the City Christmas Tree</p>	<p>...that:</p> <p>(B) authority be delegated to the General Manager to negotiate a contract with Studio Kite for the design, procurement and installation of new decorations for the City Christmas Tree on terms acceptable to Council, subject to:</p> <p>(a) a total fee not exceeding \$100,000;</p> <p>(b) Studio Kite entering into a contract on terms acceptable to the General Manager;</p> <p>(c) all relevant documentation being executed by Council</p>	<p>Design, Supply and Installation of Decorative Elements for 1999 Christmas Decorations Program - 28 June 1999</p>
<p>Continue negotiations with the Sydney Harbour Foreshore Authority and the Darling Harbour Authority to participate in banner replacement program.</p>	<p>...that:</p> <p>(C) the General Manager continue negotiations with the Sydney Harbour Foreshore Authority and the Darling Harbour Authority to seek their participation in the program.</p>	<p>Design, Supply and Installation of New Banner Poles – Banner Pole Program Tender No. 9911 – 28 June 1999</p>
<p>To vary fees and charges for commercial operations</p>	<p>...that:</p> <p>(F) Council note that authority continues to be delegated to the General Manger to vary fees and charges for commercial operations;</p> <p>(H) Council note that expenditure on plant and assets will continue to require the specific approval of the General Manager for each individual item.</p>	<p>1999-2002 Corporate Plan and Budget - 28 June 1999</p>

<p>Authority to enter into a contract for the works for Argyle Place and Kent Street Intersection Reconstruction</p>	<p>...that:</p> <p>(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;</p> <p>(C) authority be delegated to the General Manager to enter into a contract for the works.</p>	<p>Argyle Place and Kent Street Intersection Reconstruction, Tender No 9915 - 26 July 1999</p>
<p>Granting of a lease pursuant to section 153 of the Roads Act 1993</p>	<p>...that:</p> <p>(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;</p> <p>(2) the execution of all relevant documentation and plans by Council's Attorney;</p>	<p>Day Street, Sydney Beneath the Western Distributor at the Rear of 55-59 Sussex Street – Proposed Lease Renewal – 26 July 1999</p>
<p>Approve the finalised leasing arrangements for the retail premises for the City Recital Hall</p>	<p>...that:</p> <p>(B) approval be given to the proposed leasing arrangements as set out in paragraph 10 of the subject report; and</p> <p>(C) authority be delegated to the</p>	<p>The City Recital Hall, Angel Place – Expression of Interest for Leasing the Ground Floor Retail Premises – 16 August 1999</p>

	General Manager to approve the finalised leasing arrangements for these retail premises having regard to the guidelines discussed at the meeting of Council.	
Authority to enter into negotiations with the lowest tenderers and enter into a contract	<p>...that:</p> <p>(B) authority be delegated to the General Manager to enter into negotiations with the lowest tenderers on the approved reduction in scope, with a view to entering into a contract which meets the budget requirements;</p> <p>(C) authority be delegated to the General Manager to enter into a contract with the successful contractor;</p> <p>(D) authority be delegated to the General Manager to enter into a separate contract for improvements to the Nagoya Gardens precinct and for this work to be funded from the Parks Priority Upgrade budget.</p>	Supplementary Report: Conversion of Men's Convenience in Hyde Park North to a Cafe – Tender No. 9913: Approval to Appoint Contractor – 16 August 1999
Finalise Council's obligations under the provisions of the Roads Act and Regulations	<p>...that:</p> <p>(C) authority be delegated to the General Manager to finalise Council's obligations under the provisions of the Roads Act and Regulations, if required, if Council accepts ownership of the roads to be dedicated to the public.</p>	Former CSR Site known as Jacksons Landing, Pyrmont – Naming of Roads – 16 August 1999

DELEGATIONS TO THE LORD MAYOR

DELEGATION (Brief Description)	RESOLUTION FROM COUNCIL MEETING (Extract)	REPORT TITLE AND DATE
1995		
Conduct annual performance reviews of the General Manager	... that: (D) That authority be delegated to the Lord Mayor to conduct annual performance reviews of General Manager consistent with the Contract of Employment for the General Manager following consultation with Councillors.	Appointment of General Manager - 11 December 1995
1996		
Quantum of Section 94 Contributions levied on Walsh Bay development	... that (F) Council accepts the undertaking of the Director General of the Department of Urban Affairs and Planning that she will impose a Section 94 levy on the Walsh Bay development and that the quantum of that levy shall be determined only subsequent to consultation with the Lord Mayor on behalf of Council; (G) authority be delegated to the Lord Mayor as Council to discuss with the Director General of the Department of Urban Affairs and Planning, the issue of the quantum of Section 94 Contributions which might be levied on the Walsh Bay development;	Walsh Bay Development - S94 Contributions Study - 6 May 1996
Determine the application for Council's consent as owner to the lodgement of a development application which incorporates the proposed construction of 2 pedestrian bridges over Lincoln Crescent	...that (A) consideration of this matter be deferred and, subject to clause (B), authority be delegated to the Lord Mayor and the Chairman of the Planning Committee to determine the application or Council's consent as owner to the lodgement of a development application which incorporates the proposed construction of 2 pedestrian bridges over Lincoln Crescent, as part of the refurbishment and conservation of the Finger Wharf and Wharf 11 at Woolloomooloo Bay;	Development Application - Woolloomooloo Finger Wharf and Wharf 11 - 4 November 1996

DELEGATION (Brief Description)	RESOLUTION FROM COUNCIL MEETING (Extract)	REPORT TITLE AND DATE
Power to appoint representatives to the East Circular Quay Project Control Group	...that: (B) authority be delegated to the Lord Mayor to appoint alternate representatives to the East Circular Quay Project Control Group as and when required.	East Circular Quay Project Control Group - 18 November 1996.
1997		
Determine and take appropriate further action	... that (B) should the outcome of the Supreme Court proceedings not be favourable to Council, then authority be delegated to the Lord Mayor to determine and take appropriate further action.	Proceedings in the Supreme Court in Respect of the Status of the Laneway between 389 and 391 George Street, Sydney - 28 July 1997
Make representations to State Government re greyhound racing in Wentworth Park	... that (B) The Lord Mayor make strong representations to the State Government to secure the removal of greyhound racing from Wentworth Park within two years.	Wentworth Park - 15 December 1997

DELEGATION (Brief Description)	RESOLUTION FROM COUNCIL MEETING (Extract)	REPORT TITLE AND DATE
Approve scope of works for each projects	<p>... that</p> <p>(A) The General Manager be directed to proceed to design development and documentation and invite tenders for the projects listed as Priority A in the Schedule attached to the subject Minute, namely:</p> <p>(7) Haymarket Cultural and Community Centre</p> <p>subject to:</p> <p>(a)...</p> <p>(b) the Lord Mayor, the Chairperson of the Projects and Public Spaces Committee and the General Manager approving the scope of works for each project;</p>	Authority to Proceed with Highest Priority Projects - 15 December 1997
1998		
Expand membership of Look of the City Committee and determine detailed brief for the Committee	<p>... that:</p> <p>(2) Council endorse the establishment of a Look of the City Committee with membership as outlined by the Lord Mayor, with the Lord Mayor being delegated authority to expand the Committee if it is desirable to do so to assist the program and to determine the detailed brief for the Committee consistent with this Minute;</p>	Look of the City Program - 23 February 1998
Vary conditions of approval - DA: Gowings Building	<p>... that</p> <p>(C) Should the developer find conditions 23 and 24 too onerous having regard to the overall cost of the development and seek to modify these clauses, that upon being provided evidence to that effect and being satisfied that the cost is too onerous in the circumstances, authority be delegated to the Lord Mayor to vary those conditions.</p>	Development Application: Gowings Building - 452-456 George Street (Corner of George Street and Market Street), Sydney - 16 March 1998

DELEGATION (Brief Description)	RESOLUTION FROM COUNCIL MEETING (Extract)	REPORT TITLE AND DATE
Approach State Government re obligation to publish Corporate Plan	... that (C) the Lord Mayor approach the State Government at an appropriate time to suggest that the obligation to publish the Corporate Plan be removed.	1998-2001 Corporate Plan - Approval to Place on Public Exhibition - 18 May 1998
Finalise sponsorship agreement with Biennale & finalise sponsorship agreement with Cultural Council	... that (A) Council reaffirm its delegation to the Lord Mayor to finalise the sponsorship agreement with Biennale subject to the adoption of the proposed Articles of Association at the annual general meeting of the Biennale; (B) Council reaffirm its delegation to the Lord Mayor to finalise the sponsorship agreement with the Cultural Council if satisfactory agreement can be reached;	Biennale - 18 May 1998
Appointment of City Venue Management Board	All appointments (to the City Venue Management Board) are to be made by the Lord Mayor, after consultation with the Chairman of the Cultural and City Services Committee, the General Manager, and the Chairman of the Board (except in the case of the Chairman's own appointment).	Establishment of City Venue Management Board - 22 June 1998
Approve more tables and chairs for Customs House Square and Macquarie Place Park	... that (A) approval be given to - (ii) the delegation of authority to the General Manager to approve leases and licences on Crown Reserves provided - (d) in the case of Customs House Square and Macquarie Place Park, any approval is subject to prior consultation with either the Lord Mayor or the Chairman of the Projects and Public Spaces Committee where it is intended to approve more tables and chairs than those outlined in Paragraph 8 and Attachment B of the subject report;	Outdoor Cafes on Crown Reserves - Proposed Licences and Delegation of Authority - 27 July 1998

DELEGATION (Brief Description)	RESOLUTION FROM COUNCIL MEETING (Extract)	REPORT TITLE AND DATE
Approve additional Electronic Variable Message Signs (Smartsigns)	... that (C) authority be delegated to the Lord Mayor to approve additional signs consistent with the previous Resolution of Council dated 6 April 1998, subject to funds becoming available.	Report on Tender 9831 - Supply, Installation & Maintenance of Electronic Variable Message Signs (Smartsigns) - 26 October 1998
Make changes to Draft Central Sydney Heritage LEP 1998	... that (B) Council authorise the Lord Mayor - (i) to make changes to the Draft Central Sydney Heritage LEP 1998, required as a result of advice from Parliamentary Counsel, the Department of Urban Affairs and Planning and the Heritage Council, in finalising the LEP for gazettal; (ii) to make minor changes as may be required by the Central Sydney Planning Committee, subject to circularising Councillors of the proposed changes;	Draft Central Sydney Heritage LEP 1998 - Proposed Amendments to Draft Exhibited Plan - 23 November 1998
Allocate funds to Arts projects as part of City of Sydney Sculpture Walk	... that (A) authority be delegated to the Lord Mayor, as sponsorship funds become available for the Sculpture Walk, to allocate such funds to the Arts projects, as specified by the sponsoring organisation or to those projects listed in(B) below;	City of Sydney Sculpture Walk - Additional Funding - 7 December 1998
Negotiate with and enter into agreement with the Crown re compensation and future use of Corporate Building and Haymarket Library	... that (C) authority be delegated to the Lord Mayor to negotiate with and enter into an agreement with the Crown as to the payment of compensation and future use and/or arrangements relating to both properties;	Acquisition of 181-187 Hay Street (Corporation Building) and 744 George Street (Haymarket Library) Sydney - 14 December 1998

1999		
Determine whether artwork proposal by Joseph Kosuth is to proceed and approve commissioning of various projects that are part of City of Sydney Sculpture Walk	<p>... that</p> <p>(A) in respect of the artwalk proposal by Joseph Kosuth at Site 1, Cathedral Forecourt, that authority be delegated to the Lord Mayor to determine whether the project is to be proceed, after further consultation;</p> <p>(B) authority be delegated to the Lord Mayor and the General Manager to approve the commissioning of these projects if funding becomes available;</p>	City of Sydney Sculpture Walk - 8 March 1999
Approve exceptions to conditions of use of Martin Place Performance Space	<p>... that</p> <p>(C) exceptions on a limited basis may be allowed with the approval of the Lord Mayor with subsequent advice of such exceptions circulated to Councillors through the Councillors' Information Service;</p>	Martin Place Amphitheatre Cultural Facility - 31 May 1999
Make drafting changes to the Central Sydney Local Environmental Plan 1996 Draft Amendment No. 8	<p>... that Council</p> <p>(C) authorise the Lord Mayor to make drafting changes to the Central Sydney Local Environmental Plan 1996 Draft Amendment No.8, as a result of any further legal requirements.</p>	Central Sydney Local Environmental Plan 1996 Draft Amendment No.8 - Urban Form - 15 June 1999

JOINT DELEGATIONS

DELEGATION (Brief Description)	RESOLUTION FROM COUNCIL MEETING (Extract)	REPORT TITLE & DATE
1997		
Building Management and Maintenance Fund be established for Customs House.	<p>...that:</p> <p>(D) a Customs House Building Management and Maintenance Fund (BMMF) be established to meet contingency expenses, fit out costs and repair and maintenance expenses throughout the life of the lease; to be expended only with the approval of both the General Manager and the Lord Mayor;</p>	Customs House – Variations to Cost Plan – 2 June 1997
1998		
Capital works - funding	<p>...that:</p> <p>(A) Council undertake the following projects...</p> <p>George Street (Stage 4)(ii) Martin Place Park Street Pitt St-Market St-Park St York Street (QVB) Circular Quay Triangle/ECQ Paving Light Poles (purchasing) Purchase of Corporation Building Hyde Park Restoration Works</p> <p>...in addition to those identified in the 1998/99 budget on a selective basis as funds become available with the approval of the General Manager and the concurrence of the Lord Mayor and the Chairperson of the Projects & Public Spaces</p>	Additional capital works - 21 September 1998

	<p>Committee and the timing and phasing of such projects be subject to the same approval process;</p>	
<p>That the Lord Mayor and General Manager have unfettered right of inspection of all facilities associated with CCTV</p>	<p>...that:</p> <p>(ii) that both the Lord Mayor and the General Manager, independently, have unfettered right of inspection of all facilities associated with external CCTV monitoring, including files and registers, but not including viewing of the video tapes unless both are present or accompanied by a member of the independent Audit Committee. All such access shall be recorded in the register, including the identity of accompanying persons;</p>	<p>Code of Practice for City of Sydney's Street Safety Camera Program – 23 November 1998</p>

<p>Right of inspection of all facilities associated with external CCTV monitoring</p>	<p>... that</p> <p>(C) the Street Safety Camera Program Code of Practice, as shown at Attachment B to the subject report, be approved, subject to the Code of Practice being amended to provide for the following -</p> <p>(iii) that both the Lord Mayor and the General Manager, independently, have unfettered right of inspection of all facilities associated with external CCTV monitoring, including files and registers, but not including viewing of the video tapes unless both are present or accompanied by a member of the independent Audit Committee. All such access shall be recorded in the register, including the identity of accompanying persons;</p> <p>(B) the Lord Mayor be authorised to approve the Protocols and Standard Operating Procedures and to circulate those documents to Councillors as confidential documents.</p>	<p>Code of Practice for City of Sydney's Street Safety Camera Program - 23 November 1998</p>
<p>Proposal to fund the Goat Island Film Festival</p>	<p>...that:</p> <p>(c) Council endorse the proposals contained in the subject Minute by the Lord Mayor.</p> <p>NOTE: Extract from Lord Mayor's Minute</p> <p>(C) Accordingly, it is proposed that the City underwrite the initiative to the extent of \$200,000, subject to sponsorship being vigorously pursued and any amount above \$120,000</p>	<p>Cultural Initiatives – 30 November 1998</p>

	<p>requiring the approval of the Lord Mayor and the General Manager. A review is to occur after the first event to assess if it should become a regular feature on Sydney's calendar.</p>	
1999		
<p>Approve funds for purchase of heritage floorspace</p>	<p>... that</p> <p>(F) authority be delegated to the General Manager to purchase heritage floorspace for the City Heritage Floorspace Bank at times when he considers that the price of heritage floorspace is appropriately low and to sell heritage floor space from the Bank when he considers that the price is unreasonably high, subject to availability of funds being approved by the Lord Mayor.</p>	<p>City Heritage Floorspace Bank - 18 January 1999</p>
<p>Approve the commissioning of projects if funding becomes available for Sculpture Walk.</p>	<p>...that:</p> <p>(E) authority be delegated to the Lord Mayor and the General Manager to approve the commissioning of these projects if funding becomes available;</p>	<p>City of Sydney Sculpture Walk - 18 January 1999</p>
<p>Vary fees and charges for Cook & Phillip Park.</p>	<p>(B) authority be delegated to the General Manager to vary fees and charges for the purposes as outlined in paragraph 8 of the subject report, subject to the Lord Mayor being allowed to determine policies in this area and in relation to assignment of the pool to exclusive uses, such as school carnivals, if appropriate.</p>	<p>Cook & Phillip Park Centre – Fees and Charges - 18 January 1999</p>
<p>Approve commissioning of various projects that are part of City of Sydney Sculpture Walk</p>	<p>... that</p> <p>(E) authority be delegated to the Lord Mayor and the General Manager to approve the commissioning of these projects if funding becomes available</p>	<p>City of Sydney Sculpture Walk - 18 January 1999</p>

<p>Approve the commissioning of Sculpture Walk projects if funding becomes available</p>	<p>...that:</p> <p>(C) authority be delegated to the Lord Mayor and the General Manager to approve the commissioning of these projects if funding becomes available;</p> <p>(D) authority be delegated to the General Manager to make the appropriate contractual and implementation arrangements with respect to these projects after they are approved for commissioning;</p>	<p>City of Sydney Sculpture Walk - 8 March 1999</p>
<p>To be consulted on alternative delivery arrangements for potentially affected retailers as result of closure of Pitt Street Mall</p>	<p>... that</p> <p>(B) the General Manager be directed to take all necessary action to pursue the closure and to negotiate, in consultation with the Lord Mayor, alternative delivery arrangements for potentially affected retailers;</p>	<p>Pitt Street Mall - 29 March 1999</p>
<p>Negotiate and progress the matter of Council's participation in World Square development for Council's consideration</p>	<p>... that</p> <p>(B) authorise the Lord Mayor and General Manager to negotiate and progress the matter for Council's consideration in June and that in subsequent negotiations that the accelerated completion of the George Street frontage be a main consideration;</p>	<p>World Square Proposal - Question of Council Participation - 10 May 1999</p>
<p>Delegations in respect of the annual budget</p>	<p>(G) Council reaffirm that no expenditure from the General Contingency in the operating budget or the Capital Works budget is to be made without the joint approval of the Lord Mayor and the General Manager, prior to commitment of funds; and that a confidential addendum be included in each quarterly report to Councillors listing any such expenditure from the operating budget contingency or the contingency funds in the Capital Works budget.</p>	<p>Draft Budget 1999/2000 – Approval to Place on Public Exhibition – 10 May 1999</p>

<p>To vary fees and charges for commercial operations</p>	<p>...that:</p> <p>(G) Council reaffirm that no expenditure from both the General Contingency in the operating budget and the General Project Contingency in the Capital Works budget, is to be made without the joint approval of the Lord Mayor and the General Manager, prior to commitment of funds; and that a confidential addendum be included in each quarterly report to Councillors listing any such expenditure from the operating budget contingency and the General Project Contingency in the Capital Works budget;</p>	<p>1999-2002 Corporate Plan and Budget - 28 June 1999</p>
<p>Approve expenditure from General Contingency in the operation budget and the General Project Contingency in the Capital Works budget</p>	<p>... that</p> <p>(G) Council reaffirm that no expenditure from both the General Contingency in the operating budget and the General Project Contingency in the Capital Works budget, is to be made without the joint approval of the Lord Mayor and the General Manager, prior to commitment of funds; and that a confidential addendum be included in each quarterly report to Councillors listing any such expenditure from the operating budget contingency and the General Project Contingency in the Capital Works budget;</p>	<p>1999-2002 Corporate Plan</p>

ITEM 7. RENEWAL OF CIVIC OFFICE, EXPENSES AND FACILITIES POLICY (A04-01141)

Moved by Councillor Turnbull, seconded by Councillor Farr-Jones -

That arising from consideration of a Memorandum by the General Manager to the Extraordinary Meeting of Council on 20 September 1999, on Renewal of Civic Office, Expenses and Facilities Policy, it be resolved that -

- (A) the proposed Civic Office, Expenses and Facilities Policy, as circulated at the meeting of Council and as amended by the addition of the following sentence at the end of Clause 13.1 -

“Without prejudice, because of his requirements for bi-lingual assistance, Councillor Ho be allowed a full time secretary to meet this need.”

be approved, as follows, for public exhibition for a period of 28 days;

- (B) upon expiry of the exhibition period, and if no submissions have been received, authority be delegated to the General Manager to finalise the policy. If any submissions are received, the policy be brought back to Council.

Carried.

Declaration of Interest: At the commencement of discussion on Item 7 the Chairman (The Lord Mayor) declared a possible interest in this matter and did not participate in discussion or voting on this item.

CIVIC OFFICE, EXPENSES AND FACILITIES POLICY

PURPOSE

This policy is made under the Local Government Act 1993, especially sections 252 to 254, which require that Council adopt a policy for the payment of expenses and provision of facilities to the Lord Mayor, Deputy Lord Mayor and Councillors.

The policy identifies expenses that will be paid and facilities that will be provided, to the Lord Mayor, Deputy Lord Mayor and Councillors in relation to their discharging the functions of civic office. It does not cover annual fees paid to the Lord Mayor, Deputy Lord Mayor and Councillors because these are set by Council within limits decided by the Local Government Remuneration Tribunal.

Administrative arrangements for the payment of expenses and provision of facilities to Councillors are contained in the Councillors' Guide.

STATEMENT OF PRINCIPLES

The Councillors are the elected governing body of the City of Sydney. To assist them to discharge their civic, statutory and policy making functions, they are entitled to be provided with the range of necessary facilities and to be reimbursed the expenses specified in this policy.

Recognising the special role of the Lord Mayor this policy allows for the payment of some additional expenses and the provision of some additional facilities for him or her. Some additional arrangements are provided for the Deputy Lord Mayor.

Claims for facilities and expenses not included in the policy will not be approved.

Where replacement equipment or facilities is required, Council's policy on plant and asset replacement will be followed. Equipment and facilities will be compatible with and of the same standard as other Council equipment and facilities.

Councillors are encouraged to pool or share facilities, in order to make best use of Council resources.

If a Councillor does not claim a particular expense or use a particular facility, this cannot be offset against a claim for an additional amount of some other expense or facility.

Council's facilities and services, as detailed in this Policy, are available to Councillors while carrying out the functions of civic office. These facilities and services are not available for use by members of a Councillor's family, unless the use is directly related to attendance at a civic function or to another aspect of the Councillor's civic duties.

CIVIC OFFICE, EXPENSES AND FACILITIES POLICY

Councillors are encouraged to limit their use of the expenses and facilities provided for in this policy, to the minimum required to enable them to effectively and efficiently discharge the functions of civic office.

POLICY STATEMENTS

1.0 LOCAL TRANSPORT

- 1.1 Councillors may use cab charge vouchers for taxi cab travel for journeys in the Sydney metropolitan region to assist them to carry out their functions as Councillors.
- 1.2 Council vehicles and drivers may be utilised by Councillors for journeys in the Sydney metropolitan region to assist them to carry out their functions as Councillors. Council vehicles and drivers may only be used where the purpose of the transport is directly related to the functions of Council.
- 1.3 Councillors using their private vehicles to travel to and from meetings of Council and Committees of Council, and to carry out their other Council functions, may be reimbursed according to the relevant rates prescribed by the appropriate State Award as determined by the General Manager.

2.0 DOMESTIC AND INTERNATIONAL TRAVEL

- 2.1 Council will pay reasonable expenses of the Councillor actually incurred or to be incurred for domestic and international travel related to the functions of Council.

The following standing authorities are deemed to exist as at the date of this policy:

- (a) the attendance by Council's official delegates at the annual New South Wales Local Government Association Conference;
 - (b) the attendance by Councillors at meetings interstate, including Canberra, explicitly for the discussion of issues related to the functions of the City of Sydney or agreements between Council and the Commonwealth; such attendance to be explicitly approved by the Lord Mayor in each case.
- 2.2 Councillors may choose the mode of transport which is most appropriate to the circumstances, subject to overall economy and convenience.
 - 2.3 Airline tickets are not transferable and cannot be used for defraying or offsetting any other costs including the costs of other persons accompanying the Councillor.

CIVIC OFFICE, EXPENSES AND FACILITIES POLICY

2.4 Subject to this policy, the Lord Mayor has delegated authority to approve the travel of all councillors, including the Lord Mayor, as well as associated costs and expenses, for overseas travel or interstate travel or travel outside of Greater Sydney for purposes related to the functions of Council.

2.5 Class of Air Travel

Unless otherwise specified in a resolution of Council authorising the travel, the class of air travel to be used by a Councillor is to be:-

- (a) for continuous journeys of less than or equal to two hours duration, economy class;
- (b) for continuous journeys exceeding two hours, but less than or equal to fifteen hours, business class.
- (c) for continuous journeys exceeding fifteen hours, first class.

Travel may be at a higher class where it is appropriate to do so, for instance if the Councillor is travelling with a party which is travelling first class or business class.

A journey which is interrupted by an overnight stop-over is not a continuous journey.

In the case of travel via a non-direct route, travel expenses are payable for the amount which would have been incurred if the most direct route had been available and followed at the same class of travel as was actually used. A claim for expenses must not exceed the amount actually paid.

2.6 Use of Private Car

Where a Councillor uses his/her car to attend an approved meeting, conference, seminar or engagement the total claim for use of the vehicle must not exceed the cost of air travel at the specified class, plus the taxi fares to and from the airports. Claims for expenses associated with the local use of the vehicle at the destination city or town must be justified separately.

2.7 Train Travel

Train travel may be first class, including sleeping berths where necessary.

CIVIC OFFICE, EXPENSES AND FACILITIES POLICY

2.8 Transfers

Taxis, coaches and other transfer transport expenses, including at the destination point, may be reimbursed where the travel has been approved by Council.

3.0 EXPENSES FOR ATTENDING APPROVED MEETINGS, CONFERENCES, SEMINARS AND ENGAGEMENTS WITHIN AUSTRALIA

Council will pay certain expenses as set out in this clause associated with attending approved meetings, conferences, seminars and engagements. Payment may be made in advance for any of these expenses.

3.1 Authorisation to Attend

Councillors may attend local (ie within the greater Sydney metropolitan region) meetings without approval and may attend up to three local conferences or seminars each financial year at Council expense provided:

- (a) the Lord Mayor approves the Councillor's attendance at each conference or seminar;
- (b) the all inclusive costs to Council associated with each conference or seminar are not greater than \$1,500; and
- (c) the conference or seminar is directly relevant to the operations of Council.

3.2 Registration Fees

Council will pay registration fees, including relevant excursions or inspections, for Councillors attending conferences or seminars approved by Council.

3.3 Overnight Accommodation

Council will pay actual reasonable costs of overnight accommodation for stays outside the Sydney metropolitan region. Expenses are payable for the nights of the meeting, conference, seminar or engagement and the night before and after where necessary.

Councillors may claim their actual expenses or a daily rate which is that applicable to Chief Executive Officers as set out in Schedule 3A of the Public Sector Management (General) Regulation 1988.

CIVIC OFFICE, EXPENSES AND FACILITIES POLICY

3.4 Meals

Council will pay for all meals for Councillors attending meetings, conferences, seminars or engagements approved by Council, where any of those meals are not provided as part of the meeting, conference, seminar or engagement fee. Council will also pay the reasonable cost of drinks accompanying a meal.

3.5 Telephone Expenses

Council will pay telephone calls from a Councillor to his/her family or place of work in Sydney, and to Council during the period of an approved meeting, conference, seminar or engagement outside Sydney, subject to any limits set by Resolution of Council.

Councillors may also use phone cards to a value set by Resolution of Council and specified in the Councillors' Guide, for Council business when travelling in Australia.

3.6 Miscellaneous Expenses

Miscellaneous expenses not identified in this policy and not approved beforehand in a Resolution of Council approving a Councillor's attendance at a meeting, conference, seminar or engagement may be approved for payment by Council.

3.7 Reports on Attendance

For overseas meetings, conferences or seminars a report or relevant material must be prepared and made available on file.

4.0 CHILD CARE EXPENSES

4.1 Criteria

Expenses for child care services for children up to and including the age of 16 years are payable when a Councillor attends:-

- (a) Council meetings, committee meetings, sub-committee meetings, inspections, formal briefing sessions and civic or ceremonial functions convened by the Lord Mayor or Council;
- (b) meetings scheduled by Council or the Lord Mayor;

CIVIC OFFICE, EXPENSES AND FACILITIES POLICY

- (c) meetings necessary for the Councillor to exercise a delegation given by Council or meetings arising from their official role as chairperson of a standing committee;
- (d) meetings arising as a result of a Councillor being appointed by Council to an outside body or committee;
- (e) a meeting, function or other official role as a representative of the Lord Mayor or Council.
- (f) functions where the payment of child care expenses has been approved by the Lord Mayor;

4.2 Fees

Child care expenses consist of:-

- (a) hourly fees
- (b) agency booking fees (if claimed)
- (c) reasonable travelling expenses (if claimed by the carer).

Fees are payable per hour (or part of an hour) subject to any minimum period which is part of the provider's usual terms, to a maximum hourly rate set by the General Manager.

Travelling expenses cover the transport costs of the carer to and from the Councillor's residence or of the Councillor's children to and from the place of care.

5.0 COUNCIL CONCERTS AND PUBLIC ENTERTAINMENT

- 5.1 Each Councillor is entitled to 2 tickets to each event or function organised or presented by Council.

6.0 EXPENSES AND FACILITIES FOR COUNCILLORS WITH DISABILITIES

- 6.1 For any Councillor with a disability, Council may resolve to provide reasonable additional facilities and expenses, in order to allow that Councillor to perform their civic duties.

CIVIC OFFICE, EXPENSES AND FACILITIES POLICY

7.0 HOME/WORKPLACE FACILITIES

7.1 Each Councillor is entitled to one of each of the following facilities:

- (a) briefcase
- (b) facsimile machine - to be installed and maintained at Council expense in either the Councillor's home or workplace
- (c) a telephone and a telephone answering machine - to be installed and maintained at Council expense in either the Councillor's home or workplace
- (d) any other equipment, deemed essential for the Councillor to discharge his/her functions of civic office, and approved by the Lord Mayor.

8.0 INSURANCE

8.1 Councillors are covered under the following Council insurance policies on a 24 hour basis, while discharging the duties of civic office including attendance at meetings of external bodies as Council's representative:-

- (a) Public Liability Insurance;
- (b) Professional Indemnity Insurance;
- (c) Councillors and Officers Liability Insurance;
- (d) Personal Accident Insurance, (accompanying partners are also covered);
- (e) International and Domestic Travel Insurance.

8.2 Council will pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's insurers, whether defended or not.

9.0 MAIL AND COURIERS

9.1 Each Councillor will be entitled to post, in Council supplied envelopes, 200 standard mail items, or equivalent, per month cumulative within each financial year, plus 200 Christmas cards once a year. The limitation on mail items does not apply to the Lord Mayor.

9.2 Council will pay the costs of courier services utilised by Councillors in the discharge of their civic duties.

CIVIC OFFICE, EXPENSES AND FACILITIES POLICY

10.0 MEALS, REFRESHMENTS AND ENTERTAINMENT OF GUESTS

- 10.1 A meal and drinks will be provided after Council meetings, Council Committee meetings, Central Sydney Planning Committee meetings, other official Council Committees, Councillor briefings, approved meetings, conferences, seminars and engagements, and official Council functions; as approved by the Lord Mayor.
- 10.2 Subject to the availability of kitchen staff and catering resources, sandwiches and light lunches (or other lunches if surplus to the requirements of another function) will be provided in their Town Hall offices for Councillors.
- 10.3 Councillors' office refrigerators will contain non-alcoholic and alcoholic drinks, for the reasonable use of Councillors, their guests and visitors.
- 10.4 Councillors will be reimbursed reasonable out-of-pocket expenses incurred while entertaining visiting dignitaries on behalf of Council. The Lord Mayor must give prior approval to any such entertainment.

11.0 NEWSPAPERS

- 11.1 Each Councillor is entitled to have two daily newspapers delivered each day.

12.0 OFFICES

- 12.1 Councillors will be provided with office accommodation in the Town Hall. The location of the office, the standard of accommodation, and expenditure on furnishings, furniture and fitout, are to be approved by the Lord Mayor. The standard will be such as to enable Councillors to satisfactorily carry out their civic duties.
- 12.2 Councillors will be entitled, upon request, to a personal computer compatible with Council computer systems in their Town Hall office. In lieu of a personal computer Councillors may ask for a lap-top computer, compatible with Council computer systems for use at their home, workplace and Town Hall Offices. In either case, printing requirements will be met by the printer in the Councillor's secretary's Town Hall office (see Item 13).
- 12.3 Computer training, in the use of the computer systems provided by Council, will be available at Council expense.
- 12.4 Maintenance, telephone line rental costs and charges for telephones in Councillors' Town Hall offices (including STD calls on Council business only) will be paid by Council. Town Hall office phones will be connected to Voice Mail.

CIVIC OFFICE, EXPENSES AND FACILITIES POLICY

13.0 SECRETARIAL SERVICES

- 13.1 Secretarial services will be provided to each Councillor, excluding the Lord Mayor and Deputy Lord Mayor, for up to 20 hours per week. Councillors may pool their staff allocations for the purpose of achieving more efficient arrangements. Without prejudice, because of his requirements for bilingual assistance, Councillor Robert Ho be allowed a full time secretary to meet this need.
- 13.2 Councillors' secretaries will be provided with a workstation or equivalent, personal computer connected to Council's network and a printer.
- 13.3 Secretarial services available to Councillors will include access to the following:
- (a) facsimile machine
 - (b) photocopier
 - (c) telephone answering machine
 - (c) paper shredder
 - (d) dictaphone

14.0 MOBILE TELEPHONE

- 14.1 One mobile telephone is available for the reasonable use of each Councillor.

15.0 ROOM USE - INTERVIEWS AND OTHER FUNCTIONS

- 15.1 All rooms in the Town Hall, except the Reception Room and the Lady Mayoress' Room, can be booked for meetings, interviews and other functions. The Lord Mayor's approval must be given for use of the Reception Room and the Lady Mayoress' Room.

16.0 STATIONERY AND BOOKS

- 16.1 Councillors are entitled to be supplied with journals, magazines and other publications relevant to their civic duties.
- 16.2 Councillors are entitled to one copy, for their own use, of any historical or other books published by or for Council. Additional copies can be obtained, with the Lord Mayor's approval, for use as official gifts or presentation items.

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- 16.3 Councillors will be supplied with up to 200 corporate Christmas Cards and envelopes of standard size. Alternatively Councillors may arrange the printing of cards of their choice. Councillors will be reimbursed the cost, up to an amount equivalent to the cost of printing 200 corporate Christmas Cards, provided that the text on the cards is consistent with the provisions of stationery printing - see Clause 16.4.
- 16.4 Councillors will be supplied with corporate standard Councillors' letterhead, note paper, envelopes and business cards. The letterhead will display one Councillor's name only. Groups and affiliations are not to be displayed on Councillors' letterhead.
- 16.5 Council stationery is not to be converted or modified in any way and may only be used for carrying out the functions of civic office.

17.0 BUILDING ACCESS AND PARKING

- 17.1 Each Councillor will receive one Proximity Access Control Card allowing 24 hour access to the Town Hall and Town Hall House buildings.
- 17.2 Each Councillor is entitled to use of one parking space, accessible on a 24 hour basis, in the Town Hall House car park. A Proximity Access Control Card for car park access will be issued to a Councillor's nominated partner, on request.
- 17.3 Former Lord Mayors and the former Chief Commissioner are entitled to receive one Proximity Access Control Card allowing 24 hour access to the Town Hall House car park.

18.0 NAME BADGE

- 18.1 Each Councillor is entitled to one standard name badge.

19.0 ADDITIONAL EXPENSES AND FACILITIES FOR THE LORD MAYOR

- 19.1 The Office of the Lord Mayor operates to provide those functions of Council best carried out by the Lord Mayor. It is allocated a budget by Council on an annual basis and within that budget staff and other resources may be employed as considered appropriate by the Lord Mayor.

CIVIC OFFICE, EXPENSES AND FACILITIES POLICY

19.2 Attendance at Conferences, Seminars and Meetings

The Lord Mayor may attend meetings, with Council meeting the cost of travel, accommodation and subsistence, as follows:-

- (a) Council of Capital City Lord Mayors (while Council remains a CCCLM member);
- (b) Australian Local Government Association;
- (c) NSW Local Government Association;
- (d) meetings interstate and intrastate with representatives of the Commonwealth Government, State Governments, capital city local governments and regional local governments, or other bodies on city related issues;
- (e) other kinds of meetings relevant to the functions of the City of Sydney or the Lord Mayor's functions of office approved from time to time by Council or the Lord Mayor.

The Lord Mayor is entitled to be accompanied on trips overseas.

19.3 Other Facilities

The Lord Mayor may be provided with other necessary assistance to enable the Lord Mayor to carry out the duties of civic office. Such assistance may include but is not limited to the following:-

- (a) a Council vehicle and driver are designated to the Lord Mayor for local and intrastate journeys (including Canberra) not involving an overnight stay, to assist him/her to carry out the duties of civic office. The vehicle and driver are to be available for other duties when not utilised by the Lord Mayor;
- (b) the Lord Mayor is entitled to ISD telephone access;
- (c) Council will fund reasonable costs of child care arrangements of children up to and including the age of 16 years for the Lord Mayor to allow him/her and his/her partner to properly carry out their civic and ceremonial roles;

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- (d) from time to time, the Lord Mayor incurs expenses in carrying out the role eg attendance at functions, parking, donations, as well as clothing required, dry cleaning, entertainment etc outside the Town Hall building. For convenience a corporate credit card is made available for the Lord Mayor's use while discharging the functions of the Lord Mayor subject to a limit of \$12,000 (average \$1,000 month) per annum.
This limit does not apply to expenses associated with authorised travel.

20.0 ADDITIONAL EXPENSES AND FACILITIES FOR THE DEPUTY LORD MAYOR

- 20.1 Council will pay the salary of a full-time secretary or support staffer or researcher for the Deputy Lord Mayor.
- 20.2 Council vehicles and drivers may be utilised by the Deputy Lord Mayor for journeys in the Sydney metropolitan region to assist him/her to carry out his/her functions as the Deputy Lord Mayor. Council vehicles and drivers may only be used where the purpose of the transport is directly related to the functions of Council. Such drivers/vehicles will be available for other duties when not utilised by the Lord Mayor.
- 20.3 The Deputy Lord Mayor is entitled to ISD telephone access.

21.0 EXPENSES AND FACILITIES FOR THE LADY MAYORESS

- 21.1 Council vehicles and drivers are available for journeys by the Lady Mayoress in the Sydney metropolitan region, to assist in carrying out the duties as Lady Mayoress and duties associated with the civic and ceremonial role of the Lord Mayor.
- 21.2 The Lady Mayoress is covered under the following Council insurance policies on a 24 hour basis, while carrying out Council functions:-
- (a) Public Liability Insurance;
 - (b) Professional Indemnity Insurance;
 - (c) Councillors and Officers Liability Insurance;
 - (d) Personal Accident Insurance, (accompanying partners are also covered);
 - (e) International and Domestic Travel Insurance.

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21.3 Meals, refreshments and the entertainment of the Lady Mayoress' guests must be funded from the annual budget of the Office of The Lord Mayor, except for functions associated with civic and ceremonial roles.

21.4 Secretarial Support will be provided as required, by staff from the Office of the Lord Mayor.

22. Legal Costs

22.1 In the event of:

- (1) any enquiry, investigation or hearing into the conduct of a Councillor by any of:
 - the Independent Commission Against Corruption;
 - the Office of the Ombudsman;
 - the Department of Local Government and Co-Operatives;
 - the Police;
 - the Director of Public Prosecutions; or
 - the Local Government Pecuniary Interest Tribunal;
 - a Parliamentary Committee;
 - or the like; or
- (2) legal proceedings being taken against a Councillor; or
- (3) a councillor being compelled to appear before any of the bodies referred to above to give evidence on matters arising out of or in connection with the Councillor's performance of his or her civic duties or exercise of his or her functions as a councillor, Council shall reimburse such Councillor, at the conclusion of such enquiry, investigation, hearing or proceeding, for all legal expenses properly and reasonably incurred, given the nature of the enquiry, investigation, hearing or proceeding, on a solicitor/client basis, PROVIDED THAT:
 - (a) the amount of such reimbursement shall be reduced by the amount of any moneys that may be or are recouped by the Councillor on any basis; and
 - (b) that the enquiry, investigation, hearing or proceeding results in a finding substantially favourable to the councillor; or

CIVIC OFFICE, EXPENSES AND FACILITIES POLICY

- (c) that the enquiry, investigation, hearing or proceeding does not result in a finding that the councillor acted in bad faith.”

Authority: Resolution of Council

Review Date: 30 November 2003

File Reference: A04-01141

Related policies and
other documents: Councillors' Guide
Code of Conduct

This policy supersedes any previous policies concerning the provision of expenses and facilities to Councillors.

ITEM 8. CODE OF CONDUCT - ENDORSEMENT

FILE NO:

DATE: 15/9/99

MEMORANDUM BY THE GENERAL MANAGER

To Council:

The Code of Conduct was originally adopted by Council on 28 May 1990. The Code has been reviewed and renewed several times. The Code was most recently renewed and adopted on 27 July 1998 (Attachment A).

It is proposed that Council note and confirm the continuation of the Code of Conduct.

RECOMMENDATION:

That arising from consideration of a Memorandum by the General Manger to the extraordinary meeting of Council on 20 September 1999, on Code of Conduct - Endorsement, it be resolved that Council note and confirm the continuation of the Code of Conduct as shown at Attachment A to the subject Memorandum by the General Manager.

(SGD) GREG MADDOCK

General Manager

Moved by Councillor Turnbull, seconded by Councillor Farr-Jones -

That arising from consideration of a Memorandum by the General Manger to the extraordinary meeting of Council on 20 September 1999, on Code of Conduct - Endorsement, it be resolved that Council note and confirm the continuation of the Code of Conduct as follows.

Carried.

CODE OF CONDUCT

1. INTRODUCTION

- 1.1 The Local Government Act 1993 (Schedule 7, s.52) requires that a Council prepare or adopt a code of conduct. The formal adoption of this Code of Conduct is important in demonstrating to the community that this organisation will carry out its mission and its statutory role with efficiency, impartiality and integrity.
- 1.2 Commitment to the Code of Conduct is essential to make the formal adoption meaningful. Councillors, members of staff and delegates of the City of Sydney must read the Code, understand it and observe it both in letter and in spirit, at all times. The Code is an expression of the high values held by people working for and comprising the City of Sydney.
- 1.3 Councillors and the General Manager have a responsibility to Council for compliance with this Code. Similarly, members of staff are accountable to the General Manager for compliance.
- 1.4 The Code must be read in conjunction with relevant legislation, the Guidelines to the Code of Conduct, and Council's policies. The Code is not a substitute for the Act and does not override it.
- 1.5 The code of conduct also now serves to inform councillors and staff that there is an internal reporting system which facilitates protected disclosures of corruption, maladministration, and serious and substantial waste, as enabled by the Protected Disclosures Act 1994.

2. PURPOSE OF THIS CODE

- 2.1 To state the corporate ethic of the City of Sydney, and to inform the public of the values espoused by the Council.
- 2.2 To assist councillors, members of staff and delegates to fulfil their statutory duty in accordance with s.439 of the Local Government Act which provides;
 - (1) Every councillor, member of staff of a council and delegate of a council must act honestly and exercise a reasonable degree of care and diligence in carrying out his or her functions under the Act.
 - (2) Although this section places certain duties on councillors, members of staff of a council and delegates of a council, nothing in this section gives rise to, or can be taken into account in, any civil cause of action.
- 2.3 To assist councillors, members of staff and delegates identify and resolve situations which may involve a conflict of interest or improper use of appointed positions.
- 2.4 To assist councillors, members of staff and delegates to act in a way which enhances public confidence in the system of local government.

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3. ETHICAL CONDUCT

Councillors, members of staff or delegates of the City of Sydney have a primary duty to consider and protect the public interest. In the performance of that duty there is a commitment to:

- act according to law, both in content and spirit;
- act reasonably, justly and not oppressively or in an unlawfully discriminatory manner;
- take all reasonable steps to ensure that the information upon which decisions or actions are based is factually correct and that all relevant information has been obtained;
- avoid situations where one's actions could be perceived to infer the seeking or acceptance of a bribe, or special benefit, or other forms of encouragement to act in an improper way;
- not take advantage of one's official position to improperly influence other councillors, members of staff, or delegates in the performance of their public or professional duties for the purpose of securing a private benefit;
- treat members of the public fairly, equitably and with integrity, courtesy, compassion and sensitivity; and
- not behave in any way, in the performance of public or professional duties, which may cause any reasonable person unwarranted offence or embarrassment or give rise to the reasonable suspicion or appearance of improper or corrupt conduct.

3.1 Particular commitments of staff

- while on duty give the whole of one's time and attention to the business of the Council and ensure work is carried out efficiently, economically and effectively;
- carry out lawful directions given by any person having authority to give such directions;
- give effect to the lawful policies, decisions and practices of Council whether or not one agrees with or approves of them;
- accept responsibility and be accountable for one's own actions in accordance with the law and this Code;
- as supervisors and managers, provide a safe workplace in managing a functional area.
- Supervisors and managers have a responsibility to act when it is known that a person for whom they are responsible is acting in a way that is contrary to the law or this Code;

CODE OF CONDUCT

manage staff fairly and equitably, avoiding harassment and unlawful discrimination.

4. CONFLICTS OF INTEREST

4.1 Responsibility to deal with conflicts of interest

Councillors, members of staff or delegates will avoid (to the fullest extent possible), and appropriately resolve, any conflict or incompatibility between a private or personal interest and the impartial performance of public or professional duties.

A conflict of interest arises if it is likely that a person with a private or personal interest could be prejudicially and improperly influenced in the performance of his or her public or professional duties by that interest, or that a reasonable person would believe that the person could be so influenced.

The responsibility rests on each councillor and member of staff to identify conflicts of interest in the outcome and the process of dealing with the matter.

4.2 Dealing with conflicts of interest

Where the interest is a pecuniary one, the person with the interest must disclose the interest and act in accordance with the Local Government Act 1993 (sections 444 and 445). Council's Code of Meeting Practice provides further information relating to the resolving of pecuniary interests.

Where the interest is a non-pecuniary one, the person with the interest must not do anything which he or she could not justify to the public and must avoid any occasion for reasonable suspicion, or the appearance of improper conduct or the partial performance of his or her public or professional duties.

Where a councillor, member of staff or delegate has any doubt as to whether he or she has a conflict of interest in a particular matter, the person should seek appropriate advice and act accordingly.

5. PUBLIC RESOURCES

5.1 The use of Council resources by councillors, staff and delegates on a reasonable basis for minor or occasional items is not precluded. Significant and substantial use of Council resources for private purposes is not permitted, except when supplied as part of a contract of employment or when the use is lawfully authorised and any required payment is made by the user.

5.2 Councillors, staff and delegates must use Council resources effectively and economically in the course of their public or professional duties.

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6. PRIVATE WORK BY STAFF

All full-time staff shall ensure that they obtain the approval of, or comply with guidelines established by, the General Manager prior to undertaking any secondary employment. In dealing with such requests the General Manager shall not unreasonably withhold his approval except where in his opinion such employment is inappropriate. Members of staff must seek approval for and disclose engagement in private consultancies and all other business undertakings.

7. GIFTS, GRATUITIES AND HOSPITALITY

7.1 Councillors, members of staff or delegates must not, by virtue of their official position, accept or acquire for a personal profit or advantage gifts, gratuities and hospitality other than of a token kind or moderate form of hospitality, other than as permitted by the Local Government Act 1993.

7.2 Councillors, members of staff or delegates must not seek or accept gifts where these would lead them to being compromised or being seen by a reasonable person to be compromised. Councillors, members of staff and delegates should avoid giving any indication that such gifts, gratuities or hospitality would be accepted or that they may influence decisions.

7.3 Offers of gifts, benefits, travel or hospitality, for partners, relatives or friends, should generally not be accepted, other than of a token kind or moderate form of hospitality.

7.4 A member of staff should inform the General Manager of the receipt of any substantial gift, benefit, travel or hospitality.

In relation to councillors, the receipt of gifts, benefits, travel or hospitality should be declared in accordance with the manner prescribed by Division 2 of Part 2 of Schedule 3 to the Local Government Act 1993.

7.5 A register of official gifts is to be maintained by the General Manager.

8. CONFIDENTIALITY

8.1 To facilitate public access to information about Council's activities, councillors, members of staff or delegates shall not classify information as confidential unless there is a genuine reason to do so. S. 10(2) of the Local Government applies.

8.2 A councillor, member of staff or delegate must not use confidential information gained by virtue of his or her official position for the purpose of securing a private benefit for himself or herself or for any other person.

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- 8.3 A councillor, member of staff or delegate must not, without lawful authority, disclose otherwise than to the council, a councillor, or a member of staff entitled to know, information concerning any matter referred to in section 10(2)(a)-(h) of the Local Government Act 1993.

9. EXPECTATIONS OF COUNCILLORS, MEMBERS OF STAFF AND DELEGATES

- 9.1 A prime responsibility of council staff is to help councillors make the best decisions. Staff are to ensure that information provided to councillors is factually correct, complete and relevant to enable effective decision making. In making recommendations or providing advice to council, staff are not required to follow any directions given by councillors or council as to the nature of the advice or recommendations. The General Manager is ultimately responsible for the actions of staff.

Staff should seek the advice and approval of the General Manager prior to responding to a direct request from a councillor, except where the request is minor or of a day-to-day operational nature.

- 9.2 As a general guide, day to day constituency matters should be referred to relevant staff. Requests involving significant staff time must be referred to the General Manager or Lord Mayor.

Individual briefing for Committee Chairpersons on matters relating to their respective committee agendas is appropriate. However, briefings of individual Councillors, outside of the program of briefings for all Councillors, is undesirable because it may be unfair to other Councillors and can lead to duplication of work and to conflicting directions to staff. Accordingly, such briefings will not be arranged.

Councillors must bear in mind the spirit and letter of the Local Government Act in respect of their roles, as well as established protocols.

- 9.3 In drafting reports for the consideration of Council, the General Manager, and all staff, have a responsibility to consider the implications of the contents of their reports. Reports submitted to Council, unlike Cabinet submissions, normally are public documents. Consequently, reports may cause undue alarm to stakeholders and public debate before the elected Councillors have had any opportunity to be briefed on the subject matter, or even read the report.

Reports to Council usually contain factual information, analysis, argument and recommendations. Sometimes the recommendation intends for Council to make a statement of values, given Council's role as a jury representing the collective values of its constituents.

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In such cases, staff reports should not presume the values of Councillors, or Council as a whole. Accordingly, where a subject matter clearly requires a statement of values by Council, or is likely to alarm stakeholders, the report should provide options for Council to consider and arguments for and against without a firm recommendation (eg, a report on homeless persons should not, in the form of a proposed resolution, presume the position that Council might take. Such presumption can cause unfair criticism of Council or alarm the stakeholders.)

Similarly, a report might prejudice Council's prospects when taking an alternative position on a matter, eg, when it could be the subject of an appeal.

The General Manager, or relevant Secretariat staff, should draw to the attention of the Lord Mayor any such reports, or parts thereof, when agenda papers are cleared for publication.

- 9.4 The General Manager is ultimately responsible for the actions of staff. Accordingly, the General Manager will ensure that in all recommendations and reports going to Council, appropriate consideration is given to -
- avoiding exaggerated language;
 - avoiding value judgements;
 - adherence to existing Council policies, where the purpose of the report is not to seek the making or the amendment of policy;
 - assessment of all options open to Council;
 - providing alternative draft resolution rather than one recommendation where this is appropriate;
 - possible impact on Council position in other jurisdictions.
- 9.5 A councillor, member of staff or delegate who honestly and faithfully observes the requirements of this Code and any relevant law is entitled to expect the publicly expressed support of his or her council and colleagues against unfair allegations of dishonesty or partial performance of his or her public or professional duties.
- 9.6 A councillor, member of staff or delegate who has made a disclosure of genuine suspicion of corrupt conduct, maladministration, or serious or substantial waste, either in line with recommended procedures under Council's internal reporting system, or direct to an investigating authority, ie the NSW Police, Independent Commission Against Corruption, or the NSW Ombudsman, is offered protection against victimisation and recrimination by the Protected Disclosures Act 1994.
- 9.7 There is an obligation on all members of Council, staff and delegates to report genuine suspicion of corrupt conduct, maladministration, or serious and substantial waste.

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9.8 Criticism of Staff

Under no circumstances shall councillors make public statements attacking or reflecting negatively on City of Sydney staff or invoke staff matters for political purposes.

Any issues regarding the performance, behaviour or appointment of City of Sydney staff must be referred to the General Manager for resolution.

Where Councillors remain dissatisfied the matter may be referred to the Lord Mayor. Further, and where appropriate for serious matters, the Lord Mayor may consult Councillors as a whole.

At all times the legal obligations, and statutory powers, of the General Manager in relation to staff matters should be recognised, as should the Council's powers in respect of the organisation structure and policy matters generally.

10. BREACHES OF THIS CODE

10.1 Sanctions may be applied if this Code or any relevant law is breached by any councillor, member of staff or delegate. Depending on the nature of the breach, sanctions may include counselling, disciplinary action (including termination of employment), the laying of criminal charges and the taking of civil action. Corrupt conduct will be dealt with in accordance with the Independent Commission Against Corruption Act 1988.

10.2 Sanctions may be applied for both non-financial conflicts of interest and pecuniary interests.

In the case of staff, sanctions can include counselling, disciplinary proceedings or dismissal, depending on the severity, scale and importance of the matter. The more severe sanctions may only apply when there is repeated and deliberate concealment or failure to disclose.

In the case of councillors who breach any Council policy in relation to non-pecuniary interests, sanctions should only be imposed after consideration has been given to all issues and points of view. The decision to sanction a councillor should reflect the concern of the majority of councillors about the conduct of a councillor and the impact on Council's reputation or operations. Any sanctions imposed must not interfere with the councillor's common law right to conduct their civic duties but should send a clear message that the breach is unacceptable.

Practical sanctions include:

- (a) passing a censure motion at a council meeting;

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- (b) public disclosures of inappropriate conduct (such as making the community aware of the breach through the media or annual report);
- (c) requesting a formal apology (which may be required in writing);
- (d) issuing a reprimand;
- (e) counselling the councillor; and
- (f) prosecuting any breaches of the law.

11. REVIEW OF THIS CODE

This Code will be reviewed within twelve months of each ordinary Council election, in accordance with s.440 (3) of the Local Government Act, 1993.

ITEM 9. COUNCIL'S REPRESENTATIVES ON BOARDS OF VARIOUS COMPANIES AND EXTERNAL ASSOCIATIONS AND GROUPS

FILE NO:

DATE: 16/9/99

MEMORANDUM BY THE GENERAL MANAGERTo Council:

Council is represented on a number of boards of various companies and associations namely:

1. The Festival of Sydney (“the Festival”);
2. The Biennale Limited (“the Biennale”);
3. The Sydney Convention and Visitors Bureau Limited (“the Bureau”);
4. The Writers’ Festival;
5. Inner Metropolitan Regional Organisation of Councils (“IMROC”);
6. Sydney Waste Planning & Management Board (“the Waste Board”);
7. City of Sydney Cultural Council (formerly Sydney Eisteddfod);
8. East Circular Quay Project Control Group.

As a result of the election, some of Council’s nominated representatives on these Boards are no longer Councillors and it is appropriate that Council consider whether it wishes to change the representation on these bodies. Some of the positions are ex-officio and there is no need for Council to make a decision as to the appropriate nominee, however, it is appropriate to bring all of the above matters forward for the Council’s attention.

Dealing with each one as follows:

1. THE SYDNEY FESTIVAL LIMITED

The General Manager and the Lord Mayor are both entitled to a position on the Board ex-officio. The Lord Mayor is Chairman of the Board.

2. THE BIENNALE

The Lord Mayor is entitled to a position on the Board of the Biennale. Former Councillor, Graham Jahn, currently fills that position.

Due to the long lead times for planning this event, it is appropriate that some planning continuity be maintained at this time and Mr Jahn's appointment continue.

3. THE SYDNEY WRITERS' FESTIVAL

No Councillors are Directors on this Board. All Directors are independent persons having appropriate experience. Accordingly, there is no need for Council to take any action as a result of the election.

4. THE BUREAU

Pursuant to the Articles of Association of the Bureau, the City is entitled to one director on the Board. The appointment is for a two year period, although directors can be reappointed. The former Deputy Lord Mayor, the Honourable Henry Tsang MLC, was the City's nominee on the Bureau's Board. The Bureau advises that his term of office finished on 11 September 1999. Accordingly, it is appropriate that:

- (a) Mr Tsang be requested to resign his position in writing to the Bureau;
- (b) The Council resolve to appoint such person as it considers appropriate as a new Director to the Board of the Bureau; and
- (c) The Bureau be notified of Council's decision.

Council has in the past had some conflicts of interest as regards the operation of this body and accordingly Council may consider making no appointment.

5. IMROC

The City of Sydney is a full member of IMROC. IMROC's constitution provides that the City is entitled to three representatives, one of whom is the mayor or his/her nominee.

By Council resolution dated 28 March 1994, Council appointed Councillor Walton (as she then was) as its representative. Councillor Walton has held this position since that date. As Ms Walton is no longer a Councillor, it is appropriate that Council resolve to remove Ms Walton and appoint new representatives.

6. THE WASTE BOARD

The former Deputy Lord Mayor, the Honourable Henry Tsang, MLC is currently Council's appointed nominee to the Waste Board. This appointment expires on 31 January 2000.

Council is entitled to nominate to the Minister any of its Councillors or employees to be Directors of its Waste Board. In addition, Council is required to nominate at least one person (but not more than two) who has the relevant expertise but is not a Councillor or an employee of a Council. The Minister then considers the nomination and, if he considers it appropriate, appoints the nominee and deputy. By resolution on 22 April 1996 Council resolved to nominate Mr Tsang and the General Manager as his deputy. Council also nominated Mr Ian Kiernan as its representative outside Council with relevant expertise. The Minister subsequently appointed Mr Tsang as a Director of the Waste Board.

Any Council nominee intended to replace Mr Tsang will not be entitled to act as a Director until the Minister declares new directors in January 2000. Therefore Council may either:

- (i) defer consideration of this matter until December 1999;
- (ii) nominate its representative now so that representative can attend meetings of the Board and continue to put Council's views forward;
- (iii) nominate an external nominee to be put forward to the Minister.

7. CULTURAL COUNCIL

The Cultural Council plans, stages and manages the Sydney Eisteddfod. Pursuant to the Articles, the Lord Mayor is entitled to nominate a representative of the Council to sit on the Board. Such appointment is for a period of two years. Negotiation is taking place between the Lord Mayor and the Cultural Council as to a suitable nominee.

8. EAST CIRCULAR QUAY PROJECT CONTROL GROUP (ECQ PCG)

Pursuant to various deeds of agreement, the ECQ PCG was established. The group is made up of representatives of the various developers, the architects and three Council representatives.

By Council resolution on 18 November 1996, Council resolved to appoint the following representatives -

- Lord Mayor, Councillor Frank Sartor;
- Councillor Graham Jahn with Councillor Henry Tsang as his alternate;
- Director City Projects

The ECQ PCG is still continuing but with a much diminished brief given the near completion of the development.

It is expected that the ECQ PCG will be wound up by agreement between the parties at the end of the year when it is anticipated that the paving of East Circular Quay is completed. However, Council may wish to appoint a councillor to the ECQ PCG for the remainder of its term. If the ECQ PCG is not wound up at the end of the year, Council may wish to reconsider its continued membership and may wish to authorise the Lord Mayor to deal with this matter at that time.

RECOMMENDATION:

That Council:

- (A) Determine its nominee/representative on the Boards of the following:
- (i) the Bureau;
 - (ii) IMROC;
 - (iii) the Waste Management Board;
 - (iv) East Circular Quay Project Control Group.
- (B) Delegate to the Lord Mayor the authority to notify the various Boards of its decisions and undertake such action as may be necessary to implement Council's resolution.

(SGD) GREG MADDOCK

General Manager

Moved by Councillor Turnbull, seconded by Councillor Greiner -

That consideration of this matter be deferred.

Carried.

ITEM 10. PUBLIC PRESENTATION OF THE AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 1999 (S008084)

Moved by Councillor Turnbull, seconded by Councillor Greiner -

That arising from consideration of a report by the Finance Manager to the extraordinary meeting of Council on 20 September 1999, it be resolved that Council note that the 1998/99 audited financial statements, together with the auditor's report, have been presented to the public.

Carried.

ITEM 11. LOCAL GOVERNMENT ASSOCIATION ANNUAL CONFERENCE - DUBBO - 6-10 NOVEMBER 1999 - NOMINATION OF DELEGATES (S00-5459)

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

That arising from consideration of a report by the Committee Secretary to the extraordinary meeting of Council on 20 September 1999, on Local Government Association Annual Conference - Dubbo - 6-10 November 1999 - Nomination of Delegates, it be resolved that Council -

- (A) nominate Councillor Robert Ho to attend the New South Wales Local Government Association Annual Conference to be held at Dubbo from 6 to 10 November 1999;
- (B) delegate authority to the Chairman (the Lord Mayor) to nominate a second Councillor should another Councillor wish to the New South Wales Local Government Association Annual Conference;
- (C) authorise all travel, accommodation and other reasonable expenses associated with the attendance of delegates, alternate delegates and interested Councillors at the Conference, to be met by Council.

Carried.

At 5.07pm the meeting concluded.

Chairman of a meeting of the Council of the City
of Sydney held on 1 October 1999 at which
meeting the signature herein was subscribed.