



1 MAY 2000

Meeting No 1309

MINUTES of a Meeting of the Council of the City of Sydney held in the Council Chamber at the Sydney Town Hall, commencing at 5.45 pm on 1 May 2000 pursuant to Notice 6/1309 dated 27 April 2000.

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PRESENT

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

Councillors - Dixie Coulton, Kathryn Greiner, Robert Ho and Fabian Marsden.

At the commencement of business at 5.45pm those present were:-

The Lord Mayor, Councillors Coulton, Greiner, Ho and Marsden.

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

Opening Prayer

The Lord Mayor opened the meeting with prayer.

Apologies

Councillor Nick Farr-Jones extended his apologies for his inability to attend the meeting as he was overseas.

Councillor Lucy Turnbull extended her apologies for her inability to attend the meeting as she was overseas.

Moved by Councillor Greiner, seconded by Councillor Ho -

That the apologies from Councillor Farr-Jones and Councillor Turnbull be accepted and leave of absence from the meeting be granted.

Carried.

ITEM 1. CONFIRMATION OF MINUTES

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

That the minutes of the meeting of Council of 3 April 2000, as circulated to Councillors, be confirmed.

Carried.

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

That the minutes of the Extraordinary meeting of Council of 17 April 2000, as circulated to Councillors, be confirmed.

Carried.

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

FILE NO:

DATE: 28/4/00

MINUTE BY THE LORD MAYORTo Council:

Attached for consideration by Council at its meeting on 1 May 2000 is a report by the Finance Manager on Rating Structure 2000/01.

I bring forward this item for the consideration of Council.

(SGD) COUNCILLOR FRANK SARTOR

Lord Mayor

ITEM 19. RATING STRUCTURE 2000/01 (S011721)

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

That arising from consideration of a report by the Finance Manager to Council on 1 May 2000, on Rating Structure 2000/01, it be resolved that Council -

- (A) adopt, for public exhibition, the minimum rating charge and ad valorem rates for the Residential and Business categories and sub-categories for the 2000/01 rating year as follows.

	RESIDENTIAL	BUSINESS
Minimum Rate	\$305.00	\$395.00
<u>Ad Valorem Cents in Dollar:</u>		
General	0.4819	1.2348
East/South	0.2603	1.0001
Pyrmont/Ultimo	0.2276	0.5576
The Rocks	0.2747	0.8703

- (B) continue to set the cap on individual rate increases at 100%.

Carried unanimously.

ADDITIONAL MATTERS FOR COUNCIL

FILE NO:

DATE: 1/5/00

MINUTE BY THE LORD MAYORTo Council:

Attached for consideration by Council at its meeting on 1 May 2000 are -

- a confidential report by the Project Manager, City Projects, on Spanish Quarter Awning, Tender for Construction Works;
- a confidential report by the Library Manager on Library International Newspapers - Approval to Negotiate Supply.

I bring forward these items for the consideration of Council.

(SGD) COUNCILLOR FRANK SARTOR
Lord Mayor

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

That consideration of these matters be deferred to the end of the meeting to enable the matters to be dealt with in closed session.

Carried.

ITEM 3. QUARTERLY REVIEW (S00 3239)

FILE NO: S00 3239

DATE: 27/4/00

MEMORANDUM BY THE GENERAL MANAGERTo Council:

At a briefing of Councillors on 1 May 2000, the General Manager will provide a quarterly review of operations against the Corporate Plan.

RECOMMENDATION:

That the Memorandum by the General Manager to Council on 1 May 2000, on Quarterly Review of Operations by the General Manager for the quarter ended 31 March 2000, be received and noted.

(SGD) GREG MADDOCK
General Manager

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

That the Memorandum by the General Manager to Council on 1 May 2000, on Quarterly Review of Operations by the General Manager for the quarter ended 31 March 2000, be received and noted.

Carried.

ITEM 4. MATTERS FOR TABLING

There were no annual reports or correspondence for this meeting of Council.

ITEM 5. REPORT OF THE PRIORITIES AND OUTCOMES COMMITTEE - 10 APRIL 2000

PRESENT

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

Councillors Dixie Coulton, Fabian Marsden and Lucy Turnbull.

At the commencement of business at 1.37 pm, those present were -

The Lord Mayor, Councillors Coulton, Marsden and Turnbull.

At 1.38 pm the meeting was adjourned.

At 2.35 pm, at the resumption of the meeting of the Priorities and Outcomes Committee, those present were:

The Lord Mayor, Councillors Coulton, Marsden and Turnbull.

The Priorities and Outcomes Committee concluded at 2.47 pm.

Report of the Committee

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

That the Report of the Priorities and Outcomes Committee of its meeting of 10 April 2000 be noted, and the recommendations set out below for Items 5.1 and 5.2 be adopted.

Carried.

The Committee recommended the following:-

CITY AESTHETIC IMPROVEMENTS PROGRAM (S007572)

5.1

That arising from consideration of a report by the Executive Director, Look of the City, to the Priorities and Outcomes Committee on 10 April 2000, on City Aesthetic Improvement Program update, it be resolved that -

- (A) the new format of the City Aesthetic Improvements Program Projects schedule, as presented to the Priorities and Outcomes Committee, be noted and approved;

- (B) the Executive Director, Look of the City, be requested to provide costings for projects not previously costed;
- (C) the following projects be treated as indicated -
 - (1) removal of Dixon Street Pagoda - deleted
 - (2) Macquarie Place Park upgrade - on hold
 - (3) College Street footpath widening - deleted
 - (4) Curtin Place upgrade - on hold
 - (5) Relocation of Sydney Square anchor - on hold
- (D) the General Manager be requested to investigate the use of internal resources for some of the minor projects where there may be some financial benefit to Council in so doing, for example, Lang Park upgrade, various footpath re-sheeting works;
- (E) it be noted that many of the projects listed require intensive individual follow-up;
- (F) it be noted that some of the projects listed need to be followed up this week - the week beginning Monday 10 April 2000.

Carried.

**ULTIMO PYRMONT HUMAN INFRASTRUCTURE STRATEGY -
ASSESSMENT OF PROPOSED OUTCOMES (P04-00413/3)**

5.2

That arising from consideration of a Supplementary Report by the Senior Project Manager, City Service Development to the Priorities and Outcomes Committee on 10 April 2000, on the Ultimo Pyrmont Human Infrastructure Strategy - Assessment of Proposed Outcomes, it be resolved that -

- (A) Council note the assessment of outcomes at Attachment A to the subject report, and refer actions proposed therein for consideration in the context of the forthcoming budget;
- (B) the recommendations contained in the subject report be incorporated into the Social Plan for the City of Sydney, and the Ultimo Pyrmont Human Infrastructure Strategy, as outlined in the subject report, become an integral part of the Social Plan;
- (C) authority be delegated to the Lord Mayor to appoint a Committee to oversee the implementation of the Social Plan for the City of Sydney and to deal with matters arising from the subject report.

Carried.

ITEM 6. REPORT OF THE FINANCE, PROPERTIES AND TENDERS COMMITTEE - 17 APRIL 2000

PRESENT

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

Councillors Nick Farr-Jones, Kathryn Greiner, Robert Ho and Lucy Turnbull.

At the commencement of business at 5.46 pm, those present were -

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

Councillor Fabian Marsden was also present.

Adjournment

At 5.47pm, the meeting of the Finance, Properties and Tenders Committee adjourned to enable an Extraordinary Meeting of Council to conclude.

At 5.53 pm, the meeting of the Finance, Properties and Tenders Committee resumed.

Those present at the resumption of the meeting were -

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

Councillor Fabian Marsden was also present.

Apology

Councillor Dixie Coulton extended her apologies for her inability to attend the Finance, Properties and Tenders Committee owing to prior commitments.

Moved by Councillor Turnbull, seconded by Councillor Greiner -

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

Carried.

Order of Business

The Finance, Properties and Tenders Committee resolved, in accordance with Clause 12(2) of the Local Government (Meetings) Regulation 1999, that the order of business be altered for the convenience of the public present, such that the agenda items be dealt with in the following order:

1. GST Impact on 1999/2000 Fees and Charges
2. Investments Held by Council as at 31 March 2000
- 4/5. Draft Budget 2000/2001 - Approval to place on Public Exhibition (including Schedule of Fees and Charges 2000/2001)
6. Draft 2000-2003 Corporate Plan
7. March 2000 - Quarter 3 Budget Review
3. McKee Street Child Care Centre - Proposed Lease

Closed Meeting

At 6.12 pm the Finance, Properties and Tenders Committee resolved to close the meeting to the public to discuss Item 6.3 on the agenda.

The meeting of the Finance, Properties and Tenders Committee concluded at 6.14 pm.

Report of the Committee

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

That the Report of the Finance, Properties and Tenders Committee of its meeting of 17 April 2000 be received, and the recommendations set out below for Items 6.1, 6.2, 6.3, 6.6 and 6.7 be adopted, with Item 6.4/5 being dealt with as shown immediately following that item.

Carried.

The Committee recommended the following:-

GST IMPACT ON 1999/2000 FEES & CHARGES (S009833)

6.1

That arising from consideration of a progress report by the Policy, Planning & Projects Accountant to the Finance, Properties and Tenders Committee on 17 April 2000 on the impact of GST upon the current year's fees and charges, where the supply will extend beyond 1 July 2000, it be resolved that Council -

- (A) note the types of fees and charges that will be included within this category; and
- (B) note that none of these fees and charges have been adjusted to date.

Carried.

**INVESTMENTS HELD BY COUNCIL AS AT 31 MARCH 2000 (AO2-00360)
(AO2-00360)****6.2**

That arising from consideration of a report by the Management Accounting Officer to the Finance, Properties and Tenders Committee on 17 April 2000, on Investments Held by Council as at 31 March 2000, it be resolved that the report be received and noted.

Carried.

Closed Meeting

At 6.12pm, the Finance, Properties and Tenders Committee resolved -

That, due notice of the intention to close the meeting having been given, the meeting be closed in accordance with the provisions of Section 10A (2)(d)(i) of the Local Government Act 1993 to discuss Item 6.3 on the agenda as this matter comprised discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it;

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

Item 6.3 was then dealt with by the Finance, Properties and Tenders Committee while the meeting was closed to the public, and was subsequently dealt with by Council in open session.

MCKEE STREET CHILD CARE CENTRE – PROPOSED LEASE (L02-00760)**6.3**

That arising from consideration of a report by the Project Manager, Property and Assets to the Finance, Properties and Tenders Committee on 17 April 2000 on McKee Street Child Care Centre - Proposed Lease, it be resolved that approval be given to the granting of a lease of the McKee Street Child Care Centre at 1-15 McKee Street, Ultimo to the University of Technology Sydney Child Care Centre for a term of 10 years at an initial annual rental of \$10,000.

Carried.

Note: Items 6.4/5, 6.6 and 6.7 were dealt with by the Finance, Properties and Tenders Committee in open session, prior to the meeting being closed to the public to deal with Item 3.

DRAFT BUDGET 2000/2001 - APPROVAL TO PLACE ON PUBLIC EXHIBITION (INCLUDING SCHEDULE OF FEES AND CHARGES 2000/2001) (S003129)

6.4/5

That arising from consideration of a report by the Finance Manager to the Finance Properties and Tenders Committee on 17 April 2000, on the Draft Budget for 2000/2001 (Including Schedules of Fees and Charges 2000/2001), it be resolved that Council -

- (A) approve the draft 2000/2001 budget for inclusion in Council's draft Corporate Plan;
 - (i) for operating income of \$136.859 million; for operating expenditure before depreciation and financing of \$97.402 million and for a net surplus of \$12.421 million after depreciation, financing and capital contributions;
 - (ii) for plant and assets of \$7.500 million plus a carry forward of expenditure from the 1999/2000 budget, as required;
 - (iii) for capital works of \$24.715 million plus carry forward of expenditure from the 1999/2000 program, as required;
- (B) approve the draft 2000/2001 budget for release to the public on request;
- (C) approve the draft Schedule of Fees and Charges for inclusion in Council's draft Corporate Plan;
- (D) note that authority continues to be delegated to the General Manager to vary fees and charges for commercial operations;
- (E) approve the Schedule of Fees and Charges for release to the public on request;
- (F) reaffirm that no expenditure from the General Contingency in the Operating Budget nor the Special Capital Works 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 contingency funds in the capital works budget.
- (G) note that expenditure on plant and assets will continue to require the specific approval of the General Manager for each individual item.

Amendment. At the request of the Chairman (the Lord Mayor) and by consent, the motion was amended by -

- (1) the deletion of Clause (C) and the substitution of the following new Clause (C) -
 - (C) approve the Draft Schedule of Proposed Fees and Charges for 2000/2001, dated 14 April 2000, for inclusion in Council's draft Corporate Plan and advertise them on public display for the required period of 28 days, subject to the following amendments:

- (i) fees for Stage 1 Development Applications (including Development Plan Applications) be set at 50% of Development Application fees, and that fees for the Stage 2 Development Applications be set at 60-80% of DA fees, depending upon the level of compliance [Page 9];
 - (ii) copies of the “Awnings Policy” be sold at GST inclusive price of \$11.00 [Page 11];
 - (iii) commercial filming fees be frozen at last year’s levels, and only adjusted to reflect the impact of the GST [Pages 12-13];
 - (iv) business and visitor parking permits be amended to show that GST is applicable under the current legislation [Page 15];
 - (v) a separate report be provided as to the services that are included within the Youth Club Membership (Pages 28, 30 and 32);
 - (vi) Council absorb the impact of the GST in relation to both Meals on Wheels and Centre Based meals provided at its Recreation/Activity Centres (Pages 30 and 32);
 - (vii) the fee for podiatry services be amended to a GST inclusive price of \$6.00 to reflect their exemption from GST as one of the prescribed health services [Pages 30 and 32];
 - (viii) the 2000/01 Fee (GST inclusive) for “hire and/or purchase of equipment” be amended to show a range of prices from \$1.10 to \$16.50 [Pages 28, 30 and 32];
 - (ix) the GST inclusive fee for Housie be rounded down from \$0.77 to \$0.75 [Pages 30 and 32].
- (2) the deletion in the second line of Clause (F) of the words “Special Capital Works Contingency” and the substitution of the words “Capital Works Contingencies”.

The motion, as amended by consent, was carried unanimously.

DRAFT 2000-2003 CORPORATE PLAN (S008140)

6.6

That arising from consideration of a report by the Corporate Planner to the Finance, Properties and Tenders Committee on 17 April 2000, on Draft 2000-2003 Corporate Plan, it be resolved that the Draft Corporate Plan 2000-2003 be placed on public exhibition for a period of 28 days commencing 2 May 2000 and a further report be submitted to Council at the conclusion of the exhibition period.

Carried.

MARCH 2000 - QUARTER 3 BUDGET REVIEW (S008111)

6.7

That arising from consideration of a report by the Senior Management Accountant to the Finance, Properties and Tenders Committee on 17 April 2000, on March 2000 - Quarter 3 Budget Review, it be resolved that Council:-

- (A) Note the Quarter 3 forecast showing an operating surplus of \$40.5M;
- (B) Note the Quarter 3 forecast for capital works of \$53.4M;
- (C) Note the Quarter 3 forecast for plant and assets of \$7.6M which remains unchanged from the original adopted budget; and
- (D) Authorise income and expenditure in line with the forecast as detailed in Attachment A to the subject report and authorise capital works expenditure also detailed in Attachment A to the subject report.

Carried.

ITEM 7. REPORT OF THE COMMUNITY SERVICES, SMALL BUSINESS AND TOURISM COMMITTEE - 17 APRIL 2000

PRESENT

Councillor Fabian Marsden
(Chairman)

Councillors - Nick Farr-Jones, Robert Ho and Lucy Turnbull.

At the commencement of business at 6.27 pm those present were -

Councillors Farr-Jones, Ho, Marsden and Turnbull.

Apologies

Councillor Dixie Coulton extended her apologies for her inability to attend the meeting of the Community Services, Small Business and Tourism Committee owing to prior commitments.

Councillor Kathryn Greiner extended her apologies for her inability to attend the meeting of the Community Services, Small Business and Tourism Committee owing to another commitment.

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

That the apologies from Councillor Coulton and Councillor Greiner be accepted and leave of absence from the meeting be granted.

Carried.

The meeting of the Community Services, Small Business and Tourism Committee concluded at 6.30 pm.

Report of the Committee

Moved by Councillor Marsden, seconded by Councillor Greiner -

That the report of the Community Services, Small Business and Tourism Committee of 17 April 2000 be received and the recommendation set out below for Item 7.1 be adopted.

Carried.

The Committee recommended the following:-

FORUM ON SUSTAINABLE ENERGY (S011795)

7.1

That arising from consideration of a report by the Senior Project Manager - Environment to the Community Services, Small Business and Tourism Committee on 17 April 2000, on Forum on Greenhouse and Sustainable Energy, it be resolved that the program as outlined in the subject report be endorsed.

Carried.

ITEM 8. REPORT OF THE PLANNING DEVELOPMENT AND TRANSPORT COMMITTEE - 17 APRIL 2000

PRESENT

Councillor Lucy Turnbull
(Chairman)

Councillors - Nick Farr-Jones, Kathryn Greiner, Robert Ho and Fabian Marsden.

At the commencement of business at 6.31 pm those present were -

Councillors Farr-Jones, Ho, Marsden and Turnbull.

Councillor Greiner arrived at the meeting of the Planning Development and Transport Committee at 6.33 pm during discussion on Item 8.1.

Apology

Councillor Dixie Coulton extended her apologies for her inability to attend the meeting of the Planning Development and Transport Committee owing to prior commitments.

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

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

Carried.

The meeting of the Planning Development and Transport Committee concluded at 7.40 pm.

Report of the Committee

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

That the Report of the Planning Development and Transport Committee of its meeting of 17 April 2000 be received, and the recommendations set out below for Items 8.1 to 8.6 be adopted, with Item 8.7 being noted.

Carried.

The Committee recommended the following:-

PART "A" - DETERMINED BY COUNCIL**PROGRESS REPORT ON DEVELOPMENT APPLICATIONS (A03-00138/1)****8.1**

That arising from consideration of a report by the Manager Development to the Planning Development and Transport Committee on 17 April 2000, in relation to the Progress Report on Development Applications, it be resolved that the report be received and noted.

Carried.

CENTRAL SYDNEY LOCAL ENVIRONMENTAL PLAN 1996 - DRAFT AMENDMENT NO. 11 (D1999/00857)**8.2**

That arising from consideration of a report by the Manager Development to the Planning Development and Transport Committee on 17 April 2000, regarding Draft Amendment No.11 to Central Sydney Local Environmental Plan 1996 in relation to the site at 1 High Street, 125A Kent Street and 303-8 Hickson Road, Millers Point, it be resolved that Council:

- (A) approve of an amendment to Central Sydney Local Environmental Plan 1996, Draft Amendment No.11 that reduces the height limit for the site at 1 High Street, 125A Kent Street and 30-38 Hickson Road, Millers Point, defines the method by which height should be calculated for this site, reviews the 45m height limit on adjoining and nearby sites and amends associated building height provisions;
- (B) approve of the notification of the Department of Urban Affairs and Planning of its resolution to prepare a local environmental plan, in accordance with Section 54 (Decision to prepare a local environmental plan) of the Environmental Planning and Assessment Act 1979;
- (C) advise that an environmental study under the provisions Section 57 of the Environmental Planning and Assessment Act 1979, not be prepared, as the proposed amendment is considered to be of a minor nature;
- (D) authorise the Lord Mayor to finalise matters relating to Central Sydney Local Environmental Plan 1996 - Draft Amendment No.11 for the purposes of public exhibition;
- (E) approve the use of its delegated powers under Section 65 (Certificate of Director) and Section 69 (Report by Director) of the Environmental Planning and Assessment Act 1979, in accordance with the Best Practice Guidelines published by the Department of Urban Affairs and Planning in January 1997, and titled, "LEPs and Council land - Guidelines for Councils using delegated powers to prepare LEPs involving land that is or was controlled by Council"; and

- (F) endorse the recommendation made to the Central Sydney Planning Committee on 13 April 2000 that a development plan be prepared for the site pursuant to Clause 28C of Amendment No.8 to Central Sydney Local Environmental Plan 1996 to guide future development on the site.

Carried.

HERITAGE FLOOR SPACE AWARDS AND AMENDMENT NO.8 TO CENTRAL SYDNEY LOCAL ENVIRONMENTAL PLAN 1996 (S011163)

8.3

That arising from consideration of a report by the Strategic Planning and Research Manager to the Planning Development and Transport Committee on 17 April 2000 on Heritage Floor Space Awards and Amendment No.8 to Central Sydney Local Environmental Plan, it be resolved that -

- (A) the subject report be received and noted;
- (B) Section 7.3 of Central Sydney Development Control Plan 1996, relating to the Award and allocation of Heritage Floor Space remain unchanged following the gazettal of Amendment No.8 to Central Sydney Local Environmental Plan;
- (C) it be noted that the Heritage Floor Space Awards regime is assessed each year in the Annual Monitoring Report to ascertain if any further changes are required.

Carried.

DEVELOPMENT APPLICATION: NEW WINDSOR HOTEL, 48-48A PARK STREET, SYDNEY (EXTENSION OF TRADING HOURS FOR GROUND FLOOR AND BASEMENT LEVEL OF EXISTING HOTEL) (D00-00097)

8.4

That consideration of this matter be deferred to the meeting of Council on 1 May 2000.

Carried.

Note - This matter was dealt with by Council as Item 10 on the Business Paper.

Note - Mr Simon Tilley addressed the meeting of the Planning Development and Transport Committee on Item 8.4.

**DEVELOPMENT APPLICATION: OSW STREET BAR, AVILLON HOTEL,
385-401 PITT STREET, SYDNEY (D00/0132)**

8.5

That consideration of this matter be deferred to the meeting of Council on 1 May 2000.

Carried.

Note - This matter was dealt with by Council as Item 11 on the Business Paper.

Note - Mr Walter Di Qual addressed the meeting of the Planning Development and Transport Committee on Item 8.5.

**DEVELOPMENT APPLICATION: 114-120 LIVERPOOL STREET, SYDNEY
(D/99/01027)**

8.6

That consideration of this matter be deferred to the meeting of Council on 1 May 2000.

Carried.

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

Note - Mr Sootee Cheong addressed the meeting of the Planning Development and Transport Committee on Item 8.6.

**PART "B" - DETERMINED BY THE PLANNING DEVELOPMENT AND
TRANSPORT COMMITTEE UNDER DELEGATED AUTHORITY**

The Planning Development and Transport Committee recommended that Council note that Item 8.7 was determined by the Planning Development and Transport Committee under delegated authority.

Carried.

ASSESSMENT REPORT ON DEVELOPMENT APPLICATION: 16-22 COOPER STREET, SURRY HILLS (D1999/00820)

8.7

Moved by Councillor Greiner, seconded by Councillor Turnbull -

That arising from consideration of a report by the Director City Development to the Planning Development and Transport Committee on 17 April 2000, in relation to Development Application D/99/00820 made by J.D.V. Management Pty Limited for the site at 16-22 Cooper Street for demolition of the existing building and construction of a new 8 storey residential building, it be resolved that the application be refused on the following grounds:

- (1) The proposal is contrary to Objective 12(i) of the Central Sydney Local Environmental Plan 1996;
- (2) The proposal is contrary to the objective of Clause 2.6 and the provisions of Clause 2.7 of the Central Sydney Development Control Plan 1996;
- (3) The revised proposal does not adequately address the requirements set in Council's resolution, dated 20 December 1999, on the original proposal;
- (4) The proposal does not adequately address the visually intrusive effects of the blank wall on the eastern façade in that:
 - (a) no setback of the upper level has been incorporated into the design;
 - (b) no proposal for the visual treatment of the major portion of the eastern façade, is put forward;
 - (c) no proposal on durable materials to be used on the eastern façade which are not likely to mould and stain over time, is put forward.
- (5) Granting consent would not be in the public interest.

Carried.

ITEM 9. REPORT OF THE PRIORITIES AND OUTCOMES COMMITTEE - 18 APRIL 2000

PRESENT

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

Councillors Fabian Marsden and Lucy Turnbull.

At the commencement of business at 5.30 pm, those present were -

The Lord Mayor, Councillors Marsden and Turnbull.

Adjournment

At 5.31 pm the meeting was adjourned.

At 5.37 pm, at the resumption of the Priorities and Outcomes Committee, those present were:

The Lord Mayor, Councillors Marsden and Turnbull.

Apology

Councillor Dixie Coulton extended her apologies for her inability to attend the meeting of the Priorities and Outcomes Committee owing to prior commitments.

Moved by Councillor Turnbull, seconded by Councillor Marsden -

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

Carried.

The meeting of the Priorities and Outcomes Committee concluded at 5.55 pm.

Report of the Committee

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

That the Report of the Priorities and Outcomes Committee of its meeting of 18 April 2000 be noted, and the recommendations set out below for Items 9.1 to 9.3, inclusive, be adopted.

Carried.

The Committee recommended the following:-

COOK AND PHILLIP PARK - MAINTENANCE AND OPERATIONAL PLAN (S006743)**9.1**

That arising from consideration of a report by the City Representative - Cook and Phillip Park to the Priorities and Outcomes Committee on 18 April 2000, it be resolved that authority be delegated to the Lord Mayor to review the revised Maintenance and Operational Plan and the various reports related to the areas of fees, heating, school use and boom movement times and approve the revised Maintenance and Operational Plan, which shall include boom movement times and school program use.

Carried.

CATHEDRAL CAR PARK - FEES AND CHARGES (S006743)**9.2**

That arising from consideration of a report by the City Representative - Cook and Phillip Park to the Priorities and Outcomes Committee on 18 April 2000, it be resolved that authority be delegated to the Lord Mayor to review, and if necessary alter, the proposed fees and charges for the Cathedral Street Carpark in the light of a report to determine the impact of an increased hourly rate, Monday to Friday, on use of the Cook and Phillip Centre and the impact on the operation of the Cathedral Street Carpark.

Carried.

SYDNEY TOWN HALL AND TOWN HALL HOUSE – AIR-CONDITIONING PLANT REPLACEMENT (S01-1788)**9.3**

That arising from consideration of a report by the Facilities Manager to the Priorities and Outcomes Committee on 18 April 2000, on Sydney Town Hall and Town Hall House - Air-Conditioning Plant Replacement, it be resolved that -

- (A) Option D as set out in the subject report be implemented; namely, replace three existing chillers (one in Town Hall House and two in Sydney Town Hall) with one larger more efficient chiller in Sydney Town Hall;
- (B) further backup options be investigated, including the utilisation of cross flows between the Town Hall House and the Sydney Town Hall air conditioning systems;

- (C) the General Manager be asked for a further report which includes proposals, together with costings, for phased implementation of a program for replacement of the remainder of the existing air conditioning plant.

Carried.

**ITEM 10. DEVELOPMENT APPLICATION: 48-48A PARK STREET, SYDNEY
(EXTENSION OF TRADING HOURS FOR GROUND FLOOR AND
BASEMENT LEVEL OF EXISTING HOTEL) (D00-00097)**

Adjournment

At 6.07 pm, during discussion on Item 10, the meeting of Council adjourned for a period of ten minutes.

At the resumption of the meeting of Council at 6.17 pm, those present were -

The Lord Mayor, Councillors Coulton, Greiner, Ho and Marsden.

At 6.18 pm the meeting of Council adjourned for a further short period to enable urgent business to be undertaken by the Lord Mayor.

At the resumption of the meeting of Council at 6.35 pm, those present were -

The Lord Mayor, Councillors Coulton, Greiner, Ho and Marsden.

Moved by Councillor Greiner, seconded by Councillor Coulton -

That arising from consideration of a report by the Specialist Planner to the Planning Development and Transport Committee on 17 April 2000, and to Council on 1 May 2000, in relation to Development Application D00-00097 made by Descon Management Pty Ltd for premises at 48-48 Park Street Sydney, for an extension of hours of the basement and ground floor levels of the subject hotel and a new layout, it be resolved that -

- (A) consideration of the matter be deferred to enable resolution of the following matters
 - (i) provision of toilet facilities at the ground floor level;
 - (ii) adequate provision for food at ground and basement levels during the operation of the gaming area and bars.
- (B) authority be delegated to the General Manager to determine the application having regard to
 - (i) the conditions listed in the subject report; and
 - (ii) the satisfactory resolution of the issues listed in (A) above.

Carried.

ITEM 11. DEVELOPMENT APPLICATION: OSW STREET BAR, 385-401 PITT STREET, SYDNEY (D00/00132)

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

That arising from consideration of a report by the Specialist Planner to the Planning Development and Transport Committee on 17 April 2000, and to Council on 1 May 2000, in relation to Development Application 2000/00132 made by Pipgail Pty Limited for the site at 385-401 Pitt Street Sydney (known as World Square) for use and fit out of the street bar located on Liverpool Street, it be resolved that -

- (A) Council considers the proposal as presented to be unsatisfactory, as it is designed predominantly as a source of revenue through gaming, rather than a well-designed bar that contributes to the night life of the City, and that the applicant be advised accordingly;
- (B) the applicant be further advised that Council is disinclined to approve the proposal as now presented and advised to revise the application substantially within 21 days to:
 - (i) improve the design of the bar;
 - (ii) separate the gaming facilities from the bar area;
 - (iii) subject to resolution of (ii), reduce the number of gaming machines.

Carried unanimously

ITEM 12. DEVELOPMENT APPLICATION: 114-120 LIVERPOOL STREET, SYDNEY (D/99/01027)

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

That arising from consideration of a report by the Director City Development to the Planning Development and Transport Committee on 17 April 2000, and to Council on 1 May 2000, in relation to Development Application D/99/01027 made by S.T. Cheong and Associates Pty Limited for the site at 114-120 Liverpool Street for demolition of the existing building and construction of a new 22 level residential building, it be resolved that -

- (A) Council note that the Director City Development has recommended refusal of this application and that Council would refuse the application in its current form;
- (B) Notwithstanding (A) above, the determination of the application be deferred for a period of up to 28 days to allow the applicant to -
 - (i) obtain an easement for light and air for all windows and openings on the western elevation of the subject development. The easement shall be a minimum of 6m in width;
 - (ii) obtain an easement for pedestrian access over Brickfield Place for the ground floor retail spaces on the western portion of the subject site, in order that the development may provide active uses along its western boundary;
 - (iii) provide amended floor layouts to residential floors which comply with Council's amenity provisions, including corridor widths;
 - (iv) revise the façade design and materials of the proposed development;
 - (v) reduce the floor space ratio of the development in order to decrease the impact of loading and servicing of the development on Liverpool Street;
 - (vi) redesign the ground floor to provide active uses fronting Brickfield Place as well as Liverpool Street;
 - (vii) undertake investigation and resolution of other sites at the rear of the subject site in relation to potential issues of light and air and building separation.

Carried.

ITEM 13. PROPOSAL TO AMEND THE RESIDENT PARKING SCHEME FOR CENTRAL SYDNEY (MILLERS POINT, THE CBD AND THE FRINGE AREAS) (P01-01432/1)

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

That arising from consideration of a report by the Acting Transport Planning Manager to Council on 1 May 2000, on a Proposal to Amend The Resident Parking Scheme for Central Sydney (Millers Point, the CBD and the "Fringe" Areas), it be resolved that:

- (A) for existing dwellings in Millers Point, the CBD and the "Fringe" areas:
 - (i) the number of resident parking permits allowed per address is the number of vehicles registered at the applicant's address, less the number of available off-street parking spaces up to a maximum 2 *permits* per residential address;
 - (ii) for single dwellings, residents continue with the current system of declaring on the application form that they do not have an off-street parking space. However, random checks would be undertaken from time to time;

- (iii) for multi-unit dwellings, a resident be required to provide a letter from the Owners Corporation, unit manager or similar stating that they do not have a car space. If there is a car space attached to the dwelling, the resident be required to provide proof that another member of the household is occupying it, prior to the issue of any resident parking permits;
 - (iv) the current fees for the permits apply subject to annual review. The current fees are \$25.00 per annum for the first permit and \$50.00 per annum for the second permit. For eligible Pensioners the first permit is issued free, and they are allowed to obtain a second permit for a fee of \$25.00;
- (B) for new dwellings (either single or multi-unit) in Millers Point, the CBD and the “Fringe” areas:
- (i) that residents not be eligible to participate in the Resident Parking Scheme;
- (Note: a “new” dwelling is defined as one where the Development Application for the new dwelling(s) had not been determined at the date of adoption of the policy).
- (C) the above conditions limiting or prohibiting residents from being eligible to participate in the Residential Parking Scheme be included on the Section 149 Certificate for the property and as a condition on the relevant development consent;
- (D) the current precinct parking boundaries be amended such that:
- (i) the areas within the LGA not currently included in any parking precinct area be included with the CBD precinct. The proposed CBD precinct plan is shown in Attachment D to the subject report;
 - (ii) areas of potentially significant residential development currently located within the Millers Point precinct be placed within the CBD precinct;
- (E) the above amendments be referred to the Department of Urban Affairs and Planning and the Sydney Harbour Foreshore Authority for inclusion in the conditions of consent for residential developments in the areas under their control.

Carried.

ITEM 14. REVIEW AND AMENDMENT OF CENTRAL SYDNEY SECTION 61 CONTRIBUTIONS PLAN (S000247)

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

That arising from consideration of a report by the Specialist Planner - Strategic/Section 94 to Council on 1 May 2000, on the Review and Amendment of Central Sydney Section 61 Contributions Plan, it be resolved that Council:

- (A) endorse the proposed amendments to the Exemptions to delete hotels and serviced apartments from the Exemptions, as shown at attachment (B) to the subject report;

- (B) endorse the exhibition of the proposed amendment as Draft Amendment No. 1 to the Section 61 Plan, for a minimum period of 28 days;
- (C) seek the concurrence of the Minister for Urban Affairs and Planning to the proposed amendment.

The motion was carried on the following show of hands -

Ayes (4) - The Chairman (the Lord Mayor), Councillors Coulton, Ho and Marsden

Noes (1) - Councillor Greiner

Motion carried.

ITEM 15. DISABILITY STRATEGY (S011167)

Moved by Councillor Greiner, seconded by Councillor Ho-

That arising from consideration of a report by the Senior Project Manager, City Service Development to Council 1 May 2000, on Disability Strategy, it be resolved that Council:

- (A) note the discussion paper shown at Attachment A to the subject report;
- (B) approve the preparation of a Disability Strategy for Council's consideration.

Carried unanimously.

ITEM 16. QUESTIONS ON NOTICE

BUSKING REVIEW COMMITTEE (S010694)

1. By Councillor Greiner –

Question

Lord Mayor, subsequent to the adoption of the Revised Busking Policy (1999) it was agreed a Busking Review Committee would meet four times during the year 2000 to monitor the effectiveness of the policy and advise on any emerging issues, the first meeting to take place in March.

Could you please advise Councillors the outcome of the first review?

Answer by the Lord Mayor

The General Manager advises that:-

“The Busking Policy Review Committee was unable to meet in March as scheduled, due to staff changeovers and absences.

A meeting of the Busking Policy Review Committee has been scheduled for late April.”

CIRCULAR QUAY RETAILERS' PREMISES (S010694)

2. By Councillor Greiner –

Question

Lord Mayor, will you please make representation to the State Government to ensure that any redesign of retailers' premises at Circular Quay, both on the wharves and under the railway concourse, incorporates sufficient space to adequately store milk crates, boxes, packaging etc out of sight while awaiting garbage collection?

Answer by the Lord Mayor

The Director City Development advises that –

“Council officers provided advice to the Department of Urban Affairs and Planning (DUAP) in February 1999 regarding a development application (DA) for construction of new retail and operational buildings, ticket facilities and the like on Wharves 2, 4, 5 and 6. This advice recommended that:

'The Sydney Cove Waterfront Strategy should be revised in light of the new direction of the Department of Public Works and Services. The revision of the Strategy should ensure that the development of Circular Quay is undertaken in a co-ordinated, planned and coherent manner. Furthermore, this will assist in understanding how future development applications will fit into the revised design outcomes for Circular Quay.'

Council officers also recommended that conditions requiring compliance with Council's 'Code for Waste Handling in Buildings', and submission and approval of a Waste Management Plan for the future uses, be imposed on any consent granted. DUAP subsequently imposed a DA condition requiring the approval of a 'Place Management Plan' by the Sydney Harbour Foreshore Authority that addresses, amongst other things, details about cleaning, waste management and servicing of the tenancies."

I have asked the Director City Development to write to the Sydney Harbour Foreshore Authority regarding this matter, and to ensure that this matter is addressed as part of future DA referrals from the Sydney Harbour Foreshore Authority and/or the Department of Urban Affairs and Planning, without increasing the bulk of built form on the wharves.

ST STEPHEN'S UNITING CHURCH (S010694)

3. By Councillor Greiner –

Question

Lord Mayor, on Sunday 16 April Macquarie Street was closed for the Olympic Test Triathlon. The parishioners of St Stephen's Uniting Church park in the Sydney Hospital Car Park, and they had been assured by Council that on Sunday 16 April arrangements were in place to enable them to cross Macquarie Street at Martin Place at 9.30am in order to attend the 10.00am service being held at the Church. Unfortunately when they tried to cross at the appointed place and time they were barred from doing so.

They feel St Stephen's Uniting Church is being severely disadvantaged whenever an event takes place which requires the closure of Macquarie Street.

Will you please explain why the parishioners were unable to cross at the appointed time as arranged, and ensure that when planning future road closures the requirements of St Stephen's Uniting Church will be taken into consideration?

Answer by the Lord Mayor

The Director City Development advises that:

"The EnergyAustralia Triathlon 2000 ITM World Cup was held on Sunday 16 April 2000. The RTA and ORTA coordinated the associated traffic and pedestrian arrangements. During the planning stages, the City was consulted on various aspects of the event in relation to local access, resident parking, traffic detours and road closures. However, Council officers were not consulted in relation to the provision of controlled pedestrian access crossings.

EnergyAustralia arranged advertising in metropolitan newspapers. The advertisement included a detailed map illustrating the triathlon course, railway stations for access to and from event, controlled pedestrian crossing points, information booths and Sydney Harbour exclusion zone.

The 'Controlled Pedestrian Crossing Points' were established along the route to allow pedestrians access at specific locations under marshall control when there were sufficient safe gaps between competitors in the event. Marshalls were engaged by the event organiser.

Pedestrian crossing points along Macquarie Street were located at Martin Place and also at Bridge Street, Bent Street, and St James Road.

The marshals and Police would only allow access at respective control points when there were safe gaps between groups of event competitors. The marshalls may not have been able to allow pedestrians to cross Macquarie Street at Martin Place at precisely 9.30 am.

Contact has been made with SOCOG about this matter. SOCOG has undertaken to contact St Stephen's Uniting Church in respect of future events, such as the Host City Marathon."

PARKING ON FOOTPATH (S010694)

4. By Councillor Greiner –

Question

Lord Mayor, at the Council Meeting dated 3 April I asked a Question on Notice concerning parking on the footpath. I asked for Council to obtain independent legal advice as to our potential liabilities.

Your answer quoted the Director Legal and Secretariat who in turn quoted Clause 310 of the Australian Road Rules that provided that certain offences do not apply to a person if 4 elements were present for an exemption to apply.

Clause 310 is an exemption for Road Workers and refers to the construction or maintenance of a road; road cleaning; or installation or maintenance work authorised under another jurisdiction, etc. It clearly does not refer to the maintenance of street furniture on a footpath.

I repeat my original question:

- (i) Would you ensure that Council please obtain independent legal advice as to our potential liabilities?

- (ii) As it was an original Condition of Consent that JC Decaux vehicles not be allowed on the footpath to service the street furniture
(see Council Minutes Monday 20 October 1997, cl.19 of Conditions of Approval granted to the Development Application D97/00533 for installation of various items of street furniture -
"Use . . . (19) Any vehicle used in association with the servicing of a street furniture facility is to be parked legally at all times. No parking on footpaths or pedestrian areas is permitted")
would you table immediately any and all correspondence, memorandum of understanding, agreements, or any material evidence of Council approving the action currently being taken by JC Decaux in allowing their vehicles to stand on the footpath?
- (iii) Under what jurisdiction does the City of Sydney Council have permission to override State law?
- (iv) If Council has not granted consent to JC Decaux as per Conditions of Consent and Council has no power to override, will you please advise JC Decaux that by placing Council in a potential litigious position and that should their drivers continue to flout the state's laws the Council will have no alternative but to cancel their contract?

Answer by the Lord Mayor

The Director Legal and Secretariat advises as follows:

"I have again reviewed the extent of operation of the exemption from certain parking offences (including parking on footpaths), provided by clause 310 of the Australian Road Rules.

Installation or maintenance work authorised under other legislation is a category of roadwork (as defined in clause 310) to which the exemption may apply.

The Roads Act 1993 requires and empowers a person who controls any structure in, on or under a road to maintain that structure. As the footpath comprises part of the road for the purposes of the Roads Act, this obligation extends to a structure, including an item of street furniture, located on the footpath.

As the maintenance of any structure in, on or under a road is authorised by the Roads Act, such work falls within the definition of 'roadworks' for the purposes of 310 of the Australian Road Rules.

I have sought advice from Abbott Tout, one of Council's panel solicitors with an extensive local government practice, as to whether this interpretation of clause 310 of the Australian Road Rules is correct.

I have received advice that clause 310 does provide an exemption to JC Decaux vehicles from the offence of parking on the footpath in circumstances where:

- (a) the person is at the site of, and engaged in, installation or maintenance works relating to street furniture; and

- (b) it is not practicable for the person to comply with the restriction (no parking on the footpath); and
- (c) sufficient warning of the works has been given to other road users.”

The Director City Development has advised that:

“The condition of consent which refers to parking of vehicles *“used in association with the servicing of a street furniture facility”* is intended to deal with vendors operating from street furniture, such as fruit, flower and newspaper vendors. The condition is not intended to apply to maintenance of street furniture by JC Decaux, which is required by another of the conditions of consent.”

PITT STREET MALL (S010694)

5. By Councillor Greiner –

Question

Lord Mayor, on walking through Pitt Street Mall and the city's streets recently, I noticed the JC Decaux litter bins were absolutely filthy.

- (i) Could you please advise what program is in place for the routine cleansing of the litter bins to be undertaken by the contractor, JC Decaux?
- (ii) Is the contractor aware that more and more bins are being left ajar? Is there a problem with their locking mechanism and if so, can this be rectified?
- (iii) What is the replacement policy for bollards? Some are very scratched and dented.
- (iv) What is the status quo for cigarette bins?

Answer by the Lord Mayor

The Deputy General Manager advises that:

- “(i) JCDecaux is contracted to maintain the bins to an 'as new standard, kept clean and free of graffiti'. At present, the schedule for cleaning each bin is once per week. City Service Development monitors cleaning and rectifies shortcomings.

To reduce the build up of butts and ash on the exterior of the bin, an armature is to be fitted to the lids to cover the gaps between the bin doors. An order has been placed for these and installation should take place over the next 10 weeks.

- (ii) There is no problem with the locking mechanism of the bins. City Service Development and the Street Cleaning service provider (Living City Services) are closely monitoring this issue through regular inspection.

- (iii) The bollards are currently maintained under the Roads and Footways contract with Living City Services. However, due to their nature, capital value and cost of maintenance, it has been decided to draw up an improved specification for maintenance and cleaning.

A place management program has been implemented for Pitt Street, where the majority of damage appears to be occurring. An audit of all litter and recycling bins was completed in early April. New measures for cleaning and urgent maintenance are currently being organised.

- (iv) An Ash Tray has been designed for application to one segment of each litter bin. An order has been placed with JCDecaux for the supply and installation of 600 Litter Bin Ash Tray Liners. Fabrication and installation should be completed within the next 4-5 weeks.”

AUTOMATIC PUBLIC TOILETS (S010694)

6. By Councillor Greiner –

Question

Lord Mayor, the automatic public toilets have been in operation in the city for some months now. Has a review been undertaken of the public's acceptance of same and how often these facilities are used? If not, can a review be carried out?

Answer by the Lord Mayor

Your constant attacks on JCDecaux are at best unbecoming. There is general acceptance that JCDecaux's maintenance and cleaning regime is very good and vastly superior to what preceded it. I call upon you to stop the vilification of this valued contractor.

In response to your question the Deputy General Manager advises that:

“To monitor the new JCDecaux automatic public toilets a management committee was established for a period of three months from September 1999 to:

- (i) Assess the level of public acceptance/concern of the new units
- (ii) Identify operational problems and implement immediate rectification work

Notices were attached to the inside and outside of each APT advising the public of a call free service provided by the Public Affairs Unit. The notice informed the public of the City's desire for public feedback on the new toilets and their comments/concerns.

The City Service Development Unit and the Public Affairs Unit undertook monitoring of articles appearing in Sydney newspapers and radio talkback programs.

Monitoring of the APT units continued after the initial 3 months and was included in the inspection program undertaken by the City Care Strategy Group and the contract manager for Street Furniture.

JCDecaux continue to provide APT usage figures summarising average daily, weekly and yearly usage.

In general, the feedback regarding the APTs was positive. During the first three months and in response to user feedback, some minor adjustments were made to APT operation and recorded messages and signs were re-worded. Improved emergency procedures were implemented.

The usage figures indicate levels within the capacity of the APTs, with random inspections indicating minimal waiting periods. Random inspections also found the toilets to be clean, graffiti free, appropriately lit, and to have a comfortable internal temperature range.”

ACCESS FOR PEOPLE WITH DISABILITIES (S010694)

7. By Councillor Greiner –

Question

Lord Mayor, as previously discussed, I am concerned about the lack of disabled access from the Kent Street kerb at the Kent and Liverpool Streets intersection.

Could you please advise when this work will be undertaken, and if it is not being done before the Paralympics, why not?

Answer by the Lord Mayor

The Director City Development advises that:

“The City’s Transport and Access Unit has examined the intersection of Kent and Liverpool Streets in relation to disabled access and has recommended that ramp access be provided at this location.

This work will be included in the forthcoming financial year’s Capital Works Program and will be completed prior to the Olympics.”

FOOTPATH ACCESS RAMPS (S010694)

8. By Councillor Greiner –

Question

Lord Mayor, will you please circulate to Councillors an audit of all footpath access ramps for use by the disabled and people with strollers, to ensure their ease of use, safety and appropriate gradient, and to also ensure they are located at every intersection?

Answer by the Lord Mayor

The Director City Development advises that:

“The City at this stage has limited data on grades and locations of access ramps within the Local Government Area except for the recently completed City Projects works.

An audit of all footpaths within the City would be a major exercise and would involve on-site inspections at virtually all intersections throughout the city. Such work would need to be programmed over an extended period.

However, as part of ORTA’s work associated with preparing for the Olympics and Paralympics, they have undertaken particular audits along specific pedestrian routes to determine accessibility and the City will be provided with this information in due course.”

QUESTIONS WITHOUT NOTICE

There were no questions without notice at this meeting of Council.

ITEM 17. NOTICES OF MOTION

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

Resignation of Sue Puckeridge

The Chairman (the Lord Mayor) noted the resignation of Sue Puckeridge, Director Legal and Secretariat, and, on behalf of Council, paid tribute to her dedicated service and advice over a long period. The Lord Mayor remarked that Council had been well served by the Legal Unit and by Secretariat during Ms Puckeridge’s tenure as Director. Councillor Greiner, on behalf of her present and former colleagues, supported the Lord Mayor’s remarks and thanked Sue Puckeridge and her colleagues in the Legal Unit and the Secretariat for their sound advice and guidance over the last few years. The General Manager recorded his appreciation of the efforts of Sue Puckeridge and her Divisional

staff and on behalf of the Executive wished her every success for the future. Ms Puckeridge responded with her thanks to current and past Councillors and stated that although she was sad in many ways to leave, she was pleased to be doing so at a time when the City had achieved so much and had a great deal to look forward to.

ADDITIONAL MATTER FOR COUNCIL

FILE NO:

DATE: 1/5/00

MINUTE BY THE LORD MAYOR

To Council:

Attached for consideration by Council at its meeting on 1 May 2000 is a confidential Memorandum by the General Manager on the Museum of Contemporary Art.

I bring forward this item for the consideration of Council.

(SGD) COUNCILLOR FRANK SARTOR

Lord Mayor

Note - A confidential Memorandum by the General Manager was circulated to all Councillors.

Closed Meeting

At 7.27 pm the Council resolved -

That, due notice of the intention to close the meeting having been given, the meeting be closed in accordance with the provisions of Section 10A (2)(d)(i) of the Local Government Act 1993 to discuss Items 18, 20, 21 and 3B on the agenda as these matters comprised discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it;

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

Items 18, 20, 21 and 3B were then dealt with by Council while the meeting was closed to the public.

**ITEM 18. PARKLAND REINSTATEMENT AT 55 PARK STREET SYDNEY -
ACCEPTANCE OF TENDER (SOO9400)**

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

That arising from consideration of a report by the Deputy Director City Projects to Council on 1 May 2000, on Parkland Reinstatement at 55 Park Street Sydney, and noting the strategy proposed by the tender evaluation panel, it be resolved that -

- (A) Council accept the tender of Delta Pty Ltd for the works, as outlined in the subject report, at \$250,500.00;
- (B) authority be delegated to the General Manager to enter into a contract with Delta Pty Ltd. for the works.

Carried unanimously.

**ITEM 20. SPANISH QUARTER AWNING, TENDER FOR CONSTRUCTION
WORKS (S005000)**

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

That arising from consideration of a report by the Project Manager City Projects to Council on 1 May 2000, on Spanish Quarter Awning - Tender for Construction Works, and noting the strategy proposed by the Tender Review Panel, it be resolved that -

- (A) Council accept the lowest tender of Kane Constructions Pty Ltd for the building work at \$448,820, subject to an explicit requirement that the project be fully completed by 31 July 2000;
- (B) authority be delegated to the General Manager to enter into a contract with Kane Constructions Pty Ltd for the works;
- (C) Council approve the project budget breakdown outlined in paragraph 14 of the subject report.

Carried unanimously.

ITEM 21. LIBRARY INTERNATIONAL NEWSPAPERS - APPROVAL TO NEGOTIATE SUPPLY (S011606)

Moved by Councillor Greiner, seconded by Councillor Coulton -

That arising from consideration of a report by the Library Manager to Council on 1 May 2000 on Library international newspapers, it be resolved that authority be delegated to the General Manager to negotiate, and enter into a contract with Gordon and Gotch for the supply of international newspapers.

Carried.

Note: At 7.35 pm, prior to discussion on Item 3B, all staff left the Council Chamber, with the exception of the General Manager, the Director, Legal and Secretariat, the Press Secretary and the Chief of Staff, Office of the Lord Mayor.

ITEM 3B. MUSEUM OF CONTEMPORARY ART (MCA)

Note - In view of the confidential nature of the subject matter, the Council determined that the Resolution on this matter will remain confidential until the General Manager considers it appropriate to make the Resolution public.

At 7.45pm the meeting concluded.

Chairman of a meeting of the Council of the City
of Sydney held on 5 June 2000 at which
meeting the signature herein was subscribed.