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**25 NOVEMBER 2002**

**Meeting No 1372**

**MINUTES** of an Extraordinary Meeting of the Council of the City of Sydney held in the Finance Committee Room at the Sydney Town Hall, commencing at 4.40pm on 25 November 2002 pursuant to Notice 26/1372 dated 21 November 2002.

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**Subject**

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**PRESENT**

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

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

At the commencement of business at 4.40pm those present were:-

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

The General Manager, General Counsel, Director Corporate Services, Director City Development and Projects and Executive Director Projects (City Architect) were also present.

**Adjournment**

At 4.41pm, it was moved by Councillor Greiner, seconded by Councillor Turnbull -

That the Extraordinary Meeting of Council be adjourned until 5.00pm.

Carried.

**Resumption**

At the resumption of the Extraordinary Meeting of Council at 5.00pm, those present were:-

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

**Apology**

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

Moved by Councillor Greiner, seconded by Councillor Turnbull -

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

Carried.

**Closed Meeting**

At 5.02pm the Extraordinary Meeting of 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 Item 1 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 person 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 is a need to preserve confidentiality having regard to the subject matter and the circumstances of communications.

Item 1 was then dealt with by the Extraordinary Meeting of Council while the meeting was closed to the public.

Note - at 5.05pm, during discussion on Item 1, all staff, with the exception of the General Manager and the Director City Development and Projects, left the Extraordinary Meeting of Council

**ITEM 1. CUSTOMS HOUSE RECONSTRUCTION - RESULT OF TENDER DESIGN, DOCUMENTATION AND CONTRACT ADMINISTRATION (S019745)**

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

That arising from consideration of a report by the Manager - Design, Architecture and Urban Design to the Extraordinary Meeting of Council on 25 November 2002, on Customs House Reconstruction - Result of Tender Design, Documentation and Contract Administration, it be resolved that:

- (A) Council reject all tenders;
- (B) Council not invite fresh tenders for the design project as it proposes to enter into negotiations with the tenderer identified in paragraph 9 of the subject report and sub-consultancies noted in paragraph 11 of the subject report. If negotiations are unsuccessful, then Council re-open negotiations with the other invited firms or seek new tenders for design services and quotations for sub-consultancies;
- (C) authority be delegated to the General Manger to enter into contracts for other sub-consultancy services for the project to upper limit fees as outlined in paragraphs 22 and 24 of the subject report;
- (D) authority be given to proceed with the engagement of the base building and overseeing design consultancy works as outlined in paragraphs 24 of the subject report;
- (E) Council's attorney be authorised to execute all necessary documentation;

(F) the budget and scope for the project be resubmitted to Council after development consent;

(G) this report remain confidential until the commencement of the works.

Carried.

At 5.15pm the meeting concluded.

Chairman of a meeting of the Council of the City  
of Sydney held on 9 December 2002 at which  
meeting the signature herein was subscribed.