



27 MAY 2002

Meeting No 1353

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 4.37pm on 27 May 2002 pursuant to Notice 7/1353 dated 23 May 2002.

INDEX TO MINUTES

| <u>Subject</u> | <u>Page No.</u> |
|--|------------------------|
| 1. Draft Budget 2002/2003 - Approval To Place On Public Exhibition..... | 243 |
| 2. Draft 2002-2005 Corporate Plan - Approval To Place On Public Exhibition..... | 244 |
| 3. Tender No. 0201 - Graffiti Removal Service: Competitive Tendering Round Two | 245 |

| <u>Subject</u> | <u>Page No.</u> |
|---|-----------------|
| 4. Customs House/Town Hall House Projects | 245 |
| 5. Tender For External Audit Services | 246 |

PRESENT

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

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

At the commencement of business at 4.37pm those present were:-

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

The General Manager, Director City Development, General Counsel, Director Living City Services, Director City Projects and Director Corporate Services were also present.

Apology

Councillor Ho extended his apologies for his inability to attend the Extraordinary Meeting of Council as he was overseas.

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

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

Carried.

The Chairman (the Lord Mayor) left the meeting at 5.55pm during discussion on Item 4 and returned at 6.00pm during discussion on Item 5.

Councillor Farr-Jones left the meeting at 5.55pm during discussion on Item 4 and did not return.

ITEM 1. DRAFT BUDGET 2002/2003 - APPROVAL TO PLACE ON PUBLIC EXHIBITION (S019994)

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

That arising from consideration of a report by the Finance Manager to the Extraordinary Meeting of Council on 27 May 2002, on the Draft Budget 2002/2003 - Approval to Place on Public Exhibition, it be resolved that Council -

- (A) approve the draft 2002/2003 budget, as shown at Attachment A to the subject report, for inclusion in Council's draft Corporate Plan including:
 - (i) operating income of \$176.6M, operating expenditure before depreciation and financing of \$120.4M and a net surplus of \$29.8M after depreciation, financing and capital contributions;
 - (ii) capital works expenditure of \$70.9M;
 - (iii) plant and assets expenditure of \$6.3M;
- (B) approve the draft 2002/2003 budget for release to the public on request;
- (C) approve the draft Schedule of Fees and Charges, as shown at Attachment B to the subject report, 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 draft Schedule of Fees and Charges for release to the public on request;
- (F) reaffirm that no expenditure from the General Contingency, the Boundary Adjustment Contingency, the Reserve for Special Organisational Needs nor the Special 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 quarterly reports on expenditure from Contingencies be made to Councillors;
- (G) note that expenditure on plant and assets, and consultants (greater than \$20,000) will continue to require the specific approval of the General Manager for each individual item;
- (H) approve the inclusion of the four possible rating structures, discussed within the subject report, in Council's draft Corporate Plan; and
- (I) note that the final proposed rating structure is pending the decision of the Minister for Local Government in respect of Council's submission.

Carried unanimously.

ITEM 2. DRAFT 2002-2005 CORPORATE PLAN - APPROVAL TO PLACE ON PUBLIC EXHIBITION (S015559)

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

That arising from consideration of a report by the Acting Manager, Contracts and Asset Management to the Extraordinary Meeting of Council on 27 May 2002, on Draft 2002-2005 Corporate Plan, it be resolved that the Draft Corporate Plan 2002-2005, as shown at Attachment A to the subject report, be placed on public exhibition for a period of 28 days commencing 28 May 2002 and that a further report be submitted to Council at the conclusion of the exhibition period.

Carried unanimously.

Closed Meeting

At 5.25pm, 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 Items 3 and 5 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;
- Section 10A(2)(c) to discuss Item 4 on the agenda as this matter comprised information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;

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

Items 3, 4 and 5 were then dealt with by Council while the meeting was closed to the public.

**ITEM 3. TENDER NO. 0201 - GRAFFITI REMOVAL SERVICE:
COMPETITIVE TENDERING ROUND TWO (S017376)**

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

That arising from consideration of a report by the Senior Project Coordinator, Contracts and Asset Management, to the Extraordinary Meeting of Council on 27 May 2002, on Tender No. 0201 - Graffiti Removal Service: Competitive Tendering Round Two, it be resolved that:

- (A) all tenders be rejected;
- (B) Council not invite new tenders for the graffiti removal service, as a satisfactory result is not expected due to:
 - (i) The majority of service providers in the market appear to have participated in this tender process, and
 - (ii) The anticipated benefits of dealing directly with providers in graffiti removal services;
- (C) authority be delegated to the General Manager to enter into a suitable contract for graffiti removal services, following successful negotiations with the Tenderers recommended in paragraph 40 of the subject report and subject to the Lord Mayor's concurrence on service levels and contract price; and
- (D) Council's Attorney be authorised to execute all relevant documents.

Carried unanimously.

ITEM 4. CUSTOMS HOUSE/TOWN HALL HOUSE PROJECTS

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.

ITEM 5. TENDER FOR EXTERNAL AUDIT SERVICES (S019412)

Moved by Councillor Turnbull, seconded by Councillor Marsden -

That arising from consideration of a Memorandum by the General Manager to the Extraordinary Meeting of Council on 27 May 2002, on the Tender for External Audit Services, it be resolved that:

- (A) all tenders be rejected;
- (B) fresh tenders be invited for audit services for the 6 years ending 30 June 2008;
- (C) the Auditor General be invited to audit the Council's financial reports for the financial year ended 30 June 2002 in accordance with section 425 of the Local Government Act, for the reasons set out in the subject Memorandum by the General Manager;
- (D) the General Manager be authorised to agree the fee payable to the Auditor-General.

Carried unanimously.

At 6.10pm the meeting concluded.

Chairman of a meeting of the Council of the City
of Sydney held on 3 June 2002 at which
meeting the signature herein was subscribed.