



15 SEPTEMBER 2003

Meeting No 1394

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 5.32pm on 15 September 2003 pursuant to Notice19/1394 dated 11 September 2003.

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PRESENT

The Right Hon The Lord Mayor Councillor Lucy Turnbull
(Chair)

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

At the commencement of business at 5.32pm those present were:-

The Lord Mayor, Councillors Coulton, Greiner and Marsden.

Councillor Farr-Jones arrived at the Extraordinary Meeting of Council at 5.40pm during discussion on Item 1.

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

Apologies

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

Moved by the Chair (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.

Closed Meeting

At 5.33pm 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)(c) of the Local Government Act 1993 to discuss Items 1 to 3 inclusive on the agenda as these matters comprised discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposed 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 matter and the circumstances of communications.

Items 1 to 3 inclusive were then dealt with by the Extraordinary Meeting of Council while the meeting was closed to the public.

ITEM 1. ORGANISATIONAL MATTERS ARISING FROM VOLUNTARY REDUNDANCY PROGRAM (S024958)

Note - in view of the confidential nature of the subject matter, the Council determined that the Resolution on this matter remain confidential for a period as described in the Resolution.

Note - the confidential Memorandum by the General Manager on Organisational Matters Arising from the Voluntary Redundancy Program was circulated to all Councillors.

ITEM 2. PURCHASE OF SMARTPOLES™ (S015528)

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

That arising from the consideration of a report by the General Counsel and Senior Project Manager to the Extraordinary Meeting of Council on 15 September 2003, on the Purchase of Smartpoles™, it be resolved that:

- (A) Council not invite tenders for the purchase of Smartpoles™ as, for the reasons set out in paragraphs 15 to 23 of the subject report, a more satisfactory result would not be achieved by inviting tenders;
- (B) authority be delegated to the General Manager, after consultation with the Lord Mayor, to enter into an agreement for the supply of Smartpoles™, on the basis outlined in the subject report;
- (C) the Public Domain Manual be amended to provide that the 'Series 2' Smartpole™ range in colour 'traditional slate (M 232)' is the lighting standard for street upgrades other than in the CBD and the City Gateways (namely William Street, Oxford Street and Broadway); and
- (D) all relevant documentation be executed by Council's attorney.

The motion was carried on the following show of hands -

Ayes (4) - the Chair (the Lord Mayor), Councillors Coulton, Farr-Jones and Marsden.

Noes (1) - Councillor Greiner.

Motion carried.

ADDITIONAL MATTER FOR COUNCIL

FILE NO:

DATE: 15/9/03

MINUTE BY THE LORD MAYOR

To Council:

Attached for consideration at the Extraordinary Meeting of Council on 15 September 2003, is a confidential report by the Director City Development and Projects on Customs House Reconstruction - Main Building Works Tender.

I bring forward this item for the consideration of Council.

(SGD) COUNCILLOR LUCY TURNBULL

Lord Mayor

ITEM 3. CUSTOMS HOUSE RECONSTRUCTION - MAIN BUILDING WORKS TENDER (2253/13.01/0321)

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

That further to resolution of Council of 18 August 2003 and arising from consideration of a report by the Director City Development and Projects to the Extraordinary Meeting of Council on 15 September 2003 on the Customs House Reconstruction - Main Building Works Tender, it be resolved that:

- (A) Council endorse the variation to the scope of the tender negotiations as discussed in paragraph 2 of the subject report;
- (B) Council authorise the General Manager to negotiate further with the companies named in paragraph 9 of the subject report on the basis described in the subject report;
- (C) authority be delegated to the General Manager, to enter into a contract for the works at a price not exceeding the amount referred to in paragraph 9 of the subject report;
- (D) Council's attorney be authorised to execute all necessary documentation; and
- (E) Councillors be briefed on the outcome of negotiations once a contract has been entered into.

The motion was carried on the following show of hands -

Ayes (4) - the Chair (the Lord Mayor), Councillors Coulton, Greiner and Marsden.

Noes (1) - Councillor Farr-Jones.

Motion carried.

(Note - Councillor Farr-Jones indicated a wish to abstain from voting on this matter. Pursuant to the provisions of clause 24(1) of the Local Government (Meetings) Regulation 1999, Councillor Farr-Jones is taken to have voted against the motion).

At 6.11pm the meeting concluded.

Chairman of a meeting of the Council of the City
of Sydney held on 27 October 2003 at which
meeting the signature herein was subscribed.