

226th Meeting**Erskineville Town Hall
Erskineville****Monday 3 May 1999**

An Extraordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.35 pm on Monday, 3 May 1999.

PRESENT

The Mayor, Councillor Vic Smith (Chairperson)

Councillors - John Bush, , Sonia Fenton, John Fowler,
Christine Harcourt, Jill Lay, Sean Macken,

INDEX TO MINUTES

| Subject | Page No. |
|---|-----------------|
| Apologies | 410 |
| Minutes by the Mayor | 410 |
| Minute by the General Manager | 411 |
| Minute by the Director of Public Works and Services | 417 |
| Minute by the Equal Employment Opportunity Manager Organisational Development Department | 419 |
| Minute by the Director of Finance | 420 |
| Questions Without Notice | 422 |
| Welcome to Mayor of Botony Council Ron Hoeng | 423 |

Apologies

Apologies for non attendance were received from Councillors Deftereos and Waters

Moved by Councillor Macken, seconded by Councillor Fowler:-

That the apologies be received and accepted and leave of absence from the meeting be granted.

Carried.

MINUTE BY THE MAYOR

3 May 1999

DEATH OF MRS. DEFTEREOS - MOTHER OF COUNCILLOR MARGARET DEFTEREOS

It is with regret that I advise Council of the recent death of Mrs. Katherine Deftereos, mother of Councillor Margaret Deftereos.

Mrs. Deftereos died suddenly on Saturday 1 May 1999.

It is recommended that a letter under the signature by the Mayor and a floral arrangement be forwarded to Councillor Deftereos and her family, expressing the condolences of Council.

Councillor Vic Smith (SGD)
MAYOR

Moved by the Mayor, seconded by Councillor Lay :-

That the minute by the Mayor be approved and adopted.

Carried.

MINUTE BY THE MAYOR

3 May 1999

DEATH OF MRS. DOROTHY O'DONNELL

It is with regret that I advise Council of the recent death of Mrs. Dorothy O'Donnell, mother of Mr. Ray O'Donnell, former Supervising Committee Clerk of South Sydney Council.

Dorothy died on 21st April 1999, after a long illness.

It is recommended that a letter under the signature by the Mayor be forwarded to Ray and his family, expressing the condolences of Council.

Councillor Vic Smith (SGD)
MAYOR

Moved by the Mayor, seconded by Councillor Harcourt:-

That the minute by the Mayor be approved and adopted.

Carried.

MINUTE BY THE GENERAL MANAGER

3 May, 1999

SOUTH SYDNEY CITY COUNCIL
SHORT TERM LEASED ACCOMMODATION –280 ELIZABETH STREET
SURRY HILLS

INTRODUCTION

At the Council meeting dated 28 April 1999, the Council resolved to consider two buildings for possible relocation. These were No.280 Elizabeth Street, Central and Nos.1-5 Francis Street, East Sydney.

SUMMARY

This report will recommend the leasing of 280 Elizabeth Street, Surry Hills.

The report will also address the suitability and costs associated with a relocation to 1-15 Francis Street, East Sydney, as well. The total cost will encompass relocation expenses, fit-out costs, rental obligations and make good responsibilities at lease expiry.

Fit-out costs and associated costs are indicative at this time, but give an indication of the expenses associated with relocation and moving out upon lease termination.

Both buildings were inspected by His Worship, The Mayor, Councillor Vic Smith, and Councillors, together with Directors and staff representatives.

The comments obtained from the staff favoured the Elizabeth Street, Surry Hills premises. The general comment was that the building felt good, was new, offered good natural light is handy to transport and shops, and also the possible availability of the gymnasium belonging to the Department of Veteran Affairs offered a benefit. Concerns related mainly to the provision of staff with lease back vehicles.

Francis Street, East Sydney, comments were not complimentary and drew a comparison with 140 Joynton Avenue.

The Council's Traffic Engineers have commented on the Francis Street and Elizabeth Street premises. In summary, the Elizabeth Street premise is favoured, as it is unaffected by Council's operations. There is easy vehicular movement to and from the building, and visitor and short term parking available within the building or adjoining buildings.

The Traffic Engineers believe that Francis Street has a number of problems. Access to and from the building is restrictive, there is limited public parking, narrow one-way street systems, and residential areas affected by an increase in traffic due to the Council's operations. Also, additional vehicle parking required by Council is not conveniently located.

The Traffic Engineers report is attached. (Section 1)

Fit-out Costs

Preliminary estimates prepared by the Council's Project Management Group suggest the cost of fitting out and removals from Francis Street is approximately \$2.169m, whilst Elizabeth Street is \$670,000, a difference of \$1.497m in favour of Elizabeth Street.

This is mainly due to the fit-out of 280 Elizabeth Street being utilised and the Council not being responsible for its removal upon termination of the lease period. The

Council, however, will be responsible for any specialised fit-out, i.e. One Stop Shop and Council Chambers. The above has been factored into the above figures.

Insurance

Scope of Cover

The Council is covered for reinstatement/replacement of damaged property. The cover in respect of having to relocate and rent temporary premises is limited to \$1.5m, however, the actual pay-out to Council could be reduced if Council has 140 Joynton Avenue reinstated, say within six months. The Council will only receive a pro rata pay out of the above amount.

Details of the Council's insurance are attached. (Section 2)

Access & Availability

At the time of preparing this report, the consultant from Department of Veteran Affairs advised that floors could become available from early to mid June 1999. This is considered ideal, as it allows Council staff to pre plan layouts and prepare for the move.

Francis Street is also available mid June, however, the reluctance of the present owner to enter into a commitment to lease pending the possible change of ownership, in reality, discards this building.

BUILDING DETAILS

1. CENTENNIAL PLAZA, 280 ELIZABETH STREET, SURRY HILLS.

This building comprises a modern 13 level office building with floor plates of 1300 square metres, being approximately 10 years old, and providing a very high grade of office accommodation.

Basement parking for up to 90 cars, ground floor, and floors part 8 and 9-10 are progressively available between June 1999 and 1 October 1999, depending upon the Department of Veteran Affairs vacation program.

The floors available are currently occupied by Veteran Affairs.

The ground floor has a large entry foyer fronting Mary Street, which is near the South Sydney City Council area.

The following lease proposal has been offered to Council:

| | |
|--------------|--|
| Area: | 6055 square metres |
| Term: | 3 years |
| Option: | 1 year, subject to a 15 month option review period |
| Base Rental: | Office, \$368/m ² gross p.a. |

| | |
|--|---|
| | Outgoings, \$68/m ² p.a. Carspaces, \$250/Month |
| Rent Review: | Office rent to increase annually by CPI Carparking rental to increase by 5% p.a. Outgoings likely to increase by 5% p.a. |
| Make Good: | No obligation to make good imposed on Council at lease expiry, provided Council utilises existing fit-out. Any works proposed by Council will require make good at lease expiry. This mainly refers to any specialised fit-out. |
| Lease preparation costs & Stamp Duty: | Payable by Council |

BT Funds Management's proposal is attached. (Section 3)

1. 1-15 FRANCIS STREET, EAST SYDNEY

A 14 level office building of approximately 30 years old, providing secondary grade office accommodation and formerly occupied by government departments, including State Property.

The building is typical of its age and requires re-carpeting and painting. Floors G, 1, 2, 3, 6, 11, and part 12 are available 3 June 1999, whilst floors 4 to 5 and part 12 will be ready for occupation on 2 September 1999, providing some 6160 square metres of office accommodation. 45 basement car spaces are also available. Vehicular access is to and from Hargrave Street.

The property is currently under Contract for Sale until 12 May 1999 and the current owner is not able to offer Council a lease proposal until this date. Should the building change ownership, it appears unlikely that the building will be available.

This building is located almost opposite Sydney Police Headquarters and directly behind the Hyde Park and Marriot Hotel on College Street. There is very limited public parking available around the area. Access to public transport is from either Town Hall or Museum Rail Station. Bus services operate along Elizabeth Street.

The following lease proposal has been offered to Council:

| | |
|--------------|--|
| Area: | 6160 square metres |
| Term: | 3 years |
| Option: | 3 years |
| Base Rental: | Office, \$295/m ² p.a. |
| Outgoings: | Increases in base year outgoings payable by the lessee |
| Carspaces: | \$285/Month |

| | |
|--|---|
| Rent Review: | Office rent, Year 2, \$315/m ² p.a. and Year 3, \$330/m ² p.a. Carparking rental to increase annually by 7% Pa and 5% p.a. in year 3 Outgoings likely to increase by 5% Pa Market review is activated at lease renewal |
| Make Good: | Council will be required to make good at lease expiry. |
| Lease preparation costs & Stamp Duty: | Payable by Council |

The details as presented by Knight Frank, are attached. (Section 4)

Rental Obligations

The rental cost to Council to lease 280 Elizabeth Street, Surry Hills, over a three year lease period is \$6.902M, as compared to \$5.9856M sought from 1-15 Francis Street, East Sydney.

Refer to Rental analysis attached. (Section 5)

Make Good Responsibilities

Should Council choose to relocate to 280 Elizabeth Street, Central, it would have no make good responsibilities if the existing fit-out of the Department of Veteran Affairs were utilised. Any fit-out works proposed by Council would be subject to make good.

This advantage is not available at 1-15 Francis Street, East Sydney, where Council would be liable for make good at lease expiry.

As can be seen, Elizabeth Street provides a far more attractive proposition for Council.

STAFF COMMENTS

Planning & Building Comments

On behalf of the staff of the Planning and Building Department, I would like to suggest that Council vote for the premises at Elizabeth Street, for the following reasons:

- (1) Prestigious location and premises appropriate to the needs of Council.
- (2) Greater accessibility for ratepayers, with numerous bus routes running along Elizabeth Street, taxi ranks along Chalmers Street, and Central Station across the road. Also, visitor car spaces available.
- (3) Ample natural light.
- (4) Our entire department would be able to be located on one floor, minimising inefficiencies due to unnecessary staff movements.
- (5) Better facilities, including gym and aerobics room.

Concerns

The area in which many staff have a concern arises regardless of which location is chosen. That is, the lease back car arrangement. Staff consider it unfair that they should incur additional public transport costs if they were to assist Council by leaving their car at home. It is also important to ensure that if a car pooling arrangement is to be used, then there must be ready access to vehicles for inspections, while consideration must also be given to the issue of responsibility for damages.

Clearly, there are numerous issues that need to be resolved to ensure that the pay conditions of staff are not adversely affected. With regard to working conditions, staff could only be well satisfied by the premises at 280 Elizabeth Street.

Comments on Site Visits 3/5/99 - Sharon Campisi
Centennial Plaza, 280 Elizabeth Street, Sydney (preferred option)

- Has good access to public transport for visitors and staff.
- Is more centrally located for all residents.
- Has more (100?) parking spaces available - parking is a major issue considering the Department's pool cars and those lease backs which are used as pool cars during the day.
- Ability to house a whole department on the one floor.
- Has disabled access and services.
- Ability to use existing building services (e.g. I.T. and some partitioning).
- Better capacity to accommodate the One Stop Shop, which would present a better image to visitors.
- Has a functioning gym.

1-15 Francis Street, East Sydney

- Less (50?) parking spaces and poor access to parking.
- Poorer access to public transport.
- Can't house whole departments on the one floor.
- Disabled access and services???
- Need to spend time and money renovating and setting up services.
- Inefficient lifts.

RECOMMENDATION

That Council provides the General Manager with the authority to enter into formal lease negotiations with Bankers Trust to lease 280 Elizabeth Street, Central.

GENERAL MANAGER

J.W.Bourke (SGD)
General Manager

Moved by Councillor Lay, seconded by Councillor Harcourt.

That the minute by the General Manager be approved and adopted.

Carried.

At the request of Councillor Fenton, and by consent, the Director of Finance be requested to submit a report in respect of Fringe Benefit's Tax relating to the new leased building regarding parking.

Carried.

MINUTE BY THE DIRECTOR OF PUBLIC WORKS AND SERVICES

3 May 1999

ADMINISTRATION - SYDNEY HAIL STORM - COMMUNITY CLEAN UP - TEMPORARY WAIVING OF FEES (M51-00011)

SPECIAL MEETING OF COUNCIL

The Emergency Committee has discussed means by which Council can assist with the initial clean up and repair to housing and its effect on the public way - following the catastrophic hail storm damage of 14 April, 1999.

- (1) General Clean Up - Council is arranging the free pick up of discarded furniture items, fittings, carpet and roofing materials (excluding asbestos products);
- (2) Hoardings - Should repairs require a need for a 'A' or 'B' Class hoarding it is proposed to waive the weekly fee of \$40 and \$92 per street frontage respectively;
- (3) Waste Containers on the Public Way - Council does not charge for individual waste containers placements on the streets of South Sydney but charges an annual fee for bin hirers to provide regulation of the location of the bins to guard against site distance and obstruction problems. We propose not to change these arrangements other than being sympathetic to urgent removal requirements and accommodate bins on footpaths if an alternative is not available and pedestrians are adequately catered for;
- (4) Crane Permits - These permits are still required to be approved by the Police Department to ensure all concerns of other road users are met;
- (5) Barricades - Council usually hires barricades, lamps and trestles at \$15.00 per set per day and places barricades for a fee. We suggest these fees be waived if requested to be used because of storm damage;

- (6) Road and Footpath Opening Permits - Very little urgent road openings are anticipated as a direct result of the hail storm. As a restoration fee is payable and there are public risk issues involved we propose the current fees and charges still apply through the emergency period for these permits.

The above arrangements are to be reviewed by Council at its first regular meeting in June, 1999.

RECOMMENDATION:

That:-

- (1) the information contained in this report be received and noted.
- (2) the 1999 Fees and Charges for:
 - (a) Hoardings
 - (b) Crane permits
 - (c) Barricades

for applicants associated with urgent repairs or property protection as a direct consequence of the Sydney hail storm of 14 April, 1999 be WAIVED, and these arrangements be reviewed by Council at its meeting of 9 June, 1999.

Ron Wilcoxon (SGD)

DIRECTOR OF PUBLIC WORKS & SERVICES

Moved by Councillor Harcourt, seconded by Councillor Macken.

That the minute by the Director of Public Works and Services be approved and adopted.

Carried.

**MINUTE BY THE EQUAL EMPLOYMENT OPPORTUNITY MANAGER,
ORGANISATIONAL DEVELOPMENT DEPARTMENT**

29 April 1999

**PERSONNEL - RESPONSE TO QUESTION FROM COUNCILOR FENTON -
SUPPORT TO STAFF**

DIRECTOR OF ORGANISATIONAL DEVELOPMENT

In response to a question by Councillor Fenton at Council's meeting of Wednesday 28 April, 1999, I wish to advise that Council's ongoing support for staff is being provided by means of:

- An Employee Assistance Program (EAP)

Access Programs - providing confidential counselling for work-related or personal problems for staff and their families/loved ones on an individual basis, as well as a 24 hour 1800 number.

- Maintaining a Social Environment by:
 - BBQ lunch
 - Evening Drinks
 - "Hail, rain and shine" t-shirts for all staff
- Maintaining and keeping channels of communication open by:
 - Daily meetings with staff
 - Providing updates, feedback and opportunities for staff to seek information and clarification on issues
 - Ascertaining on a daily basis both work and family needs of staff
 - Providing staff paid time to attend to any matters pertaining to damage to their personal property
 - Flexibility of working conditions to accommodate family needs
 - Rostering of staff with pay on a needs basis
 - Annual leave options

These strategies are paramount in ensuring that the needs of staff are accommodated and therefore support for our staff is ongoing.

EEO Manager (SGD)

Moved by Councillor Harcourt, seconded by Councillor Macken.

That the minute by the Equal Employment Opportunity Manager, Organisational Development Department be received and noted.

Carried.

MINUTE BY THE DIRECTOR OF FINANCE

30 April 1999

MANAGEMENT PLAN 1998/2001 - FEES AND CHARGES 1998/1999 (2013185)

COUNCIL

Council's Fees and Charges currently apply for the period 1 July 1998 to 30 June 1999.

Due to the disruption caused by the storm of Wednesday 14 April, it is necessary to amend the Timetable for the adoption of the 1999/2002 Management Plan. The amended timetable has been circulated to Councillors in the CIS and it is expected that the plan can be adopted Monday 12 July 1999. Consequently it is necessary to extend the application of the 1998/1999 Fees and Charges to 12 July 1999.

I have contacted the Department of Local Government in regards the necessity of advertising this change. It appears the Act is silent on this matter, consequently the Department advise to err on the side of caution and advertise for 28 days. Section 612 of the Act reads as follows:

612 Public notice of approved fees

612

- (1) A council must not determine the amount of an approved fee until it has given public notice of the fee in accordance with this section and has considered any submissions duly made to it during the period of public notice.
- (1) Public notice of the amount of a proposed fee must be given (in accordance with section 405) in the draft management plan for the year in which the fee is to be made.
- (3) However, if, after the date on which the management plan commences:
 - (a) a new service is provided, or the nature or extent of an existing service is changed, or
 - (b) the regulations in accordance with which the fee is determined are amended,

the council must give public notice (in accordance with section 705) for at least 28 days of the fee proposed for the new or changed service or the fee determined in accordance with the amended regulations.

The 1999/2000 Fees and Charges will apply for the period 13 July 1999 to 30 June 2000.

Recommendation

That Council extends the period for application of the 1998/1999 Fees and Charges to 12 July 1999, the full period being from 1 July 1998 to 12 July 1999 and that 28 days public notice of this extension be given.

M. Duffy (SGD)

Director of Finance

Moved by Councillor Harcourt, seconded by Councillor Lay.

That the minute by the Director of Finance be approved and adopted.

Carried.

QUESTIONS WITHOUT NOTICE

1.

DISASTER RECOVERY PROGRAM - COMPUTER FACILITIES (QUESTION BY COUNCILLOR BUSH)

Councillor Bush asked the question in regard to the Disaster Recovery Programme, in respect of Councils computer facilities.

ANSWER BY THE MAYOR

I will ask, the Director of Corporate Services to have a report prepared for consideration at the Finance Committee meeting on Wednesday 5 May 1999.

2. **CELEBRATION – RAS SHOW – EVENING FOR SES WORKERS BY KING CROSS ROTARY CLUB - QUESTION BY COUNCILLOR FENTON**

I have received representation from the Kings Cross Rotary Club in respect of sponsoring an evening for all emergency workers at the Royal Agricultural Show Moore Park to show their appreciation for the work that was done in securing premises that were damaged in the hail storm.

ANSWER BY THE MAYOR

I am happy to write to the organisations inviting them to a reception for their outstanding efforts in respect of securing premises that were damaged in the hail storm but this would be a mammoth task as workers will come from all over Australia to help with the clean up work.

3 **DEVELOPMENT APPLICATION – SAFE INJECTION ROOMS – QUESTION OF SUBMISSION OF DEVELOPMENT APPLICATIONS - QUESTION BY COUNCILLOR BUSH**

I would like to raise the matter of safe injection rooms (Shooting Galleries) and Development Applications being submitted to Council. What will be Council's position?

ANSWER BY THE MAYOR

The Mayor indicated that he morally supports the proposal. If a Development Application is submitted it would be presented to Council, but Council does not have the power to approve the application.

The matter would have to be referred to the Premier and the Minister for Health, and the Attorney General.

At this stage the Mayor welcomed to the meeting the Mayor of Botany City Council, Ron Hoenig.

The Council Meeting terminated at 6.19 p.m.

Confirmed at a meeting of South Sydney City Council

held on1999

CHAIRPERSON

GENERAL MANAGER