

**ITEM 7. REPORT OF THE FINANCE, PROPERTIES AND TENDERS
COMMITTEE - 26 MARCH 2007**

ITEM 7.1

DISCLOSURES OF INTEREST

No Councillors disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Finance, Properties and Tenders Committee.

The Committee recommends the following:-

ITEM 7.2

OWNER'S CONSENT - PEMULWUY PROJECT REDFERN (S050260)

It is resolved that Council:

(A) note the following concerns about the Concept Plan application:

- (1) non-compliance with the development controls for height and FSR;
- (2) the design and treatment of the residential roofs should provide a more articulated built form to break up the perceived bulk of the development and contribute more positively to the skyline;
- (3) the design and treatment of proposed residential buildings should better reinforce the street pattern and address the street alignment having regard to the project's social and cultural design considerations. The opportunity exists to improve the side elevations of the buildings to achieve greater continuity of built form, and to achieve more active street frontages and improved articulated facades;
- (4) the interpretation of the alignments of Eveleigh Lane and that part of Caroline Lane, which is proposed to be closed, should be reviewed; and
- (5) the public benefits to be provided in light of the reduction in the City's open space should be articulated.

(B) as owner of:

- (1) Eveleigh Lane, Redfern
- (2) part of Caroline Lane, Redfern and
- (3) 91-99 and 119-121 Eveleigh Street, Redfern

consent to the inclusion of the Council land in the Concept Plan application lodged with the Department of Planning known as the Pemulwuy Project solely to enable the Concept Plan application process to proceed;

(C) note that the owner's consent granted in clause (B):

- (1) does not grant approval for the closure, reclassification, sale or transfer of the above described Council land, which will require a further resolution of Council; and
- (2) does not express any opinion as to the planning merits of the Concept Plan or fetter Council's discretion on raising its planning concerns;

(D) note that no formal request has been made for the closure, reclassification, sale or transfer of the above described Council land in (B) and approval of any such request would require:

- (1) any sale/transfer to be at market value; and
 - (2) an appropriate deed with the Aboriginal Housing Company Ltd to permit the land to be transferred back to the Council in the event that the current proposal is significantly altered or ownership changes;
- (E) note that the next stage of the Concept Plan application process, following granting of owner's consent, is for the applicant to lodge a Project Application with the Minister for Planning. This Project Application will be referred to Council for comment and placed on public exhibition. Council consideration of Council road closures/transfer and sale is concurrent with this process.

ITEM 7.3**TENDER – REDFERN PARK (SO44974)**

It is resolved that:

- (A) Council accept the lump sum tender offer of company 'A' for the construction of Redfern Park;
- (B) additional funding, as identified in confidential Attachment A to the subject report, be included in the capital project budget; and
- (C) Tender Evaluation Summary, Attachment A, remain confidential in accordance with Section 10A(2)(d) of the Local Government Act 1993.

ITEM 7.4**TENDER - COOK AND PHILLIP PARK REFURBISHMENT WORKS (S045109)**

It is resolved that:

- (A) Council accept the lump sum tender offer of Company E, as described in confidential Attachment A to the subject report, for the refurbishment works including waterproofing, specialist treatment of exposed concrete, paving and demolition works at the Cook and Phillip Park facility and forecourt areas;
- (B) Council note that:
 - (1) there has been consultation with Ausleisure Pty Limited, the operator of the aquatic centre, in relation to the timing and scope of the refurbishment works; and
 - (2) the terms of the contract for the refurbishment works require the successful tenderer to consult with the operator prior to determining the timing of elements of the works which impact on the operations of the aquatic centre;
- (C) authority be delegated to the Chief Executive Officer to consider requests by Ausleisure Pty Limited to vary the contract for the operation of the aquatic facility having regard to the likely impact of the refurbishment works and, after consultation with the Lord Mayor, to make such changes as are necessary or reasonable to protect Council's interests; and
- (D) Tender Evaluation Summary, Attachment A, remain confidential in accordance with Section 10A(2)(d) of the Local Government Act 1993.

ITEM 7.5**TENDERS – DOMAIN CARPARK – REMEDIAL WORKS (ELECTRICAL AND MISCELLANEOUS) (S051341)**

It is resolved that:

- (A) Council reject all tenders as described in confidential Attachment A to the subject report;
- (B) Tender Summary, Attachment A, remain confidential in accordance with Section 10A(2)(d) of the Local Government Act 1993; and
- (C) Council note that no new tenders will be called and essential works will be undertaken by quotation.

Closed Meeting

At 2.35pm, the Finance, Properties and Tenders Committee resolved -

That the meeting be closed in accordance with the provisions of Section 10A(2)(d)(i) of the Local Government Act 1993 to discuss confidential Attachments A and B to Item 7.6 on the agenda as this matter comprised 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 is a need to preserve confidentiality having regard to the subject matter and the circumstances of communication.

Matters relating to Attachments A and B to Item 7.6 were then discussed by the Finance, Properties and Tenders Committee while the meeting was closed to the public.

ITEM 7.6**TENDER – SYDNEY 2030 CONSORTIUM (S052062)**

It is resolved that:

- (A) Council accept the lump sum tender of Company "C" for Stage 2 of the Sydney 2030 Project and reject Stage 3 and Stage 4;
- (B) authority be delegated to the Chief Executive Officer to negotiate acceptance of Company "C" tender for each of Stages 3 and 4, subject to:
 - (1) satisfactory performance in respect of Stage 2; and
 - (2) the total cost not exceeding the amounts tendered by Company "C";
- (C) Tender Evaluation Summary, Attachment A to the subject report, remain confidential in accordance with Section 10A(2)(d) of the Local Government Act 1993;
- (D) Key Personnel / Capabilities of Project Teams, Attachment B to the subject report, remain confidential in accordance with Section 10A(2)(d) of the Local Government Act 1993; and
- (E) Council note that there is a need to allocate additional funds in the 2007/08 budget.