



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, 31 Victor Street, Chatswood

11 July 2016

commencing at 7:00pm

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1 PRESENT

Councillors

Her Worship the Mayor Councillor G Giles-Gidney, Councillors S Coppock, H Eriksson, R Hill, J Hooper, T Mustaca, W Norton, J Rutherford, A Rozos, L Saville and M Sloane

Officers

Ms D Just (General Manager), Mr P Conroy (Planning & Infrastructure Director), Mr I Arnott (Planning Manager), Mr M Cashin (Community Life Manger), Ms M Hillman (Governance Manager) and Ms P Sheldrake (Minute Secretary)

2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF

- Her Worship the Mayor Councillor G Giles-Gidney declared, via a Disclosures of Interest form, a non-pecuniary substantial interest in Item 13:1: Planning Proposal for 12 Frederick Street, St Leonards
(*Nature of Interest: Relationship to Dexus CEO*)

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 27 June 2016, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville and Sloane.

Against: Nil

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillors Stevens and Wright tendered an apology for Monday 11 July 2016.
- Councillor Eriksson requested Leave of Absence from Friday 22 July – Sunday 31 July 2016
- Councillor Coppock requested Leave of Absence from Thursday 14 July – Monday 18 July 2016
- Councillor Gail Giles-Gidney requested Leave of Absence from Thursday 11 August – Friday 19 August 2016

RESOLUTION

That Council:

1. Grant Leave of Absence to Councillors Stevens and Wright for Monday 11 July 2016.
2. Grant Leave of Absence to Councillor Eriksson from Friday 22 July – Sunday 31 July 2016
3. Grant Leave of Absence to Councillor Coppock from Thursday 14 July – Monday 18 July 2016
4. Grant Leave of Absence to Councillor Gail Giles-Gidney from Thursday 11 August – Friday 19 August 2016

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville and Sloane.

Against: Nil

5 PETITIONS

NIL

6 OPEN FORUM

NIL

7 MAYORAL MINUTE

7.1 MAYOR'S DIARY – COUNCIL MEETING NOTES – 11 JULY 2016

The Mayoral Report was circulated to all Councillors listing the Mayor's activities.

WEDNESDAY 29 JUNE			
Cr Saville	9.30 am – 3 pm	Health Equity Forum	UNSW
Mayor Cr Rutherford	11.30 am	Citizenship Ceremony	Council Chambers
Mayor	6.30 pm	Chatswood Rotary Changeover Dinner	Chatswood Golf Club
SUNDAY 3 JULY			
Cr Saville	6.30 pm	“Don't DisAbilities” Spectacular	The Concourse
MONDAY 4 JULY			
Mayor	11.30 am	Opening of New Blood Donor Centre	Chatswood Interchange
TUESDAY 5 JULY			
WEDNESDAY 6 JULY			
THURSDAY 7 JULY			
Cr Saville	12.30-3 pm	Meeting: Greater Sydney Local Land Services	Penrith Council
Mayor Cr Eriksson	6 pm	NSROC Meeting	Lane Cove Council
Mayor Cr Eriksson	7.30 pm	Opening of Art Expo	The Incinerator Art Space
FRIDAY 8 JULY			
Mayor	10 am	Visit to Pre-School	Devonshire Street
SATURDAY 9 JULY			
SUNDAY 10 JULY			

RESOLUTION

That Council write a letter of congratulations to Trent Zimmerman Federal Member for North Sydney and Paul Fletcher Federal Member for Bradfield.

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville and Sloane.

Against: Nil

8 GENERAL MANAGER'S LATE REPORT

NIL

9 MATTERS FOR DEFERRAL, REFERRAL TO INSPECTION AND/OR PROCEDURAL PRIORITY

NIL

10 MATTERS BROUGHT FORWARD BY THE PUBLIC

Item 13.1 Planning Proposal for 12 Frederick Street, St Leonards

11 MATTERS NOT REQUIRING ELABORATION OR DEBATE

The Mayor invited Councillors to indicate the items not brought forward by the public that they wished to deal with separately:

Item 17.1 Overview – Community Small Grants Program 2016/17

Item 18.2 Upgrade of 48 Parking Meters from 2G to 3G Modems

RESOLUTION

That the remaining items, viz:

Item 12.1 Natural heritage & Bushland Advisory Committee Meeting –
2 June 2016

Item 12.2 Mosaic Advisory Committee Meeting – 22 July 2016

Item 12.3 Bicentennial Reserve and Flat Rock Gully Committee – 31 May
2016

Item 14.1 Councillors Information Booklet – 28 June and 5 July 2016

Item 17.2 ROI Concession Application from the Salvation Army Chatswood

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR HOOPER**SECONDED COUNCILLOR MUSTACA****CARRIED****Voting**

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville and Sloane.

Against: Nil

12 REPORTS FROM COMMITTEES

12.1 NATURAL HERITAGE & BUSHLAND ADVISORY COMMITTEE MEETING - 2 JUNE 2016

ATTACHMENTS:	1. CASTLE COVE PARK RESERVE ACTION PLAN 2. MINUTES OF MEETING OF 2 JUNE 2016
RESPONSIBLE OFFICER:	PETER CONROY - INFRASTRUCTURE & PLANNING DIRECTOR
AUTHOR:	ALFRED BERNHARD – BUSHLAND MANAGER
CITY STRATEGY LINK:	1.1.1 THE COMMUNITY CAN PARTICIPATE IN CITY LIFE
MEETING DATE:	11 JULY 2016

Purpose of Report

To present to Council the Minutes of the Natural Heritage and Bushland Advisory Committee meeting held on 2 June 2016.

RESOLUTION

That Council:

- 1. Adopt the Castle Cove Park Bushland Reserve Action Plan.**
- 2. Adopt the balance of the Minutes of 2 June 2016.**

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville and Sloane.

Against: Nil

12.2 MOSAIC ADVISORY COMMITTEE MEETING - 22 JUNE 2016

ATTACHMENTS:	1. MINUTES - MOSAIC ADVISORY COMMITTEE - 22 JUNE 2016 2. MOSAIC ADVISORY COMMITTEE REPORT - APRIL TO JUNE 2016
RESPONSIBLE OFFICER:	MELANIE SMITH - COMMUNITY, CULTURE AND LEISURE DIRECTOR
AUTHOR:	RITA LEUNG - MULTICULTURAL SERVICES TEAM LEADER
CITY STRATEGY LINK:	1.1.3 CULTURAL DIVERSITY IS RESPECTED, SUPPORTED AND CELEBRATED
MEETING DATE:	11 JULY 2016

Purpose of Report

To provide Council with the minutes of the MOSAIC Advisory Committee meeting held 22 June 2016 and the April to June 2016, MOSAIC Advisory Committee Report.

RESOLUTION

That Council:

- 1. Adopt the minutes of the MOSAIC Advisory Committee meeting held 22 June 2016; and**
- 2. Note the April to June 2016, MOSAIC Advisory Committee Report**

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville and Sloane.

Against: Nil

**12.3 BICENTENNIAL RESERVE AND FLAT ROCK GULLY COMMITTEE - 31
MAY 2016****ATTACHMENTS:** 1. MINUTES - BICENTENNIAL RESERVE AND FLAT
ROCK GULLY COMMITTEE - 31 MAY 2016**RESPONSIBLE OFFICER:** MELANIE SMITH - COMMUNITY, CULTURE &
LEISURE DIRECTOR**AUTHOR:** JULIE WHITFIELD - OPEN SPACE CO-ORDINATOR**CITY STRATEGY LINK:** 1.3.1 ACCESSIBLE OPEN SPACE AND
RECREATIONAL FACILITIES FOR THE COMMUNITY
ARE PROVIDED**MEETING DATE:** 11 JULY 2016

Purpose of Report

To provide Council with the minutes of the Bicentennial Reserve and Flat Rock Gully Committee meeting held 31 May 2016.

RESOLUTION

That Council receive and note the minutes of the Bicentennial Reserve and Flat Rock Gully Committee meeting held 31 May 2016.

MOVED COUNCILLOR HOOPER**SECONDED COUNCILLOR MUSTACA****CARRIED****Voting**

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville and Sloane.

Against: Nil

13 DEFERRED MATTERS

13.1 PLANNING PROPOSAL FOR 12 FREDERICK STREET, ST LEONARDS

ATTACHMENTS:	1. COUNCIL REPORT 27 JUNE 2016
RECOMMENDATION:	SUPPORT TO PROCEED TO GATEWAY DETERMINATION AND PUBLIC EXHIBITION
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	JANE GIBSON - STRATEGIC PLANNER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	11 JULY 2016

Purpose of Report

Council previously deferred consideration of this matter at its meeting on 27 June 2016. A copy of the previous report is attached.

Procedural Motion

That Patrick Caruso address the meeting and answer questions of the Councillors.

MOTION

That Council:

- 1. Support the Planning Proposal and draft amendments to Willoughby Local Environmental Plan 2012 allowing “hospital” use with a Floor Space Ratio up to 3:1 and Willoughby Development Control Plan for 12 Frederick Street, St Leonards (being part Lot 1 DP 591747) for public exhibition.**
- 2. Forward the Planning Proposal to the Department of Planning and Environment seeking a Gateway Determination under Section 56 of the Environmental Planning and Assessment Act 1979.**
- 3. Request the applicant to submit a Stage 3 Remedial Action Plan prior to the exhibition of the Planning Proposal.**
- 4. Advise the Department of Planning and Environment that the Planning Manager, Mr Ian Arnott be nominated as delegate to process and finalise the Planning Proposal.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Motion: Councillors Eriksson, Hill, Mustaca, Rozos and Sloane

Against: Councillors Coppock, Hooper, Norton, Rutherford and Saville.

Absent: Councillor Giles-Gidney

As voting was equal the Deputy Mayor used her casting vote for the motion.

AMENDMENT

That this matter be deferred pending the outcome of discussions between DEXUS Property Group, the Local Health District and Ramsay Health Care on traffic movement.

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR HOOPER

LOST

Voting

For the Amendment: Councillors Coppock, Hooper, Norton, Rutherford and Saville.

Against: Councillors Eriksson, Hill, Mustaca, Rozos and Sloane

Absent: Councillor Giles-Gidney

As voting was equal the Deputy Mayor used her casting vote against the motion.

Due to Councillor Giles-Gidney declaring a non-pecuniary substantial interest in Item 13.1 Planning Proposal for 12 Frederick Street, St Leonards, having a close relationship to the Dexus CEO, she withdrew from the meeting taking no part in the discussion or voting on this topic.

Councillor Sloane assumed the Chair in the Mayor's absence for this item.

14 CORRESPONDENCE

14.1 COUNCILLORS INFORMATION BOOKLET - 28 JUNE AND 5 JULY 2016

RESPONSIBLE OFFICER:	DEBRA JUST - GENERAL MANAGER
AUTHOR:	TRISHA DUFFY - SECRETARY GOVERNANCE
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	11 JULY 2016

Purpose of Report

To list on the Council Agenda the weekly Councillors Information Booklet, circulated to all Councillors on 28 June and 5 July 2016.

RESOLUTION

That Council receive the Councillors Information Booklet, circulated to all Councillors on 28 June and 5 July 2016.

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville and Sloane.

Against: Nil

15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

**16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE
SUPPORT DIRECTORATE**

NIL

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 OVERVIEW - COMMUNITY SMALL GRANTS PROGRAM 2016/17

ATTACHMENTS:	1. SUMMARY - NOT RECOMMENDED APPLICANTS OF THE COMMUNITY SMALL GRANTS PROGRAM 2016/17
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE AND LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN – COMMUNITY LIFE MANAGER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	11 JULY 2016

Purpose of Report

1. To seek Council's endorsement of the recommendations for the distribution of grant funds through Council's 2016/17 **Community (Small) Grants Program**.
2. To seek Council's endorsement of the recommendations for the distribution of grant funds through The **Concourse Performing Arts Subsidy**

RESOLUTION

That Council:

1. **Endorse the Officer's recommendations for the distribution of grant funds through the 2016/17 Community Small Grants Program - Arts and Cultural, Community Development and Individual / Sports Funding streams.**
2. **Notes the unallocated grant funds of \$12,765 remaining in the Community Small Grants program for allocation to "Out-of-term" funding applications received by Council within the 2016/17 financial year and which comply with the Grant Program Guidelines.**

Recommended applicants:

Community Development

- a. **The Shepherd Centre – For Deaf Children (A school readiness program for deaf children and their families from the Willoughby LGA): \$1,500.**
- b. **Campsie Cultural Centre Inc. (Adult English classes for local residents of Cantonese and Mandarin speaking background): \$1,000.**
- c. **The Meeting House (Healthy cooking demonstrations and shared social meal): \$1,500.**
- d. **Willoughby Community Men's Shed Incorporated (Special Needs Member Support): \$2,475.**

- e. Phoenix House Youth Services Inc. (Pop Up Arts act program for young people to gain confidence and explore their artistic ability): \$2,000.
- f. Willoughby Japanese Playgroup (Cultural and festival programs for the children and families): \$2,126.
- g. Japanese Australian Support in Community Inc. (Information booklet on Australian healthcare services for older Australian residents of Japanese origin): \$1,000.
- h. Lower North Shore Branch of NSW Justices Association (Upgrade material and electronic equipment and provide training for JP volunteers): \$2,615.
- i. The Combined Probus Club of Northbridge Inc. (Digital projector): \$593.10.
- j. CanRevive Inc. (Information sessions and support groups for Chinese cancer patients and their carers): \$1,460.
- k. Lower North Shore Multicultural Network (To run seminars in seven different languages for people with a disability to link into disability organisations and access the latest information): \$4,000.
- l. Fresh Tracks Foundation (To purchase a recumbent cycle to assist people who have acquired brain injury to continue their rehabilitation): \$2,200.
- m. Apples And Honey Preschool (Revise education program to celebrate the cultural diversity of the 14 different cultural backgrounds that attend the pre-school): \$3,969.85.
- n. Willoughby Kids House (purchase new indoor play equipment): \$1,725.
- o. Lower North Shore Domestic Violence Network (provide exercise classes and child care minding services for women who are in recovery from domestic violence and trauma): \$2,112.40.
- p. Action Foundation For Mental Health Inc. (Weekly outings for adults who suffer from mental health): \$2,000.
- q. Willoughby Friends of Ossu Inc. (Updating website and marketing to increase sponsorship and partnership): \$1,500.
- r. KYDS Youth Development Service Incorporated (Early interventional mental health education workshops in local Willoughby LGA school): \$4,000.
- s. Lane Cove and North Side Community Services (group activities and bus trips for adults with a disability): \$2,300.
- t. Ozharvest (Educational cooking classes with youth in the Willoughby LGA): \$3,260.
- u. U3a Harbourside North Region (Information Session): \$500.
- v. Active Opportunities Inc. (Weekly Sporting activities for children with an intellectual and physical disability): \$3,460.

Individual /Sports

- a. Bethany Croft (Athletics Australia – represent Australia in the World Under 20 Championships): \$500.

Arts and Cultural

- a. Jewish Arts Inc. (Free public reading of a musical performance): \$2,460.
- b. Chatswood West Ward Progress Association (a solo exhibition at The Willoughby Historical Museum): \$2,300.
- c. Emma Anna (The Willoughby City Community Peace Quilt): \$2,400.
- d. Workshop Arts Centre (Exhibition at the Ewart Gallery by artists with a psychiatric disability): \$2,065.

That Council:

- 3. Endorse the Officer's recommendations for the distribution of grant funds through the 2016/17 Round 1 - The Concourse Performing Arts Subsidy program.

Recommended applicants:**The Concourse Performing Arts Subsidy - Round 1**

- a. Chatswood Cantonese Opera Association: \$3,000.
- b. Willoughby Girls High School Parents and Citizens Association (Music Extravaganza fundraising concert): \$3,000.

That Council:

4. Acknowledges the unallocated grant funds of \$74,000 remain in The Concourse Performing Arts Subsidy program for allocation to "Out-of-term" funding applications received by Council before the December 2016 funding round and which comply with the Grant Program Guidelines.

MOVED COUNCILLOR ROZOS**SECONDED COUNCILLOR MUSTACA****CARRIED****Voting****For the Resolution:** Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville and Sloane.**Against:** Nil

**17.2 ROI CONCESSION APPLICATION FROM THE SALVATION ARMY
CHATSWOOD**

ATTACHMENTS:	NIL
RESPONSIBLE OFFICER:	Melanie SMITH - COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	ERIN COLWELL-SPORTSGROUNDS BOOKING OFFICER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE TO THE COMMUNITY
MEETING DATE:	11 JULY 2016

Purpose of Report

To seek Council approval for a fee waiver of 100% for The Salvation Army Chatswood to use Chatswood Oval, Orchard Road, Chatswood on Wednesday 21 December 2016 from 5.00pm to 9.30pm for Carols on the Oval, a combined Churches Event.

RESOLUTION

That Council approve The Salvation Army Chatswood receiving a full concession on the hire of Chatswood Oval Orchard Road, Chatswood on Wednesday 21 December 2016 from 5.00pm to 9.30pm for the provision of a community event, being Carols on the Oval, a combined Churches Event.

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville and Sloane.

Against: Nil

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.2 UPGRADE OF 48 PARKING METERS FROM 2G TO 3G MODEMS

ATTACHMENTS:	NIL
RESPONSIBLE OFFICER:	PETER CONROY – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHORS:	WILLIAM KUANG – PARKING FACILITY ENGINEER
	PAUL GOMEZ – GROUP LEADER INFRASTRUCTURE AND PARKING
CITY STRATEGY LINK:	4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE
MEETING DATE:	11 JULY 2016

Purpose of Report

To seek Council's approval to:

- Establish a budget
- Exempt Council officers from the provisions of the Purchasing Policy
- Upgrade 48 existing modems in parking meters from 2G to 3G.

OFFICER'S RECOMMENDATION

That Council:

- 1. Approve an exemption from Council's procurement policies and procedures in this instance, as APARC is the sole Australian supplier of the 3G modems supported by the manufacturer.**
- 2. Accept APARC's quotation for the supply and installation of 3G compatible modems valued at \$109,000 (excluding GST) and establish a budget sourced from the Paid Parking Reserve for these works.**

THIS MATTER WAS DEFERRED TO THE NEXT COUNCIL MEETING.

19 NOTICE OF MOTION

NIL

20 CONFIDENTIAL ITEMS

In accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*, in the option of the General Manager, the following business is confidential as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

20.1 ADDITIONAL INFORMATION - UPGRADE OF 48 PARKING METERS FROM 2G TO 3G MODEMS

Reason for confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

20.1 ADDITIONAL INFORMATION - UPGRADE OF 48 PARKING METERS FROM 2G TO 3G MODEMS

Recommendation Summary

That Council:

1. Approve an exemption from Council's procurement policies and procedures in this instance, as APARC is the sole Australian supplier of the 3G modems supported by the manufacturer.
2. Accept APARC's quotation for the supply and installation of 3G compatible modems valued at \$109,000 (excluding GST) and establish a budget sourced from the Paid Parking Reserve for these works.

THIS MATTER WAS DEFERRED TO THE NEXT COUNCIL MEETING.

21 QUESTIONS

NIL

- Her Worship the Mayor Councillor G Giles-Gidney left the meeting at 7:07pm during debate on Item 13.1: Planning Proposal for 12 Frederick Street, St Leonards and returned after the vote at 7:35pm. Councillor Sloane took the Chair during debate and vote on that topic.
- Councillor Rutherford joined the meeting at 7:27pm
- Councillor Coppock left the meeting at 7:35pm

The meeting concluded at 7:47pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 11 July 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.