

District Council of Robe

MINUTES

Minutes of the Ordinary Meeting held 9 December 2008, commencing at 5.00 pm at the District Council of Robe Council Chambers, Smillie Street, Robe.

PRESENT Mayor Wm Peden, Crs. D Loxton, P Riseley, J Mathews, R DellAntonio, N Wright, R Petrovic, Chief Executive Officer, Bill Hender and Deputy Chief Executive Officer, Ronni Barnden

APOLOGY Nil

WELCOME

CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting 11 November 2008

Cr Loxton moved **that the minutes of the Ordinary Council Meeting held on 11 November 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.**
(144/2009)

Seconded Cr Mathews Carried

4.2 Special Council Meeting 27 November 2008

Cr Mathews moved **that the minutes of the Special Council Meeting held on 27 November 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (145/2009)

Seconded Cr Riseley Carried

CONFLICT OF INTEREST

Pursuant to Section 73 of the Local Government Act 1999 the following conflict of interest was declared:-

- Mayor Peden declared a conflict of interest on any items to do with the Marina as he owns land adjoining the Marina.

**NOTICES
OF MOTION**

Following Notice of Motion submitted by Cr Wright:

Animal Management Plan . Amendment

Cr Wright moved **that the off-leash area relating to Long Beach in the District Council of Robe Animal Management Plan be from the 2nd ramp to the 3rd ramp except during the period between 10 am and 8 pm daily during the daylight savings months of the year and excluding Guichen Bay Conservation Park. (146/2009)**

Seconded Cr Riseley

Carried

**PUBLIC
FORUM**

Valma Jennings

**BUSINESS
ARISING FROM
MINUTES**

Nil

ADDRESS

Nil

**MAYOR'S
REPORT**

Robe and District business group

What was Robe Tourism and Traders has become the Robe and District Development Association(RDDA). Under the leadership of Martin Stanley the executive has been working towards getting a new Robe brochure which should be available from the printer in the next weeks. The executive has also been working towards having a new web site for tourism and also a web directory for all businesses that operate in or service Robe and District. There are listing discounts for residents and Ratepayers. Please contact David Flannery on 08 8768 1961 for inquiries.

Kathy Slaughter Robe Photo Book

Kathy launched her new photo book recently. It is an ideal Christmas present and can be bought from her shop.

Robe Village Fair

The Robe Village Fair has been run for ten years by Robe Tourism and Traders. This year's event was a success thanks to Kelpie and his team.

SELGA December Meeting

Limestone Coast Regional Development Board (LCRDB) - Robe motions revisited

In December, the association of Councils in the South East, Selga, revisited motions similar to Robe's motions, that were lost in August, regarding the Limestone Coast Regional Development Board (LCRDB). This time the motions were carried (5:2) and Selga will now be asking the Development Board to:

1. have a publicly available register of interests,
2. declare conflicts of interest in a similar way required for Councillors to declare conflicts of interest,
3. reinstate requirements of good and transparent governance for Target Teams to the LCRDB constitution, and,
4. include details in LCRDB reports to Selga as per the resource agreement that was recently approved by Selga.

Where should Federal money go?

There is a general expectation that the Federal Government will be giving large sums of money directly to the regions in Australia, bypassing the States. Some people in authority seem to assume that this money should go to the LCRDB. To find out what councils really want, Selga passed a motion to consult with SE Councils to find out where individual Councils think the money should be going.

Presentation on Environmentally Sustainable Activities

Cr Jim Maher of Mt Gambier gave a presentation on improving Council activities to make them more environmentally sustainable. The presentation was excellent and Bill Hender has asked Cr Maher to make a similar presentation to DC Robe early in 2009.

Merry Christmas

We wish everyone a very merry Christmas and all the best for the year ahead. We also wish everyone a safe holiday season on the roads.

REPORTS OF COMMITTEES

11.1 Minutes of CCOWS Meeting 17 November 2008

Cr Riseley moved **that the minutes of the CCOWS Meeting held 17 November 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (147/2009)

Seconded Cr Mathews Carried

11.2 Robe Marina Committee Meeting 26 November 2008

Cr Riseley moved **that the minutes of the Robe Marina Committee Meeting held on 26 November 2008 be taken as read and confirmed as a true and accurate record of the proceedings of that meeting.** (148/2009)

Seconded Cr Wright Carried

WORKING PARTY COMMITTEE

NIL

REPORTS OF ASSOCIATED BODIES

Nil

REPORTS OF MEMBERS

Cr Dello Antonio reported on:-

- 26/11/2008 Marina Site Inspection
- 26/11/2008 Marina Committee Meeting (visitor)
- 27/11/2008 Workshop/Special Council Meeting
- 2/12/2008 Strategic Planning Workshop

Cr Mathews reported on:-

- 16/11/2008 KESAB Working Bee
- 18/11/2008 CDAP Meeting
- 18/11/2008 Meeting re: Enviro Grant

- 23/11/2008 KESAB Working Bee
- 26/11/2008 Marina Inspection
- 27/11/2008 Workshop/Special Council Meeting
- 2/12/2008 Strategic Planning Workshop
- 3/12/2008 Meeting with DEH
- 4/12/2008 Institute Management Meeting
- 7/12/2008 KESAB Working Bee

Cr Riseley reported on:-

- 11/11/2008 Tidy Towns Working Bee
- 17/11/2008 CCOWS Management Meeting
- 26/11/2008 Robe Marina Committee Meeting
- 27/11/2008 Workshop/Special Council Meeting
- 2/12/2008 Strategic Planning Workshop
- 3/12/2008 Robe Marina Committee Meeting
- 7/12/2008 Tidy Towns Working Bee
- 8/12/2008 Site Inspection . Walking Trail

Cr Petrovic reported on:-

- 26/11/2008 Marina Committee Meeting
- 27/11/2008 Workshop/Special Council Meeting
- 30/11/2008 Kathy Slaughter's Robe Book Launch
- 2/12/2008 Strategic Management Meeting
- 3/12/2008 Robe Marina Committee Meeting
- 4/12/2008 Robe Institute Committee Meeting

Cr Wright reported on:-

- 26/11/2008 Marina Committee Meeting
- 27/11/2008 Workshop/Special Council Meeting
- 2/12/2008 Strategic Management Meeting

Cr Loxton reported on:-

- 26/11/2008 Marina Site Inspection
- 27/11/2008 Workshop/Special Council Meeting
- 2/12/2008 Strategic Management Meeting
- 3/12/2008 Road Safety Group Meeting

Mayor Peden reported on:-

- 11/11/2008 Council Meeting
- 18/11/2008 CDAP Meeting
- 20/11/2008 RDDA Meeting
- 24/11/2008 LCRDB Meeting . Penola
- 25/11/2008 Interview 5SE
- 25/11/2008 RDDA Meeting
- 27/11/2008 Workshop/Special Council Meeting
- 29/11/2008 Robe Village Fair

- 30/11/2008 Kathy Slaughter's Robe Book Launch
- 2/12/2008 RDDA Meeting
- 2/12/2008 Strategic Management Meeting
- 3/12/2008 Breakwater Inspection
- 4/12/2008 Interview ABC radio
- 5/12/2008 SELGA Meeting Mt Gambier
- 8/12/2008 Interview ABC radio
- 9/12/2008 RDDA Meeting
- 9/12/2008 Council Meeting

OFFICER'S REPORTS

CHIEF EXECUTIVE OFFICER

15.1.1 Robe Aerodrome Leases

Cr Riseley moved **that the Chief Executive Officer be authorised to enter into formal lease negotiations with current and future users of hangers at the Robe Aerodrome.** (149/2009)

Seconded Cr DellaAntonio

Carried

15.1.2 Robe Tourism Brochure

Cr Wright moved **that council allocated the balance of the budgeted amount for assistance with the production of brochures, to assist the RDDA with printing of town maps.** (150/2009)

Seconded Cr DellaAntonio

Carried

DEPUTY CHIEF EXECUTIVE OFFICER

15.2.1 Additional Expenditure Item . CEO Internet Service Provider Fees

Cr Petrovic moved **that Council authorise the additional expenditure item regarding internet service provider monthly fees and set up fee to enable CEO to be able to access the Council's computer network from his home office when required. This could**

be a faster land line connection or laptop wireless connection. (151/2009)

Seconded Cr Loxton

Carried

15.2.2 Draft Contracts and Tenders Policy

Cr Petrovic moved **that Council adopt the revised Contracts and Tenders Policy, with amendments as discussed. (152/2009)**

Seconded Cr Riseley

Carried

Cr Loxton moved **that point 11 be altered.**

No Seconder

Lapsed



CONTRACTS & TENDERS POLICY

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Contracts & Tenders Policy

Introduction

1. Section 49 of the Local Government Act, 1999, requires Council to prepare and adopt a policy on contracts and tenders.
2. The Act specifies the areas where policies and procedures are required. This policy sets out in detail, the policies and procedures to be followed by staff.
3. This policy has been prepared to encompass the general conditions of tendering, which should conform with Australian Standard 2124-1992 and also the following principles:
 - a) Parties must conduct the tendering process with honesty at all levels.
 - b) Parties must conform to all legal obligations.
 - c) Parties must not seek or submit tenders without a firm intention to proceed.
 - d) Parties must not engage in any practice, including improper inducements which gives one party an improper advantage over another.
 - e) Tenderers must be prepared to attest to their probity, and not engage in any form of collusive practice.
 - f) Conditions of tendering must be the same for each tenderer on any particular tender.
 - g) All requirements must be clearly specified in the tender documents and criteria for evaluation must be clearly indicated.
 - h) Evaluation of tenders must be based on the conditions of tendering and selection defined in the tender documents.
 - i) Parties must not disclose confidential or proprietary information.
 - j) Any party with a conflict of interest must declare that interest as soon as the conflict becomes apparent and immediately withdraw from the tender process.

The District Council of Robe is committed to ensuring a fair, transparent and accountable process, in the provision of services, purchasing of goods and services and in the disposal of land and other assets.

Council aims to ensure that its method of

- service provision, including the carrying out of works
- purchasing goods, and
- the sale and disposal of land and or other assets

are cost effective and meet the needs of the community and represent best value for money. This policy will apply to the provision of all services, the purchase of goods and services and the disposal of land and other assets.

Contracting Out

1. Council will provide services to the District Council of Robe community in the most effective and efficient manner possible, using a balanced mix of contractors and Council employed labour, whichever is appropriate, taking into account the need for specialist short-term skills and equipment needs, balanced against the need to maintain a strong Council employed skills base which will assist in the provision of a range of services and the provision of good community governance.
2. Council will periodically review the contracting out of goods and services to ensure that the services provided are delivered in the most efficient, effective and economically viable manner measured against comparable services being delivered by comparable organizations where possible.

Service Provision

DISTRICT COUNCIL OF ROBE CHARTER – *The Principles*

In fulfilling Council's service provision role, the following principles will apply:

- Consistency with and relevance to Council's Strategic Management Plans
- Determination of service delivery approaches on the basis of best short and long term value (ie quality and cost standards will be met, the service will be responsive to the needs of the community and will be accessible to those for whom it is intended)
- Adoption of efficiency, effectiveness, accountability and transparency measures
- Consideration of the impact of service delivery approaches on local businesses
- The desire to retain an appropriate level of staff and resources (eg plant and machinery)
- Adoption of principles of human resource management and compliance with industrial awards and relevant enterprise agreements
- The appropriateness and necessity for Council to retain control over the way in which services are provided and its response to emergency situations
- Compliance with statutory obligations
- Opportunities for creating or maintaining economic development and growth in the area and participation with other spheres of government, community groups and the private sector in service delivery.

- Identification of areas where Council can increase the provision of services to the community.

Service Provision Options

Council has identified the following options for the provision of services:

- In-house Service Delivery – To be as self sufficient as reasonably possible with the provision of staff and the ownership and the control of plant and equipment for the carrying out of the core activities for the District Council of Robe
- Competitive Tendering – Exposing the provision of specific Council services to competition through a formal tendering process
- Contracting Out – Council to contract out or outsource activities that are not part of core activities
- Contestability – Council to involve staff in identifying and adopting productivity improvements in service delivery to meet service standards determined through performance measurement, benchmarking and market testing
- Collaborative Ventures – Where Council joins with another organisation, Local Government authority, State Government agency or private sector to jointly deliver a service
- Commercial Activities – Projects which may involve the establishment of joint ventures, trusts or partnerships.

In identifying the circumstances in which to apply the above options Council will consider:

- Council's Strategic Management Plan goals and objectives
- Council's Enterprise Agreement
- Maintenance of control of specific services by Council
- The risks to Council in adopting the various options eg legal obligation, Council's ability to respond to emergency situations etc
- The number of competitors in the market place
- Council's current service delivery arrangements
- Council's existing resources both human and physical
- Council's desire to enter into Commercial activities or projects.

Quotations and Tenders

1. All invitations to tender must specify a closing date. The Chief Executive Officer or other delegated officer may extend a closing date where the Chief Executive Officer or delegated officer can show sound cause. All persons who have picked up a tender document must be notified of the extension.

2. Tenders received before the closing date must be placed in Council's locked tender box.
3. As soon as practicable after the closing date the tender box should be opened by two (2) persons, the Chief Executive Officer (or designate) and a Councillor or employee independent of the tendering process.
4. The date and time of opening tenders will be marked in the tender register/book and all persons present will sign the book. Each page of each tender received will be date stamped and initialled by each of the participants in the opening process.
5. All matters pertaining to the tenders received will remain confidential until the tender has been awarded by resolution of the Council.

Purchase of Goods and Services

1. Goods and services will be obtained by the use of an official Council order.
2. Official council orders will be signed by an officer authorised to sign such orders.
3. The following persons have delegated authority to sign purchase orders and contracts for the purchase of goods and services on behalf of Council within their delegated authority to incur expenditure:
 - (a) Chief Executive Officer
 - (b) Deputy Chief Executive Officer
 - (c) Works Supervisor

DISTRICT COUNCIL OF ROBE CHARTER – The Principles

In fulfilling Council's purchasing role, the following principles will apply:

- Consistency with and relevance to Council's Strategic Management Plan
- Transparency and accountability in purchasing procedures and practices to ensure that Council purchases at the best price and that all potential suppliers are given equal opportunity to provide the required goods and services
- Opportunities to enhance Local economic development and growth
- Commercial confidentiality

Purchasing Options

Generally, Council will purchase goods through adoption of the following approaches:

- Direct purchase – where there is only a single supplier or the particular circumstances involvement of only one potential supplier.
- Quotation – seeking quotations from three or more suppliers.
- Selected Tender – seeking tenders from a limited number of suppliers on the basis of eg location, previous performance, availability, expression of interest process.
- Open Tender – seeking tenders from the market at large through an open invitation process eg advertisement.

In identifying the circumstances in which to apply these options, Council will consider a number of issues eg

- The number of known suppliers of the goods or services.
- The existence of local suppliers of the goods or services and the impact on the local economy if the goods or services were purchased from outside the Council area.
- The total estimated value of the purchase
- Organisational capacity and attitude to elected Council/staff role and responsibilities in purchasing.
- Delegation limits taking into consideration accountability, responsibility, operational efficiency and urgency of supply.
- Previous experience with suppliers.
- Compliance with statutory objectives.

Sale and Disposal of Land and Other Assets

DISTRICT COUNCIL OF ROBE CHARTER – The Principles

For the sale and disposal of land and other assets, the following principles will apply regarding decisions of Council:

- Consistence with and relevance to Council's Strategic Management Plan.
- Transparency and accountability in sale and disposal procedures and practices to ensure that Council obtains the best price and that all potential purchasers are given equal opportunity to purchase the land or assets.
- Opportunities to enhance local economic development and growth.
- Commercial confidentiality.

Sale and Disposal Options

Generally, Council will sell or dispose of land and other assets through adoption of one or more of the following practices:

- Direct Sale – advertisement for sale
- Quotation – seeking quotations for the sale of land and other assets
- Selected Tender – seeking tenders from a selected group or persons/entities
- Open Tender- openly seeking through advertisement, tenders or buyers for Council land and other assets

In identifying the circumstances in which to apply these options, Council will consider a number of issues, eg:

- The number of known potential purchasers of the land or assets
- The original intention for the use of the land or asset when purchased where relevant
- The current and possible preferred future use of the land or assets
- The existence of the local purchasers of the land or asset
- The opportunity to promote local economic growth and development
- The total estimated value of the sale
- Delegation limits taking into consideration accountability, responsibility, operational efficiency and urgency of the sale
- Compliance with statutory and other obligations.

Consultation

Council recognises its responsibilities under Section 50 of the Local Government Act 1999 and its Public Consultation Policy.

Council also recognises its Enterprise Agreement, Industrial Awards and other employee relations obligations and consistent with the requirements of these documents the CEO will consult with staff on decisions that will significantly impact on their employment with Council.

The Decision Making Process

Council recognises that the community, local businesses and contractors will from time to time have interest in the manner and approach adopted by Council when determining service delivery, purchasing and disposing of land and other assets.

Council delegates authority to the CEO to make decisions regarding the matters covered in this policy where:

- the purchase of services or goods is less than \$10000.
- the disposal of land is less than \$5000.

- the disposal of other assets is less than \$10000.

Council or its officers with delegated authority will, when making decisions under this policy, act in accordance with the Council's budget, relevant policies, plans, industrial awards, agreements, resolutions etc.

Council acknowledges that the CEO may sub-delegate matters related to this policy to staff or other persons employed or engaged by Council.

Council may also delegate matters covered by this policy to its Committees.

Contracts and Tenders

When undertaking contract and tender activities Council's decision making process will reflect the following:

- Whether tendering will assist Council to achieve its strategic objectives and strategies.
- Customers of the service will not be disadvantaged.
- Responsibility of Council for the provision of the service will not be adversely affected.
- It is practical and possible to specify the quality and quantity of the service required to be delivered.
- It is deemed appropriate for Council to continue to ensure the service is provided.
- Following investigation, there is scope for the provision of the service by an external provider and there is potential to gain savings not currently available to Council.
- Gains (financial and non financial) are greater than what could be achieved through direct provision of the service by Council.
- The relationship between the service to be contracted as tendered to other related services in the Council.

Where Council determines it will use a contract or tender arrangement under this policy it will decide whether:

- To adopt a selective or open tender process.
- Prepare appropriate documentation to inform potential providers of the service of the necessary information to formulate their tender and the manner in which to submit an offer.
- Form a selection panel to consider offers made for the provision of the service.
- The selection panel will make recommendations to the Council or the CEO depending upon delegations.
- Manage any complaints arising from the decisions taken by Council consistent with its Internal Review of Decisions Procedures required under the Act.

- Council will make available procedures relevant of specific tendering activities.

Documentation

To assist in demonstration that its service provision, purchasing and disposal processes are cost effective, fair, transparent and accountable and meet community needs, Council will document the reasons for entering into contracts other than those resulting from a tender process.

Procedures

The procedures/process for calling of tenders and entering into contracts are attached to the policy; see Appendix A.

Council Endorsement of the Policy

This policy was adopted by Council on 9 December 2008.

Review and Evaluation

The effectiveness of this Policy will be reviewed and evaluated annually within Council's strategic management planning framework. The Chief Executive Officer will report to Council on the outcome of the evaluation, and make recommendations for amendments, alterations or substitution of a new Policy if relevant.

The policy will not be altered or substituted so as to affect a process already commenced.

Availability of the Policy

The policy is available for inspection at the Council office, Royal Circus, Robe during ordinary business hours. Copies will be provided to interested parties upon request at the normal photocopy rate.

Appendix A

Contract and Tender Policy

Procedure

Definition

For the purpose of this procedure statement the following terms have the same meaning as indicated:

- (a) "Request for Tender (RFT)" shall be synonymous with "Request for Quote (RFQ)".
- (b) "Tender shall be synonymous with "Quote", "Offer" or "Bid".
- (c) "Tenderer" shall be synonymous with "Offerer".

Advertising

All tenders be advertised in at least one publication circulated widely in the region and other publications as appropriate.

Place of Closing

Tenders close at one place namely Council Office, Royal Circus, Robe SA 5276 (PO Box 1) and be specified in the particular Request for Tender.

Delivery Method

Tenders may be delivered by hand to the tender lodgment box or sent through the mail or facsimile transmission for placement in the locked letterbox.

Electronic Transmission of Tenders

Electronically transmitted tenders must include responses to all mandatory elements in the RFT, all price details, including settlement discounts, essential for establishing a bona fide tender capable of meaningful comparison with other tenders in particular, tenders transmitted electronically must include price details against individual terms.

Tenders submitted in this manner must be confirmed in writing. Failure to lodge the confirming tender, in writing, within such period of the closing date, as specified by the purchasing office at the address stipulated in the invitation, could render the tender ineligible for consideration.

Where there is any discrepancy between the contents the electronically transmitted tender shall prevail, unless it can be proven by the

tenderer that an error occurred in that transmission.

The confidentiality and security of tenders submitted by hand to the tender box is guaranteed. However, it should be noted that confidentiality of tenders lodged electronically cannot be assured to the same extent as tenders lodged through the post.

Tender Closing Time

Requests for Tender (RFT's) will specify Close of Business (COB) local time on the specified date as the closing time for the submission of tenders.

Tenders should be clearly marked on the outside with the RFT reference number and closing date in order to minimise mishandling.

Policy on Processing of Late Responses

Tenders lodged after the closing time specified in the RFT/RFQ may be deemed to be Late Tenders. Late tenders opened and registered separately and may be excluded from the evaluation process at the discretion of Council.

Mishandling of Tenders

Late tenders shall be admitted to evaluation if there is proof that they were mishandled by the relevant departmental purchasing office or by an official postal or telecommunications service. Tenderers should allow a minimum of 48 hours for postal deliveries within Australia. There should be at least one hour allowed for facsimile transmission.

Admission of Late Tenders to Evaluation

Following notification that its submission has failed to meet the Tender Closure and is deemed to be a Late Tender, the relevant tenderer may be asked to provide explanatory evidence in an appropriate form for consideration by the purchasing officer.

The circumstances surrounding the submission and the receipt of the Late Tender will form the basis of the judgement on its admission to, or exclusion from the evaluation process. The most important issue from the perspective of probity is whether the late tenderer is likely to have had an opportunity to obtain some unfair advantage from late submission.

A number of factors may be taken into account in deciding whether to accept later tenders. The following list provides an indication of some relevant considerations:

- (a) How late the tender is, the reasons given for lateness and evidence available;

- (b) Length of time allowed for the preparation of tenders;
- (c) Evidence of unfair practices.

Council will advise of receipt of all tenders to applicants. Notification to be dispatched within 5 working days of COB.

Upon completion of tender process all applicants to be advised of the award of the tender.

The tender box only be opened in the presence of at least two officers of the Council and immediately after the tender box is opened all tenders to be initialed by two officers of the Council.

Criteria for Tender Evaluation eg.

- Recognised capability
- Acknowledged capacity
- Relevant experience
- Reputation in the industry
- Price
- Quality system
- Demonstrated ability to comply with requirements
- Local contract/employment

to be determined and the weighting to be applied to each before tenders are called.

Tenders to be evaluated by the relevant panel and a report submitted to the Council Committee or CEO as appropriate with recommendation dependent on the delegation from Council.

Revised policy adopted by Council on 9 December 2008.

**MANAGER
CHILDREN'S
SERVICES**

15.4.1 Manager Children's Services Report

Cr Wright moved **that Council notes the report.** (153/2009)

Seconded Cr Riseley

Carried

**FINANCE
REPORT**

15.5.1 Finance Report . V McDonald

Cr Loxton moved **that Council notes the report.** (154/2009)

Seconded Cr Petrovic Carried

**WORK'S
SUPERVISOR**

15.6.1 Works Supervisor Monthly Report

Cr Riseley moved **that Council notes the report.** (155/2009)

Seconded Cr Dell'Antonio Carried

CORRESPONDENCE

16.1.1 Call for Nominations for LGA President

16.1.2 Letter from L Ling

Cr Loxton moved **that correspondence be accepted.** (156/2009)

Seconded Cr Dell'Antonio Carried

**QUESTIONS
ON NOTICE**

Nil

**OTHER
BUSINESS**

18.1.1 Parks & Gardens Master Plan

Cr Riseley moved **that Council develop a landscape and gardens master plan for the township and the Long Beach area.** (157/2009)

Seconded Cr Mathews Carried

**CONFIDENTIAL
ITEMS**

19.1.1 Australia Day Nominations

Cr Dell'Antonio moved **to go into confidence Section 83(5) of the Local Government Act 1999 (the Act), that the matter contained in the report titled "Australia Day" is delivered**

to Council members on the basis that the Council consider the report in confidence under part 3 of the Act, specifically Section (90)(3)(b), on the basis that the report and accompanying documentation contain information that concerns:

- **Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) pursuant to Section 90(3) of the Act. (158/2009)**

Seconded Cr Loxton

Carried

Meeting closed at 6.30 pm to go into Confidence.

Confirmed 13 January 2009

_____ Mayor _____ date