

**KINGSTON DISTRICT COUNCIL**

**\*MINUTES\***

**ORDINARY COUNCIL MEETING**

HELD ON

**FRIDAY 17 APRIL 2009**

**KINGSTON DISTRICT COUNCIL**

The minutes of the Kingston District Council meeting held on Friday, 17 April 2009, held in the Council Chambers Kingston SE, commencing at 11.30 am.

**PRESENT:** Cr ER Flint, Cr CE England, Cr RW Lyon, Cr DJ Moreland, Cr SE Twigg, Cr CW Frankling, Cr GR Peters, Cr KG Garvie

Mr M McCarthy – Chief Executive Officer

Mr M Bates – Manager Works and Engineering Services

Mr M Hodak – Manager Environmental and Inspectorial Services

Mrs H Schinckel – Administration Manager

**APOLOGIES:** Cr GE Gribble

Mr Milan Hodak, Manager Environmental and Inspectorial Services, entered the meeting at 11.30am.

**CONFIRMATION OF MINUTES:**

3.1 **MINUTES OF COUNCIL MEETING WEDNESDAY 18 MARCH 2009:**

**That the minutes of the ordinary monthly meeting held on Wednesday 18 March 2009 be confirmed.**

**Cr Lyon/Cr Moreland CARRIED (5854)**

**DEPUTATION:**

**That Council bring forward items 10.1.10 and 10.1.11, including a deputation from Mr England and Mr Rasheed, for debate.**

**Cr Garvie/Cr Frankling CARRIED (5855)**

---

10.1.10 RECOMMENDATION TO ACCEPT A LATE REPORT: 13/L/2

**That Council, having received an urgent request for funding assistance, accept and debate a late report, 10.1.11, titled Upper South East Drainage Scheme.**

**Cr Lyon/Cr Moreland CARRIED (5856)**

Cr England declared a conflict of interest as he can benefit directly from the Bald Hills/Wimpermerit drainage system.

**Cr England requested the leave of Council to remain in the chamber during the deputation of item 10.1.11; Council allow Cr England to remain in the chamber for the deputation.**

**Cr Peters/Cr Usher CARRIED (5857)**

Cr England left the chamber at 12.16pm.

10.1.11 UPPER SOUTH EAST DRAINAGE SCHEME: 13/L/2

- 1. That the Upper South East Drainage Project report be received.**
- 2. That Council provide \$5,000 funding to the Upper South East Drainage Scheme landholders group to support hydrological, legal and marketing advice.**

**Cr Peters/Cr Usher CARRIED (5858)**

Cr England entered the chamber at 12.19pm.

**That the Chairman and Chief Executive Officer lobby the Minister's and Board to proceed with the Bald Hills/Wimpermerit drain immediately.**

**Cr Frankling/Cr Twigg CARRIED (5859)**

**ENVIRONMENTAL AND INSPECTORIAL:****REPORTS:**

- 10.1.1 SOUTH EASTERN PROFESSIONAL FISHERMANS ASSOCIATION INC – MARINE PARK PAPER: 4/G/1

**That the South Eastern Professional Fishermans Association Inc Marine Parks paper at Appendix 1 be received and noted.**

**Cr Peters/Cr Usher CARRIED (5860)**

- 10.1.2 CAPE JAFFA ANCHORAGE BUSHFIRE PROTECTION AREA: 13/B/1

- 1. That the report on Cape Jaffa Anchorage Bushfire Protection Area be received.**
- 2. That Council request the Minister for Urban Planning and Development to undertake amendments to the Kingston District Council Development Plan bushfire zoning maps relevant to Cape Jaffa area to have regard to new zoning areas.**

**Cr Frankling/Cr Moreland CARRIED (5861)**

- 10.1.3 COAST PROTECTION BOARD LOCAL GOVERNMENT ADVISORY COMMITTEE: 4/G/11

**That the report on Coast Protection Board Local Government Advisory Committee be received and noted.**

**Cr Moreland/Cr Twigg CARRIED (5862)**

**10.1.4 KINGSTON DEVELOPMENT PLAN – CAPE JAFFA ZONES: 13/B/1**

- 1. That the report on the Kingston Development Plan – Cape Jaffa Zones be received.**
- 2. That Council delegates the Chief Executive Officer to request the Minister under Section 29 2(b) of the Development Act to remove reference to irrelevant Cape Jaffa Industry Zone Policy Area (No. 2) still in the Plan on pages 138 and 139 and the referral to it in the map reference Table on page 188.**
- 3. That Council requests the Minister correct an error, the reference Table requires insertion of the new Cape Jaffa Policy Areas 9-13 on Policy Area Maps 25 and 26.**

**Cr England/Cr Twigg CARRIED (5863)**

**10.1.5 BREAKING SURF DEFINITION – BUILDING CODE OF AUSTRALIA:12/A/3**

- 1. That the report on the ‘breaking surf’ definition be accepted.**
- 2. That Council endorse the ‘breaking surf’ area as proposed by Department of Planning and Local Government as provided in the maps at Appendix 2.**

**Cr Garvie/Cr Frankling CARRIED (5864)**

**10.1.6 SOUTH EAST NATURAL RESOURCES MANAGEMENT BOARD – ANNUAL REVIEW: 2/R/4**

**That the South East Natural Resource Management Board annual review briefing notes be received and noted.**

**Cr Peters/Cr Moreland CARRIED (5865)**

10.1.7 NATIVE VEGETATION MEETING AND LOCAL GOVERNMENT ASSOCIATION NATIVE VEGETATION WORKING GROUP: 12/A/13

**That the native vegetation meeting and working group report be received and noted.**

**Cr Peters/Cr England CARRIED (5866)**

10.1.8 RECOMMENDATION TO ACCEPT A LATE REPORT: 4/G/1

**That Council, considering the late notice and urgency of the matter to nominate a representative on a South East Marine Parks Working Group, accept and debate a late report, 10.1.9, titled South East Marine Parks Working Party.**

**Cr England/Cr Peters CARRIED (5867)**

10.1.9 SOUTH EAST MARINE PARKS WORKING PARTY: 4/G/1

- 1. That the South East Marine Parks Working Party report and associated documentation be received.**
- 2. That Council nominate Councillor Flint to be the South East Local Government Association representative on the South East Marine Parks Working Party.**
- 3. That Council recommend to the South East Local Government Association, in accordance with the Section 77 of the Local Government Act, that the nominee be reimbursed expenses of attending South East Marine Parks Working Party meetings.**

**Cr Peters/Cr Moreland CARRIED (5868)**

**CORRESPONDENCE:****10.2.1 TEMPORARY ERECTION OF A SIGN CALLING FOR VOLUNTEERS:**

13/K/1

- 1. That the report on the temporary erection of a sign calling for volunteers be received.**
- 2. That Council grant approval for Kingston Branch of South Australian Ambulance Service to erect a flexible 3.7m x 1.0m banner rotating through various locations in and around the town of Kingston, subject to approval of the owners, commencing 24 April 2009 and ceasing 24 May 2009.**

**Cr Moreland/Cr Twigg CARRIED (5869)****10.2.2 MINUTES OF QUARTERLY MEETING OF REGIONAL BUSHFIRE PREVENTION COMMITTEE:**

10/A/5

**That the report on the minutes of quarterly meeting of Regional Bushfire Prevention Committee meeting be received and noted.****Cr Peters/Cr Frankling CARRIED (5870)****10.2.3 KINGSTON SIGNAGE COMMITTEE – MINUTES OF MEETING HELD ON WEDNESDAY 18 MARCH 2009:**

13/K/1

**Walter's and Blooms of Kingston and Kingston Shore Villas:** 9/A/9

- 1. That the application be received.**
- 2. That the Signage Committee approve the application of Walters and Blooms of Kingston and Kingston Shore Villas for installation of signage in the Kingston information bay, for one of the remaining two spots and thus a sign of 500 x 250 (approximately), in accordance with the draft sign at Appendix 2; unless the other approved application from Lightning Aircraft no longer wants the remaining position, then the application is approved for the whole of the remaining area.**

**Cr Garvie/Cr Lyon CARRIED (5871)**

10.2.4 KINGSTON SIGNAGE COMMITTEE – MINUTES OF MEETING HELD ON FRIDAY 19 DECEMBER 2008: 13/K/1

Seagrass Cottage:

9/A/9

1. That the application be received.
2. That the Signage Committee approve the application of Seagrass Cottage for installation of signage in the Kingston information bay.

Cr Frankling/Cr Twigg CARRIED (5872)

Humbugz Honey:

1. That the application be received.
2. That the Signage Committee approve the application of Humbugz Honey for installation of signage in the Kingston information bay.

Cr Garvie/Cr Twigg CARRIED (5873)

General Business:

That when advertising signage is not being displayed Council erect basic signage displaying local buildings or attractions on the frames at town entrances.

Cr Lyon/Cr Frankling CARRIED (5874)

10.3 DEVELOPMENT APPROVALS:

That the Development Approvals listed in the above report for the period from 09.03.2009 to 06.03.2009 be received and noted.

Cr Moreland/Cr Frankling CARRIED (5875)

**ADJOURNMENT:**

**That Council adjourn for the purpose of lunch at 12.35pm, and recommence at 1.30 pm.**

**Cr Peters/Cr Twigg CARRIED (5876)**

**RESUMPTION:**

The meeting resumed from lunch at 1.32 pm.

Mr Bob Bates, Manager Works and Engineering Services entered the meeting at 1.32pm.

**WORKS AND ENGINEERING****REPORTS**

11.1.1 **RURAL ROADS:** 2/B/2

**That the Rural Roads report be received and noted.**

**Cr Frankling/Cr England CARRIED (5877)**

11.1.2 **COMMON WASTEWATER MANAGEMENT SYSTEM EXTENSION PROJECT:** 6/D/1

- 1. That the Common Wastewater Management System Extension Project report be received.**
- 2. That Council approve the Common Wastewater Management System extension to the rear of the cemetery subject to obtain necessary statutory approvals and support funding on the same conditions as previously received from the Local Government Association.**

**Cr Usher/Cr Garvie CARRIED (5878)**

11.1.3 FENCE LINE – TREE PROBLEM: 2/E/6

**That the Fence Line – Tree Problem report be received and noted.**

**Cr Frankling/Cr Garvie CARRIED (5879)**

11.1.4 WEIR BOARD UPGRADE: 4/F/6

**That the Weir Board Upgrade report be received and noted.**

**Cr England/Cr Garvie CARRIED (5880)**

11.1.5 CEMETERY PLAQUES: 9/A/4

- 1. That the cemetery plaques report be received.**
- 2. That Council approve a policy that all plaques to be placed at the Kingston cemetery shall be bronze type and that Council commence a program of replacement of granite plaques after consulting with family members of those plots with granite plaques.**

**Cr Moreland/Cr Lyon CARRIED (5881)**

### **CORRESPONDENCE**

11.2.1 HON ANTHONY ALBANESE – EXTENSION TO ROADS TO RECOVERY PROGRAM: 3/C/6

**That the correspondence from the Hon Anthony Albanese be received and noted.**

**Cr Peters/Cr Garvie CARRIED (5882)**

11.2.2 WORKS AND ENGINEERING COMMITTEE – MINUTES OF MEETING HELD ON 2 APRIL 2009:

**That the reports and recommendations of the Works and Engineering Committee Meeting held on Thursday 2 April 2009, as detailed below, be received.**

**Cr England/Cr Twigg CARRIED (5883)**

Maria Creek Bridge (Deck Replacement):

- 1. That the report be received.**
- 2. That the Committee recommends to Council that it install ribbed decking (with stainless steel screw nails) on the Maria Creek bridge and budget \$5,000 for these works in the 2009/10 financial year budget.**

**Cr Frankling/Cr Twigg CARRIED (5884)**

Footpath (Cooke Street Adjacent To New Retirement Village):

- 1. That the report be received.**
- 2. That the Committee recommends to Council that it note the works undertaken to level out the footpath area and that installation of a paved or sealed footpath is not recommended at this time.**

**Cr Twigg/Cr Usher CARRIED (5885)**

Agnes Street Stormwater (Update of Report):

- 1. That the report be received.**
- 2. That the Committee recommends to Council that it install bores or drains on the western side of Agnes Street and south eastern corner of James Street and Gough Street .**
- 3. Subject to budgetary considerations, that the Committee recommends to Council that the bores or drains be installed on or about the following intersections, on the road areas, with the installation of appropriate pits and grates to withstand traffic movements:**
  - i. Bore at Agnes Street and Charles Street;**
  - ii. Bore at Agnes Street and Gough Street; and**

- iii. A drainage pipe at Anges Street and Cameron Street taking water into Memorial Park;
4. That the Manager Works and Engineering Services where possible design the proposed bores and drain option and estimate the costs for consideration of Council as part of the 2009/10 financial year budget.

Cr Peters/Cr Usher CARRIED (5886)

Plant Hire Rates:

That the Committee recommends to Council that the plant hire rates, which have not been changed since the 2005/06 financial year (except for the dredge), be reviewed and that the new charges be:

PLANT NO	DESCRIPTION	2005/06 Hire Rate	2009/10 Hire Rate
1,8,62	Caterpillar 12H Grader	\$90.00	\$100.00
10	Rockbuster	\$117.00	\$130.00
14	Twin Roll Combination Roller	\$27.00	\$30.00
57	New Holland Tractor	\$54.00	\$60.00
23	Allis Chalmers Grader	\$45.00	\$50.00
30	1999 Mitsubishi Tipper (per km)	\$ 1.26	\$1.42
39	Dredge (Dry Hire per hour)	\$120.00	\$120.00
49/69	Tip Truck (per km)	\$ 2.00	\$2.25
54	John Deere 4WD Mower	\$24.00	\$27.00
60	Cat Loader	\$65.00	\$75.00

Labour Rate to increase from \$35.00 to \$55.00 per hour

Plant hire increase calculated on 12.6% over the 06/07, 07/08, 08/09, 09/10 Financial Years

Cr Frankling/Cr Twigg CARRIED (5887)

Loading Ramp on East Terrace:

That the Committee recommends to Council that the loading ramp on East Terrace adjacent to 2 Agnes Street be removed.

Cr Usher/Cr Frankling CARRIED (5888)

Cr England declared a conflict of interest as works proposed by the Australian Deer Association are on his property and he could benefit from the road construction.

Cr England left the chamber at 1.51pm.

11.2.3 BALD HILL ROAD – UNMADE SURVEYED ROAD – AUSTRALIAN DEER ASSOCIATION: 2/F/7

1. That Council receive the correspondence of the Australian Deer Association.
2. That Council approve the construction of an open surface road between Sections Q21 and A20 Hundred of Landseer, approximately 1.3 kilometres on an unmade section of Bald Hills Road on condition:
  - a. All cost shall be borne by the Australian Deer Association.
  - b. The Australian Deer Association indemnify Council from any claim arising from construction activity.
  - c. That Council approve the plans and be provided these plans with levels prior to commencement.
  - d. That the contractor provide evidence to Council of public liability insurance, and a system of occupational health and safety.
  - e. That the contractor provide evidence of work zone traffic management requirements to Council prior to commencement.
  - f. That the contractor provide daily written evidence to Council of traffic signage and controls placed on the road whilst construction is undertaken.
  - g. That all works shall be to the satisfaction of Council in all things.
  - h. That Council shall not maintain in future any section of the road not on Council's road reserve.
3. That Council approve the construction of an additional 1.3 kilometres of single lane, 3 metre wide, open surface road between Sections 12 and 13 Hundred of Landseer on condition:
  - a. That cost of access and raising rubble shall be borne by the Australian Deer Association.
  - b. That funding for Council's assistance be from the Roads Other budget line.

Cr Usher/Cr Peters CARRIED (5889)

Cr England entered the chamber at 1.59pm

**That a permit to Mr Cobiac under Section 222 of the Local Government Act be granted for 12 months, on condition that the area grazed is hot wired and cattle are removed from the roadside at dusk.**

**Cr Peters/Cr Garvie CARRIED (5890)**

That Council install a bin to be placed at the Haven Seafood Takeaway at 7 Hanson Street.

Cr Peters/Cr Moreland LOST

Cr Peters left the meeting at 2.12pm.

Cr Peters entered the meeting at 2.14pm.

**That Council investigate a design and costs for a small shade structure at the Apex Park playground.**

**Cr Usher/Cr Peters CARRIED (5891)**

Mr Bob Bates, Manager Works & Engineering Services, left the meeting at 2.26pm.

Mrs Heather Schinckel, Administration Manager, entered the meeting at 2.27pm.

## **FINANCE AND ADMINISTRATION**

### **REPORTS**

12.1.1 CLAIM FOR DAMAGE TO MOTOR VESSEL – CAPE JAFFA ANCHORAGE BREAKWATER: 1/B/8.5

**That Council receive and note the advice regarding a claim made against Council regarding a motor vessel incident at Cape Jaffa.**

**Cr Peters/Cr Moreland CARRIED (5892)**

12.1.2 ANNUAL REVIEW OF COUNCIL'S FEES AND CHARGES POLICY - FA004: 1/A/9

1. That the report and review of FA004 – Fees and Charges Policy be received.
2. That the Council adopt FA004 – Fees and Charges Policy as presented at Appendix 13 and that it be applicable from the commencement of the 2009/10 financial year except that:
  - Truck wash fees be applicable from 9 April 2009.
3. That Council advertise the increase in Rubbish Dump Fees in the Coastal Leader prior to the 2009/2010 financial year.

Cr Twigg/Cr Peters CARRIED (5893)

**GOVERNANCE**

**REPORTS**

13.1.1 LOCAL GOVERNMENT ASSOCIATION OF SOUTH AUSTRALIA LGA REPORTS/CIRCULARS: 1/D/1.1

That the Local Government Association Circulars report be received and noted.

Cr Twigg/Cr England CARRIED (5894)

13.1.2 SUPPLEMENTARY ELECTION – KINGSTON WARD: 1/A/6.3.6

1. That the report concerning the Supplementary Election in the Kingston Ward be received.
2. That pursuant to Section 10(3) of the Local Government (Elections) Act 1999, Council nominate Mr Martin McCarthy as the Deputy Returning Officer for the purpose of conducting the Supplementary Election.

Cr Peters/Cr Usher CARRIED (5895)

13.1.3 FUNDING AGREEMENT FOR THE REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM (RLCIP):

1. That the Funding Agreement for the Regional and Local Community Infrastructure Program be received and noted.
2. That Council enter into the Funding Agreement for the Regional and Local Community Infrastructure Program at Appendix 15.
3. That the Chairman and Chief Executive Officer be authorised to sign and seal the Funding Agreement.

Cr Peters/Cr Usher CARRIED (5896)

13.1.4 SOUTH EAST LOCAL GOVERNMENT ASSOCIATION (SELGA) BI-MONTHLY MEETING: 1/D/2.2

That the South East Local Government Association Bi-monthly report be received and noted.

Cr England/Cr Frankling CARRIED (5897)

CORRESPONDENCE

13.2.1 BROCHURES AND PUBLICATIONS RECEIVED:

That the correspondence items listed at 13.2.1 be received and noted.

Cr Peters/Cr Twigg CARRIED (5898)

13.2.2 LOCAL GOVERNMENT ASSOCIATION OF SA – PRESIDENT'S MESSAGE MARCH 2009: 1/D/1.1

That the Presidents Message, March 2009, be received and noted.

Cr Frankling/Cr Twigg CARRIED (5899)

13.2.3 2009 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT:

1/D/3.3

1. That the report on the National Assembly of Local Government be received.
2. That the Chairman and the Chief Executive Officer attend the Assembly to represent Council.
3. Pursuant to Section 77(1)(b) of the Local Government Act and Regulation 6 of the Local Government (Members allowances and Benefits) Regulation, Council approve the attendance of the Chairman at the National Assembly of Local Government in Canberra on 21-24 June 2009 and payment of all associated costs.

**Cr Peters/Cr Twigg CARRIED (5900)**

13.2.4 LEGAL SERVICES – NORMAN WATERHOUSE:

1/G/6

1. That the correspondence from Norman Waterhouse be received.
2. That Council endorse the 2009/2010 retainer arrangements with Norman Waterhouse, being \$3,000 and the firm not to act against Council.

**Cr Peters/Cr Usher CARRIED (5901)**

13.2.5 AUSTRALIAN BUREAU OF STATISTICS 2011 CENSUS:

**That the correspondence from the Australian Bureau of Statistics be received and noted.**

**Cr Garvie/Cr Twigg CARRIED (5902)**

---

13.2.6 MINISTER FOR STATE/LOCAL GOVERNMENT RELATIONS: 1/C/7

**That the Minister for State/Local Government Relations correspondence be received and noted.**

**Cr Garvie/Cr England CARRIED (5903)**

**COMMUNITY**

**REPORTS**

14.1.1 COUNCIL REPRESENTATIVE ON GALL PARK MANAGEMENT COMMITTEE: 11/K/1

- 1. That the report concerning Council representation on the Gall Park Management Committee be received.**
- 2. That Cr Garvie be appointed as a Council representative on the Gall Park Management Committee until November 2010.**

**Cr Frankling/Cr Twigg CARRIED (5904)**

**CORRESPONDENCE**

14.2.1 MINUTES OF COMMUNITY ORGANISATIONS:

**That the minutes of community organisations be received and noted.**

**Cr Twigg/Cr Frankling CARRIED (5905)**

14.2.2 UPPER SOUTH EAST BRANCH OF RECREATIONAL FISHERS: 4/G/1

**That the correspondence from the Upper South East Branch of Recreational Fishers be received and noted.**

**Cr Peters/Cr Twigg CARRIED (5906)**

14.2.3 KINGSTON RETIREMENT VILLAGE INC: 11/B/1

**That the correspondence from the Kingston Retirement Village Inc, be received and noted.**

**Cr Frankling/Cr Moreland CARRIED (5907)**

14.2.4 MINUTES OF HERITAGE ADVISORY COMMITTEE – HELD 19 MARCH 2009: 13/E/2

**That the reports and recommendations of the Heritage Advisory Committee meeting held on 19 March 2009, as detailed below be received.**

**Cr Garvie/Cr Peters CARRIED (5908)**

General Business

**The committee expresses its deep regret of Cr Alan Olley’s illness, and his subsequent resignation from Council. The committee expresses its gratitude for Cr Alan Olley’s input to matters of heritage and extends its best wishes to him.**

**Cr Twigg/Cr Frankling CARRIED (5909)**

14.2.5 COUNTRY HEALTH SOUTH AUSTRALIA AND KINGSTON SE/ROBE MPS – MENS SHED: 11/A/3

- 1. That the correspondence be received.**
- 2. That Council support in concept a Men’s Shed, but, respond that Council will not enter into ongoing operational arrangements and associated expenses nor assume a lease or risks associated with the project, as it is not a strategic or core funding priority of Council.**

**Cr Peters/Cr Frankling CARRIED (5910)**

**ECONOMIC DEVELOPMENT****REPORTS**

15.1.1 FUTURGAS COMMUNITY CONSULTATION GROUP: 13/G/11

**That the FuturGas Community Consultation Group minutes and documents be received and noted.**

**Cr Peters/Cr England CARRIED (5911)**

---

**ITEMS RECOMMENDED FOR CONSIDERATION IN CONFIDENCE****17.1.1 REVIEW OF DECISIONS – BREACH OF BY-LAW AND ISSUING OF EXPIATION (BOAT RAMP PERMITS): 4/G/9.1**

**That pursuant to Sections 90(3)(a) and 90(3)(i) of the Local Government Act 1999 (the Act), the Council orders the public to be excluded, with the exception of the Chief Executive Officer and Minute Secretary being present, on the basis that it will receive, discuss and consider information relating to a report on “Review Of Decisions – Breach Of By-Law And Issuing Of Expiation (Boat Ramp Permits)” and that the Council is satisfied with the principal that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter by the need to keep the discussion, report and supporting documentation confidential on the following basis:**

- Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).**
- Information relating to actual litigation, or litigation that the Council or Council Committee believes on reasonable grounds will take place, involving the Council or an employee of the Council.**

**Cr Lyon/Cr Twigg CARRIED (5912)**

**ITEMS RECOMMENDED FOR CONSIDERATION IN CONFIDENCE**

- 17.1.1 REVIEW OF DECISIONS – BREACH OF BY-LAW AND ISSUING OF EXPIATION (BOAT RAMP PERMITS) (APPENDIX 25): 4/G/9.1

---

**ITEMS RECOMMENDED FOR CONSIDERATION IN CONFIDENCE****17.1.2 CONTRACT FOR THE INSPECTION AND SERVICE OF FIRE EQUIPMENT AND FIRST AID SUPPLIES: 8/K/5.2**

**That pursuant to Section 90 (3)(k) of the Local Government Act 1999 (the Act), the Council orders the public to be excluded, with the exception of the Chief Executive Officer, Minute Secretary and Administration Manager being present on the basis that it will receive, discuss and consider information relating to a report on “Contract For The Inspection And Service Of Fire Equipment And First Aid Supplies” and that the Council is satisfied with the principal that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter by the need to keep the discussion, report and supporting documentation confidential on the following basis:**

- **Tender for the supply of goods, the provision of services or the carrying out of works.**

**Cr Frankling/Cr Twigg CARRIED (5914)**

**ITEMS RECOMMENDED FOR CONSIDERATION IN CONFIDENCE****17.1.2 CONTRACT FOR THE INSPECTION AND SERVICE OF FIRE EQUIPMENT AND FIRST AID SUPPLIES: 8/K/5.2**

- 1. That the report concerning the inspection and servicing of Council's fire and first aid equipment be received.**
- 2. That Council engage the services of Mercury Firesafety for the inspection and servicing of Council's fire and first aid equipment for a period of three years, being 17 April 2009 to 16 April 2012, with an annual price increase equivalent to the CPI.**
- 3. That pursuant to Section 91(7) and (9) of the Local Government Act 1999, the Council orders that the report and documents relating to confidential Item Number 17.1.2 and entitled "Contract For The Inspection And Service Of Fire Equipment And First Aid Supplies" remain confidential and not available for public inspection for a period of 12 months from the 17 April 2009 until 16 April 2010.**

**Cr Frankling/Cr Garvie CARRIED (5915)**

- 18. CLOSURE:** The meeting was closed at 2.58pm

Confirmed

.....  
Cr Flint  
Chairman