



dorset
C O U N C I L

Ordinary Minutes

Council Meeting

16 September 2019

it's in the making

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Council Meeting Minutes 16 September 2019

Meeting Opened: 6.00 pm

Present: Crs Greg Howard (Mayor), Dale Jessup (Deputy Mayor), Leonie Stein, Jan Hughes, Jerrod Nichols, Murray Lade, Edwina Powell, Wendy McLennan, Mervyn Chilcott

General Manager: Tim Watson, Director – Works & Infrastructure: Dwaine Griffin, Director – Corporate Services: John Marik, Director – Community & Development: Rohan Willis, Customer Service/Community Liaison Officer: Elizabeth Hadley

Apologies: Nil

Item 141/19 Confirmation of Ordinary Council Meeting Minutes – 19 August 2019
Ref: DOC/19/9143

The Chair reported that he had viewed the minutes of the meeting of the Ordinary Meeting held on Monday, 19 August 2019, finds them to be a true record and recommends that they be taken as read and signed as a correct record.

Decision

MOVED: Cr Hughes | **SECONDED:** Cr Nichols

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 19 August 2019 having been circulated to all Councillors, be confirmed as a true record.

Carried Unanimously

***The Chair to ask Councillors if there are any questions they wish to ask in relation to the Closed Session Minutes that would require them to be discussed in Closed Session.*

Item 142/19 **Confirmation of Ordinary Council Meeting Closed Session Minutes – 19 August 2019**
Ref: DOC/19/9145

The Chair reported that he had viewed the minutes of the meeting of the Ordinary Meeting Closed Session held on Monday, 19 August 2019, finds them to be a true record and recommends that they be taken as read and signed as a correct record.

Decision

MOVED: Cr Jessup | SECONDED: Cr Chilcott

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting Closed Session held on 19 August 2019 having been circulated to all Councillors, be confirmed as a true record.

Carried Unanimously

Item 143/19 **Confirmation of Agenda**

Decision

MOVED: Cr Stein | SECONDED: Cr Nichols

That Council confirm the Agenda and order of business for the 16 September 2019 Council Meeting.

Carried Unanimously

Item 144/19 **Declaration of an Interest of a Councillor or Close Associate**

In accordance with Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015* and Council's adopted Code of Conduct, the Mayor requests Councillors to indicate whether they have, or are likely to have a pecuniary interest (any pecuniary interest or pecuniary detriment) or conflict of interest in any item on the Agenda.

INTEREST DECLARED

Cr Howard Item 160/19 and Item 161/19
Cr Hughes Item 158/19
Cr Stein Item 158/19
Cr Nichols Item 153/19

Item 145/19 **Management Team Briefing Report**

The purpose of this agenda item is to provide Councillors and the community with a briefing on matters of interest dealt with during the past month by Council's Management Team.

Recommendation

That the Management Team Briefing Report be received and noted.

Decision

MOVED: Cr Jessup | SECONDED: Cr Stein

That the Management Team Briefing Report be received and noted.

Carried Unanimously

Item 146/19 Council Workshops Held Since Last Council Meeting

3 September 2019 – Briefing Workshop

Item 147/19 Councillor Applications for Leave of Absence

Nil

Item 148/19 Public Question Time

The following question was received on notice 8 September 2019:

Mark Burns:

As per the audio of the council meeting 19th August 2019 there is a claim by a council officer that I was given the option of having car parking on site for my food van business. A (sic) I do not recall any discussion about parking on site verses parking on Alfred St does the council official have any verifiable evidence to support the claim that I was given such an option?

Response from Director – Community & Development, Rohan Willis:

Car Parking options (either on-site at 47 George Street or within the road reserve of Alfred Street) were discussed with the proponent by Council's planning staff during the preliminary stages of him lodging his planning application for food services. As evidenced within the submitted planning application (as considered at the August Council Meeting), the proponent chose to pursue car parking provision within the Alfred Street road reserve. If the proponent would instead seek to explore car parking provision within the property at 47 George Street, further planning consent of the Council would be required, potentially involving a new planning application to be lodged and publicly advertised.

The following questions were received on notice 9 September 2019:

Karl Willrath:

On the 8th July 2019 you went on 7SD radio and discussed a joint venture with the Bridport Lions to finish off a disabled access ramp onto Croquet Lawn Beach at Bridport. At the 15 July Council meeting you were still describing this ramp as disabled access until after being questioned by Cr Stein and Cr Powell when you then stated it is not actually a disabled access because it is too steep.

1. *Can you please verify if this ramp onto the beach is for disabled access and does it meet all requirements for disabled access?*
2. *If the ramp does not fit the requirements for disabled access has the Bridport Lions been notified formally?*
3. *Will you take all reasonable measures to correct the public record if the ramp is not actually for disabled access?*

Response from Mayor, Greg Howard

1. While the ramp might not strictly meet the guidelines for 'disabled access' it will however, when completed provide improved access for people with disabilities.
2. Bridport Lions contribution involves the provision of matting on the beach itself to provide access to the wet sand area of the beach. Whether the ramp strictly meets the guidelines for "disabled access" is irrelevant.
3. I am happy with what is on the public record.

Does the Council have any plans to place the staff, including the General Manager of the Dorset Council on a code of conduct similar to the state public servants?

Response from Mayor, Greg Howard

No, however we will be pushing for a Code of Conduct for the very small percentage of residents who continue to harass and bully our staff and Councillors.

Trevor Priestley:

At Bridport you've got playgrounds below the Hotel on both sides of the boat ramp road. Every morning when I walk down there I see somebody incapable of reading Council signs which are not policed. The other day there were kids playing in that playground and a car came up out of there doing at least 40 km/h with a load of firewood on the back and kids running out towards the road. Now what's the Council going to do to ensure the safety of these children? I've bought it up with Council before and nothing has been done. Will it take the death of a child for action to be taken?

Response from Mayor, Greg Howard:

Firstly, the long term intention is to shift the skate park to the same side as the rest of the playground so there will be no need for kids to go across the road. In terms of policing the speed limit, Council have spoken to Police on previous occasions as that is their role. Council have no jurisdiction over people failing to abide by speed limits.

I notice an item on the agenda tonight to provide a car for the Mayor. I've done some research and it appears it is a trend across Tasmania and I've got no trouble with that. My questions are:

1. *Will the car provided be a hybrid vehicle; or*

2. *Will it have a limited capacity of 2.5 litres and follow the trend set by Devonport Council?*

Response from General Manager, Tim Watson:

No, there will be no restrictions on the type of motor vehicle provided to the Mayor, if the motion is passed.

Item 149/19 Deputations

Nil

Item 150/19 Councillor Question Time

Questions Taken on Notice – 19 August 2019 Council Meeting

Councillor Edwina Powell:

My next question is in relation to Mr Peter Waters public question relating to the Derby Tunnel and they are linked questions?

Are you aware that the Australian glow worm tourist industry brings approximately 6 million to this country? That a marketing opportunity has been missed with the Tasmanian Cave spider being named the spider of the Year 2019.

1. *What research was done to ensure the protection of this endemic Tasmanian species of glow worm and the icon species, the Tasmanian Cave spider which shows unique adaption to the tunnel at Derby? In fact, this may be a rare and unique colony.*
2. *Are you aware that lights fitted to the tunnel, noise and human contact will put at risk, and lead to the loss of the cave spider and glow worm colonies?*
3. *What advice has been put in place for visitors to the tunnel to ensure preservation?*
4. *Has any information be provided about these rare species to visitors?*
5. *What method was used to clear the rock surfaces of the tunnel?*
6. *What 30 conditions imposed by Parks and Wild Life at Derby were ignored in doing so?*

Response from General Manager, Tim Watson and Director – Community & Development, Rohan Willis:

In response to these questions it is important to provide context about the status of the Tasmanian cave spider and glow worm. Neither of these species are listed as either endangered, rare or vulnerable under the *Threatened Species Protection Act 1995* nor listed under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*. Therefore, both species possess the same status of protection as that provided to the common Red-necked Wallaby. Despite this, the appropriate qualified Council Officer still carried out due diligence consistent with Council's statutory requirements for any development or use being assessed by Council as a statutory planning authority.

The lighting in the tunnel is significantly less than that in both Marakoopa and King Solomons Caves and other iconic karst cave systems in Australia which feature large colonies of glow worms and other species. Therefore, it is logical to conclude that the lighting does not represent a threat to the glow worms or other species in the tunnel. Indeed a local cave spider enthusiast has reported seeing the cave spider in the tunnel in recent months.

It would appear Councillor Powell is asking these questions based on misinformation or apprehended bias, particularly given that the rock surfaces in the tunnel have not had any treatment applied to them by Council, nor has the Parks and Wildlife Service imposed any conditions in relation to the work performed by Council.

Councillor Dale Jessup

How long before we can expect to see the new municipality entrance signage in place?

Response from Executive Assistant, Sarah Forsyth:

As far as I am aware Depot staff have sent off the images for quoting. This process was delayed due to some licencing issues around using the selected images for public purposes which has now been rectified.

Did we give the local signage business the opportunity to quote for provision of these signs?

Response from Director – Works & Infrastructure, Dwaine Griffin:

Yes

Councillor Jan Hughes:

What is the status of the Ringarooma Road please?

Response from Director – Works & Infrastructure, Dwaine Griffin:

Council recently received the Deed of Agreement from the Federal Government which was required prior to commencing works. Now that this has been received and signed, the works will commence this week.

Councillor Leonie Stein:

When will Bentley Street and Jarvis Link at Bridport be sealed?

Response from Director – Works & Infrastructure, Dwaine Griffin:

Both of these roads will be sealed within the next six weeks, depending on the weather.

Item 151/19

Notices of Motion by Councillors

Nil

Item 152/19**Tabling of Petition – High Fire Risk Fuel Reduction in Bridport**

Reporting Officer: General Manager, Tim Watson

Ref: DOC/19/9902 | Petition: DOC/19/9762

On 3 September 2019, Council received a petition requesting that Council take whatever measures it deems necessary to address the high fire risk associated with Crown Land on the western side of the township and to demand that Crown Land remove the noxious weeds and dead vegetation adjacent to the industrial port area of Bridport.

The petition has been presented by Mrs Lyn Commane. A copy of the petition is provided for Councillors' information.

The petition presented complies with Section 57 of the *Local Government Act 1993*.

Recommendation

That the petition with respect to the high fire risk fuel reduction in Bridport, presented by Mrs Lyn Commane, be received.

Decision

MOVED: Cr Stein | SECONDED: Cr Nichols

That the petition with respect to the high fire risk fuel reduction in Bridport, presented by Mrs Lyn Commane, be received.

Carried Unanimously

Cr Nichols declared an interest in this matter and left the Meeting prior to discussion (6.14pm)

Item 153/19**2019/2020 Small Grants Application Assessments – Round 1**

Reporting Officer: Customer Service/Community Liaison Officer, Elizabeth Hadley

Ref: DOC/19/10125

Purpose

The purpose of this agenda item is to present the recommendations of the Community Grants Selection Panel to Council for approval.

Organisation	Project	Project Cost (Incl. GST)	Grant Requested (Excl. GST)	Grant Recommendation
Moorina Golf Club	Purchase Defibrillator	\$2,995	\$2,000	Not Recommended.
Dorset Community House	Equipment for Family Fun Day/Out And About Program	\$1,842	\$1,674.55	Recommended.
North Eastern Agricultural & Pastoral Society Inc.	Seating For Patrons	\$1,920	\$1,745.45	Recommended.

Scottsdale Golf Club	Extension To Buggy Shed	\$3,863.80	\$2,000	Not Recommended.
North Eastern Netball Association Inc. (NENA)	NENA Representative Team Uniform Replacement	\$2,233	\$2,000	Recommended.
Bridport Golf Club	50 th Anniversary Celebration Day	\$3,900	\$700	Not Recommended. (Not Eligible)
Rural Alive And Well Inc.	Learning Vital Skills To Assist The Suicidal & Non Suicidal Self Injury Person	\$3,525.24	\$2,000	Not Recommended. (Not Eligible)
Bridport Surf Life Saving Club	Inflatable Rescue Boat Motor	\$6,530	\$2,000	Recommended.

Recommendation

That Council approve the following funding contributions under the Community Grants Program:

- \$1,674.55 to Dorset Community House;
- \$1,745.45 to North Eastern Agricultural & Pastoral Society Inc.;
- \$2,000 to North Eastern Netball Association Inc.; and
- \$2,000 to Bridport Surf Life Saving Club.

Decision

MOVED: Cr Chilcott | SECONDED: Cr Powell

That Council approve the following funding contributions under the Community Grants Program:

- \$1,674.55 to Dorset Community House;
- \$1,745.45 to North Eastern Agricultural & Pastoral Society Inc.;
- \$2,000 to North Eastern Netball Association Inc.; and
- \$2,000 to Bridport Surf Life Saving Club.

Carried

Cr Nichols returned to the Meeting (6.18pm)

Purpose

The purpose of this agenda item is to present the recommendations of the Community Grants Selection Panel to Council for approval.

Organisation	Project	Project Cost (Incl. GST)	Grant Requested (Excl. GST)	Grant Recommendation
Bridport Community Mens Shed	Maxwell Street New Fence	\$9,221	\$2,565.24	Recommended. (Conditional upon all applicable approvals being obtained within a period of 6 months)
Dorset Field and Game	Mains Power Installation	\$8,760.35	\$3,981.82	Recommended. (Conditional upon all applicable approvals being obtained within a period of 6 months)
Lions Club North East	Old Fire Station at Winnaleah Renovation	\$21,101.53	\$8,637.76	Recommended. (Conditional upon all applicable approvals being obtained within a period of 6 months)

Recommendation

That Council approve the following funding contributions under the Community Grants Program:

- \$2,565.24 to Bridport Community Mens Shed;
- \$3,981.82 to Dorset Field and Game; and
- \$8,637.76 to Lions Club North East.

Decision

MOVED: Cr Lade | SECONDED: Cr Jessup

That Council approve the following funding contributions under the Community Grants Program:

- \$2,565.24 to Bridport Community Mens Shed;
- \$3,981.82 to Dorset Field and Game; and
- \$8,637.76 to Lions Club North East.

Carried Unanimously

Purpose

The purpose of this agenda item is to present the recommendations of the Community Grants Selection Panel to Council for approval.

Organisation	Project	Project Cost (Incl. GST)	Grant Requested (Excl. GST)	Grant Recommendation
Springfield Community Association	Springfield Hall Access Ramp	\$4,150	\$3,318.18	Recommended. (Conditional upon being constructed to comply with the Building Code of Australia and the Disability (Access to Premises – Buildings) Standards.)
North East Tasmania Chamber Of Commerce	Christmas Decorative Flags And Rubbish Bin Panels	\$3,603.30	\$3,276	Recommended.
Bridport Innovations	Bridport EV Charging Station	\$6,763.58	\$5,137.80	Not Recommended.
North East Mens Shed (Winnaleah) Inc.	Facilities Shed	\$40,357.36	\$15,052.14	Not Recommended.

Recommendation

That Council approve the following funding contributions under the Community Grants Program:

- \$3,318.18 to Springfield Community Association; and
- \$3,276 to North East Tasmania Chamber Of Commerce Inc.

Decision

MOVED: Cr McLennan | SECONDED: Cr Chilcott

That Council approve the following funding contributions under the Community Grants Program:

- \$3,318.18 to Springfield Community Association; and
- \$3,276 to North East Tasmania Chamber Of Commerce Inc.

Carried Unanimously

Item 156/19**Customer Service Charter Review**

Reporting Officer: Director – Corporate Services, John Marik
Ref: DOC/19/9907 | Charter: DOC/18/557

Purpose

The purpose of this agenda item is to review the Dorset Council Customer Service Charter.

Recommendation

That Council adopt the attached unchanged Policy No. 18 - Customer Service Charter.

Decision

MOVED: Cr Stein | SECONDED: Cr Jessup

That Council adopt the attached unchanged Policy No. 18 - Customer Service Charter.

Carried Unanimously

Item 157/19**Scottsdale Waste Transfer Station Tip Shop Fund Distribution**

Reporting Officer: Director – Corporate Services, John Marik
Ref: DOC/19/10015

Purpose

The purpose of this agenda item is for Council to make a decision on the allocation of the Scottsdale Waste Transfer Station Tip Shop takings from 1 January 2019 to 30 June 2019 and the future Tip Shop fund allocation process.

Recommendation

1. Council approve the following allocation of Tip Shop Funds that were received from 1 January 2019 to 30 June 2019:
 - a. 50% of the \$10,242, or \$5,121 to Dorset Community House.
 - b. 50% of the \$10,242, or \$5,121 to North East Animal Sanctuary Tasmania.
 2. Council approve the Tip Shop Fund allocation process applicable from the 1 July 2019 to be allocated and distributed as part of Council's Community Grants Program application process.
-

Decision

MOVED: Cr McLennan | SECONDED: Cr Hughes

1. Council approve the following allocation of Tip Shop Funds that were received from 1 January 2019 to 30 June 2019:
 - a. 50% of the \$10,242, or \$5,121 to Dorset Community House.
 - b. 50% of the \$10,242, or \$5,121 to North East Animal Sanctuary Tasmania.

- Council approve the Tip Shop Fund allocation process applicable from the 1 July 2019 to be allocated and distributed as part of Council’s Community Grants Program application process.

Carried Unanimously

Cr Hughes and Cr Stein declared and interest in this matter and left the Meeting prior to discussion (6.34pm)

Item 158/19

Mobile Food Vendor Policy

Reporting Officer: Director – Community & Development, Rohan Willis
 Ref: DOC/19/10090 | Policy: DOC/19/10092

Purpose

The purpose of this agenda item is to adopt a Mobile Food Vendor Policy.

Recommendation

That Council adopt:

- The attached Policy No.55 - Mobile Food Vendor Policy; and
- The Schedule of Fees payable for an annual mobile food vendor permit for the 2019/20 financial year, as below:

SCHEDULE OF FEES (2019/20)		
Annual Mobile Food Vendor Permit		
Permanent resident (Dorset Municipality):	Non-resident:	Community Organisation or Charitable Event Applicant:
\$0	\$750	\$0

MOVED: Cr Jessup | SECONDED: Cr Chilcott

That Council adopt:

- The attached Policy No.55 - Mobile Food Vendor Policy; and
- The Schedule of Fees payable for an annual mobile food vendor permit for the 2019/20 financial year, as below:

SCHEDULE OF FEES (2019/20)		
Annual Mobile Food Vendor Permit		
Permanent resident (Dorset Municipality):	Non-resident:	Community Organisation or Charitable Event Applicant:
\$0	\$750	\$0

Decision: Procedural Motion

MOVED: Cr McLennan | SECONDED: Cr Lade

That the Matter be Deferred to a Workshop for further discussion

Carried

Cr Hughes and Cr Stein returned to the Meeting (6.40pm)

Item 159/19

Bridport Seaside Caravan Park – Annual Site Building Policy

Reporting Officer: Director – Community & Development, Rohan Willis

Ref: DOC/19/10082 | Policy: DOC/19/10084 | Guidelines: DOC/19/10085

Purpose

The purpose of this agenda item is to adopt a Bridport Seaside Caravan Park – Annual Site Building Policy.

Recommendation

That Council adopt:

1. The attached Policy No.56 - Bridport Seaside Caravan Park – Annual Site Building Policy; and
2. The Schedule of Fees payable for an annual temporary occupancy permit at the Bridport Seaside Caravan Park for the 2019/20 financial year, as below:

SCHEDULE OF FEES (2019/20)

Temporary Occupancy Permit – Bridport Seaside Caravan Park (Annual Site)	\$50
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Decision

MOVED: Cr Stein | SECONDED: Cr Nichols

That Council adopt:

1. The attached Policy No.56 - Bridport Seaside Caravan Park – Annual Site Building Policy; and
2. The Schedule of Fees payable for an annual temporary occupancy permit at the Bridport Seaside Caravan Park for the 2019/20 financial year, as below:

SCHEDULE OF FEES (2019/20)

Temporary Occupancy Permit – Bridport Seaside Caravan Park (Annual Site)	\$50
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Carried Unanimously

Mayor Howard declared and interest in this matter and vacated the Chair and left the Meeting prior to discussion (6.45pm)

Deputy Mayor Jessup took the Chair (6.45pm)

Item 160/19

Provision of Mayoral Car

Reporting Officer: General Manager, Tim Watson

Ref: DOC/19/9994

Purpose

The purpose of this agenda item is to formalise Council's position in respect of the provision of a fully maintained Council vehicle for the Mayoral role.

Recommendation

That Council provide a fully maintained motor vehicle for the Mayoral role including full private use in accordance with Council's Operational Plant and Vehicle Use Policy.

Decision

Crs Stein/Nichols

That Council provide a fully maintained motor vehicle for the Mayoral role including full private use in accordance with Council's Operational Plant and Vehicle Use Policy.

Carried

Mayor Howard returned to the Meeting and re-took the Chair (6.52pm)

Item 161/19

Budget Variation 1 of 2019/20

Reporting Officer: Director – Corporate Services, John Marik

Ref: DOC/19/10097

Mayor Howard declared an interest in this matter, vacated the Chair and left the Meeting just after the Officer had commenced introducing the Item – no discussion had commenced (6.53pm)

Deputy Mayor Jessup took the Chair (6.53pm)

Purpose

The purpose of this agenda item is to seek a budget variation to the Budget Estimates for 2019/20.

TABLE 1

2019/20 Variation - Budget Item	Amount
Item 1 - Infrastructure Funding	\$100,000
Item 2 - 4x4 Motor Vehicle - Mayor	\$50,000
Total Budget Variation	\$150,000

Recommendation

That Council approve the following budget variation:

1. That Council approve a variation to the 2019/20 Budget Estimates of \$100,000 for infrastructure provision to enable further subdivision of Council-owned land at Hawkes Place, Scottsdale (CT 9414/303); and
2. That Council approve a variation to the 2019/20 Budget Estimates of \$50,000 for a motor vehicle for the Mayoral role.

Decision

MOVED: Cr Chilcott | SECONDED: Cr Nichols

That Council approve the following budget variation:

1. That Council approve a variation to the 2019/20 Budget Estimates of \$100,000 for infrastructure provision to enable further subdivision of Council-owned land at Hawkes Place, Scottsdale (CT 9414/303); and
2. That Council approve a variation to the 2019/20 Budget Estimates of \$50,000 for a motor vehicle for the Mayoral role.

Carried

Mayor Howard returned to the Meeting and re-took the Chair (7.04pm)

Item 162/19 Closure of Meeting to the Public

Decision

MOVED: Cr Jessup | SECONDED: Cr Stein

That the Meeting be closed to the public pursuant to Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, and that members of the public be required to leave the meeting room.

Time Meeting Closed to the Public: 7.04pm

Carried Unanimously

Meeting Adjourned: 7.04pm

Reason: For tea break with members of the public

Meeting Resumed: 7.17pm

CLOSED SESSION AGENDA ITEMS

The following matter was listed in the Closed Session Meeting section of the Council Agenda in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*:

Item 163/19 Contract 2019/20-05 – ‘Bituminous Sealing of Roads’

The report on this matter was listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* as the detail covered in the report relates to:

- Contract and tenders for the supply of goods and services

Time Meeting Closed: 7.23 pm

Minutes Confirmed: 21 October 2019

Minute No: 165/19

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Mayor