



dorset
C O U N C I L

Minutes

Council Meeting

24 June 2019

it's in the making

Contents

Item 84/19	Confirmation of Ordinary Council Meeting Minutes – 20 May 2019	3
Decision.....		3
Item 85/19	Confirmation of Agenda.....	3
Decision.....		3
Item 86/19	Declaration of an Interest of a Councillor or Close Associate	4
Item 87/19	Management Team Briefing Report	4
Decision.....		4
Item 88/19	Council Workshops Held Since Last Council Meeting.....	4
Item 89/19	Councillor Applications for Leave of Absence	4
Item 90/19	Public Question Time.....	4
Item 91/19	Deputations	7
Item 92/19	Councillor Question Time.....	7
Item 93/19	Notices of Motion by Councillors	9
Item 94/19	Notice of Motion – Cr Edwina Powell – Acknowledgement of Country	9
Decision.....		10
Item 95/19	Tabling of Petition – Domestic Kerbside Collection in Gladstone	10
Decision.....		10
Item 96/19	Gifts and Benefits Policy Review	10
Decision.....		11
Item 97/19	Asset Management Policy Review.....	11
Decision.....		11
Item 98/19	Variation to Agreement – Dorset Council and May Shaw Health Centre Inc.....	11
Decision.....		12
Item 99/19	Financial Management Strategy and Long Term Financial Plan	12
Decision.....		12
Item 100/19	Annual Plan 2019/20	12
Decision.....		13
Item 101/19	Budget Estimates 2019/20	13
Decision.....		13
Item 102/19	Rates Resolution 2019/20	13
Decision.....		13
Item 103/19	Remission of Varied Waste Management Charge	15
Decision.....		16
Item 104/19	Fees and Charges 2019/20	16
Decision.....		17
Time Meeting Closed:	7.28 pm.....	17



Council Meeting Minutes 24 June 2019

Meeting Opened: 6.00 pm

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

General Manager Tim Watson, Director – Corporate Services John Marik, Director – Works & Infrastructure Dwaine Griffin, Director – Community & Development Rohan Willis, Administration Supervisor Lauren Tolputt

Apologies: Nil

Item 84/19 **Confirmation of Ordinary Council Meeting Minutes – 20 May 2019**
Ref: DOC/19/5199

The Chair reported that he had viewed the minutes of the meeting of the Ordinary Meeting held on Monday, 20 May 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 Nichols | **SECONDED:** Cr Chilcott

That the Minutes of Proceedings of the Dorset Council Ordinary Meeting held on 20 May 2019 having been circulated to all Councillors, be confirmed as a true record.

Carried

Item 85/19 **Confirmation of Agenda**

Decision

MOVED: Cr Jessup | **SECONDED:** Cr Stein

That Council confirm the Agenda and order of business for the 24 June 2019 Council Meeting.

Carried

Item 86/19 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

Nil

Item 87/19 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 Stein | SECONDED: Cr Chilcott

That the Management Team Briefing Report be received and noted.

Carried

Item 88/19 Council Workshops Held Since Last Council Meeting

4 June 2019 – Briefing Workshop

Item 89/19 Councillor Applications for Leave of Absence

Nil

Item 90/19 Public Question Time

Questions Received on Notice – 13 June 2019

Mr Karl Willrath:

(Questions are directed to Mayor, Greg Howard)

I understand that the Minister for Local Government, Mr Peter Gutwein agreed to have a conversation with you in regards to a letter that you had sent to the Labor leader, Rebecca White. A portion of this letter was read out at budget estimates on the 4th June 2019. The portion reads as follows.

“While no targeted loss of jobs were expected there is clearly massive scope within the middle and upper management levels of the public service to reduce the number of

staff as many of the public servants in these roles, in all honesty, do not have a real job”.

As this portion of the letter appears to be quite disrespectful towards public servants, and as I'm sure you are also aware, Labor is in opposition!

- 1. Do you think it was appropriate to write to Ms White at all?*
- 2. If Mr Gutwein has spoken to you about this letter, did he agree with your views?*
- 3. As per Hansard. Labor's, Ms Anita Dow states that you had views on “a number of matters”. Are you prepared to table the letter in its entirety, so our confidence in you can to be upheld?*

Response from Mayor, Greg Howard:

1. Ms White wrote to myself in my capacity as Mayor and therefore it was appropriate that I respond in my capacity as Mayor.
2. Minister Gutwein did not seek a conversation or meeting with me regarding my letter to Ms White. I do speak with the Minister on a regular basis and the fact that an excerpt of my letter had been read out in budget estimates, did come up in conversation. However, this was of no relevance to me and I did not ask him if he agreed with my comments, given he probably hasn't seen the letter. Should you wish to know the Minister's views on the subject I suggest you contact the Minister's office directly.
3. The letter is provided in it's entirety in the attachments to this agenda.

Cr Jan Hughes arrived at the Meeting (6.07 pm)

Malvyn Lohrey:

Is the Boobyalla Cemetery located on public or private land?

Question Taken on Notice

Anke Skrandies:

We would like Council or yourself, Mayor, to give us an answer tonight what Dorset Council communities are being charged for kerbside waste collection, are they different, are they the same and how do you come about the figures?

Response from Mayor, Greg Howard:

Everyone in the municipality, across all townships pays the same amount for waste and recycling collection. The only time this varies is if a ratepayer chooses to have a smaller or larger waste bin than the standard 120L bin provided.

Could someone please confirm the amount that we will be charged?

Response from Mayor, Greg Howard:

For a recycling bin (240L) and a standard issued bin (120L) the cost would be \$259 in total. The \$91.15 is for the Waste Management Charge, which every ratepayer in the municipality pays, regardless of whether they receive kerbside waste collection, and is collected towards the management of waste infrastructure and collection of non-residential waste in Dorset. (i.e. Waste Transfer Stations)

Are Council aware that with the previous contractors truck used to dump at least twice a week waste in the Gladstone Waste Transfer Station? If they did and you were aware, where were they getting the waste from?

Response from Mayor, Greg Howard:

We have no knowledge of that occurring.

Louise Brooker:

I have looked through the proposed budget and haven't been able to find out what the cost of the clearing of the Foreshore at Bridport. Can you inform us please?

Response from Mayor, Greg Howard:

It won't be in the proposed budget as this is for the 2019/20 financial year.

What was the cost of the clearing of the Bridport Foreshore?

Response from Director – Works & Infrastructure, Dwaine Griffin:

Council are still receiving accounts regarding these works. The question is **Taken on Notice**.

Iain O'Neill:

The questions are regarding signage that has been erected on the corner of Ellenor/William Street, Scottsdale to do with the North East Rail Trail:

- 1. Who owns the sign?*
- 2. Who gave approval for the sign?*
- 3. Who paid for the sign?*
- 4. Who paid for the erection of the sign?*

Response from General Manager, Tim Watson

The signage has been funded by a community group at Lilydale, the North East Recreational Trail. They received a grant through the Tasmanian Community Fund for signage and they have determined to use that funding to create the 3 signs. As you

would be aware, Council resolved sometime ago to support the State Government's compromise regarding the use of the rail corridor. They asked if Council could erect the signs, and consistent with the resolution of Council I gave the authorisation for those signs to be erected.

So if I wanted to have one erected for the L&NER you wouldn't have any objections to me doing that?

Response from General Manager, Tim Watson

That would be in the City of Launceston as the township of Lilydale falls within the Launceston municipality and the compromise position has the heritage train finishing in that township.

Was there any charge for the erection of the sign?

Response from General Manager, Tim Watson

No.

I wanted to have a sign erected on the corner of Charles Street in regards to my business and I was given the run and told that I had to speak to this person, or that person. I was then pointed in the direction of Tourism Tasmania and they said that is in Scottsdale you need to speak with Dorset Council, not us. I was then told by Dorset Council that you have to go through Tourism Tasmania and meet all their guidelines and then if Tourism Tasmania approve it, Council would. How is it that the Christian Church and the Veterinary Service have a sign on the Charles Street corner, they don't comply with Tourism Tasmania signage guidelines. There is also one for the Cottage Bakery on the corner of King and Victoria Street, it doesn't comply either, yet they are all in Tourism Tasmania colours.

Response from General Manager, Tim Watson

The way accredited tourism operator's work is that signage is regulated under the Tasmanian Visitor Information Signage (TVIS) Guidelines and that is administered by the Department of State Growth. The tourism operator must be accredited and meet the TVIS guidelines prior to approval. The other signage you mention is directional and Council uses their discretion on what can be erected. Tourism signage that doesn't meet these guidelines may pre-date the guidelines and it would be highly unlikely they would request all signs be upgraded.

Item 91/19 Deputations

Nil

Item 92/19 Councillor Question Time

Cr Leonie Stein:

Where are we at with the investigation into the speed hump issues in Main Street, Bridport?

Response from Director – Works & Infrastructure, Dwaine Griffin:

Council Officers met with the traffic engineer/assessor last week on site, explained and showed him the issues and Council are now awaiting his report.

Have we had any confirmation of moving the 50k/hr speed sign on Main Street, Bridport from near the Bridport Bunker to further south?

Response from Director – Works & Infrastructure, Dwaine Griffin:

It was relocated late last week.

Who is responsible for street lights? Is Council responsible for new lights or is TasNetworks?

Response from Director – Works & Infrastructure, Dwaine Griffin:

If it is a new development it would likely be at the cost of the developer. If it is maintenance of existing lights it would be TasNetworks. If it is on a Department of State Growth maintained road, it would be the Department of State Growth.

There is a light in the carpark opposite the Bridport Bunker that has an orange light. Is it possible to investigate a stronger globe that would throw more light, or possibly another pole to light the area, particularly with the amount of foot traffic in the area?

Response from Director – Works & Infrastructure, Dwaine Griffin:

I can contact TasNetworks and see what they can do.

Cr Mervyn Chilcott:

Regarding letters received from Terry Smith at Derby, is there any compromise options to widen the (Cascade Dam) Road.

Response from General Manager, Tim Watson

It is not so much about compromise as the congestion on the solution to the issues on Cascade Dam Road isn't simple. Council have recently completed widening works and made a number of improvements to help alleviate the congestion, but the physical limitations of the road make it difficult to fix the congestion issues completely. Council are working on a solution to help mitigate the congestion in peak times and Council Officers will be talking to business operators in Derby in the next few weeks.

Cr Edwina Powell:

Does Council have a strategy and future plan to deal with the downturn in Dorset population projections over the next 50 years that came from the Treasury and Finance report?

Response from Mayor, Greg Howard:

Council's Strategic Plan only operates over a 10 year period. A 50-year projection would have a very large margin for error and with a population of only around 7,000, it doesn't take much to change that projection and make it incorrect.

Further Response from General Manager, Tim Watson

The population projections are based on looking backwards, and they don't take into consideration what might be happening today. Substantial investment in irrigation, increase in visitation numbers and employment, the Sideling upgrade and the potential of very large wind farm investment are all factors. The North East could go through a potential renaissance in the next decade.

Further Response from Director – Corporate Services, John Marik:

The recent re-branding exercise for Dorset was purposely an outward looking brand to attract new people to Dorset along with investment and infrastructure spend in the area.

Item 93/19 Notices of Motion by Councillors

Nil

Item 94/19 Notice of Motion – Cr Edwina Powell – Acknowledgement of Country

Ref: DOC/19/6204 | NoM: DOC/19/6205

Purpose

The purpose of this agenda item is to consider a notice of motion proposed by Councillor Edwina Powell.

Recommendation

That Dorset Council and Public meetings begin with the words:

“Dorset Council acknowledges the traditional owners and the present day custodians who live on the land on which we are meeting. We pay our respect to the First People - their Elders, leaders and families past and present – and Aboriginal community members who live in and contribute directly or indirectly to our region.”

MOVED: Cr Powell | SECONDED: Cr McLennan

That Dorset Council and Public meetings begin with the words:

“Dorset Council acknowledges the traditional owners and the present day custodians who live on the land on which we are meeting. We pay our respect to the First People - their Elders, leaders and families past and present – and Aboriginal community members who live in and contribute directly or indirectly to our region.”

Decision

Procedural Motion

MOVED: Cr Jessup | SECONDED: Cr Stein

That the item be deferred to a Workshop.

Carried Unanimously

Item 95/19

Tabling of Petition – Domestic Kerbside Collection in Gladstone

Reporting Officer: General Manager, Tim Watson

Ref: DOC/19/6040 | Reviewed Policy: DOC/19/5530

On 28 May 2019, Council received a petition opposing the introduction of domestic kerbside waste collection because it would impinge on household budgets and the annual five free credit ticket system covers the disposal of household waste at the Gladstone Waste Transfer Station.

The petition has been presented by Ms Anke Skrandies. 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 domestic kerbside collection in Gladstone, presented by Ms Anke Skrandies, be received.

Decision

MOVED: Cr Stein | SECONDED: Cr Jessup

That the petition with respect to domestic kerbside collection in Gladstone, presented by Ms Anke Skrandies, be received.

Carried Unanimously

Item 96/19

Gifts and Benefits Policy Review

Reporting Officer: Director - Corporate Services, John Marik

Ref: DOC/19/6083 | Reviewed Policy: DOC/19/5523

Purpose

The purpose of this agenda item is to review the Gifts and Benefits Policy.

Recommendation

That Council adopt the attached revised Policy No 50 – Gifts and Benefits.

Decision

MOVED: Cr Nichols | SECONDED: Cr Chilcott

That Council adopt the attached revised Policy No 50 – Gifts and Benefits.

Carried Unanimously

Item 97/19

Asset Management Policy Review

Reporting Officer: Director – Corporate Services, John Marik
Ref: DOC/19/6210 | Reviewed Policy: DOC/19/5339

Purpose

The purpose of this agenda item is to review the Asset Management Policy.

Recommendation

That Council adopt the attached revised Policy No 33 – Asset Management.

Decision

MOVED: Cr Lade | SECONDED: Cr Jessup

That Council adopt the attached revised Policy No 33 – Asset Management.

Carried Unanimously

Item 98/19

Variation to Agreement – Dorset Council and May Shaw Health Centre Inc.

Reporting Officer: General Manager, Tim Watson
Ref: DOC/19/6250

Purpose

The purpose of this agenda item is to make a minor variation to the Redevelopment and Asset Transfer Agreement between Dorset Council and May Shaw Health Centre Inc. regarding the Aminya and James Scott Aged Care Facilities.

Recommendation

That the General Manager be authorised to execute a variation to the Redevelopment and Asset Transfer Agreement so as to affect the transfer of the following assets of North East Care Inc. which are to remain for the exclusive use of the Aminya Aged Care Facility:

- Cash at bank - \$5,353.61 (balance as at 21 May 2019)
 - 2 x Electric Lift Chairs
 - Motor Vehicle – Ford Transit F70FB
-

Decision

MOVED: Cr Stein | SECONDED: Cr Hughes

That the General Manager be authorised to execute a variation to the Redevelopment and Asset Transfer Agreement so as to affect the transfer of the following assets of North East Care Inc. which are to remain for the exclusive use of the Aminya Aged Care Facility:

- Cash at bank - \$5,353.61 (balance as at 21 May 2019)
- 2 x Electric Lift Chairs
- Motor Vehicle – Ford Transit F70FB

Carried Unanimously

Item 99/19

Financial Management Strategy and Long Term Financial Plan

Reporting Officer: Director – Corporate Services, John Marik

Ref: DOC/19/6184 | Strategy & Plan: DOC/19/6161

Purpose

The purpose of this agenda item is to adopt the Financial Management Strategy and Long Term Financial Plan for 2019 - 2028.

Recommendation

That pursuant to Section 70, 70A, 70E, 70F of the *Local Government Act 1993*, Dorset Council approves and adopts the Financial Management Strategy and Long Term Financial Plan for 2019 - 2028.

Decision

MOVED: Cr Jessup | SECONDED: Cr Lade

That pursuant to Section 70, 70A, 70E, 70F of the *Local Government Act 1993*, Dorset Council approves and adopts the Financial Management Strategy and Long Term Financial Plan for 2019 - 2028.

Carried Unanimously

Item 100/19

Annual Plan 2019/20

Reporting Officer: Director – Corporate Services, John Marik

Ref: DOC/19/6019 | Plan: DOC/19/5331

Purpose

The purpose of this agenda item is to adopt a new Annual Plan for the 2019/20 financial year.

Recommendation

That Council receive and adopt the Dorset Council Annual Plan 2019/20.

Decision

MOVED: Cr Stein | SECONDED: Cr Hughes

That Council receive and adopt the Dorset Council Annual Plan 2019/20.

Carried Unanimously

Item 101/19

Budget Estimates 2019/20

Reporting Officer: Director – Corporate Services, John Marik

Ref: DOC/19/6229 | 2019/20 Budget Estimates: DOC/19/6239

Purpose

The purpose of this agenda item is to adopt the Budget Estimates for the 2019/20 financial year.

Recommendation

That pursuant to Section 82 of the *Local Government Act 1993*, Council approves and adopts the 2019/20 Budget Estimates.

*Voting Requirement under the Act | Absolute Majority

Decision

MOVED: Cr Jessup | SECONDED: Cr Stein

That pursuant to Section 82 of the *Local Government Act 1993*, Council approves and adopts the 2019/20 Budget Estimates.

Carried Unanimously

Item 102/19

Rates Resolution 2019/20

Reporting Officer: Director – Corporate Services, John Marik

Ref: DOC/19/6219

Recommendation

That Council make and levy rates and charges for the period 01 July 2019 to 30 June 2020 in accordance with the resolution, which follows:

*Voting Requirement under the Act | Absolute Majority

Decision

MOVED: Cr Jessup | SECONDED: Cr Stein

That Council make and levy rates and charges for the period 01 July 2019 to 30 June 2020 in accordance with the resolution, which follows:

1. GENERAL RATE

1.1 That pursuant to section 90 of the *Local Government Act 1993* (the **Act**), Council makes the following general rate on all rateable land (excluding land which is exempt pursuant to the operation of section 87 of the Act) within the municipal area of Dorset for the period commencing 1 July 2019 and ending 30 June 2020:

(a) **7.933 cents in the dollar** on the assessed annual value of the land.

1.2 That pursuant to section 90(4) of the Act, Council sets a minimum amount payable in respect of the general rate specified in clause 1.1 of this resolution in the amount of **\$272.50**.

2. SERVICE RATES AND SERVICE CHARGES

2.1 That pursuant to sections 93, 93A, 94 and 95 of the Act, Council makes the following service rates and service charges on all rateable land in the municipal area of Dorset (including land which is otherwise exempt from rates pursuant to section 87 of the Act but excluding land owned by the Crown to which the Council does not supply the relevant services) for the period commencing on 1 July 2019 and ending on 30 June 2020, namely:

(a) A service charge in the amount of **\$93.65** for waste management services on all rateable land for the making available by Council of waste transfer station facilities (being a waste management facility).

(b) Pursuant to sections 94(3) and 107 of the Act, Council declares by absolute majority that the service charge for waste management services specified in clause 2.1(a) of this resolution is varied as follows:

i. for all land in the locality of Derby which is used or predominantly used for commercial purposes, the service charge is increased to the amount of **\$1,000**.

(c) Service charges for waste management in respect of all land to which Council supplies waste management services comprising the supply of a kerb-side garbage collection service and/or the supply of a kerb-side recycling collection service, as follows:

- i. **\$257.90** for a large (i.e. 240 litre) mobile garbage bin;
- ii. **\$130.50** for a medium (i.e. 120 litre) mobile garbage bin;
- iii. **\$110.45** for a small (i.e. 80 litre) mobile garbage bin; and
- iv. **\$124.15** where Council supplies a recycling collection service.

2.2 If any land to which any of the waste management service charges in paragraphs 2.1(a), (b) or (c) is applicable is the subject of separate rights of occupation, which are separately valued in the valuation list prepared under the *Valuation of Land Act 2001*, then the charges apply to each separate right of occupation.

2.3 Pursuant to section 93A of the Act, Council makes the following service rate in respect of the fire service contributions it must collect under the *Fire Service Act 1979* for the rateable parcels of land within the municipal area of Dorset:

- (a) for land within the Bridport and Scottsdale Volunteer Brigade Rating District, a service rate of **0.45 cents in the dollar** of assessed annual value; and
- (b) for land within the General Land Rating District a service rate of **0.366 cents in the dollar** of assessed annual value.

Pursuant to section 93(3) of the Act, Council sets a minimum amount of **\$41** payable for the service rate in respect of the fire service contributions it must collect under the *Fire Service Act 1979*.

3. SEPARATE LAND

That for the purposes of these resolutions the rates and charges shall separately apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

4. INSTALMENT PAYMENTS

That pursuant to section 124 of the Act, Council determined that ratepayers:-

- (a) may pay the rates and charges by one payment, in which case the due date for that payment is 30 September 2019; and
- (b) may pay rates and charges by four (4) equal instalments, in which case Council determines that the dates by which the instalments are to be paid are as follows:
 - i. the first instalment on or before 30 September 2019; and
 - ii. the second instalment on or before 30 November 2019; and
 - iii. the third instalment on or before 31 January 2020; and
 - iv. the fourth instalment on or before 31 March 2020.

5. DEFAULT INTEREST ON LATE PAYMENT

Pursuant to section 128(1)(b) of the Act, if any rate or instalment is not paid in full within 14 days of the date it falls due, then there is payable a daily interest charge equal to the prescribed percentage calculated in accordance with section 128(2) of the Act in respect of the unpaid rate or instalment for the period during which the relevant amount remains unpaid.

6. ADJUSTED VALUES

That for the purpose of each of these resolutions, any reference to assessed annual value includes a reference to that value as adjusted pursuant to section 89 of the Act.

7. TERMS USED

Words and expressions used both in these resolutions and in the Act or the *Fire Service Act 1979* have in these resolutions the same respective meanings as they have in those statutes.

Carried Unanimously

Item 103/19

Remission of Varied Waste Management Charge

Reporting Officer: General Manager, Tim Watson

Ref: DOC/19/6252

Purpose

The purpose of this agenda item is for Council to adopt a policy position providing a rate remission where business owners and short term accommodation providers in Derby enter into a Blue Derby sponsorship agreement or paid accommodation listing on the Blue Derby website.

Recommendation

That a remission be applied against the waste management service charge variation applicable to Derby properties as follows:

- a) Properties that are considered commercial but are not used for retail, hospitality or short term accommodation purposes – 100% remission;
- b) Annual sponsorship contributions and website charges paid by businesses and short term accommodation providers will be used as an offset via a rate remission against the waste management service charge variation, to a maximum value equalling the variation.

*Voting Requirement under the Act | Absolute Majority

Decision

MOVED: Cr Nichols | SECONDED: Cr Chilcott

That a remission be applied against the waste management service charge variation applicable to Derby properties as follows:

- a) **Properties that are considered commercial but are not used for retail, hospitality or short term accommodation purposes – 100% remission;**
- b) **Annual sponsorship contributions and website charges paid by businesses and short term accommodation providers will be used as an offset via a rate remission against the waste management service charge variation, to a maximum value equalling the variation.**

Voting for the Motion: Mayor Howard, Deputy Mayor Jessup, Crs Stein, Nichols, McLennan, Lade, Hughes, Chilcott

Voting Against the Motion: Cr Powell

Carried by Absolute Majority

Item 104/19

Fees and Charges 2019/20

Reporting Officer: Director – Corporate Services, John Marik

Ref: DOC/19/6235 | Fees and Charges 2019/20 Schedule: DOC/19/6242

Purpose

The purpose of this report is to review the Fees and Charges Schedule for 2019/20.

Recommendation

That Council adopt the attached Fees and Charges Schedule for 2019/20.

Decision

MOVED: Cr McLennan | SECONDED: Cr Nichols

That Council adopt the attached Fees and Charges Schedule for 2019/20.

Carried Unanimously

Time Meeting Closed: 7.28 pm

Minutes Confirmed: 15 July 2019

Minute No: 105/19

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Mayor