

**WAGAIT SHIRE COUNCIL
MINUTES
COUNCIL CHAMBERS**

**LOT 62, WAGAIT TOWER ROAD
7PM**

Tuesday 21 May 2019



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1.0 PRESENT

Councillors:

Vice-President Tom Dyer
Cr Neil White
Cr Michael Vaughan
Cr Graham Drake

Staff: Chief Executive Officer Russell Anderson
Office Manager Pam Wanrooy

1.1 OPENING OF MEETING: - Chaired by Vice-President Tom Dyer at 7.01pm

The Vice-President advises that the meeting will be audio taped for minute taking purposes as authorised by the Chief Executive Officer.

1.2 APOLOGIES AND LEAVE OF ABSENCE:

<p>Resolution No. 2019/387 That the apology of President Peter Clee be accepted and approved. Moved: Cr Michael Vaughan Seconded: Cr Neil White Vote: AIF</p>
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2.0 DECLARATION OF INTERESTS

nil

3.0 CONFIRMATION OF MINUTES

It was suggested by President Peter Clee in the Audit Committee Meeting held 21 May 2019 that minutes not be included in the agenda. It should be included as a separated attachment for all future meetings.

3.1 Confirmation minutes of Tuesday 16 April 2019 Council Meeting

<p>Resolution No. 2019/388 That the minutes of the Monthly Meeting of Tuesday 16 April 2019, be confirmed by council as a true and correct record / or with amendments. Moved: Cr Neil White Seconded: Cr Graham Drake Vote: AIF</p>

3.2 Matters arising from April 2019 Minutes

Nil

4.0 GUEST SPEAKERS - Nil

5.0 QUESTIONS, FEEDBACK AND PRESENTATION BY MEMBERS FROM THE PUBLIC

5.1 MUFF (Mandorah Ukulele Folk Festival)

Jenny Hillyard has advised that the Cox Country Club will hold the camping event the Cox Country Club this year for MUFF.

5.2 Green Waste

Ray Nicholls and Michelle Rawes (Captain) from the Cox Peninsula Volunteer Bushfire Brigade (CPVBB) are here to discuss issues with the existing green waste facility.

The Council has approximately 250 cubic metres of green waste in the yard and the plan is to advertise for a contractor to chip this volume to clear the site. It is necessary to consider new site as a previous trial of bin removal was proven too costly.

CPVBB have great concerns that the existing green waste facility will self-ignite due to spontaneous combustion if the waste is not removed or to continue. If this is to happen, CPVBB does not have the resources nor the manpower to extinguish the fire. Of greater concern is its proximity to all buildings close by which will be at risk of catching fire.

Council notes that there is an immediate risk with the current pile, and the current site is to be de-commissioned until Council comes up with a solution. Options are to be investigated and brought back to the next meeting for June.

Vice-President Tom Dyer thanks Ray Nicholls and Michelle Rawes for their presentation.

5.3 Speeding on Wagait Tower Road

Rick Gosper has requested to do a short 5 minute presentation to council in regards to the ongoing problem of speeding and public safety on Wagait Tower Road with a view to options as to what can be done ASAP.

Rick Gosper has raised his concerns about vehicles speeding through Wagait Tower Road. Rick has proposed signage or a crossing over the drain as well as public awareness.

Costing for signage to monitor speed is to be investigated. CEO Russell Anderson to look into placing a concrete slab to be used as a crossover over the drain on the corner of Uhr Road and Wagait Tower Road. Options to be investigated and brought back to the next council meeting for June.

5.4 WSC Strategic Plan comments

A member of the community has written to council with her comments on the 2019/2024 Wagait Shire Strategic Plan.

Resolution No. 2019/389

That council consider the comments provided and resolved to adopt the 2019-2024 Strategic Plan without amendments.

Moved: Cr Neil White

Seconded: Cr Graham Drake

Vote: AIF

6.0 INWARDS AND OUTWARDS CORRESPONDENCE - April 2019

Resolution No. 2019/390

That council receive and note the correspondence as detailed in the agenda for the month of April 2019.

Moved: Cr Neil White

Seconded: Cr Michael Vaughan

Vote: AIF

7.0 COUNCILLORS REPORTS

7.1 President's Report

Purpose of Report

To Inform Council and community of activities and to provide the community at large with information that is important and noteworthy.

What's been happening.....

I wish to congratulate the acting CEO for his excellent work in bringing the council administration back up to date. The previous CEO had failed to do any significant work on the Annual Budget, the 5-year Strategic Plan nor the 5-year financial outlook. The council asset register had not been updated in 2 years.

The CEO's residence was generally uninhabitable and the acting CEO has been attending to repairs and maintenance on that property.

Advertising has commenced for a replacement CEO. Some local interest has been indicated to date.

The NT Budget has an allowance for the Mandorah Marine Precinct which gives me more confidence that it might actually happen.

The Community Forum that was held on 1 May at the Community Centre was a good event. Several items were discussed and information and ideas flowed between community members present and councillors. The need for a Dog Management Plan was endorsed to enable the dog by-laws to have some credibility. Given the increased incidence of dogs in the community, we need this as soon as possible. The May 1 meeting also voted down the need for a verge policy in a small community like ours.

It was fantastic to have the members of HMAS GLENELG with us to commemorate ANZAC day. The navy indicated they were very pleased with the whole day.

There is a list of a number of items for sale by tender. Community members are encouraged to submit their offer for these council owned yet unwanted goods being offered for sale. Items can be viewed on Saturday 18th

Where have I been

16 th April	Ordinary Council Meeting
23 rd April	Weekly meeting with CEO
25 th April	ANZAC Day commemoration
30 th April	Weekly meeting with CEO
1 st May	ABC Radio – Grass Roots
1 st May	Community Meeting @ Wagait Beach
8 th May	Weekly meeting with CEO
13 th May	Attend Anniversary of Council of the Ageing @ Darwin
14 th May	Weekly meeting with CEO

21st May Weekly meeting with CEO
21st May Audit Committee
21st May Ordinary Council Meeting

Where I am going

29th May ABC Radio – Grass Roots
13th June Top-End Regional Organisation of Councils (TOPROC) meeting
18th June Ordinary Council Meeting

Resolution No. 2019/391

That President Peter Clee's report for the month of April 2019 be received and accepted.

Moved: Cr Neil White

Seconded: Cr Graham Drake

Vote: AIF

7.2 Cr Graham Drake's Report

I am once again pleased to report on some of the highlights from my perspective since the last meeting.

Easter Sunday Community Market

The market was organized by the WAG Arts Group Committee and was very successful. It was encouraging to see many of our community in attendance and a positive vibe throughout the morning. Hopefully this will become a regular event in future.

Anzac Day Service

The service was well attended and received positive feedback from our community. Some longer term residents commented to me that it was the best attendance for years. Thanks to the organisers and to those who participated in the ceremony.

Community Consultation

Following hot on the heels of Easter and Anzac Day was the Community Consultation held on May 1. Although the attendance was disappointing in some ways there were some interesting issues discussed and a variety of input for council to consider. I am pleased that the Community Consultation process is back on track and look forward to the next one. It is also pleasing to note that Council's glass display noticeboard at the shop is being used more frequently to inform the community.

Financial Reports

Another highlight for me has been the effort put in by council staff in conjunction with an accountant to address some concerns expressed in relation to the classification, reporting and presentation of our Financial Reports. This should be reflected in the information provided to council in the near future.

Resolution No. 2019/392

That Cr Graham Drake's report for the month of April 2019 be received and accepted.

Moved: Vice-President Tom Dyer

Seconded: Cr Michael Vaughan

Vote: AIF

8.0 OFFICERS REPORTS

8.1 CEO and Works report

- Draft Shire Plan (agenda item)
- 2019/2020 Draft Budget (agenda item)
- Jetty R&M works quote provided to Department of Infrastructure Planning Logistics. (quote to remove and replace damaged bollards, repair checker plating and reshape drain from the pedestrian crossing. Also supply and install 3 signs with posts. Total: \$3,130).
- Green waste issues (agenda item)

- CEO selection criteria prepared and vacancy advertised. (Interview panel required as applications close on 22nd May)
- CEO house (internal painting and installed new aircon)
- Asset disposal (sale by tender, inspection Saturday 18th May and tender close 2pm 24th May).
- Road side domestic waste contract expires June 2019 (quotations advertised)
- Repairs and Maintenance of vehicles, plant and equipment was advertised locally. Successful were (Belyuen Community Government Council for vehicles and small plant) and (Robert Newman for Plant and Equipment).
- R&M to Cloppenburg toilets and community centre.
- Walk to School
- Territory Day
- Preparations of Council insurance with James Sheridan from JLT
- ANZAC Day
- Replacement of CEO vehicle windscreen and service

Council Works Report:

- Jetty Wash x 13
- Bore Run x 13
- Water Samples x 16
- Jetty Carpark mow and snip
- Trim back overhanging branches along Workshop and Service Road
- Estate Verge mowing
- Power and Water callout x 1
- Toolbox meeting x 4
- Burnt hard waste timber
- Commenced to tidy CEO residence garden
- Order materials for Jetty Carpark job
- Prepare asset items for sale

8.2 Sports Report – April 2019

Activity	Session Frequency / Day of Week	Comment
Children's Activities		
Cricket	Weekly Sessions on Monday's	Cricket was moved to Wednesday afternoon to cover Easter Monday.
Runners & Walkers	Weekly Session Tuesday's	Variety of track lengths and locations is selected and given out on a monthly planner on the last week of the month before the activity. A couple of young enthusiastic runners have joined the adults and really set the pace up the front of the pack.
School Holiday Program	5 sessions in 4 days.	End of Term 1 gave 4 days of School Holidays as the WSC was closed on Easter Friday. A series of morning, afternoon and evening sessions were hosted during the holiday period. Activities included court sports, undercover play, cricket, indoor art, Wii games plus a fun run.
3 Public Holidays and a week of School Holidays meant a few adjustments in the regular after school program.		
Adults / Seniors		
Runners & Walkers	Weekly Session Tuesday	Participation increased through out the month of April with several longer runs on the agenda. New members, returning members and both junior and adult runners and walkers took to the streets of Wagait Beach for some hardy 5km tracks.
Boot Camp	Twice Weekly Monday PM Wednesday AM / PM	Boot Camp numbers in the morning session had dropped off slightly in April.
Seniors Exercise Class	Twice Weekly Tuesday/Thursday AM / PM	A variety of strength and condition classes were hosted. General classes focused on upper or lower body with a small core workout in each session.
Stretch	Once Weekly Thurs or Fri pm pending class participants	Open to all. The stretch session at the end of a week of exercise proving to be quite popular.

Administration

- **Runners and Walkers - tracks mapped and in place for May.**
- **Received notification that the Youth Vibe Grant applied for the July School holiday program was successful.**
- **May Planning Calendar (Sport & Rec Info)**
- **Walk to School Day – May 2019. Communications with sponsor, schools, Dept Infrastructure, Sea Link, families and staff.**
- **Follow up more quote and suggestions on the senior's big day out in August.**
- **Consultation with Belyuen in regard to shared sporting days for the children from both communities to be hosted here in Wagait Beach continued.**
- **July Holiday Planning**

Vice-President Tom Dyer has asked that attendance numbers to be included in the Sports and Recreation Report.

Resolution No. 2019/393

That the Officers reports for the month of April 2019 be received and accepted.

Moved: Cr Neil White

Seconded: Cr Michael Vaughan

Vote: AIF

9.0 FINANCIAL REPORT

The April Cash Income and Expenditure financial report shows the updates from the accountant (Merrilyn Robb).

Cr Graham Drake pointed out some minor issues in the Cash Income and Expenditure report. He has noted that the Total Operational Surplus/Def in the Variance column could be incorrect as the total does not seem to add up. Pam Wanrooy to approach accountant Merilyn Robb and ask questions as to why?

In item 9.4 "Rate Payers in Arrears", amendments are to be made. The .25c for the 206/2017 Rate Year is to be rounded off to a whole figure.

Resolution No. 2019/394

Council resolve to support the remaining expenditure of the undercover picnic area provided in the scope of the grant and council's original concept of shade.

Moved: Vice-President Tom Dyer

Seconded: Cr Graham Drake

Vote: AIF

Resolution No. 2019/395

That the financials for the month of April 2019 be received and accepted.

Moved: Vice-President Tom Dyer

Seconded: Cr Neil White

Vote: AIF

10.0 ACTION SHEET – April 2019

In addition to the April 2019 Action Sheet:

- 10.1** Community Groups – Financial Assistance – to be struck off list
 - 10.2** Cox Peninsula Economic Development Committee – council supports to proceed to offer facilities for meetings. This will be an ongoing item.
 - 10.3** 2019/2020 Budget – to be discussed in item 11.5
 - 10.4** Greenwaste – options to be brought back to the June Council meeting.
 - 10.5** Asset Valuation – to be struck off list
 - 10.6** Cloppenburg Park Picnic Area – to be struck off list
 - 10.7** Short Term Strategic Priorities for Council:-
 - The Draft Shire Plan is before council for tonight's meeting.
 - The Declaration of rates is before council for tonight's meeting.
 - The Adoption of the Annual Budget is before council for tonight's meeting.
 - The elected members allowance is before council for tonight's meeting.
 - Governance issues – there are 5 outstanding issues, and 14 identified that need attention.
 - Review of constitutional electoral representation – to be conducted prior to the next Local Government Election.
- The priorities will be:
- i. Looking at sustainability of Council – this was emailed to councillors after the May council meeting. CEO Russell Anderson to circulate to councillors again.
 - ii. Issues regarding audit – to be brought back to the next council meeting.
 - iii. Staffing Structure – to be discussed in the Shire Plan and Delegations Manual
- 10.8** Council Assets – to be struck off list
 - 10.9** Audit – to be struck off list
 - 10.10** Proposed Dog Management By-Laws – standard operating procedures to stay open and to be brought back to the June Council meeting. The dog pound will come back to council before any action is taken.

- 10.11 Irrigation of Cloppenburg Park – no further action unless it comes back to council
- 10.12 Health Group – ongoing.
- 10.13 Cloppenburg Park Caravan Park – Concept plan has been completed and can be struck off the list. The business plan to remain on action list.
- 10.14 Road and Drainage – to be struck of the action list.
- 10.15 Road Verges – to be struck of action list

Resolution No. 2019/396

That Council receives and notes the Action Sheet for the month of April 2019.

Moved: Cr Michael Vaughan

Seconded: Cr Graham Drake

Vote: AIF

Resolution No. 2019/397

That council no longer requires a policy on road verges in consideration that council can give direction over hazard.

Moved: Cr Michael Vaughan

Seconded: Cr Neil White

Vote: AIF

Resolution No. 2019/398

A business plan not be developed which will not allow the Cloppenburg Caravan Park to proceed.

Moved: Cr Neil White

Seconded: Cr Graham Drake

Vote: AIF

11.0 AGENDA ITEMS

11.1 Green Waste Compound

Council is looking at problems associated with current location and looking at options.

11.2 St Vincent de Paul Society

Resolution No. 2019/399

That Council continues to support the St Vincent de Paul Society collection drive in Wagait Beach.

Moved: Cr Neil White

Seconded: Cr Michael Vaughan

Vote: AIF

11.3 Delegations Manual

Previously the CEO had been requested by member of the public for information regarding the council's budget and expenditure. This was considered by the Information Commissioner and found in favour of the applicant.

The following is the recommended changes to the Delegations Manual to address this issue

- Page 5 of the Delegations Manual be amended, the heading "**Ombudsman**" be changed to read "**Ombudsman/Information Commissioner**" and that the sentence be amend to read "To make the initial response to enquiries received from the Ombudsman/Information Commissioner in relation

to complaints made to him/her concerning decisions or conduct of the Council/or Officers or employees of the Council to be reported to Council to seek direction.”

- That a new paragraph on page 7 under the heading Sub-delegation be added to read (iv) That Council’s budget be available to the public on request”.

Resolution No. 2019/400

The Audit Committee recommend to council that they amend the Delegations Manual to ensure members of the public have available council’s budget when requested.

Moved: Cr Michael Vaughan

Seconded: Cr Graham Drake

Vote: AIF

11.4 General Instruction No. 4 – Procurement

Resolution No. 2019/401

The Audit Committee recommend to Council that they note the General Instruction No. 4 – Procurement that will come into effect 1 July 2019 and \$7,750 fine for non-compliance.

Moved: Cr Graham Drake

Seconded: Cr Michael Vaughan

Vote: AIF

11.5 2019/2020 Draft Budget and Fees and Charges

Council to increase the current year budget by 4% to the years 2020 to 2024 budget as identified in the long term financial projection.

The budget to be amended to reflect the 0% rate increase.

Resolution No. 2019/402

That the budget be accepted in full with the amendment that there be no rate increase for 2019/2020.

Moved: Vice-President Tom Dyer

Seconded: Cr Neil White

Vote: AIF

Fees and Services

- There will be no fees and charges for wood chip.
- The charges for the Rental the word “Electoral Commission” to be amended to “Non Community Groups”

Resolution No. 2019/403

The Audit Committee recommend to council that the Fees and charges be accepted as amended.

Moved: Cr Michael Vaughan

Seconded: Vice-President Tom Dyer

Vote: AIF

Resolution No. 2019/404

The Audit Committee recommends to Council that they pass the following motion: Expenditure in the budget for dog pound for \$30,000 and Cloppenburg Park Irrigation for \$19,000 not be expended until a full management plan and cash flow approved by council.

Moved: Vice-President Tom Dyer

Seconded: Cr Graham Drake

Vote: AIF

11.6 Members Allowance

The Elected Member Allowance Policy P34 was previously adopted by council.

Amendments to P34 to be made as follows:

- President – entitlement to continue at \$300 monthly entitlement
- Vice president entitlement drop back to \$0
- All members drop back to \$0

Resolution No. 2019/405

That Council update P34 Elected Members Allowances to reflect payment of allowances for 2019/2020.

Moved: Vice-President Tom Dyer

Seconded: Cr Michael Vaughan

Vote: AIF

11.7 2019/2020 Rates

Local Government Act Declaration of Rates and Charges 2019 - 2020

Notice is hereby given, pursuant to Section 158 of the Local Government Act, that the following rates and charges were declared by the Wagait Shire Council at the Ordinary Meeting held on 21 May 2019 pursuant to Chapter 11 of the Local Government Act ("the Act") in respect of the financial year ending 30 June 2020.

Rates

Wagait Shire Council (the "Council") made the following declaration of rates pursuant to Chapter 11 of the Act.

1. Council, pursuant to Section 148 of the Act, adopted the fixed charge method as the basis for determining the assessment of all allotments within the Council area.
2. Council, pursuant to Section 155 of the Act declared that it intends to raise, for general purposes by way of rates, the amount of \$231,597.20 which will be raised by the application of a fixed charge amount of \$596.90 per allotment being payable for the financial year ending 30 June 2020.

Charges

Pursuant to Section 157 of the Act, Council declared the following charge for the purpose of enabling or assisting Council to meet the cost of garbage collection and disposal services for the benefit of all allotments within the Council area.

3. Council intends to raise \$116,400 by this charge.
 - a. The following charge was declared:
 - A charge of \$300.00 per annum per allotment in respect of kerbside garbage and hard waste collection services provided for the benefit of all allotments within the Council area.
 - b. The services are:
 - A kerbside garbage collection service of one garbage collection visit per week; and
 - A hard waste collection service of one collection per quarter in the months of September, December, March and June
 - A maximum of one 240 litre mobile bin per collection
 - Provision of a green waste recycling facility

Relevant Interest Rate

4. The relevant interest rate for the late payment of rates and charges is fixed in accordance with Section 162 of the Act at the rate of 18% per annum and is to be calculated on a daily basis.

Payment

5. Rates and charges declared under this declaration may be paid by four (4) approximately equal instalments on the following dates, namely:
 - First instalment, 30 September 2019
 - Second instalment, 30 November 2019
 - Third instalment, 31 January 2020
 - Fourth instalment, 31 March 2020

Instalments falling due on a weekend or public holiday may be paid by the following business day, without incurring any penalty.

- a. Details of due dates and specified amounts are listed on the relevant Rates Notice
- b. Variations to those options for payment will be administered according to the conditions outlined on the front and reverse of the Rates Notice
- c. A ratepayer who fails to abide by such conditions may be sued for recovery of the principal amount of the rates and charges, the late payment and costs reasonably incurred by Council in recovering or attempting to recover the rates and charges. If rates are payable by the owner of the land and are not paid by the due date, they become a charge on the land to which they relate.

Resolution No 2019/406

That a 0% increase for rates as reflected in the 2019/2020 Budget be approved as declared under Section 155 of the Local Government Act.

Moved: Vice-President Tom Dyer

Seconded: Cr Graham Drake

Vote: AIF

11.8 Wagait Shire Council 2019-2024 Shire Plan

Page 3 under the heading "Our Organisational Structure" the position of Government/Finance to to be included.

On page 5 under the heading "Constitutional Arrangements" the four dot points be deleted of the 2019-2024 Shire Plan.

Resolution No. 2019/407

That the Audit Committee recommends to Council that the 2019-2024 Shire Plan including the 2019/2020 amended Budget be advertised publicly for a 21 day community consultation and final adoption with amendments.

That council adopt a 2% increase in rates (excluding 2019/2020) and costs in line with the Long Term Financial Plan for the years 2021 to 2024.

Moved: Vice-President Tom Dyer

Seconded: Cr Neil White

Vote: AIF

12.0 UPCOMING EVENTS

12.1 Hard Waste Pickup Dates

Put Rubbish Out 22 and 23 June 2019

The above dates to be reviewed.

12.2 Seniors Outing – August 2019

13.0 LATE ITEMS AND GENERAL BUSINESS

13.1 Sub Division application – 151 Wagait Tower Road

10.00pm – Cr Michael Vaughan declares a conflict of Interest and left Council Chambers.

Resolution No. 2019/407A

If subdivision is approved by the Development Authority, the developer needs to be aware that they will carry the costs of the crossover that needs to be approved by Council and that they need to carry the costs of any additional rubbish bins.

Moved: Vice-President Tom Dyer

Seconded: Cr Graham Drake

Vote: AIF

10.02pm – Cr Michael Vaughan returns to Council Chambers.

13.2 Call for Submission on Liquor Bill 2019

The Economic Policy Scrutiny Committee is call for submissions to its inquiry into the Liquor Bill 2019. The closing date for submissions is 14 June 2019.

14.0 IN-CAMERA ITEMS

Resolution No. 2019/408

That Council close the meeting to the general public in accordance with section 65(2) of the Local Government Act to enable Council to discuss in a Confidential Session an item described under Local Government (Administration) regulation 8;

(c) information that would, if publicly disclosed, be likely to:

(iv) prejudice the interests of the council or some other person;

Moved: Vice-President Tom Dyer

Seconded: Cr Neil White

Vote: AIF

14.1 Waste Management Tender

14.2 CEO Selection Panel

Resolution No. 2019/410

That Council re-open the meeting to the general public in accordance with Section 65(1) of the Local Government Act.

Moved: Vice-President Tom Dyer

Seconded: Cr Neil White

Vote: AIF

15.0 DATE OF NEXT MEETING

The next Council Meeting is to be held on Tuesday 18 June 2019 in the Council Chambers, 62 Wagait Tower Road, Wagait Beach.

16.0 CLOSE OF MEETING

The Chair declared the meeting closed at 10.17 pm.