



BOGAN SHIRE COUNCIL

Minutes

25 May 2017



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 25 May 2017 at 9.30am**

PRESENT: Councillors RL Donald OAM (in the Chair), VJ Boag, WG Deacon, JL Douglas, VJ Dutton, AJ Elias, GN Jackson, GRJ Neill and KM Ryan.

Also present were Mr Derek Francis (General Manager), Mr Graeme Bourke (Manager of Engineering Services), Mr Ty Robson (Acting Manager Development and Environmental Services), Mrs Debb Wood (Manager People and Culture), Mrs Stephanie Waterhouse (Finance Manager) and Mrs Cathy Ellison.

REMEMBRANCE: Recent Manchester terror attack victims.

DECLARATION OF INTEREST: Nil

139/2017 RESOLVED that the Minutes of the Extraordinary Meeting of Council held on 11 May 2017, copies of which have been circularised to Councillors be taken as read and confirmed. **(Ryan/Deacon)**

Business Arising: Nil

140/2017 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 27 April 2017, copies of which have been circularised to Councillors be taken as read and confirmed with the following amendments:- **(Boag/Douglas)**

Fees and Charges – Waste Charge for Major Event:

Minute 104/2017 to read: - RESOLVED that Council adopt the \$220 waste charge for major events at the Nyngan Showground and Racecourse. **(Ryan/ Elias)**

Minute 093/2017 to read: - RESOLVED that Council write to Stormco to encourage them to come back to Nyngan, as all their visits have been a great success in our community. Feedback from the children and parents has all been positive and they appreciate you providing entertainment to the children of all ages. **(Ryan/Douglas)**

Minute 101/2017 to read: - RESOLVED that Council adopts the budget amendments shown on the Budget Review Statement (Appendix A) for the 2016/2017 Operating and Capital Budget showing a surplus of \$146,928. **(Ryan/Boag)**

Business Arising: Nil

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The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 25 May 2017.

131/2017 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that Council move into a closed section of Council with the public excluded, in accordance with the Local Government Act 1993, Clause 10A (2) (d) (i) because information provided and discussed involves commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. **(Ryan/Elias)**

132/2017 RESOLVED that the Minutes of the Closed and Confidential Meeting of Council held on 27 April 2017, copies of which have been circularised to Councillors be taken as read and confirmed. **(Neill/Boag)**

133/2017 RESOLVED that based on assurances from NSW Public Works regarding the suitability of the lowest tenderer, notwithstanding information that they had been placed under administration in 2014, Council accepts the lowest tender from Trazibat Pty Ltd at a value of \$8,266,826.01 excl GST. **(Ryan/Douglas)**

134/2017 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into Open Council. **(Boag/Douglas)**

135/2017 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that Council move into a closed section of Council with the public excluded, in accordance with the Local Government Act 1993, Clause 10A (2) (a) because information provided and discussed involves personnel matters concerning particular individuals (other than Councillors). **(Ryan/Dutton)**

136/2017 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into Open Council. **(Deacon/Boag)**

137/2017 EXCLUSION OF PRESS AND PUBLIC: RESOLVED that Council move into a closed section of Council with the public excluded, in accordance with the Local Government Act 1993, Clause 10A (2) (a) because information provided and discussed involves personnel matters concerning particular individuals (other than Councillors). **(Douglas/Boag)**

138/2017 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into Open Council. **(Elias/Deacon)**

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Other Matters:-

141/2017 RESOLVED that Council acknowledge the General Manager of Warren Shire Council, Mr Ashley Wielinga's contribution to Warren Shire Council over the past 27 years and the cooperative way he has worked together with Bogan Shire Council over the years. **(Ryan/Neill)**

142/2017 RESOLVED that:

1. Council extends its appreciation to Derek Francis, General Manager, Ty Robson, Acting Manager Development and Environmental Services and to all other staff involved for their work on the construction of the Bogan Shire Medical Centre to a high standard, on time and on budget.
2. Council extends its appreciation to the Western NSW Primary Health Network and, in particular their staff involved in the Bogan Shire Medical Centre project, for their highly-valued assistance, advice and support.
3. Recognising the significant challenges involved, Council extends its appreciation to Debb Wood, Manager People and Culture, and to all other staff, for setting up the operations of the Bogan Shire Medical Centre to a high professional standard and its ongoing management as a Council facility for the benefit of the Bogan Shire community. **(Donald/Neill)**



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REPORT TO ORDINARY MEETING OF COUNCIL – GENERAL MANAGER’S REPORT

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	13/12/2012 28/03/2013	418/2012 098/2013	Davidson Park Revitalisation Program	Establish paving pathways to the mural.	MDES	Report refers.
2	22/06/2014	209/2014	Tourist Information Bay	On commencement of project, Council advise owners/apparent owners of existing highway signage that existing signs to be removed. Or maybe replaced by signs on the Information Bays. Council charge an annual fee and an initial fee.	GM	Affected business owners identified and engagement process commenced. Letters drafted.
3	26/09/2014	363/2014	Fire Safety Audit Program	Further report on progress of compliance with Program.	MDES	Fire Safety Audit Reports (FSARs) to all selected properties completed. Meetings held with several owners / Boards.

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	26/02/2015	033/2015		Legal proceedings including the issuing of Notices and Orders to commence against the owner/occupier of any premises who fails to confirm their agreement to comply with the findings of the FSAR.		Agreement on required works achieved with several owners / Boards. Efforts still being made to have owners upgrade building voluntary.
4	26/11/2015	457/2015	Sports Insurance	Council continue to follow up correspondence with the Minister for Sport, Minister for Health, Minister for Finance, Dept of Fair Trading, Australian Competition & Consumer Commission and Icare Workers Insurance – concerning inadequate reply to Council’s enquiry on what local sports insurance fees are spent on.	MPC	Ongoing. Letters sent 29 November 2016 to the following:- <ul style="list-style-type: none"> • NSW Country Rugby League • NSW Netball Association • Cricket NSW To date no replies have been received.

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						All communication and documentation has been provided for submission to the CRL via Councillor Neill.
5	25/02/2016	022/2016	Bogan Bush Mobile	Delegation is planned to meet with Minister.	GM	Meeting held 1 December 2016.
	15/12/2016	481/2016		Council works together with MCSA & other Councils in Parkes Electorate to formulate a combined response to the proposed BBF funding changes, expressing grave concerns that a valuable service to our rural families will be lost.		Council's response report sent to PwC, with a copy to Mark Coulton on 27 Jan 2017. Submission has been made to Senate Enquiry. BBM has been assured of ongoing funding but it is uncertain what form this will take. Awaiting follow up visit from consultants, PwC.
6	24/03/2016 15/12/2016	078/2016 485/2016	Bicentennial Wall & Ceramic Mural	The General Manager work with Peter Zanetti to undertake the necessary work to complete the reinstatement of the wall & mural.	GM	Peter Zanetti & his team have commenced the project. Broken tiles have been put together & now to be catalogued.

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						Community workshop dates to be confirmed. Manufacture of blank tiles commenced.
7	28/04/2016	107/2016	Village Tour	Entrance Signs into villages be pursued in conjunction with the villages' communities. Costing to be part funded from village allocation & part funded by Council.	MES	Construction of signs still in progress.
8	28/07/2016	266/2016	Signs at Ovals & Parks	Investigate the history of the former Nyngan residents and sportsmen, after whom parks and sportfields are named, with a suggested wording & cost for signage.	MPC	Sufficient information obtained to develop draft signs for Larkin & Smith Ovals & Vanges, O'Reilly & Davidson Parks. Signs have been ordered.

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9	27/10/2016	423/2016	Seniors Living – Rental Units	Consult with community to gauge interest in the project before making a decision on which location & how many units to build & advise prospective tenants of what the highest rental payment will be & what they would receive for their payment.	GM	Public Information Meeting 14 December 2016.
	27/04/2017	109/2017		Council approve \$7,000 in the current year's budget to have the construction plans complied.		A report be presented to Council detailing the estimated cost of the development once the construction plans have been received and quantified.
10	15/12/2016	491/2016	Mitchell Highway	As a priority, further urgent representation to the Minister for Transport & RMS concerning the conditions, safety & dangerous section of the Highway.	MES	Another letter to Minister for Transport and RMS.

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11	23/02/2017	027/2017	Lions Park	Council investigate replacing the road base with sand or a suitable alternate at the cricket nets.	MDES	Remaining works still to be completed. Budget to be reviewed after such time to investigate possible alternative material.
	23/03/2017	046/2017		Increase budget to replace the hard surface with sand or a suitable alternative at the cricket nets.		Adjacent road base material has been removed. Contractor engaged to lay additional concrete. Suitable surfacing (synthetic turf) being investigated. Quote received for synthetic turf.
12	23/03/2017		Funding for Live Music Events in Regional NSW	Further investigation by staff.	MPC	Council to investigate participation in EOI process.
13	23/03/2017	042/2017	Rural Financial Counsellor Services	Council approach the local Federal Member & Minister for Agriculture & Water Resources to continue funding for four offices –	GM	Letters sent to Mark Coulton, local Federal Member & Barnaby Joyce, Federal Member for Agriculture & Water Resources.

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	27/04/2017	086/2017		<p>Nyngan, Mudgee, Walgett and Tottenham to remain open after 30 June 2017.</p> <p>Council follow up with a stronger letters to both local member and Minister.</p>		To date, no replies have been received.
14	23/03/2017	064/2017	Pangee Street Garden Beds	Reallocate funds of \$5,528 to the Pangee Street Garden beds – further report be presented to Council on the success of the trial garden bed.	MDES	Currently underway.
15	27/04/2017		Industrial Estate	Seek public interest in naming of the estate.	MPC	Public Notice in local paper. Closing date 9 June 2017 for suggestions.

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16	27/04/2017	090/2017	Flood Memorial Carpark	Signage be erected in the carpark advising campers free camping is permitted within the area for 24 hours and that no access to power is available, however, power is available at the two Caravan Parks.	MPC	Signage being drafted.
17	27/04/2017	110/2017	Bogan Shire Swimming Pool Inspection Program	Council place the BS Swimming Pool Inspection on public exhibit for 28 days.	MDES	Currently on public exhibition.



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After item 14 – Medical Centre - Council moved into the Closed and Confidential Section of the Meeting.

At 10.15am, Mark and Clare McConochie and Jo Eldridge addressed Council and presented a presentation regarding their concerns about the proposed APA Western Slopes Pipeline Project which could pass through several Bogan Shire properties.

Council adjourned for morning tea at 10.40am and attended the Biggest Morning Tea at the Library.

Council resumed at 11.10am.

Council returned to the Closed and Confidential Section of the Meeting.

143/2017 RESOLVED that Council forward another urgent letter to the Minister for Transport and copy to RMS requesting the upgrade of 8kms of road construction on the Mitchell Highway. **(Ryan/Jackson)**

144/2017 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist. **(Elias/Deacon)**

2 VILLAGE TOURS 2017

Summary:-

This report is to record matters raised during the 2017 Village Tour as well as progress made with items raised in previous meetings with community representatives.

Coolabah

- Roads – compliments to Shire staff involved in recent roadworks.
- Public Toilets – consider need for – encourage travellers to stop.
- Grass Slashing – request to review program (highway and town).
- Tree – overhanging powerline outside residence.
- Level crossing – dangerous projections (bolts) in roadway.

Girilambone

- Village Tip – issues with people dumping on road – schedule regular cleanup.
- Okeh Road – resheeting and work on causeways needed.

Hermidale

- Roads – compliments to Shire staff involved in recent roadworks.
- Park – upgrades needed to fence, clean up trees and lawn.
- Highway intersection – near misses reported – need turn lane / request to reduce speed limit.
- Minimum lot size for rural properties – review.
- Light at Larkin Oval – urgently needed.
- Grass Slashing – being well carried out.

145/2017 RESOLVED that the Village Tours 2017 Report be received and noted.
(Ryan/Neill)

3 DUCK CREEK PICNIC RACES 2017

Summary:-

This report is to present a recommendation to Council in regard to an alcohol free zone for consideration for the Duck Creek Picnic Races.

146/2017 RESOLVED that:-

1. The report be received and noted.
2. Council declare an Alcohol Free Zone for forty-eight (48) hours from 6.00am on Saturday 1 July 2017 in the areas of the Nyngan Showground and Nyngan Racecourse that are not contained within the fencing erected by the organisers of the Duck Creek Picnic Races. **(Douglas/Elias)**

4 COUNCILLOR AND MAYORAL FEES

Summary:-

This report is to advise Council of the determination of the Local Government Remuneration Tribunal and to recommend that Council fixes Councillor and Mayoral Fees for the 2017/18 financial year based on this determination.

147/2017 RESOLVED that Bogan Shire Council pay Councillors the minimum fee and 75.7% of the maximum Mayoral Fee with this being split 80% to the Mayor and 20% to the Deputy Mayor. Taking into account the Tribunal's determination, this would translate into the following for 2017/18. **(Jackson/Deacon)**

	Councillor Fee	Mayor Fee	Total Fee
Councillors	8,750	-	8,750
Deputy Mayor	8,750	3,822	12,572
Mayor	8,750	15,292	24,042

REPORT TO THE ORDINARY MEETING OF COUNCIL – COMMUNITY SERVICES

1 BOGAN SHIRE MEDICAL CENTRE

Summary:-

This report is to inform Council of the opening of the Bogan Shire Medical Centre.

148/2017 RESOLVED that the Bogan Shire Medical Centre report on the opening of the Centre be received and noted. **(Ryan/Boag)**

2 BOGAN SHIRE MEDICAL CENTRE LOGO

Summary:-

The purpose of this report is for Council to consider a logo design for the Bogan Shire Medical Centre.

149/2017 RESOLVED that Council adopt logo 2 as presented, as the official logo of the Bogan Shire Medical Centre. **(Ryan/Neill)** Unanimous

Option 2: Logo with custom font only on solid background.





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3 BOGAN SHIRE EARLY LEARNING CENTRE

Summary:-

The purpose of this report is to advise Council of the activities and statistics of the operation of the Bogan Shire Early Learning Centre.

150/2017 RESOLVED that the Early Learning Centre Report be received and noted.
(Dutton/Jackson)

REPORT TO THE ORDINARY MEETING OF COUNCIL – CORPORATE SERVICES

1 BANK RECONCILIATION

Summary:-

The report is to present the reconciliation of Council's Cash Book, Bank Statements and Ledger Bank Account as at 30 April 2017.

151/2017 RESOLVED that the Bank Reconciliation Report as at 30 April 2017 be received and noted. (Dutton/Ryan)

2 INVESTMENTS APRIL 2017

Summary:-

- *The report is to outline the performance of Council's Investment Portfolio for the month of April 2017.*
- *At the 30 April 2017 Council had \$9.6 million invested. There has been a decrease of \$176,800 to Council's investments since the March 2017 report due to some large accounts being paid for various Capital Projects including the Medical Centre, Road Works Expenditure and upgrades to Council's Water Treatment Plant.*

152/2017 RESOLVED that the Investments Report for the month of April 2017 be received and noted. **(Boag/Deacon)**

3 SUMMARY OF RATES & ANNUAL CHARGES COLLECTION

Summary:-

- *The report is to provide a comparison of rate collections as at 30 April, 2017, with the same period last year.*
- *Total arrears have increased from \$303,815 at the 30 April 2016 to \$376,912 as at 30 April this year.*
- *Council has stepped up its debt collection processes to reduce these arrears in line with Council's Debt Collection Policy.*

153/2017 RESOLVED that the Rates and Annual Charges Collection Report as at 30 April 2017 be received and noted. **(Neill/Boag)**



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4 CUSTOMER SERVICE CHARTER

Summary:-

- *This report seeks the adoption of the Customer Service Charter AP010.*
- *The purpose of this report is to present to Council the new Bogan Shire Council Customer Service Charter and to have it adopted as a Policy of Council.*

154/2017 RESOLVED that Council adopt the draft Policy AP010 to be known as Bogan Shire Council's "Customer Service Charter". **(Ryan/Dutton)**

REPORT TO THE ORDINARY MEETING OF COUNCIL – ENGINEERING SERVICES

1 OPERATIONAL REPORT

155/2017 RESOLVED that the Operational Report for the reporting period 17 April 2017 to 12 May 2017 be received and noted. **(Ryan/Neill)**

156/2017 RESOLVED that on completion of the riverside walkway, Council hold an inaugural cycle/walk, inviting the community and school children to participate. **(Elias/Neill)**

2 NYNGAN COBAR WATER SECURITY PROJECT STAGE 2 PROJECT PLAN

Summary:-

This report is for Council to adopt a Project Plan for a Feasibility Study - Albert Priest Pipeline and 3,000 ML Storage.

Scope of Work

Item	Activity	Description
1	Sign Funding agreement	
2	Project Management	The Project Manager will drive the Project and manage all consultants and sub-consultants.
3	Identify potential 3,000 ML Storage Sites	Early identification of potential sites is key to progressing the Engineering, Environmental and Geotechnical Studies.
4	Stakeholder engagement with APC Users Association, irrigators and stock & domestic water users	Conduct a series of meetings with APC Users Association, irrigators and stock & domestic water users to determine their vision for the future and complete benefit and cost analyses to identify the best water delivery and cost sharing options for all water users.
5	Project technical advice and stakeholder engagement with Bogan Shire Council, Cobar Shire Council and Cobar Water Board	The Project Technical Advisor will support the Project Director with a strong focus on overall stakeholder engagement and financial planning and assessments. Duties will also involve attending steering committee meetings and maintaining the project plan. If required, duties may include attending stakeholder meetings and reviewing consultancy briefs, selection criteria and outputs.
6	Sign off Feasibility Study – Phase 1	Feasibility Study - Phase 1 will comprise of the findings from the stakeholder engagements. Bogan Shire Council to sign-off the resulting Report/s.

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7	Engineering, Environmental and Geotechnical Studies for the 3,000 ML Storage and Pipeline	These studies will investigate the engineering, environmental and geotechnical aspects of options shortlisted by key stakeholders for the purposes of refining the cost benefit analyses and assessing the feasibility.
8	Feasibility Study – Phase 2	This report will assess the findings from the Engineering, Environmental and Geotechnical Studies on the feasibility and cost benefit of options, as well as incorporating any further feedback from key stakeholders.
9	Sign off Feasibility Study – Phase 2	Bogan Shire Council to sign-off the resulting Report/s.

157/2017 RESOLVED that Council accepts the grant of \$850,000 from the National Water Infrastructure Development Fund (NWIDF) subject to the inclusion in the scope of works of item 4b being an independent financial review of the business case assumptions and consumers charges. And further that the grant's acceptance is subject to the understanding that following the completion of item 4b and community consultation Council will make a determination of whether to proceed with the project.
(Neill/Ryan)



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REPORT TO THE ORDINARY MEETING OF COUNCIL – DEVELOPMENT AND ENVIRONMENTAL SERVICES

1 DEVELOPMENT APPLICATIONS

158/2017 RESOLVED that the Development Applications Report since Council's April 2017 Meeting be received and noted. **(Boag/Douglas)**

2 OPERATIONAL REPORTS

159/2017 RESOLVED that the Operational Report, including Parks and Gardens and Noxious Weed since Council's April Meeting be received and noted. **(Ryan/Jackson)**

3 MOBILE FOOD AND DRINK VENDING VEHICLES POLICY

Summary:-

- *Following exhibition of the Mobile Food and Drink Vending Vehicles Policy for a period of 28 days, one (1) submission was received during this period.*
- *The report is presented to Council for final adoption of the Policy.*

160/2017 RESOLVED that Council adopt the Policy for Mobile Food and Drink Vending Vehicles as exhibited. **(Neill/Boag)**

4 DAVIDSON PARK PROGRAM OF WORKS

Summary:-

In the 2016/17 Capital Budget, Council allocated \$21,461 towards upgrades to Davidson Park once the old playground has been removed.

161/2017 RESOLVED that Council undertakes the scope of works in Davidson Park as detailed below. **(Deacon/Elias)**

- The uneven paving surrounding the bench chair leading up to the CWA building be removed and replaced, and a new concrete footpath constructed (approx. 5m in length).
- New concrete footpath linking the toilet facilities to the VIC Car Park (approx. 10m in length).
- New footpath adjacent to the Bicentennial Wall to enable ease of viewing.
- Irrigation lines and new turf be placed around the area not covered by the new footpath adjacent to the Medical Centre.
- Subject to consultation with the Nyngan CWA, the rocks surrounding the CWA buildings current garden area be removed and small raised garden beds be reinstated on each side of the footpath with subsurface drippers installed.
- Plant small native flowering shrubs and grasses within the garden beds.
- Minor maintenance works (paint) to the existing table setting and bin enclosure within the park.



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5 WESTERN SLOPES GAS PIPELINE MAJOR PROJECT

Summary:-

- *This report is submitted to Council to provide a summary of the Western Slopes Gas Pipeline Major Project.*

162/2017 RESOLVED that Council object in principle to the Western Slopes Gas Pipeline Project in our Shire, but if the project goes ahead Council request the applicant APA to consider re-routing the pipeline along the edges of public road reserves to avoid private properties. **(Ryan/Douglas)**

Council adjourned for lunch at 12.30pm and resumed at 1.30pm.

PRECIS OF CORRESPONDENCE

1 CASTLEREAGH – BARWON – DARLING RIVER POLICE RUGBY UNION FOOTBALL CLUB

163/2017 RESOLVED that the correspondence received from the Castlereagh – Barwon – Darling River Police Rugby Union Football Club seeking sponsorship from local businesses be noted. (Ryan/Boag)

2 MELINDA MILLS

Correspondence received from Melinda Mills concerning the Western Slopes Pipeline Project.

This item had been dealt with earlier in the meeting.

3 AUDIT OFFICE OF NSW – AUDITOR-GENERAL

164/2017 RESOLVED that correspondence received from the Audit Office of NSW, Auditor-General regarding the initial Local Government Performance Audit be noted. (Ryan/Douglas)

4 MARGOT DOWNING

165/2017 RESOLVED that Council advise Margot Dowling that it has no objection to signs directing trucks and similar to their property be erected, providing the location and format of the signs be approved by Council. (Douglas/Neill)

5 WEEKLY CIRCULARS

166/2017 RESOLVED that the Local Government Weekly Circulars 15/17 to 18/17 be noted. (Dutton/Ryan)



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Other matters:

Farmland tip charges.

167/2017 RESOLVED that Council support the local Senior Rugby League Club in their endeavor to hold the Group 11 Grand Final Nyngan. **(Douglas/Ryan)**

There being no further business the meeting closed at 1.55pm.

These Minutes were confirmed by resolution at a meeting held onand were signed as a true record.

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GENERAL MANAGER

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MAYOR

