



BOGAN SHIRE COUNCIL

Minutes

23 April 2013

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 23 April 2013 at 9.30am**

PRESENT: Councillors RL Donald, WG Deacon, JL Douglas, LH Dutton, HJ Griffiths, JE Hampstead OAM, GR Neill and KM Ryan.

Also present were Mr Derek Francis (General Manager), Mr Tim Riley (Manager of Development and Environmental Services), Mr Graeme Bourke (Manager of Engineering Services) Mr Dean Woods (Environmental Health & Building Inspector) and Mrs Cathy Ellison.

Declaration of Interest: Nil.

112/2013 RESOLVED that the apology received from Councillor EM McLaughlin be received and she be granted leave of absence from the meeting. **(Hampstead/Griffiths)**

113/2013 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 28 March 2013, copies of which have been circularised to Councillors be taken as read and confirmed. **(Griffiths/Deacon)**

Council moved into the Closed and Confidential section of the meeting.

114/2013 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, Section 10A (2) (a) because information provided and discussed involves personal matters concerning particular individuals (other than Councillors). **(Douglas / Ryan)**

Discussion:

Visitors information Centre

115/2013 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into open Council. **(Douglas/Neill)**

COMMITTEE MEETING MINUTES

1 MUSEUM

116/2013 **RESOLVED** that the Minutes of the Museum Meetings held on Wednesday 6 February 2013 and Wednesday 6 March 2013 be received and noted. **(Neill/ Ryan)**

REPORTS TO ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

1 LOCAL GOVERNMENT NSW FIRST CONFERENCE

117/2013 **RESOLVED** that the Mayor, Deputy Mayor, General Manager and Councillor Deacon attend the first Conference of Local Government NSW on 1 – 3 October 2013. **(Ryan/Douglas)**

At 10.20am Mrs Dione Carter addressed Council concerning the Bogan Community Tourism and Business Group.

Council adjourned for morning tea at 10.35am.

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

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
1	23/08/2007 25/02/2010 22/07/2010	500/2007 371/2007 370/2007 20/2010	Housing Residential & Aged Care Accommodation	Feasibility of developing Council owned land, subdivide, establish further aged care accommodation.	Mayor / GM	Affordable Accommodation for the Aged Community Committee established. Loan interest subsidy application made for possible construction of units.
	28/02/2013	023/2013		To prepare concept plans & obtain cost estimates for the construction of 2 bedroom independent living units on the 'pound' paddock for further consideration by Council.	Dev & Env Services	AAA Community Committee progressing this action. Manager Dev & Env Services currently obtaining quotes for Concept Plan.
2	25/02/2011 24/03/2011 28/04/2011	09/2009 467/2009 164/2010 384/2010 80/2011 114/2011	Ambulance Station	Council express interest in acquiring the former ambulance station premises.	Mayor	Council write to Health Minister asking to acquire station at no cost to be used for community purposes.

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						<p>Men's Shed has acquired lease of both allotments at ambulance station.</p> <p>Council has approached Dept Health to have lot 9 transferred free of charge and offer to purchase lot 10 in its present condition for \$22,500. Department of Health has recommended to Government Asset Management Committee (GAMC) to accept Council's offer. Matter referred back to the Dept Lands by GAMC for recommendation.</p> <p>Dept of Lands has requested that Council buy Lots 9 & 10 at market value.</p>

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
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						<p>Letter sent to Minister Humphries requesting assistance to resolve this matter.</p> <p>Response received from Minister Humphries indicating the matter has been taken up with Health & Local Government Ministers.</p> <p>GM followed up with State Property Authority who has advised that the Crown Lands Office will not reconsider their position on the market value of the Lot 9.</p>

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on 23 April 2013 at 9.30am

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						<p>Crown Lands has advised that Deputy Premier has consented to Council's acquisition of Lot 9 at nil cost. Now awaiting endorsement from the Treasurer.</p> <p>Formal notification received. Legal process to transfer properties commenced.</p> <p>Preparing detailed work schedule for necessary renovations to residence.</p>
3	26/11/09	460/09	APC	Try and obtain more Government funding to complete the piping of the APC project.	GM	<p>Combined deputation with Cobar Shire Council to meet with Minister Katrina Hodgkinson. Cobar Shire Mayor & GM have agreed to meeting. Meeting request sent to Minister.</p> <p>Follow-up request for meeting sent to Minister. Pending completion of CPE Business Case.</p>

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	22/11/2012	352/2012		Assess viability & cost of off river storage as first stage of project.	GM	CPE Proposal presented at February 2013 Council Meeting. CPE Associates engaged & have commenced investigation.
4	24/03/2011	83/2011	Cinema	Investigate the recommencement of movies.	CDO	Community Development Officer to look into having the SRC and Bourke Police involved in trying to recommence the movies. Cr Douglas to speak to the schools regarding Council's intention to try to recommence the movies, stress behaviour at the movies.
	22/11/2012	353/2012		Investigate mobile cinema service from Bourke Police & Macquarie RiverSmart.	CDO/ Clr Douglas	

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5	25/05/2012	116/2012	APC	A formal agreement be sought & entered into with CWB & irrigators covering all aspects of the APC operation.	GM	<p>Project meeting with Solicitors held 15 October 2012.</p> <p>Draft Agreement completed.</p> <p>Awaiting further information from Council's Solicitors.</p> <p>Meeting scheduled for nominated Councillors to review draft agreement.</p>
6	24/05/2012	123/2012	Vacant Block – Cnr Nymagee /Mitchell Streets	Asked John Holland to meet with Council ASAP to work towards some agreement concerning the block.	Dev & Env Services	<p>Bill Brecht from John Holland Rail may attend May or June meeting, still awaiting confirmation.</p> <p>Intent is to confirm certain properties for leases to be considered to be taken over by Council.</p>

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7	28/06/2012	149/2012	Flashman Ave Houses	Houses be sold at public auction, reserve price to be set by the Mayor & GM.	Mayor/GM	Agents appointed. Auction for 28 March 2013. Offers made on both houses – finalising contracts.
8	28/06/2012	150/2012	Oxley Street Subdivision	1. Land bound by Derrybong, Oxley & Dandaloo Streets be subdivided. 2. The resulting four 20mm x 45mm blocks be sold for current market value. 3. Council approve the development of 4 x 2 br villas (stage 2) at a cost of \$550,000.	Dev & Env Services	Program established for development to proceed. Further report to Council upon Flashman Ave dwelling being sold.
9	28/06/2012	179/2012	Dog Pound	Construction of the new dog pound in the location closer to the main road in the airport complex.	Dev & Env Services	Programmed in 2012/13 works program.

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10	26/07/2012	193/2012	Transfer of Land – Nymagee St 5,7 & 9	Council seek EOI to demolish the subject dwelling & associated structures including removal of excessive vegetation.	Dev & Env Services	Quotes still being sought for the removal of asbestos material to 7 & 9 Nymagee St. Possible training building for NSW Fire & Rescue to burn subject dwellings.
11	26/07/2012	205/2012	Relocation of items from workshop	Investigate locating Cobb & Co Coach, bullock wagon and jail onto the platform at Railway Station.	GM/Dev & Env Services	Railway Station proposal declined by John Holland Rail.
	13/12/2012	408/2012		Council write to Risk Management Dept. John Holland advising Council does not accept their response re location of the items. Council now only considers relocating the coach & wagon to the platform & invites John Holland to inspect the site at February 2013 Council meeting.		Project underway to investigate potential relocation of SES operations to an area adjacent to the RFS operations. Items to be in enclosed area as Council has existing lease over entire area adjacent to existing SES shed.

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on 23 April 2013 at 9.30am

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						Report to Council Meeting May or June once SES response is received.
12	23/08/2012	255/2012	Community Based Heritage Study	Take action to have the inaccuracies and listing of properties attended to.	Dev & Env Services	Report to April 2013 Council Meeting not prepared. Verbal report on reasons to be presented.
	22/11/2012	349/2012		<p>Council write to all private property owners advising their property has been listed in the heritage study & that they should advise Council if they wish to remain listed.</p> <p>If they do not respond, the property is removed from the list.</p> <p>Council staff to recommend what community sites are to be listed.</p>		Draft letters to owners completed but concerns raised over of entire study to be undertaken as to confirm possible impact on funding and other impacts to owners.

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13	27/09/2012	278/2012	Local Government Elections	Arrange meeting with Minister of LG & DLG to discuss recent elections.	Mayor	Minister announced Inquiry. Defer meeting until panel is formed. Submission sent to Parliamentary Inquiry with a request to meet with the Committee.
14	27/09/2012	289/2012	Heritage Park – Gates, Signal & Walkway	Taking into account community feedback, proceed to establish trees in the area according to plans. Subject to project proceeding, Council considers making application to Geographical names Board to name area “Heritage Park”.	GM/ Eng	\$1000 contribution from Garden Club & \$800 donation from Senior Citizens to be used towards the purchase and planting of trees as stage 1 of the project. Detailed plan has been provided. Work commenced. Completion of stage 1 expected April 2013. (Tree planting in June) Stage 1 completed.

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
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	28/03/2013	091/2013		Security camera covering park be installed this financial year.		
				Schools be invited to participate in planting trees.	Mayor	Advised in Mayor's Column Nyngan Observer 17/4/2013.
				Nyngan LALC & Bogan Aboriginal Corp be invited to place a joint plaque in walkway.	Mayor	As above.
15	25/10/2012	315/2012	Local Heritage Sites	When new VIC commences signpost heritage sites with heritage colour and erect sign with the history of each location.	Eng	Pending launch of new VIC.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
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16	25/10/2012	337/2012	Swimming Pool	Report to Council on other required upgrades.	Dev & Env Services	M&R works program for off-season commenced.
	22/11/2012	358/2012		Commence tile repair program over four years in the 2013/14 off season.		Program for June/July 2013. Recommend shallow-end first in 2013 off-season by Council staff and then assess its success. Deep-end seeking quotations from contractors due to complexity of works.
	13/12/2012	419/2012		Review hours of supervision after Christmas 2012.		Diving Board include in 2013/2021 Contract.
				1. Progressive works program to filtration plant room & associated structure be undertaken as programmed.		Program for May – August 2013.
				2. Further report to Council at April 2013 Council meeting for proposed work to change rooms.		April 2013 Report not commenced on change room proposal. Main focus on pool filtration plant room.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 23 April 2013 at 9.30am

Item No.	Date	Minute No	Matter	Action Required	Responsible Officer	Status
	28/03/2013	096/2013		<p>3. Provision be made at second budget review 2012/13 to include item listed for this financial year.</p> <p>GM confirm whether current contract can be extended without advertising.</p>	GM	<p>Seek extension until July meeting for consideration for budget adjustment as Concept drawings and costings not ready for April meeting.</p> <p>Contract subject to tender regulations – tender documents are being prepared.</p>
17	25/10/2012	341/2012	Local Land Services	Submission to Dept of Primary Industries with concerns about the Services delivering the services provided by the LHPA, CMA and DPI.	Mayor	<p>In preparation. Mayor is a member of the Local Land Services Reference Panel.</p> <p>After 22 /4 meeting recommendation to Minister re setting of boundaries.</p>
18	28/03/2013	067/2013	Intersection of Derrybong/Wambiana Streets/Flashman Avenue	Install suitable signage on the road train route in the vicinity of the MGH, subject to confirmation with the RMS.	Eng	

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
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19	22/11/2012	368/2012	Centenary Fountain	Investigate various options available to improve the fountain, including placing mesh over the water & a surveillance camera, with costings.	Dev & Env Services	P&G Staff to inspect Fountain daily.
	28/03/2013	068/2013		Purchase & install security cameras ASAP.		Selection of suitable dual purpose cameras being considered to provide opportunity to relocate between services.
20	22/11/2012	370/2012	Skate Park	Subject to availability of grant funding Council proceed with a shade sail over the Skate Park.	Dev & Env	Expression of Interest approved and grant application completed and forwarded.
21	28/02/2013	044/2013	Airport Hangars	Ensure air ambulance has access at any time to airport. 1.Stage 1 to be commenced without delay and an amount of \$39,700 be provided in the second budget review to meet these costs.	Dev & Env	Works in progress. Stage 1 commenced with hangar plots pegged out. Fence contractor selected.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 23 April 2013 at 9.30am

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				<p>2. Stage 2 be provided within the 2013/2014 estimates.</p> <p>4. A new licence document be developed for any future licence agreements for a 25 year period with a 5 year extension.</p> <p>7. The Nyngan Airport Management Plan be amended to reflect these changes and requirements of this report.</p>		<p>Estimates being developed for Budget.</p> <p>Further discussion with CASA and Eng's Dept staff required with amended document referred to Council.</p>
22	13/12/2012	414/2012	Sister City Relationship with New Zealand	General Manager & Mrs White contact the LG area in NZ with a proposal to commence a sister city relationship.	GM	Mrs White invited to meet with the General Manager.
23	13/12/2012	418/2012	Davidson Park Revitalisation Program	<p>2. Improve pedestrian access advance to same gate.</p> <p>Other items to be costed and report to February 2013 Council meeting.</p>	Dev & Env Services	Program of works in progress, but delayed due to work load of Civil Works Team. Estimated completion in May/June 2013.

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 23 April 2013 at 9.30am

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	28/03/2013	098/2013		Council remove the entire playground, equipment, associated ground cover, fencing & park-bench seating with shelter & establish paving pathways to the mural.		
	28/03/2013	099/2013		Council seek community consultation whether to have new equipment in Davidson Park adjacent to the toilet block or directional signage to the playground equipment in O'Reilly Park.		Community consultation via media release has commenced. Further report in June on outcome of consultation.
	28/03/2013	100/2013		Report be referred to Council at its June meeting for further consideration and incorporation into the 2013/2014 budget.		

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
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24	13/12/2012	420/2012	Western NSW Medicare Local	GM to have follow up discussion with CEO.	GM	Meeting held 1 March 2013 between GM & Director, Medicare Local. Follow up meeting arranged for 2 April 2013. Verbal report to Council following 2 April 2013 meeting.
25	28/02/2013	8/2013	Western Rivers Veterinary Group	Council offer the following to use as a veterinary service: a. Council depot in Pangee Street; b. Land on Council's industrial estate.	GM	Meeting with WRVG 20 March 2013. Response not received.
26	28/02/2013	043/2013	Waste Management – Village waste Depot Operations	1.Program of Works for Hermidale & Girilambone be commenced immediately, Coolabah works be programmed for early 2013/14.	Dev & Env	Works program in progress with contractor to commence.

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 23 April 2013 at 9.30am**

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				2. Costs incurred for Hermidale & Girilambone be provided in the second budget review.		Major site works at Hermidale completed & minor adjoining land site cleanup completed with surveying, fencing & then signage in next 2 weeks. Girilambone to be commenced May/June 2013.
27	28/02/2013	047/2013	Rezoning of land outside the township of Nyngan	Engage Planning Consultant	Dev & Env	Planning consultant engaged preparing review of areas within LEP for consideration for amendments to Council at its June 2013 meeting.
28	28/03/2013	086/2013	Traffic Committee Recommendations – Pre School Parking	1. Bus parking be relocated to southern side of Pangee Lane. 2. Existing School Zone sign be relocated to accommodate 1.	Eng	RMS reviewing intersection design.

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
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				3.A kerb blister be installed on western side of Monagee Street to relocate the "Give Way" sign closer to traffic lane.		
29	28/03/2013	101/2013	Alcohol Free Zone	Notices be amended or erected at public places in & around town of Nyngan.	Dev & Env Services	Programmed for April 2013.
30	28/03/2013	102/2013	Nyngan Cemetery	Place draft Cemetery Policy on exhibition for 28 days – report to June Council Meeting. Remove all broken bricks & erect suitable base on tree Anglican Section entrance.	Dev & Env Services	Community consultation commenced & report to Council at its June meeting for consideration.

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 23 April 2013 at 9.30am**

118/2013 RESOLVED that Council authorise the General Manager to co-operate with the Western Rivers Veterinary Group to establish the facility in the Lawlor Street subdivision, with Council providing the set up of services, which include sewerage and kerb and guttering. The Western Rivers Veterinary Group is to provide the demountable building. **(Ryan/Dutton)**

119/2013 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as "Completed" be removed from the checklist.
(Douglas/Deacon)

2 NYNGAN TOWN HALL OFFICES

120/2013 RESOLVED that the request received from Dr Brown to rent rooms at the Town Hall not be acceded too. **(Ryan/Hampstead)**

3 AFFORDABLE ACCOMMODATION FOR THE AGED

121/2013 RESOLVED that the report on the Affordable Accommodation for the Aged be received and noted. **(Ryan/Neill)**

122/2013 RESOLVED that a media release be issued after each meeting of the Affordable Accommodation for the Aged to provide the community with an update of the current position. **(Douglas/Ryan)**

4 DELIVERY PROGRAM

123/2013 RESOLVED that the report on the Delivery program be received and noted and Council acknowledges the work involved in preparing the Report.
(Hampstead/Dutton)



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 23 April 2013 at 9.30am**

124/2013 RESOLVED that Council seek clarification from the Insurance Council of Australia on the following:-

1. the availability of discounts or other provisions on insurance pricing for towns that are levee protected against floods; and
2. whether the flood insurance is mandatory. **(Douglas/Dutton)**

5 VILLAGE TOURS 2013

125/2013 RESOLVED that the Village Tours 2013 report be received and noted and the General Manager be commended on his follow up visits to the villages during the year. **(Ryan/Deacon)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 23 April 2013 at 9.30am

**REPORTS TO ORDINARY MEETING OF COUNCIL - CORPORATE SERVICES
DEPARTMENT**

1 BANK RECONCILIATION

126/2013 RESOLVED that the bank reconciliation report be received and noted.
(Deacon/Neill)

2 INVESTMENTS

127/2013 RESOLVED that the Investments Report be received and noted.
(Neill/Griffiths)

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

128/2013 RESOLVED that the rates collections report be received and noted.
(Ryan/Griffiths)

4 LIBRARY REPORT

129/2013 RESOLVED that the library report be received and noted.
(Ryan/Griffiths)

**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 23 April 2013 at 9.30am**

**REPORT TO THE ORDINARY MEETING OF COUNCIL – MANAGER OF
ENGINEERING SERVICES REPORT**

1 OPERATIONAL REPORT

130/2013 RESOLVED that the Operational Report be received and noted.
(Griffiths/Deacon)

Other Matters:

Manager of Engineering Services to investigate defective street lighting along the Mitchell Highway.

Thank you to the staff involved in the preparation of the facilities of the Rugby League Easter Challenge.

2 SOLAR ENERGY EXCHANGE INITIATIVE

131/2013 RESOLVED that:-

1. Bogan Shire Council, in principle, supports the Solar Energy eXchange Initiative (SEXI) proposal, and the development of a solar energy industry in the region.
2. Bogan Shire Council call on the Commonwealth Government through the Australian Renewable Energy Agency (ARENA), to provide up to \$200 million over five (5) years to the Solar Energy eXchange Initiative (SEXI) proposal to be built and operated. **(Ryan/Douglas)**

REPORTS TO ORDINARY MEETING OF COUNCIL – MANAGER OF DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORT

1 DEVELOPMENT APPLICATIONS

132/2013 RESOLVED that the Development Applications report be received and noted. (Neill/Hampstead)

2 REPORT WASTE –RECYCLING COLLECTION DATA

133/2013 RESOLVED that the Waste – Recycling Collection Data report be received and noted. (Griffiths/Douglas)

3 NYNGAN & DISTRICT MEMORIAL SWIMMING POOL – CHANGES TO OPERATION REQUIREMENTS

134/2013 RESOLVED that:-

1. The report is received and noted.
2. Council approve the purchase and installation of the new automatic chlorine and acid dosing system in the 2013/2014 budget estimates.
(Hampstead/Neill)

4 ROTARY PARK – PROGRAM OF WORKS

135/2013 RESOLVED that:-

1. The report be received and noted.
2. Council consider including the Stage 2 works program in the 2013/2014 budget estimates.
3. Council review future stages based on budgets. (Hampstead/Ryan)



**Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
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At 12.20pm, Mr Rob Avard, Fire and Rescue NSW and Mr Greg Lewis, Superintendent Zone Commander Regional West, Fire and Rescue NSW addressed Council.

136/2013 RESOLVED that in the event of Fire and Rescue NSW's confirming the erection of a new building, Council offer them land at the Industrial Estate with full amenities. **(Hampstead/Dutton)**

5 COMPANION ANIMAL – DOG AUDIT PROGRAM

137/2013 RESOLVED that:

1. The report be received and noted.
2. Any owner of a dog that was already registered is to receive a letter of apology from Council. **(Hampstead/ Griffiths)**

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 23 April 2013 at 9.30am

PRECIS OF CORRESPONDENCE

1 LOCAL GOVERNMENT NSW

138/2013 RESOLVED that the correspondence received from Local Government NSW concerning the Interim LGNSW Board be noted. **(Dutton/Griffiths)**

2 DIVISION OF LOCAL GOVERNMENT

139/2013 RESOLVED that the Circular - Local Government Acts Taskforce – Release of Discussion Paper be received and noted. **(Dutton/Griffiths)**

3 DIVISION OF LOCAL GOVERNMENT

140/2013 RESOLVED that the report on the Intergovernmental Agreement be received and noted. **(Dutton/Griffiths)**

4 NOEL AND LYNETTE DUNN

141/2013 RESOLVED that Council support the concern of Noel and Lynette Dunn opposing the electronic tagging of sheep and goats. **(Dutton/Griffiths)**

5 KEITH WHITE

142/2013 RESOLVED that Council call a public meeting seeking community support to re-establish the Nyngan Historical Society. **(Ryan/Neill)**

6 BOOMERANG ALLIANCE

143/2013 RESOLVED that Council provide a letter of support to introduce a container deposit scheme (CDS). **(Dutton/Douglas)**

7 KAREN HAWLEY

144/2013 RESOLVED that Council not accede to the sponsorship request. **(Ryan/Dutton)**

Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers
on 23 April 2013 at 9.30am

8 MAUREEN MONAGHAN

145/2013 RESOLVED that Council advertise it is considering naming the corner of Mitchell and Dandaloo Streets, "Monaghan's Corner", and asks the community for comments / suggestions for naming of the corner. **(Ryan/Griffiths)**

9 DIONE CARTER

146/2013 RESOLVED that Council not accede to the request for a reduction in the quarterly sewer discharge fee. **(Ryan/Hampstead)**

10 MARGARET SNODGRASS

147/2013 RESOLVED that Council allow the use of sufficient water to keep the trees growing. Council advise Ms Snodgrass that the area will not become a public park, as improvements are being made to Rotary Park. **(Ryan/Deacon)**

11 TCORP ASSESSMENT OF NSW COUNCILS

148/2013 RESOLVED that the TCorp Assessment of NSW Councils report be noted. **(Ryan/Douglas)**

12 NSW MINISTRY OF HEALTH

147/2013 RESOLVED that the correspondence received from the NSW Ministry of Health advising Council of the acquisition of the former Ambulance Station be noted. **(Hampstead/Neill)**

13 GOVERNMENT WEEKLY CIRCULARS

149/2013 RESOLVED that the Local Government Weekly Circulars be noted. **(Griffiths/Deacon)**



Minutes of the Ordinary Meeting of Bogan Shire Council held in the Council Chambers on 23 April 2013 at 9.30am

GRANTS AND FUNDING

Bush Fire Risk Mitigation and Resilience Grants Programs

Councils are encouraged to apply for the Rural Fire Service Bush Fire Risk Mitigation and Resilience Grant Programs 2013/14.

150/2013 RESOLVED that Council make application for the Rural Fire Service Bush Fire Risk Mitigation and Resilience Grant Programs 2013/14. **(Dutton/Douglas)**

There being no further business the meeting closed at 2.25pm.

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

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GENERAL MANAGER

.....

MAYOR

