



BOGAN SHIRE COUNCIL

Minutes

27 September 2018

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 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 was Mr Derek Francis (General Manager).

REMEMBRANCE: Mr Vincent Sullivan.

DECLARATION OF INTEREST: Nil

The General Manager now took the Chair.

Item 2 of the General Manager's Report was discussed first at the meeting.

2 ELECTION OF MAYOR AND DEPUTY MAYOR

Summary:-

The provisions of the Local Government Act and Regulations requires Council to hold elections every two years for the office of the Mayor and Deputy Mayor. Council last held elections in 2016.

279/2018 RESOLVED that:-

1. Nominations be called firstly for the office of Mayor and secondly for the office of Deputy Mayor.
2. The length of office for the Deputy Mayor be 2 years, consistent with the Mayoral term. **(Ryan/Deacon)**

Mayor: The General Manager called for nominations for the office of Mayor. A nomination from Councillor Ray Donald OAM was received.

280/2018 As there were no further nominations, Councillor Ray Donald OAM was declared elected to the office of Mayor for 2018/2020.



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am**

Deputy Mayor: The General Manager called for nominations for the office of Deputy Mayor. A nomination from Councillor Glen Neill was received.

281/2018 As there were no further nominations, Councillor Glen Neill was declared elected to the office of Deputy Mayor for 2018/2020.

Councillor Ray Donald OAM now took the Chair.

Council now moved into the Closed and Confidential Section of the Meeting.



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 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.

Council returned to the Ordinary Meeting. The time being 9.45am.

Also present were Mr Derek Francis (General Manager), Mrs Debb Wood (Manager People and Community Services), Mrs Stephanie Waterhouse (Manager Finance and Corporate), Mr Graeme Bourke (Manager Engineering Services), Mr Tony Payne (Manager Development and Environmental Services), and Mrs Cathy Ellison (Executive Assistant).

DECLARATION OF INTEREST: Nil

285/2018 RESOLVED that the Minutes of the Ordinary Meeting of Council held on 23 August 2018, copies of which have been circularised to Councillors be taken as read and confirmed. **(Boag/Ryan)**

Business Arising:

Nyngan Boxing Night – The General Manager tabled an itemised income and expense statement from the 2014 fight night.

286/2018 RESOLVED that no further action be taken. **(Ryan/Deacon)**



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am**

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 27 September 2018.

282/2018 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 discussion involves personnel matters concerning particular individuals (other than Councillors). **(Boag/Ryan)**

283/2018 RESOLVED that the Minutes of the Closed and Confidential Section of the Ordinary Meeting of Council held on 23 August 2018, copies of which have been circularised to Councillors be taken as read and confirmed. **(Boag/Ryan)**

284/2018 INCLUSION OF PRESS AND PUBLIC: RESOLVED that the meeting moved into Open Council. **(Ryan/Neill)**

COMMITTEE MEETING MINUTES

1 NYNGAN MUSEUM

287/2018 RESOLVED that the Minutes of the Nyngan Museum Meeting held at the Nyngan Museum on Wednesday 1 August 2018 and Wednesday 5 September 2018 be received and noted. **(Neill/ Dutton)**

NOTICE OF MOTIONS

1. New Buildings

That all new buildings constructed by Council have a minimum of four bedrooms which caters for larger families and helps in resale value of the property in future if sold.

It was **PUT** to Council that all new buildings constructed by Council have a minimum of four bedrooms which caters for larger families and helps in resale value of the property in future if sold. **(Jackson/Dutton) LOST**

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am**

2. Defibrillators

That Council apply on ratepayers behalf for defibrillators grants that become available again due to their significance in saving lives.

The Motion was withdrawn.

288/2018 RESOLVED that:-

1. Council continues to offer assistance to sporting clubs and other organisations in the Shire with the completion of their grant applications.
2. The General Manager investigate if there will be a second round of grants for defibrillators **(Jackson/Douglas)**

3. Grants

That Council created a list for all Sporting Clubs, Presidents and Secretaries as well as each Councillor to receive a list of grants available to apply for in Bogan Shire Council of Nyngan, so that the best chance possible is made to secure funding with the assistance of representatives on Bogan Shire Council.

The Motion was withdrawn.

289/2018 RESOLVED that Council actively try to continually keep an updated list of all sporting clubs and other organisations. **(Jackson/Douglas)**

Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

REPORT TO THE ORDINARY MEETING OF COUNCIL – MAYORAL MINUTE

1 FUEL AT NYNGAN AIRPORT

Summary:-

Information received from the Bogan Shire Medical Centre:

- *Firstly, at the Medical Centre, as you maybe already aware, we have been endeavouring to provide free air transport for specialist reviews in Sydney.*
- *Is there the possibility that Council could look again into some sort of refuelling station at Nyngan Airport? Particularly so, if we are looking into the free services of “little wings” – which provides Paediatric flights for children and parents (which require a bigger plane, more fuel etc).*

290/2018 RESOLVED that Council investigate if there are fuel companies interested in supplying fuel at the Nyngan Airport and Council Depot. **(Deacon/Ryan)**

2 Q FEVER VACCINATION

Summary:

Information received from the Bogan Shire Medical Centre - We have had confirmed cases of Q fever. One of the real concerns we have is the cost of the vaccine and testing kit. The Q fever vaccination is not PBS listed, therefore the cost of the vaccine will be covered by the individual.

291/2018 RESOLVED that Council make an urgent approach to the Federal and State Members on behalf of the community to consider making the Q Fever Vaccination available on the PBS listing. **(Boag/Dutton)**

Council adjourned for morning tea at 10.30am and resumed at 10.55am.

Council welcomed Dr Peter Hanley to morning tea.



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am**

A letter of congratulations be forwarded to Jack Hargreaves on winning back to back World Championship Australian Men's Four Rowing in Bulgaria.

The Mayor advised of a meeting with John Miller, Tritton Mines.

Family Day Event held recently at the Nyngan Golf Club, sponsored by the Nyngan Golf Club and Job Start.

292/2018 RESOLVED that Council donate \$300 to the Nyngan Lions Club for their charges at the Family Day event. **(Douglas/Jackson)**



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am**

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

1 CHECKLIST

Item No.	Date	Minute No	Matter	Action Required	Officer	Status
1	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.	GM	Public Information Meeting 14 December 2016. Community expressed a preference for the Cobar/Dandaloo Streets site. Building Better Regions Grant Program identified as a match for this project. Application under Stronger Country Communities successful.

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am**

2	28/09/2017	283/2017	Medical Centre	The General Manager in consultation with PHN proceeds to recruit & engage a second doctor for the BSMC.	GM	Recruitment agencies engaged to source locum / permanent second doctor. Second Locums secured until 30/06/2019. Continuing to explore resourcing options with LHD.
3	21/12/2017	392/2017	Increase of train speed through Nyngan	Strong letter of concern & a request to address Council be send to the relevant rail authorities & a copy to local member.	GM	Letter sent to Minister for Transport & Infrastructure, with copy to Kevin Humphries. Minister has now forwarded the letter onto the Minister for Roads, Maritime and Freight, the Hon Melinda Pavey MP.

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am**

	21/06/2018	293/2018		Council seek further follow up from the responsible Minister, reiterating Council's safety concerns for pedestrians & road users due to the nature of the crossing & variation of speeds & that the best control measures would be to erect flashing lights at the Hoskins Street Crossing.	MES	Further letter sent 12 July 2018.
4	21/12/2017	421/2017	New Cemetery Entrance Design	Council approve the design presented with changes to the steel column on the right hand side to delete the wheat sheaf & replace with a cow's head and sheep's head.	MDES	Steel cut out received & sign being constructed in workshop for future installation. Work to commence from Monday 24 September 2018. (Remove existing grid & bore footings)

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am**

5	24/05/2018	165/2018	Heavy Vehicle Inspection Shed	An urgent letter be sent to the Minister for Transport strongly objecting to the way vehicle inspections are being carried at Nyngan HVIS. Copy of letter to Kevin Humphries.	MES	Letter has been forwarded. No response to date.
6	21/06/2018	186/2018	Oatley Street Sewer Reticulation System	Council undertakes community consultation via survey to Oatley Streets residents concerning this request.	MES	In progress. Letters sent to residents 11 July 2018. 47 letters sent, 7 responded No, 9 Yes (2 depending on cost). Progressing with design and cost estimates for a full report to Council.
7	21/06/2018	187/2018	Labourer's Position	Two of Council's grader gangs be consolidated to work together so that one position of offsider be removed from rural works & transferred to civil works to achieve budget savings.	MES	In progress – investigating implications. Two graders working towards each other to begin trial. Trial in progress.



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am**

8	26/07/208	345/2018	Pangee Street Parking	Parking be monitored over the next three months.	MES	In Progress.
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Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

293/2018 RESOLVED that the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the checklist.
(Neill/Elias)

2 ELECTION OF MAYOR AND DEPUTY MAYOR

This item was dealt with at the commencement of the meeting.

3 NYNGAN / COBAR WATER SECURITY PROJECT

Summary:-

The purpose of this report is to brief Council on the current status of the Nyngan Cobar Water Security Project and to seek direction on certain key matters to progress the project.

294/2018 RESOLVED that Council pursue the necessary processes to secure funding for the construction of a second off-river storage and an allocation to fill the completed off-river storage. **(Ryan/Neill)**



Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

4 STRONGER COUNTRY COMMUNITIES FUND

Summary:-

The purpose of this report is to advise Council of the successful projects under the NSW Government's Stronger Country Communities Fund.

295/2018 RESOLVED that Council accepts funding from the NSW Government's Stronger Country Communities Fund in the amount of \$1,523,990 for the following projects:-

- Affordable Senior's Living in the Bogan Shire - \$ 995,000;
- Recreational and Exercise Pathway - \$275,000;
- Solar Heating at Nyngan War Memorial Swimming Pool - \$118,990;
- Half Basketball Court at Nyngan War Memorial Swimming Pool - \$75,000; and
- Nyngan Racecourse – Geeing up the Jockey Rooms - \$60,000.
- A letter of thanks to the State Government for money. **(Ryan/Dutton)**



Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

5 BOGAN SHIRE COUNCIL DROUGHT APPEAL FUND

Summary:-

The purpose of this report is to brief Council on the status of the Bogan Shire Council Drought Appeal Fund.

296/2018 RESOLVED that:-

1. This report be received and noted.
2. Council endorses the decision of the Bogan Shire Council Drought Appeal Fund Committee to provide assistance in the amount of \$300.00 for the period 27 August 2018 to 18 September 2018. **(Deacon/Boag)**

297/2018 RESOLVED that Council contribute \$10,000 to the Bogan Shire Council Drought Appeal Fund. **(Ryan/Deacon) Unanimous**

6 CHRISTMAS – NEW YEAR CLOSURE

Summary:

- *The purpose of this report is to obtain Council's approval for the closure of Council offices over the Christmas/New Year holiday period.*
- *As a long-established practice in common with other Councils, Bogan Shire Council has closed its Council offices between Christmas and New Year.*
- *Following the past practice, this would mean that the Shire offices would be closed for what would otherwise be normal working days on Monday, Thursday, Friday, and Monday 24, 27, 28 and 31 December 2018.*

298/2018 RESOLVED that in addition to the public holidays over the Christmas / New Year period, Council closes the Shire Offices on 24, 27, 28 and 31 December 2018 and advises the community accordingly. **(Elias/Ryan)**



Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

7 DECEMBER / JANUARY RECESS

Summary:

- *The purpose of this report is for Council to consider the option of going into recess during December / January.*
- *Council has in the recent past not held an Ordinary Monthly Meeting in January.*
- *It is common for Councils to go into recess over the holiday season.*

299/2018 RESOLVED that:-

1. Council goes into recess from 24 December 2018 until 31 January 2019 and consequently does not have an Ordinary Meeting during January 2019.
2. Pursuant to and subject to the limitations of Section 377 of the Local Government Act, Council grants authority to the Mayor, Deputy Mayor and General Manager with Councillors to be contacted if practical, to make decisions on behalf of Council during this recess period.
3. Any such decisions are to be reported to the Council at its first meeting in 2019. **(Ryan/Douglas)**



Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

**REPORT TO THE ORDINARY MEETING OF COUNCIL – PEOPLE AND
COMMUNITY SERVICES**

1 AUSTRALIA DAY 2018 NOMINATIONS AND AWARDS

Summary:-

The purpose of this report is to request Council to review the Australia Day Award categories, nomination form, guidelines and voting system.

300/2018 RESOLVED that Council present certificates to all nominees and awards one overall winner. **(Douglas/Deacon)**

301/2018 RESOLVED that all Councillors be circularised with the nominations shortly after the closing date on 3 December 2018, to allow Councillors to vote for the nominees. **(Ryan/Douglas)**

2 BOGAN SHIRE MEDICAL CENTRE

Summary:-

The purpose of this report is to provide information to Council on the operations and statistics of the Bogan Shire Medical Centre.

302/2018 RESOLVED that the Operational Report for the Bogan Shire Medical Centre as at 14 September 2018 be received and noted. **(Ryan/Neill)**



Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

**REPORT TO THE ORDINARY MEETING OF COUNCIL – MANAGER OF FINANCE
AND 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 31 August 2018.

303/2018 RESOLVED that the Bank Reconciliation Report as at 31 August 2018 be received and noted. **(Douglas/Jackson)**

304/2018 RESOLVED that as the Bank Reconciliation is not a requirement of the Act to be presented to Council it be removed from the Business Paper Reports. **(Ryan/Douglas)**

2 INVESTMENTS AUGUST 2018

Summary:-

- *The report is to outline the performance of Council's Investment Portfolio for the month of August 2018.*
- *At 31 August 2018 Council had \$13.4 million invested. There has been an increase of \$2,027 million due to the 1st instalment of rates for 2018/2019 falling due. In addition the 1st Qtr FAG Grant has been received and several outstanding claims have been received for Capital Projects including Hermidale/Nymagee Road, Water Storage Facility and the APC Feasibility Study.*

305/2018 RESOLVED that the Investments Report as at 31 August 2018 be received and noted. **(Dutton/Neill)**



Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

3 SUMMARY OF RATE & ANNUAL CHARGES COLLECTION

Summary:-

- *This report is to provide a comparison of rate collections as at 31 August 2018, with the same period last year.*
- *Total arrears have increased from \$510,417 at 31 August 2017 to \$513,997 as at 31 August this year.*

306/2018 RESOLVED that the Rates and Annual Charges Collection Report as at 31 August 2018 be received and noted. **(Jackson/Elias)**



Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

4 ADOPTION OF THE 2017/2018 DRAFT ANNUAL STATEMENTS

Summary:-

- *Statutory Accounts for 2017/2018 must be adopted and referred to audit under Sect 413 of the LG Act.*
- *Audit will occur on 19, 20 and 21 September 2018.*
- *Consolidated Accounting Surplus of \$9,605,000.*
- *Surplus of \$2,351,000 in the General Fund is due mainly to \$1,300,000 R2R funding, \$678,000 of Restart NSW and \$524,000 of Block Grant & Repair Grant funding included in the operating result and the expenditure being capitalised.*
- *Surplus of \$7,347 in the Water Fund is due to \$7,370,000 for the 700ML Water Storage from Restart NSW included in the operating result and the expenditure being capitalised.*
- *Consolidated unrestricted cash reserves of \$3,999,000.*

307/2018 RESOLVED that Council adopt the 2017/18 Draft Annual Statements and refer them for audit. **(Ryan/Deacon)**



Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

5 MANAGING CROWN LANDS

Summary:-

The purpose of this report is to update Council on the implications of the changes to the Crown Lands Management Act, which took effect on 1 July 2018. Council is now responsible for the management of the majority of Crown Lands in Bogan Shire.

308/2018 RESOLVED that the Managing Crown Lands Report be received and noted. **(Ryan/Douglas)**

309/2018 RESOLVED that Council determines the Classifications and notes the Categories for each Reserve at the October 2018 Council Meeting. **(Ryan/Douglas)**

6 REQUEST FOR WAIVER OF RATES

Summary:-

The purpose of this report is to advise Council of a request for waiver of rates from the Christian Community Centre Nyngan.

310/2018 RESOLVED that Council note the request and considers a donation when Council receives a copy of lease showing what is being paid by the Church and notice of their anticipated income from renting part of the premises. **(Ryan/Boag)**



Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

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

1 OPERATIONAL REPORT

311/2018 **RESOLVED** that the Operational Report, including Civil Works, Community Facilities and Roads for the reporting period 13 August 2018 to 10 September 2018 be received and noted. **(Neill/Boag)**

2 WOOL LOADING RAMP REPAIRS

Summary:-

The purpose of this report is for Council to consider the upgrading of the disused wool loading ramp in Nymagee Street Nyngan.

312/2018 **RESOLVED** that Council approach John Holland to discuss maintenance of the disused wool loading ramp. **(Ryan/Boag)**



Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

3 REUSE OF LARKIN OVAL LIGHTING

Summary:-

The purpose of this report is for Council to consider the reuse of the existing Larkin Oval lights and posts.

313/2018 RESOLVED that Council:-

1. Call for expressions of interest from local organisations wishing to use the lights.
2. Relocate two lights to Flood Memorial Carpark provided it can be done within the existing budget.
3. Make a direct approach to schools if interested in using the lights.

(Dutton/Neill)

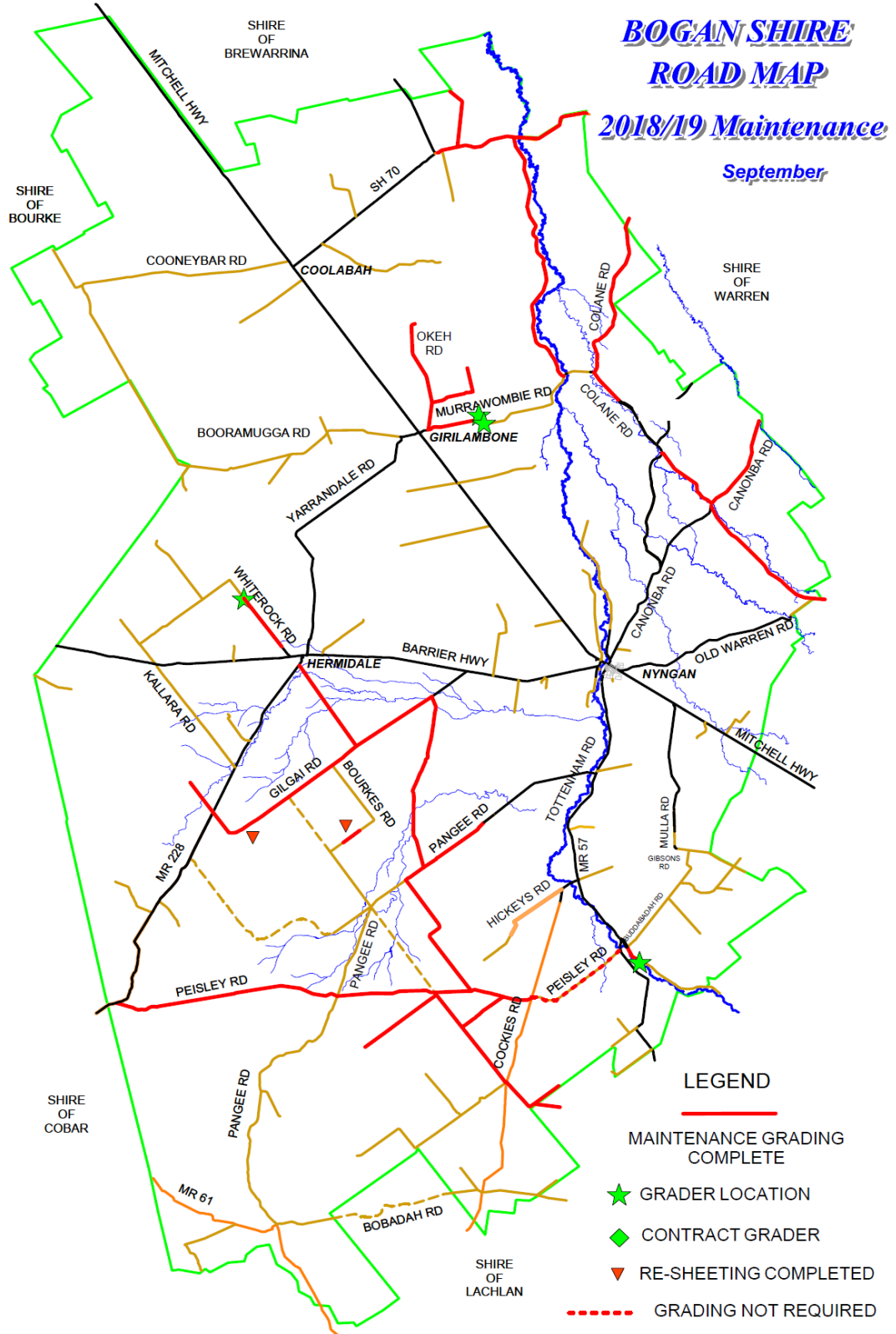
Other matters:

Introducing Level One Water Restrictions.

Councillor Douglas now left the meeting.

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

**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am**





Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

REPORTS TO ORDINARY MEETING OF COUNCIL - MANAGER OF DEVELOPMENT & ENVIRONMENTAL SERVICES REPORT

1 DEVELOPMENT APPLICATIONS

314/2018 RESOLVED that the Development Applications Report since the August 2018 Council Meeting be received and noted. **(Neill/Ryan)**

2 OPERATIONAL REPORTS

315/2018 RESOLVED that the Operational Report, including Parks and Gardens Teams and Weeds Officer be received and noted. **(Elias/Deacon)**

3 PALAIS THEATRE

Summary:-

This report is to outline concerns raised in relation to public safety at the Palais Theatre located at 8 Tabratong Street, Nyngan and to bring to Council's attention the need to consider future plans for the Palais.

316/2018 RESOLVED that Council commission an Architect to develop options for the replacement or renovation of the Palais Theatre. **(Neill/Jackson) Unanimous**

317/2018 RESOLVED that:-

1. The General Manager investigate costs associated with the demolition of the Palais Theatre.
2. The General Manager investigate options for ensuring public safety in relation to the pressed metal tiles located over the road reserve, which could include the fencing of the site or removal of the tiles.
3. Following selection of options and plans, detailed costings be obtained to facilitate a grant application for a new structure.
4. The General Manager be authorised to incur necessary costs in relation to the above with a budget adjustment being made at the next budget review. **(Neill/Ryan)**



Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

Councillor Dutton returned to the meeting at 1.45pm.

PRECIS OF CORRESPONDENCE

1 THE HON PAUL TOOLE MP

318/2018 RESOLVED that the correspondence received from the Hon Paul Toole MP, Minister for Lands and Forestry advising Council that he has approved a grant of \$50,000 from the NSW Government's 2018-2019 Crown Reserves Improvement Fund Program to the Nyngan Showground and Racecourse Reserve Land towards the construction of entrance gates shelters, installation of underground drainage and repairing of the jockey rooms at the Nyngan Showground and Racecourse be received and noted. **(Ryan/Neill)**

2 THE HON DR JOHN McVEIGH MP

319/2018 RESOLVED that the correspondence received from the Hon Dr John McVeigh MP advising that Council is one of the eligible Councils included in the Drought Communities Program to support communities in the most drought-affected regions of Australia be received and noted. **(Deacon/Elias)**

3 NYNGAN GOLF CLUB

320/2018 RESOLVED that the correspondence received from the Nyngan Golf Club thanking Council for its support in obtaining the grant for the irrigation system, and asking for consideration of any suitable equipment be received and noted. **(Elias/Dutton)**

4 LOCAL GOVERNMENT NSW

321/2018 RESOLVED that the request for financial assistance for legal costs associated with the appeal of Land and Environmental Court rating categorisation decision – City of Sydney Council, North Sydney Council and Bayside City Council be received and noted. **(Ryan/Elias)**



Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am

5 NSW RURAL FIRE SERVICES

322/2018 RESOLVED that the correspondence received from the NSW Rural Fire Services advising of the 2018-2019 Allocations – NSW Rural Fire Fighting Fund, be received and noted. **(Jackson/Boag)**

323/2018 RESOLVED that Council express extreme concern about the cost of the toilet at Girilambone and ask to be advised of the number of members at Girilambone. **(Neill/Deacon)**

6 HERMIDALE COMBINED SPORTS GROUND COMMITTEE

324/2018 RESOLVED that Council approve and endorse of the distribution of the Village Grant as advised by the Hermidale Combined Sports Ground Committee. **(Ryan/Jackson)**

7 FEDERAL MINISTER FOR REGIONAL SERVICES

325/2018 RESOLVED that Council submit the following nominations to the National Mobile Black Spot Program:-

1. Strongly ask for necessary infrastructure along the highways west of Nyngan, Barrier and Mitchell Highways.
2. Regional Roads – west and south of Nyngan.
3. East of Nyngan to Nevertire along the Mitchell Highway. **(Neill/Boag)**

8 WEEKLY CIRCULARS

326/2018 RESOLVED that the Local Government Weekly Circulars dated 17 August 2018, 24 August 2018, 31 August 2018, 7 September 2018 and 14 September 2018 be noted. **(Boag/Elias)**



**Minutes of the Ordinary Meeting of Bogan Shire Council
held in the Council Chambers on 27 September 2018 at 9.30am**

There being no further business the Meeting closed at 2.05pm.

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

.....
GENERAL MANAGER

.....
MAYOR

