



BOGAN SHIRE COUNCIL

Ordinary Minutes

Date: Thursday, 26 February 2026

Time: 5.30pm

**Location: Bogan Shire Council
Council Chambers
81 Cobar Street
Nyngan**

**Derek Francis
General Manager**



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**MINUTES OF BOGAN SHIRE COUNCIL
ORDINARY COUNCIL MEETING HELD AT THE BOGAN SHIRE COUNCIL,
COUNCIL CHAMBERS, 81 COBAR STREET, NYNGAN
ON THURSDAY 26 FEBRUARY 2026 AT 5.30PM**

PRESENT: Councillors Cr G Neill (Chairperson), K Bright, V Boag, R Bootle, J Elias, S Issa, G Jackson, D Menzies, E Stanton

IN ATTENDANCE: D Francis (General Manager), M Salter (Executive Officer)

- 1 OPENING PRAYER**
- 2 REMEMBRANCES**
- 3 APOLOGIES**
- 4 DISCLOSURE OF INTERESTS**

Cr Stanton

14.1 Development Applications Report

Reason: Lodgement Of A Development Application

Cr Issa

13.3 Request to Support Transfer of Crown Roads in Hermidale

Reason: Cr Issa had sold blocks of land in question to Teacher Housing Authority of NSW (THA).

14.1 Development Applications Report

Reason: Lodgement of a Development Application

5 CONFIDENTIAL MATTERS

Recommended that Council move into a closed session of Council with the public excluded, in accordance with the *Local Government Act 1993* section 10A(2).

Resolved 001/2026

Moved: Cr Elias

Seconded: Cr Bright

EXCLUSION OF PRESS AND PUBLIC: That Council move into a closed session of Council with the public excluded, in accordance with the *Local Government Act 1993* section 10A(2).

CONFIDENTIAL MATTERS

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Resolved 006/2025

Moved: Cr Bright

Seconded: Cr Boag

INCLUSION OF PRESS AND PUBLIC: That the meeting move into open Council.

There being no further business, the Confidential meeting closed at 7.45pm.

These minutes were confirmed by resolution at a meeting on and were signed as a true record.

.....
GENERAL MANAGER

.....
MAYOR

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 26 February 2026:

5 MINUTES OF CONFIDENTIAL COUNCIL MEETING – 18 DECEMBER 2025

Resolved 002/2026

Moved: Cr Stanton

Seconded: Cr Jackson

That the minutes of the Confidential Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 18 December 2025, be received and noted.

**5.1 CONFIDENTIAL MAYORAL MINUTE
GENERAL MANAGERS PERFORMANCE REVIEW**

Resolved 003/26

Moved: Cr Bootle

Seconded: Cr Elias

1. That Council, having reviewed the performance of the General Manager over the last 12 months, have assessed his performance at a 5, based on the following scale of:
5 – Outstanding, 4 – More than satisfactory, 3 – Satisfactory, 2 – Some concerns or 1 – Unsatisfactory.
2. That the period from now until 28 February 2027, should the appointment of an Acting General Manager be necessary, Council appoints one of the following, at the discretion of the Mayor and General Manager:
 - Cathy Black
 - Grayden Curry
 - Stephanie Waterhouse
 - Debb Wood
 - Ross Earl
 - An individual nominated by Local Government Appointments.

Unanimous

Resolved 004/26

Moved: Cr Bright

Seconded: Cr Stanton

That Council adjourn the meeting for a 30-minute dinner break from 6.30pm-7.00pm.

5.2 TENDER FOR PROVISION OF BITUMEN SPRAY SEAL

Resolved 005/2026

Moved: Cr Bootle

Seconded: Cr Jackson

That the following tenders for Provision of Bitumen Spray Seal T062324OROC for the period to 30 June 2026, be accepted and a panel of suppliers to be engaged, in the best interest of Council.

- All Pavement Solutions
- Austek Asphalt Services
- Boral Asphalt
- Colas NSW
- Country Wide Asphalt
- Fulton Hogan NSW Spray Seal
- Newpave Asphalt
- Roadwork Industries
- Stabilised Pavements of Aust.
- NSW Sprayseal

6 CONFIRMATION OF ORDINARY MINUTES

6.1 MINUTES OF ORDINARY MEETING - 18 DECEMBER 2025

Resolved 007/2026

Moved: Cr Menzies

Seconded: Cr Bright

That the minutes of the Ordinary Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 18 December 2025, be received and noted.

7 NOTICE OF MOTION

Nil

8 MAYORAL MINUTES

Nil

9 COMMITTEE MEETING MINUTES

Nil

10 GENERAL MANAGER’S REPORTS

10.1 GENERAL MANAGERS CHECKLIST

Item	Date	Minute No	Matter	Action Required	Officer	Status
1	21/12/2017	392/2017	Increase of train speed through Nyngan	Strong letter of concern and a request to address Council be sent to the relevant rail authorities and a copy to the local member.	GM	Refer below.
	23/11/2023	282/2023		That Council respond to Minister Aitchison, with a request that the train speed limit be reduced to 20km/hour, as Council is not in a position financially to provide rail crossing lights.		This matter was drawn to the attention of Minister Aitchison on 12/01/2024 during her visit to Nyngan. Further letters sent to Minister Aitchison and Roy Butler MP. Discussed with Minister Aitchison on 15/07/2024 during her visit to Nyngan. Letter received from Minister Aitchison. TNSW has requested a review of train speeds from UGL.
2	27/02/2025	012/2025	Nyngan Emergency Bore	That Council seek tenders for the Nyngan Emergency Bore project as now proposed by NSW Public	DIS	Update

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Item	Date	Minute No	Matter	Action Required	Officer	Status
				<p>Works with the following scope of works:</p> <ul style="list-style-type: none"> i. Installation of a new bore, with power supply, in the vicinity of the current bore that meets the boundary proximity requirements of the Water Sharing Plan. ii. Installation of pipeline from the new bore site to Nyngan iii. Project design, project management and other associated costs. 		<p>Construction of the pipeline from the bore, along Old Warren Road has commenced.</p> <p>Investigation of a preferred route through Nyngan is in progress.</p>
	23/10/2025	228/2025		<p>That Council make application through the required processes for the Minister to exercise their discretion under the modified Clause 37(4)(d) to permit approval of the water supply work on the original bore site for the Nyngan Emergency Bore in parallel that</p>	DIS	<p>Update</p> <p>DCCEEW consultation closed on 31/12/2025, and they have advised that they are currently reviewing objections received.</p>

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Item	Date	Minute No	Matter	Action Required	Officer	Status
				Council pursues the regulatory processes to continue with the second bore in keeping with Resolution 12/25.		
3	27/05/2021	126/2021	Addressing Local Job Vacancies	Council delays the launch of the marketing campaign until progress is made with establishing more housing accommodation in Nyngan.	DPCS	Refer below.
	28/09/2023	207/2023		Council provides a budget of \$25,000 for production of videos for the relocation campaign.		Production of Employment video in progress. Production of Health and Education video in progress.
4	25/07/2024	144/2024	New Water Treatment Plant Site	That Council does not proceed with building the new Water Treatment Plant on the site adjacent to the substation at the end of Dandaloo Street. That Council constructs the new Water Treatment Plant on the Council owned land at the Raw	DIS	In Progress

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Item	Date	Minute No	Matter	Action Required	Officer	Status
				Water Pump Station at the upper weir.		
5	24/10/2024	245/2024	Reclassification of Land – 8 Tabratong Street	That Council resolve to: 1. Lodge the Planning Proposal to Reclassify Public Land at 8 Tabratong Street Nyngan with the Department of Planning, Housing and Infrastructure for a Gateway Determination	DDES	Update: Awaiting Planning Approval from DPHI
6	27/07/2023 25/07/2024	160/2023 146/2024	School Exchange Program	The General Manager commence discussions around the future of the Tongling Exchange Program, with a report to Council. That Council consider locations that may have economic/industry ties for the School Exchange Program, to enhance the student experience.	GM	Discussions held with Acting Principal, Nyngan High School.

Item	Date	Minute No	Matter	Action Required	Officer	Status
7	26/10/2023	247/2023	Before and After School Care, Nyngan	That the Before and After School Care matter be further pursued with the Department of Education, and if necessary, the Minister.	GM	Refer below.
	22/02/2024	009/2024		Issue of lack of Before and After School Care in Nyngan be referred to Local Member.		Correspondence sent to Local Member.
	25/07/2024	147/2024		That Council request the Local Member to make further contact with the Minister for Education about the lack of Before and After School Care in Nyngan.		Email sent to Local Member in August 2024. Contact, with reminder, made with Local Members Office October 2024. GM and DPCS met with officials of Department of Education to discuss community concerns. Local Member has written to Minister for Education and Early Learning and issued a press release.
8	23/11/2023	278/2023	Nyngan Year-Round Fishery	That Council provide in principle support for the development of a Memorandum of Understanding with DPI Fisheries for a managed	DIS	Department of Primary Industries and Regional Development have advised that preparation of a risk assessment

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Item	Date	Minute No	Matter	Action Required	Officer	Status
				fishery in the Nyngan off-river storages, with a further report to Council to consider a draft Memorandum of Understanding.		and draft Memorandum of Understanding is in progress. Update: Contact made with the Department of Primary Industries and Regional Development representative, who confirmed the Departments desire to progress the Fishery.
9	27/06/2024	134/2024	Nyngan Community Homes	That Council request that Nyngan Community Homes Association presents a satisfactory Business Plan and shows it has the capacity to build planned homes on the land, Council will consider an appropriate arrangement to facilitate the provision of the land which was formerly the Palais Theatre, on the basis of that plan.	GM	Email forwarded to Nyngan Community Homes with Council resolution and to contact the General Manager if further information is required. Business Plan received from Nyngan Community Homes, 01/12/2024 with a request to address Council at a future meeting. Date to be determined in consultation with Mayor. Update: Further information now received from Nyngan Community Homes. Meeting with Nyngan

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Item	Date	Minute No	Matter	Action Required	Officer	Status
						Community Homes scheduled for March.
10	22/05/2025	120/2025	Control of Pest Bird Species	That Council apply for grant funding to promote community participation in managing Indian Myna populations within the Bogan LGA.	DDES	In progress
11	27/03/2025	045/2025	Cobar Water Board Water Supply Agreement	That the General Manager enter into a lease agreement with the Cobar Water Board for Lot 1 DP803368 for a period of 10 years, at an agreed market related rental, with annual rent renew for the purposes of the installation of solar panels and a water pump station. This agreement is subject to a successful negotiation of a Water Supply Agreement with Cobar Water Board.	GM	In progress

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Item	Date	Minute No	Matter	Action Required	Officer	Status
12	26/06/2025	139/2025	Bogan Shire Youth and Community Centre R4R9 Grant	That the General Manager makes application to vary the approved Resources for Regions 9 Grant project for the Bogan Shire Youth and Community Centre to make provision for: a. Building works – wall protection, internal door installation b. Outdoor sports facilities – pickleball court and table tennis c. Deletion of a fire pit and addition of a BBQ.	GM	Variation request submitted. Update: Variation approved. COMPLETED
13	27/11/2025	260/2025	Nyngan Footpaths	1. Council urgently complete repair works to the Dandaloo Street Footpath outside Nyngan Public School which is uneven/sunken footpath and creates a trip hazard in this high traffic area. 2. Council create a footpath access ramp at the public school bus stop to allow people with bikes	DIS	Works are planned to be undertaken during the school holidays. Update: Grinding of various joints (to remove level changes) undertaken. Footpath access ramps (at the school car park entry) in Cathundril Street completed.

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				<p>and prams to access the footpath safely.</p> <p>3. These works be funded from Councils existing Footpath Repair Program budget or, alternatively, other suitable funding identified by the General Manager.</p> <p>4. The General Manager provides Council with information on the process and cost to update the 2023 Bogan Shire Active Transport Plan so that more priority projects can be included in the Plan which has to be used as supporting evidence for grant funding.</p>		<p>Replacement of a number of damaged concrete panels is planned for the coming weeks.</p>
14	27/11/2025	273/2025	Hermidale Water	<p>That the General Manager monitors any consumption from the meters in Hermidale at the base of the elevated storages and the small tank in the CWA War Memorial Park, with a further report to Council in March 2026.</p>	DIS	In progress

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Item	Date	Minute No	Matter	Action Required	Officer	Status
15	27/11/2025	274/2025	Nyngan Cemetery	That the simple style of cemetery row marker (approx. \$15 each), be installed, with costs to be covered from existing operating budget.	DIS	Update: Row markers yet to be fabricated
16	27/11/2025	280/2025	Tree Removal Request – 9 Mudal Street Nyngan	<p>1 That Council approves that the pine tree be removed on the provision that the applicant maintain trees to be supplied from the Bogan River Bushcare Nursery.</p> <p>2 Given that the tree is assessed as being in good health, Council requires the applicant to pay 50% of the removal cost of the tree.</p>	DDES	COMPLETED Update: Council have made contact with the applicant.
		281/2025		Prior to carrying out the previous resolution 280/2025, that Council contacts Essential Energy to see if removal of this tree is part of their future program of works.		

Item	Date	Minute No	Matter	Action Required	Officer	Status
17	27/11/2025	282/2025	Wangaaypuwan Wellness, Nyngan LALC	That the Mayor facilitates a discussion between Wangaaypuwan Wellness and local State Member Roy Butler about this matter, given that the NSW Government is responsible for providing housing assistance for women and children experiencing domestic and family violence.	GM	Wangaaypuwan Wellness advised of Councils decision. Update: Contact made with Roy Butlers office to facilitate a meeting.
	27/11/2025	283/2025		That Council provide, in principle, support for the establishment of temporary accommodation to support women and children experiencing domestic and family violence in Nyngan and ask that the Mayor and General Manager investigate the possibility of providing a suitable building for a 12 month trial period through the discussions with State Member Roy Butler.	GM	Refer above

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Item	Date	Minute No	Matter	Action Required	Officer	Status
18	18/12/2025	308/2025	Sale of Land – 25 Lot Subdivision	<ol style="list-style-type: none"> 1. That Council, in the first release of land, choose to use an Expression of Interest process for the purchase of lots in Stage 1 of the new Hoskins Street residential subdivision with EOI's closing on the 27th February 2026. 2. That the following criteria be used by Council, to determine successful expressions of interest: <ol style="list-style-type: none"> a) Council selects 8 blocks for the first release, Lot numbers 3, 5, 8, 10, 15, 17, 21, 23 then 8 blocks for the second release and 9 blocks for the third release. b) In the first release, limit to individual persons 	DFCS	<p>Update: Expression of Interest process underway.</p>

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Item	Date	Minute No	Matter	Action Required	Officer	Status
				<p>and only one lot per buyer.</p> <p>c) Expressions of interest will only be accepted from persons currently living in the Bogan Shire with proof of residence to be provided by way of a current electricity bill (most recent) and driver's licence.</p> <p>d) Only offers exceeding \$35,000, including GST, will be considered.</p> <p>e) Commitment to complete building works for a dwelling within 2 years of purchase, as negotiated by Council.</p> <p>f) Buyers may list at least three lots in order of priority to give Council</p>		

Item 10.1

Item	Date	Minute No	Matter	Action Required	Officer	Status
				<p>the option to allocate lots and negotiate with buyers based on highest offers and meeting criteria.</p> <p>g) Should more than one EOI be offered on a lot, then the highest offer will be considered. If offers are equal on any one lot, then Council may negotiate with all interested parties.</p> <p>h) All offers that meet the criteria will be submitted to Council, through the formal meeting process, to make decisions on the sale of lots.</p>		
		309/2025		That Councillors forward suggestions to the General Manager, for consideration by	GM	Update: Report to Council refers.

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Item	Date	Minute No	Matter	Action Required	Officer	Status
				Councillors at the February 2026 Council meeting, on the naming of new road to be established between Oatley Street and Oxley Street.		COMPLETED

Resolved 008/2026

Moved: Cr Bright

Seconded: Cr Elias

That the report relating to the Monthly Checklist be received and those items marked as “Completed” be removed from the Checklist.

10.2 CODE OF MEETING PRACTICE

Resolved 009/2026

Moved: Cr Stanton

Seconded: Cr Jackson

That the Code of Meeting Practice Report be received and noted.

10.3 PROGRAM FUNDING

Resolved 010/2026

Moved: Cr Bootle

Seconded: Cr Jackson

That Council uses the net budget savings of \$590,000 generated by the new terms of the Resources for Regions Round 9 funding deed to continue to fund the following community programs from own revenue until 30 June 2028.

- Bogan River Bushcare (employment of Bushcare Coordinator and Trainee)
- Youth Programs (employment of Youth Officer and Youth Support Officer)

10.4 NAMING OF NEW ROAD IN NEW SUBDIVISION

Resolved 011/2026

Moved: Cr Bright

Seconded: Cr Elias

That Council move into **DISCUSSION** on the choice of names for the new road in the new subdivision.

Resolved 012/2026

Moved: Cr Bootle

Seconded: Cr Boag

That the new road between Oatley and Oxley Streets in the new subdivision be named Warrigal Way.

11 PEOPLE AND COMMUNITY SERVICES REPORTS

11.1 YOUTH AND COMMUNITY CENTRE OPERATIONAL REPORT

Resolved 013/2026

Moved: Cr Elias

Seconded: Cr Menzies

That the Operational Report for the Bogan Shire Youth and Community Centre be received and noted.

11.2 LIBRARY REPORT

Resolved 014/2026

Moved: Cr Menzies

Seconded: Cr Stanton

That the Library report be received and noted

11.3 VISITOR INFORMATION CENTRE

Resolved 015/2026

Moved: Cr Bootle

Seconded: Cr Bright

That the Operational Report for the Visitor Information Centre be received and noted.

11.4 AUSTRALIA DAY 2026

Resolved 016/2026

Moved: Cr Menzies

Seconded: Cr Jackson

That:

1. The Australia Day 2026 Report be received and noted.
2. Councillors provided the following feedback about the event on behalf of the community for planning of future events:

Clr Elias	Very hot, look for a cooler venue How do the recipients of the award get voted: <i>GM response just the Councillors vote</i>
Clr Neill	National Anthem live vocalist The park is a good atmosphere for the event Congratulations to all staff for the running of a successful day, and the Garden staff for presentation of the Park
Clr Boag	Printing of words for National Anthem, especially second verse, be inserted in program The nominees, accept the nomination, encourage them to have a representative if they can not attend in person (<i>GM noted that is communicated to everyone</i>)
Clr Bright	Approach the schools/different school each year to sing the National Anthem
Clr Jackson	Different venue due to the heat, Youth Centre sports stadium or High School Gym

12 FINANCE AND CORPORATE SERVICES REPORTS

12.1 INVESTMENTS DECEMBER 2025 AND JANUARY 2026

Resolved 017/2026

Moved: Cr Bootle

Seconded: Cr Elias

That Council receives and notes the Investments Report.

12.2 SUMMARY OF RATE AND ANNUAL CHARGES COLLECTION

The Director of Finance and Corporate Services gave the following updates at the meeting:

Rate Collections	2025-2026	2024-2025
Arrears Prior to 30/06/2025	199,444	279,251
First Instalment arrears as at 31/01/2026	29,807	28,701
Second Instalment arrears as at 31/01/2026	52,172	280,601
Third Instalment outstanding as at 31/01/2026	442,347	1,015,326
Fourth Instalment outstanding as at 31/01/2026	1,094,347	1,094,540
Total Arrears	272,423	588,553
Total Outstanding	1,809,117	2,698,419
Monthly Transactions		
Amount Levied & B/Fwd	6,201,285	6,248,285
Add: Adjustments	28,699	45,799
Less: Payments to end of January	-4,352,124	-3,520,741
Less: Rebates	-67,989	-74,924
Add: Postponed	0	0
Gross Total Balance	2,368,653	2,698,419
Arrears of total amount levied %	4.8%	9.4%

Resolved 018/2026

Moved: Cr Boag

Seconded: Cr Jackson

That Council receive and note the Rate and Annual Charges collection report.

12.3 QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2025

Resolved 019/2026

Moved: Cr Bootle

Seconded: Cr Boag

That Council:

1. Receive and note the December 2025 Quarterly Budget Review Report.
2. Amend the 2025/26 Operating and Capital Budgets in accordance with the recommended variations listed in the Attachments to this Report.

13 INFRASTRUCTURE SERVICES REPORTS**13.1 DEPARTMENTAL ACTIVITY REPORT****Resolved 020/2026**

Moved: Cr Elias

Seconded: Cr Menzies

That the Infrastructure Departmental Report be received and noted.

13.2 LOCAL TRANSPORT FORUM MEETING REPORT**Resolved 021/2026**

Moved: Cr Bright

Seconded: Cr Issa

That the Local Transport Forum Meeting Report be received and noted.

13.3 REQUEST TO SUPPORT TRANSFER OF CROWN ROADS IN HERMIDALE**Resolved 022/2026**

Moved: Cr Menzies

Seconded: Cr Bootle

1. That Council support Public Works application to Crown Lands to have the following Crown Roads transferred to Council:
 - Howgill Street between Nyngan Street and Mouramba Street
 - Mouramba Street between Nymagee Street and Howgill Street

2. That Council support Public Works application to Crown Lands to have a section of Mouramba Street west of Howgill Street for a distance of 41m transferred to Council.

14 DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORTS

14.1 DEVELOPMENT APPLICATIONS REPORT

Crs Issa and Stanton left the room, having declared interests.

Resolved 023/2026

Moved: Cr Boag

Seconded: Cr Elias

That the Development Applications Report be received and noted.

Clr Issa and Stanton returned to the room.

14.2 WASTE AND RESOURCE MANAGEMENT REPORT

Resolved 024/2026

Moved: Cr Boag

Seconded: Cr Issa

That the Waste and Resource Management Report be received and noted.

15 PRECIS OF CORRESPONDENCE**15.1 CORRESPONDENCE FROM THE HON. RON HOENIG MP, MINISTER FOR LOCAL GOVERNMENT****Resolved 025/2026**

Moved: Cr Jackson

Seconded: Cr Stanton

That Council provides a response, consistent with previous resolutions, that it does not wish to be a member of a Joint Organisation as the Alliance of Western Councils better serves the purposes of a regional collaboration body.

15.2 CORRESPONDENCE FROM THE NSW PREMIERS' DEPARTMENT**Resolved 026/2026**

Moved: Cr Jackson

Seconded: Cr Boag

That the correspondence from the NSW Premiers Department regarding the application for Nyngan Show Day half day public holiday, be noted.

15.3 CORRESPONDENCE FROM NYNGAN SWIMMING CLUB**Resolved 027/2026**

Moved: Cr Bootle

Seconded: Cr Boag

That Council defer this matter for the General Manager to investigate and report back to the next Council Meeting.

15.4 CORRESPONDENCE FROM NYNGAN TIGERS JUNIOR RUGBY LEAGUE**Resolved 028/2026**

Moved: Cr Bootle

Seconded: Cr Elias

That Council:

1. Notes the correspondence received from Nyngan Tigers Junior Rugby League Club.
2. Congratulates the Club on receiving the grant funding and confirms that it has no objection to the works being carried out, subject to necessary Council administrative approvals processes.

15.5 CORRESPONDENCE FROM THE WOODLOCK FAMILY

Resolved 029/2026

Moved: Cr Boag

Seconded: Cr Elias

That the correspondence received from the Woodlock Family thanking Council for the memorial for Maverick Woodlock, be noted.

16 MEETING CLOSURE

There being no further business, the meeting closed at 9.05pm.

These minutes were confirmed by resolution at a meeting on and were signed as a true record.

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GENERAL MANAGER

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MAYOR