



BOGAN SHIRE COUNCIL

Ordinary Minutes

Date: Thursday, 23 October 2025

Time: 7.00pm

**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 23 OCTOBER 2025 AT 7.00PM**

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

IN ATTENDANCE: D Francis (General Manager), S Waterhouse (Director Finance & Corporate Services), G Curry (Director of Infrastructure Services), C Black (Director Development & Environmental Services), M Salter (Executive Officer)

1 OPENING PRAYER

2 REMEMBRANCES

3 APOLOGIES

Resolved 219/2025

Moved: Cr Bootle

Seconded: Cr Jackson

That the apologies received from Councillors K Bright and V Boag be accepted and leave of absence be granted.

4 DISCLOSURE OF INTERESTS

10.2 Planning Agreement Constellation Mine

- Clr Issa

Declared a non-pecuniary interest.

- Clr Jackson

Employed by Aeris Resources.

- Clr Neill

Company involved as a Contractor, non -pecuniary interest.

5 CONFIDENTIAL MATTERS

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 23 October 2025:

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 220/2025

Moved: Cr Jackson

Seconded: Cr Issa

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).

5.1 MINUTES OF CONFIDENTIAL COUNCIL MEETING – 25 SEPTEMBER 2025

The minutes of the Confidential Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 25 September 2025 have been circulated to Council.

Resolved 221/2025

Moved: Cr Menzies

Seconded: Cr Bootle

That the minutes of the Confidential Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 25 September 2025, be received and noted.

Business Arising: Nil

5.2 NETWASTE TENDER COLLECTION SCRAP METAL

This matter is considered to be confidential under Section 10A(2) of the *Local Government Act 1993*, and discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Resolved 222/2025

Moved: Cr Bootle

Seconded: Cr Jackson

That Council endorse Access Recycling as the preferred Supplier to undertake the regional 'Collection and Recycling of Scrap Metal' for participating NetWaste Councils.

Resolved 223/2025

Moved: Cr Bootle

Seconded: Cr Issa

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

6 CONFIRMATION OF ORDINARY MINUTES

6.1 MINUTES OF ORDINARY MEETING - 25 SEPTEMBER 2025

Resolved 224/2025

Moved: Cr Menzies

Seconded: Cr Elias

That the minutes of the Ordinary Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 25 September 2025, be received and noted.

Business Arising: Nil

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	

Item	Date	Minute No	Matter	Action Required	Officer	Status
				Works with the following scope of works: 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.		A tender for the construction of the pipeline from the bore, along Old Warren Road has been published by Public Works. Investigation of a preferred route through Nyngan is in progress.
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.

Item	Date	Minute No	Matter	Action Required	Officer	Status
	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 Water Pump Station at the upper weir.	DIS	In Progress
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; and	DDES	Update: COMPLETED

Item	Date	Minute No	Matter	Action Required	Officer	Status
				2. Undertake community consultation in accordance with the Gateway Determination.		COMPLETED Update: Final Version of the Planning Proposal to be sent to the DPHI for the LEP amendment to be made.
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

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.
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.
10	24/07/2025	166/2025	Vermont Hill Road	That Council: 1. Install signage on Vermont Hill Road at the boundary, and at Fords Road advising that 'Road not regularly maintained by Bogan Shire Council, May be	DIS	Update: COMPLETED

Item	Date	Minute No	Matter	Action Required	Officer	Status
				impassable to conventional vehicles, Use is at drivers risk". 2. Undertake basic works to the value of \$10,000 on the worst of the scours on Vermont Hill Road.		COMPLETED
11	22/05/2025	120/2025	Control of Pest Bird Species	• That Council publish information about the Indian Myna and control measures on social media and Council's website, to raise community awareness. • That Council apply for grant funding to promote community participation in managing Indian Myna populations within the Bogan LGA. • That Council survey local businesses to determine if there is interest in contributing funds and/or supporting practical efforts to assist in the	DDES	Updates: COMPLETED In progress COMPLETED

Item	Date	Minute No	Matter	Action Required	Officer	Status
				management of Indian Myna birds.		
12	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
13	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:	GM	Variation request submitted. UPDATE: Currently working with NSW Dept of Primary Industries and Regional Development to resolve

Item	Date	Minute No	Matter	Action Required	Officer	Status
				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.		queries around Council's Variation Request.
14	26/06/2025	148/2025	Nyngan Cemetery Unidentified Plots	That the General Manager provide a report to Council on the matter of unidentified cemetery plots at the Nyngan Cemetery.	DIS	Report to future Council Meeting.
15	24/07/2025	168/2025	Pangee Street Trees	That Council replace seven Pangee Street trees with Platanus Acerifolia (London Plane trees) this financial year and replace the other seven Pangee Street trees with Platanus Acerifolia (London Plane trees) next financial year.	DIS	Update: Pangee Street tree planting completed. COMPLETED
	25/09/2025	201/2025		That the remaining affected trees in Pangee Street be replaced immediately with Platanus Acerifolia (London Plane trees), within the existing budget.		Update: Pangee Street tree planting completed. COMPLETED

Item	Date	Minute No	Matter	Action Required	Officer	Status
16	28/08/2025	179/2025	Policy AP002 Payment of Expenses and Provisions of Facilities to the Mayor and Councillors	That the policy, AP002 Payment of Expenses and Provision of Facilities for Mayor and Councillors, be approved for public exhibition.		Update: Notice placed in the Nyngan Weekly Newspaper, that Policy AP002 Payment of Expenses and Provisions of Facilities to the Mayor and Councillors was on display on Councils Website and at the Bogan Shire Council Chambers until Friday 3 October 2024. No submissions were received. COMPLETED

10.1 GENERAL MANAGERS CHECKLIST

Policy AP002 Payment Of Expenses And Provisions Of Facilities To The Mayor And Councillors

Resolved 225/2025

Moved: Cr Jackson

Seconded: Cr Elias

That Council adopts Policy AP002 Payment of Expenses and Provisions of Facilities to the Mayor and Councillors.

Resolved 226/2025

Moved: Cr Jackson

Seconded: Cr Menzies

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

10.2 PLANNING AGREEMENT - CONSTELLATION MINE

Resolved 227/2025

Moved: Cr Menzies

Seconded: Cr Stanton

1. That Council endorses the draft Constellation Project Planning Agreement for the purposes of public exhibition.
2. That Council places the draft Constellation Project Planning Agreement on public exhibition for a period of at least 28 days, calling for and accepting submissions from the public on the draft Planning Agreement.
3. That the General Manager request Aeris Resources to work with Council so that a draft Road User Agreement can be considered by Council at its meeting on 27 November 2025 and that NSW Planning be advised accordingly.

10.3 NYNGAN EMERGENCY BORE

Resolved 228/2025

Moved: Cr Bootle

Seconded: Cr Stanton

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 Council pursues the regulatory processes to continue with the second bore in keeping with Resolution 12/25.

10.4 NEW MODEL CODE OF MEETING PRACTICE**Resolved 229/2025**

Moved: Cr Menzies

Seconded: Cr Jackson

That the new Bogan Shire Council Code of Meeting Practice, based on the recently released NSW Model Code of Meeting Practice, be approved for public exhibition, with items listed in red text deleted.

10.5 COUNCIL CHAMBERS: AUDIO-VISUAL EQUIPMENT**Resolved 230/2025**

Moved: Cr Jackson

Seconded: Cr Menzies

That Council provide a budget of \$10,000 for the installation of audio-visual equipment for the Bogan Shire Council Chambers and have this installed prior to the first Council meeting of 2026.

10.6 CHRISTMAS - NEW YEAR CLOSURE**Resolved 231/2025**

Moved: Cr Issa

Seconded: Cr Elias

1. That Council closes the Shire administration offices as well as the Bogan Shire Youth and Community Centre, Library and Bogan Shire Medical Centre between Monday 22 December 2025 and Friday 2 January 2026 and advises the community accordingly.
2. That The Bogan Shire Early Learning Centre closes between 18 December 2025 and 9 January 2026 for their annual shutdown and clean and advises the community accordingly.
3. That the December Ordinary Council Meeting takes place at 9.00am on Thursday 18 December 2025.
4. That the Bogan Shire Council Christmas Party take place between 12.00pm and 3.00pm on Thursday 18 December 2025, involving all Councillors, Staff and their partners, and that Council covers the cost of this event.

10.7 DECEMBER 2025/JANUARY 2026 RECESS**Resolved 232/2025**

Moved: Cr Stanton

Seconded: Cr Menzies

That Council:

1. Goes into recess from Friday 19 December 2025 until Friday 30 January 2026 and consequently does not have an Ordinary Meeting during January 2026.
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, to

collectively make decisions on behalf of Council during this recess period, with Councillors to be consulted if practical.

3. Any such decisions are to be reported to the Council at its first meeting in 2026.

11 PEOPLE AND COMMUNITY SERVICES REPORTS

11.1 BOGAN SHIRE EARLY LEARNING CENTRE TERM 3 REPORT

Resolved 233/2025

Moved: Cr Elias

Seconded: Cr Stanton

That the Early Learning Centre report be received and noted.

11.2 BOGAN BUSH MOBILE – TERM 3 REPORT

Resolved 234/2025

Moved: Cr Issa

Seconded: Cr Jackson

That the Bogan Bush Mobile report be received and noted.

11.3 BOGAN SHIRE MEDICAL CENTRE PATIENT BILLING OPTIONS

Resolved 235/2025

Moved: Cr Menzies

Seconded: Cr Jackson

That Council ceases charging gap fees at the Bogan Shire Medical Centre after Friday 31 October 2025 and resumes 100% Bulk Billing for all patients in order to access the Federal Government's new Bulk Billing Incentive payments.

11.4 LITTLE WINGS - MEDICAL WINGS PAEDIATRIC SERVICES

Resolved 236/2025

Moved: Cr Jackson

Seconded: Cr Bootle

That Council:

1. Supports in principle the introduction of Medical Wings Services visiting Nyngan for the benefit of the Bogan Shire Community.
2. Raises community awareness of the benefits of the Medical Wings Service amongst the local community, including businesses, community groups, sporting clubs and individuals to make donations.
3. Explores alternative funding sources to collect the \$18,000 to \$21,600 needed for 12 months of service delivery to Bogan Shire residents.
4. Recommends to the Alliance of Western Councils that the need for these services and funding shortfall be brought to the attention of both the Australian and NSW Health Ministers.

11.5 NYNGAN SHOW DAY

Resolved 237/2025

Moved: Cr Jackson

Seconded: Cr Bootle

That Council make application to the Minister of Industrial Relations for a half day Public Holiday from noon, on Monday 18 May 2026.

12 FINANCE AND CORPORATE SERVICES REPORTS

12.1 SUMMARY OF RATE AND ANNUAL CHARGES COLLECTION

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

Rate Collections	2025-2026	2024-2025
Arrears Prior to 01/01/2025	257,108	359,964
First Instalment arrears as at 30/9/2025	106,549	121,697
Second Instalment outstanding as at 30/9/2025	1,082,883	1,078,142
Third Instalment outstanding as at 30/9/2025	1,153,584	1,125,695
Fourth Instalment outstanding as at 30/9/2025	1,174,984	1,143,413
Total Arrears	363,657	481,661
Total Outstanding	3,775,109	3,828,914
Monthly Transactions		
Amount Levied & B/Fwd	6,198,521	6,254,196
Add: Adjustments	8,852	26,527
Less: Payments to end of September	-2,365,655	-2,376,370
Less: Rebates	-67,545	-75,463
Add: Postponed		0
Gross Total Balance	3,874,254	3,828,914
Arrears of total amount levied %	5.8%	7.7%

Resolved 238/2025

Moved: Cr Elias

Seconded: Cr Bootle

That Council receive and note the Rate and Annual Charges collection report for September 2025.

12.2 INVESTMENTS SEPTEMBER 2025**Resolved 239/2025**

Moved: Cr Menzies

Seconded: Cr Elias

That Council receive and note the Investments Report for September 2025.

12.3 DELIVERY PROGRAM**Resolved 240/2025**

Moved: Cr Menzies

Seconded: Cr Jackson

That Council receive and note the Delivery Program Report.

12.4 QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2025**Resolved 241/2025**

Moved: Cr Stanton

Seconded: Cr Issa

That Council

1. Receive and note the September 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.

12.5 BANKING TENDER**Resolved 242/2025**

Moved: Cr Stanton

Seconded: Cr Jackson

1. That the General Manager calls for tenders for the provision of banking services from National Australia Bank (NAB) and from the Commonwealth Bank of Australia (CBA), being the only banks with full banking facilities at a branch in Nyngan.
2. That a further report be presented to Council upon completion of the tender evaluation, recommending the preferred provider.

13 INFRASTRUCTURE SERVICES REPORTS

13.1 DEPARTMENTAL ACTIVITY REPORT

Resolved 243/2025

Moved: Cr Stanton

Seconded: Cr Menzies

That the Infrastructure Departmental Report be received and noted.

13.2 AERODROME LIGHTING GRANT

Resolved 244/2025

Moved: Cr Bootle

Seconded: Cr Jackson

1. That this matter be brought to the urgent attention of local Members Jamie Chaffey and Roy Butler with an appeal for financial assistance, highlighting the potential risk to patient safety in an emergency situation.
2. That a decision on whether to proceed with the project or hand back the Federal grant be deferred until the November meeting.

13.3 WATER EXTENSIONS POLICY FURTHER INFORMATION

Resolved 245/2025

Moved: Cr Issa

Seconded: Cr Menzies

That the application from Mr Clive Robb for a water service to 334 Canonba Road for a shearing shed be approved, subject to the following conditions:

- a) The applicant is responsible for all costs associated to install the service.
 - b) The owner of the property with the connected water service must pay the access and volumetric user charge adopted in Council's annual budget.
 - c) The service must discharge to an enclosed tank on the property and the water then pumped to the shearing shed.
 - d) Town water to be used for urban and domestic purposes only not for stock watering or agricultural purposes.
2. That the Policy for Extending Town Water Supply as presented in the September 2025 Business Paper be adopted with the exclusion of the sixth dot point in "Principles".

14 DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORTS

14.1 DEVELOPMENT APPLICATIONS REPORT

Resolved 246/2025

Moved: Cr Elias

Seconded: Cr Stanton

That the Development Applications Report be received and noted.

14.2 NYNGAN SALEYARDS REPORT

Resolved 247/2025

Moved: Cr Menzies

Seconded: Cr Jackson

That the General Manager prepares a report setting out the minimum required upgrades / maintenance to the Nyngan Saleyards for use as a hold over area for livestock, including the Wash Bay together with estimated costings for Council's consideration.

14.3 BOGAN RIVER BUSHCARE REPORT

Resolved 248/2025

Moved: Cr Jackson

Seconded: Cr Issa

That the Bogan River Bushcare Report be received and noted.

15 PRECIS OF CORRESPONDENCE**15.1 CORRESPONDENCE TO ROY BUTLER FROM HON. JENNY AITCHISON MP
MINISTER FOR ROADS, MINISTER FOR REGIONAL TRANSPORT****Resolved 249/2025**

Moved: Cr Menzies

Seconded: Cr Elias

That the correspondence received from Hon. Jenny Aitchison MP Minister for Roads, Minister for Regional transport be noted.

15.2 CORRESPONDENCE FROM MH & K CARTER**Resolved 250/2025**

Moved: Cr Jackson

Seconded: Cr Issa

That the request from MH & K Carter regarding request for renaming of Days Road be received and the General Manager commences the required assessment and consultation process, with a further report to Council.

15.3 CORRESPONDENCE FROM MRS SKEWPECK**Resolved 251/2025**

Moved: Cr Jackson

Seconded: Cr Menzies

That the correspondence received from Mrs Skewpeck is noted.

16 MEETING CLOSURE

There being no further business, the meeting closed at 8.50pm.

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