



BOGAN SHIRE COUNCIL

Ordinary Minutes

Date: Thursday, 27 November 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 27 NOVEMBER 2025 AT 7.00PM**

PRESENT: Councillors Cr G Neill (Chairperson), K Bright, V Boag, 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 252/2025

Moved: Cr Bright

Seconded: Cr Boag

That the apologies received from Councillors J Elias & R Bootle be accepted and leave of absence be granted.

4 DISCLOSURE OF INTERESTS

Clr Issa:

5.3 Road Use Agreement – Tritton Resources

Reason: Declared a non-pecuniary interest, less than significant, as the owner of a business which has dealings with Tritton Resources.

13.3 Hermidale Water

Reason: Declared a non-pecuniary interest, less than significant, as the owner of a business in Hermidale.

14.1 Development Applications

Reason: Lodgement of a Development Application (will leave the room), as the applicant associated with a current Development Application.

Cr Neill:

5.3 Road Use Agreement – Tritton Resources

Reason: Company involved as a Contractor, (will leave the room), as the of a business which has dealings with Tritton Resources.

Clr Jackson:

5.3 Road Use Agreement – Tritton Resources

Reason: Employee of Tritton Resources, (will leave the room).

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 27 November 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 253/2025

Moved: Cr Menzies

Seconded: Cr Stanton

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).

MINUTES OF CONFIDENTIAL COUNCIL MEETING – 23 OCTOBER 2025

Resolved 254/2025

Moved: Cr Jackson

Seconded: Cr Menzies

That the minutes of the Confidential Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 23 October 2025, be received and noted.

Business Arising: Nil

5.1 TENDER FOR CONSTRUCTION OF NYNGAN EMERGENCY BORE PIPELINE

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 255/2025

Moved: Cr Menzies

Seconded: Cr Stanton

1. That the tender of Bellrise Investments Pty Ltd for \$1,209,580 for construction of the Nyngan Emergency Bore Pipeline along Old Warren Road, to the edge of Nyngan, be accepted.
2. That Council authorises the General Manager to execute all documents in relation to the tender and subsequent contracts.

5.2 ELECTRICAL AND NBN WORKS TO HOSKINS STREET SUBDIVISION

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 256/2025

Moved: Cr Jackson

Seconded: Cr Bright

1. That due to the limited number of Level 1 Electrical Contractors in Dubbo, and that quotations have been sought from two of the three contractors, that Council not call tenders for the electrical and NBN works associated with the Hoskins Street subdivision.
2. That Council enters a contractual variation with Consenth Solutions for the electrical and NBN installation for the sum of \$509,012.80 (GST exc).

5.3 ROAD USE AGREEMENT - TRITTON RESOURCES PTY. LTD

Clr Neill vacated the chair and left the room, Deputy Mayor Cr Bright moved into the chair.
Cr Jackson left the room.

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 257/2025

Moved: Cr Stanton

Seconded: Cr Menzies

That Council endorse the draft Road Use Agreement and authorise the General Manager to execute the Agreement on behalf of Council.

Cr Neill & Cr Jackson returned to the room, Clr Bright vacated the chair, Clr Neill resumed the Chair.

Resolved 258/2025

Moved: Cr Boag

Seconded: Cr Jackson

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

6 CONFIRMATION OF ORDINARY MINUTES**6.1 MINUTES OF ORDINARY MEETING - 23 OCTOBER 2025****Resolved 259/2025**

Moved: Cr Jackson

Seconded: Cr Stanton

That the minutes of the Ordinary Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 23 October 2025, be received and noted.

Business Arising: Nil

7 NOTICE OF MOTION

7.1 NYNGAN FOOTPATHS

Resolved 260/2025

Moved: Cr Bright

Seconded: Cr Menzies

That:

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 and prams to access the footpath safely.
3. These works be funded from Councils existing Footpath Repair Program budget or, alternatively, other suitable funding identified by the General Manager.
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.

8 MAYORAL MINUTE

8.1 MAYORAL MINUTE - TEMPORARY PROHIBITION ISSUING OF BUSHFIRE PERMITS

Attachments

Nil

Resolved 261/2025

Moved: Cr Menzies

Seconded: Cr Jackson

1. That Council prohibit the issue and use of Fire Permits within the Bogan Shire every year for the period commencing 12am December 21st and ending 12am January 4th.
2. That Council prohibit the issue and use of Fire Permits within the Bogan Shire every year for the harvest period commencing the day the Nyngan Grain Receival Silos open and ending the day the Nyngan Grain Receival Silos close.
3. Permits may be issued and used whilst the silos are open:
 - a. If harvest, in the applicants Brigade areas, is finished; and
 - b. That brigade Captain and the Captains of each adjoining brigade agree to the Permit issue and use.
4. That the Rural Fire Service be advised of Councils decision and their support sought.

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	DIS	

Item	Date	Minute No	Matter	Action Required	Officer	Status
				as now proposed by NSW Public 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. Update Report to Council refers Investigation of a preferred route through Nyngan is in progress.
	23/10/2025	228/2025		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		Verbal update

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

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; and 2. Undertake community consultation in accordance with the Gateway Determination.	DDES	Update: COMPLETED COMPLETED Update: Final Version of the Planning Proposal has been sent to DPHI for the LEP amendment to be made.
6	27/07/2023	160/2023	School Exchange Program	The General Manager commence discussions around the future of the Tongling Exchange Program, with a report to Council.	GM	Discussions held with Acting Principal, Nyngan High School.
	25/07/2024	146/2024		That Council consider locations that may have economic/industry		

Item	Date	Minute No	Matter	Action Required	Officer	Status
				ties for the School Exchange Program, to enhance the student experience.		
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.

Item	Date	Minute No	Matter	Action Required	Officer	Status
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 fishery in the Nyngan off-river storages, with a further report to Council to consider a draft Memorandum of Understanding.	DIS	Department of Primary Industries and Regional Development have advised that preparation of a risk assessment 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	22/05/2025	120/2025	Control of Pest Bird Species	That Council apply for grant funding to promote community participation in managing	DDES	In progress

Item	Date	Minute No	Matter	Action Required	Officer	Status
				Indian Myna populations within the Bogan LGA.		
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
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:	GM	Variation request submitted. Currently working with NSW Dept of Primary Industries and Regional Development to resolve queries around Council's Variation Request.

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.		
13	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	Update: Report to Council refers
14	23/10/2025	227/2025	Planning Agreement – Constellation Mine	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	DDES	Update Notice placed in the Nyngan Weekly Newspaper and on Council Website that The Draft Constellation Project Planning Agreement is on public display until 27/11/2025.

Item	Date	Minute No	Matter	Action Required	Officer	Status
				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.		
15	23/10/2025	229/2025	New Model Code of Meeting Practice	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.	GM	Update: Notice placed in the Nyngan Weekly Newspaper and on Council Website that the new Bogan Shire Council Code of Meeting Practice, is on public exhibition until 18/12/2025.

Checklist Item 14 Planning Agreement – Constellation Mine

Resolved 262/2025

Moved: Cr Stanton

Seconded: Cr Boag

That Council adopt the Constellation Project Planning Agreement and the General Manager be authorised to sign the agreement on Councils behalf.

Resolved 263/2025

Moved: Cr Bright

Seconded: Cr Menzies

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

11 PEOPLE AND COMMUNITY SERVICES REPORTS

0.0 BOGAN SHIRE YOUTH AND COMMUNITY CENTRE OPERATIONAL REPORT

Resolved 264/2025

Moved: Cr Stanton

Seconded: Cr Jackson

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

1. Attachments

1. BSYCC Photos November 2025

0.0 LIBRARY OPERATIONAL REPORT

Resolved 265/2025

Moved: Cr Menzies

Seconded: Cr Bright

That the Library Report be received and noted.

12 FINANCE AND CORPORATE SERVICES REPORTS

12.1 INVESTMENTS OCTOBER 2025

Resolved 266/2025

Moved: Cr Boag

Seconded: Cr Bright

That Council receive and note the Investments Report.

12.2 RATES AND ANNUAL CHARGES COLLECTION OCTOBER 2025

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	234,723	330,329
First Instalment arrears as at 31/10/2025	61,432	98,791
Second Instalment outstanding as at 31/10/2025	645,994	987,735
Third Instalment outstanding as at 31/10/2025	1,110,955	1,112,156
Fourth Instalment outstanding as at 31/10/2025	1,143,647	1,134,447
Total Arrears	296,155	429,120
Total Outstanding	3,196,751	3,663,458
Monthly Transactions		
Amount Levied & B/Fwd	6,198,520	6,251,070
Add: Adjustments	12,270	31,011
Less: Payments to end of October	-2,951,876	-2,543,380
Less: Rebates	-67,333	-75,243
Add: Postponed		0
Gross Total Balance	3,650,737	3,663,458
Arrears of total amount levied %	5.5%	6.9%

Resolved 267/2025

Moved: Cr Jackson

Seconded: Cr Stanton

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

12.3 ANNUAL FINANCIAL REPORTS

Resolved 268/2025

Moved: Cr Boag

Seconded: Cr Issa

1. That Council receive and note the Financial Reports and Auditor's Report for the period 1 July 2024 to 30 June 2025, as presented to the public.
2. That should any submissions be received within seven days of the presentation of the 2024-2025 Annual Financial Report, that they be referred to the Auditor.

12.4 APPLICATIONS FOR FINANCIAL ASSISTANCE

Resolved 269/2025

Moved: Cr Jackson

Seconded: Cr Boag

That Council provide financial assistance in the sum of \$500 to the Nyngan Amateur Swimming Club and \$700 to the Bobadah Hall Public Trust Committee.

12.5 AMENDMENT TO FEES AND CHARGES 2025/2026

Resolved 270/2025

Moved: Cr Bright

Seconded: Cr Boag

That Council adopt the amended fee of \$220 for Food Inspections for 2025/2026.

13 INFRASTRUCTURE SERVICES REPORTS

13.1 DEPARTMENTAL ACTIVITY REPORT

Resolved 271/2025

Moved: Cr Stanton

Seconded: Cr Jackson

That the Infrastructure Departmental Report be received and noted.

13.2 AERODROME LIGHTING GRANT

Resolved 272/2025

Moved: Cr Menzies

Seconded: Cr Jackson

That Council defer consideration of the proposed project until the December Meeting when they will have had the opportunity to consider an updated review of the options available together with an update on any grant opportunities that may be available.

13.3 HERMIDALE WATER

Resolved 273/2025

Moved: Cr Boag

Seconded: Cr Menzies

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.

13.4 NYNGAN CEMETERY

Resolved 274/2025

Moved: Cr Menzies

Seconded: Cr Bright

1. That additional post and chain barrier be installed at the Church of England section of the Nyngan cemetery.
2. That the simple style of cemetery row marker (approx. \$15 each), be installed, with costs to be covered from existing operating budget.

13.5 NYNGAN CEMETERY PLANNING

Resolved 275/2025

Moved: Cr Stanton

Seconded: Cr Issa

That amendment to the zoning of lot 102 DP42136 be incorporated in a future Local Environment Plan Amendment.

13.6 DRAFT CENTRAL WEST AND ORANA STRATEGIC REGIONAL INTEGRATED TRANSPORT PLAN

Resolved 276/2025

Moved: Cr Boag

Seconded: Cr Stanton

That the Draft Central West and Orana Strategic Regional Integrated Transport Plan Report be received and noted.

14 DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORTS

14.1 DEVELOPMENT APPLICATIONS REPORT

Cr Issa left the room.

Resolved 277/2025

Moved: Cr Bright

Seconded: Cr Boag

That the Development Applications Report be received and noted.

Cr Issa returned to the room.

14.2 BIOSECURITY AND WEEDS REPORT

Resolved 278/2025

Moved: Cr Issa

Seconded: Cr Jackson

That the Biosecurity and Weeds Report be received and noted.

14.3 CONSTRUCTION WORKERS ACCOMMODATION

Resolved 279/2025

Moved: Cr Issa

Seconded: Cr Jackson

That Council opt-in to the Construction Workers Accommodation reforms listed under the *State Environmental Planning Policy (Housing SEPP) 2021*.

14.4 TREE REMOVAL REQUEST - 9 MUDAL STREET, NYNGAN

Moved: Cr Boag

Seconded: Cr Stanton

That Council approve that the pine tree be removed on the provision that the applicant maintains trees to be supplied from the Bogan River Bushcare Nursery.

Clr Menzies **MOVED** an **AMENDMENT** to the **MOTION** that:

- 1 That Council approves that the pine tree be removed, on the provision that the applicant maintains trees to be supplied from the Bogan River Bushcare Nursery.
- 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.

The **AMENDMENT** was **PUT** to Council and became the **RESOLUTION**.

Resolved 280/2025

Moved: Cr Menzies

Seconded: Cr Bright

- 1 That Council approves that the pine tree be removed on the provision that the applicant maintains trees to be supplied from the Bogan River Bushcare Nursery.
- 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.

Resolved 281/2025

Moved: Cr Issa

Seconded: Cr Menzies

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.

15 PRECIS OF CORRESPONDENCE**15.1 CORRESPONDENCE FROM NSW OFFICE OF SPORT - DEFIBRILLATOR GRANT PROGRAM****Resolved 282/2025**

Moved: Cr Stanton

Seconded: Cr Bright

That Council notes the correspondence received from The NSW Office of Sport – Defibrillator Grant Program.

15.2 CORRESPONDENCE RECEIVED FROM WANGAAYPUWAN WELLNESS, NYNGAN LALC**Resolved 283/2025**

Moved: Cr Bright

Seconded: Cr Issa

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.

Resolved 284/2025

Moved: Cr Menzies

Seconded: Cr Issa

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.

15.3 CORRESPONDENCE FROM ROSLYN ELДАР - PROTECTING LOCAL INTEGRITY: REJECT BDS ALIGNED ACTIONS**Resolved 285/2025**

Moved: Cr Boag

Seconded: Cr Menzies

That the notes the correspondence received from Roslyn Eldar – “Protecting Local Integrity BDS Aligned Actions”.

15 MEETING CLOSURE

There being no further business, the meeting closed at 8.45pm.

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