

- 10.24 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.
- 10.25 Clause 10.24 does not prevent a further motion from being moved on the same item of business where the original motion is lost provided the motion is not substantially the same as the one that is lost.

11 VOTING

Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.
- Note: Clause 11.1 reflects section 370(1) of the Act.**
- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.
- Note: Clause 11.2 reflects section 370(2) of the Act.**
- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at council meetings

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.6 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.7 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic

voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

- 11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment (including the use of the casting vote) being recorded.

Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.15 may be omitted.

Voting on planning decisions

- 11.12 The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.
- 11.13 Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.
- 11.14 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.15 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.16 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.17 Clauses 11.14–11.16 apply also to meetings that are closed to the public.

Note: Clauses 11.14–11.17 reflect section 375A of the Act.

Note: The requirements of clause 11.14 may be satisfied by maintaining a register of the minutes of each planning decision.

12 COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration

of speeches and encouraging councillors and staff to stand when addressing the meeting.

Note: Clauses 10.15 – 10.25 limit the number and duration of speeches.

Note: Clause 7.1 encourages councillors and staff to stand when addressing the meeting where they can.

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution where it considers it necessary to expedite the consideration of business at a meeting.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.2.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1.

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the council, councillors, council staff or council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of

information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice,
- (c) are fully discussed in that advice, and
- (d) are subject to legal professional privilege.

Note: Clause 14.4 reflects section 10B(2) of the Act.

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.19 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Despite clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in clause 14.1.
- 14.12 Where the matter has been identified in the agenda of the meeting under clause 3.19 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in a manner determined by the council.

Expulsion of non-councillors from meetings closed to the public

- 14.13 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.14 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

Obligations of councillors attending meetings by audio-visual link

- 14.15 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.16 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

- (a) the relevant provision of section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.16 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.17 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.18 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.17 during a part of the meeting that is livestreamed where practicable.
- 14.19 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 14.20 The general manager must consult with the council and any other affected persons before publishing information on the council's website under clause 14.19 and provide reasons for why the information has ceased to be confidential.

15 KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.3 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.4 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.5 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.6 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.7 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.8 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.9 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.10 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act, the Regulation or this code, or
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
 - (d) uses offensive or disorderly words, or
 - (e) makes gestures or otherwise behaves in a way that is sexist, racist, homophobic or otherwise discriminatory, or, if the behaviour occurred in the Legislative Assembly, would be considered disorderly, or
 - (f) imputes improper motives to or unfavourably personally reflects upon any other council official, or a person present at the meeting, except by a motion, or

- (g) says or does anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.

Note: Clause 15.10 reflects section 182 of the Regulation.

Note: The Legislative Assembly's Speaker's Guidelines state that "Members are not to use language, make gestures, or behave in any way in the Chamber that is sexist, racist, homophobic or otherwise exclusionary or discriminatory. Such conduct may be considered offensive and disorderly, in accordance with Standing Order 74".

- 15.11 The chairperson may require a councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.10(a), (b), (d), (e), or (g), or
 - (b) to withdraw a motion or an amendment referred to in clause 15.10(c) and, where appropriate, to apologise without reservation, or
 - (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.10(d), (e), (f) or (g).

Note: Clause 15.11 reflects section 233 of the Regulation.

- 15.12 A failure to comply with a requirement under clause 15.11 constitutes a fresh act of disorder for the purposes of clause 15.10.
- 15.13 Where a councillor fails to take action in response to a requirement by the chairperson to remedy an act of disorder under clause 15.11 at the meeting at which the act of disorder occurred, the chairperson may require the councillor to take that action at each subsequent meeting until such time as the councillor complies with the requirement. If the councillor fails to remedy the act of disorder at a subsequent meeting, they may be expelled from the meeting under clause 15.18.

How disorder at a meeting may be dealt with

- 15.14 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

- 15.15 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.
- 15.16 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

Councillors may only be expelled by resolution of the council or the committee of the council.

Note: Councils may use either clause 15.15 or clause 15.16.

15.17 Clause [15.15/15.16] **[delete whichever is not applicable]**, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

15.18 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.11 or clause 15.13. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.18 reflects section 233(2) of the Regulation.

15.19 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

15.20 Members of the public attending a meeting of the council:

- (a) must remain silent during the meeting unless invited by the chairperson to speak,
- (b) must not bring flags, signs or protest symbols to the meeting, and
- (c) must not disrupt the meeting.

15.21 Without limiting clause 15.19, a contravention of clause 15.20 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Members of the public may, as provided by section 10(2) of the Act, be expelled from a meeting for a breach of clause 15.20.

15.22 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.23 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.24 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.25 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.26 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.27 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.28 Without limiting clause 15.19, a contravention of clause 15.27 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Any person who contravenes or attempts to contravene clause 15.27, may, as provided for under section 10(2) of the Act, be expelled from the meeting.
- 15.29 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage conflicts of interest they have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or

committee, or at any time during which the council or committee is voting on the matter.

17 DECISIONS OF THE COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act in the case of councils and section 400T(8) in the case of joint organisations.

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given in accordance with this code.

Note: Clause 17.3 reflects section 372(1) of the Act.

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with this code.

Note: Clause 17.5 reflects section 372(3) of the Act.

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to

motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.
- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than 1 day after the meeting at which the resolution was adopted.
- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:
- (a) a notice of motion signed by three councillors is submitted to the chairperson at the meeting, and
 - (b) the council resolves to deal with the motion at the meeting on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council.
- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.12(b) and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 17.14 A resolution adopted under clause 17.12(b) must state the reasons for the urgency.

Recommitting resolutions to correct an error

- 17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
 - (b) to confirm the voting on the resolution.
- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.15 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the council and committees of the council are to conclude at a time the council may from time to time determine.
- 18.2 If the business of the meeting is unfinished at the time the council has determined, and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.3 Clause 18.2 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.4 Where a meeting is adjourned under clause 18.2 or 18.3, the general manager must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19 AFTER THE MEETING

Minutes of meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects section 375(1) of the Act.

- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a council meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects section 375(2) of the Act.

19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
 - (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Non-members entitled to attend committee meetings

- 20.8 A councillor who is not a member of a committee of the council is entitled to

attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

20.9 The chairperson of each committee of the council must be:

- (a) the mayor, or
- (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.

20.10 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

20.11 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

20.12 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting. If neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

20.13 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council.

20.14 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.13.

20.16 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Mayoral minutes

20.17 The provisions of this code relating to mayoral minutes also apply to meetings of committees of the council in the same way they apply to meetings of the council.

Closure of committee meetings to the public

Bogan Shire Council Code of Meeting Practice 2025

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- 20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is livestreamed where practicable.
- 20.21 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 20.22 The general manager must consult with the committee and any other affected persons before publishing information on the council's website under clause 20.21 and provide reasons for why the information has ceased to be confidential.

Disorder in committee meetings

- 20.23 The provisions of the Act, the Regulation, and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way they apply to meetings of the council.

Minutes of council committee meetings

- 20.24 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
 - (b) details of each motion moved at a meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost, and
 - (e) such other matters specifically required under this code.
- 20.25 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.26 The minutes of meetings of each committee of the council must be confirmed

at a subsequent meeting of the committee.

- 20.27 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.28 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.
- 20.29 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.30 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 IRREGULARITIES

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
- (a) a vacancy in a civic office, or
 - (b) a failure to give notice of the meeting to any councillor or committee member, or
 - (c) any defect in the election or appointment of a councillor or committee member, or
 - (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
 - (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.10 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.9 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and any other person exercising functions on behalf of the council
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
livestream	a video broadcast of a meeting transmitted across the internet concurrently with the meeting
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan, a planning agreement or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act

quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
year	means the period beginning 1 July and ending the following 30 June

10.5 COUNCIL CHAMBERS: AUDIO-VISUAL EQUIPMENT

1. Introduction

The purpose of this report is to inform Council of its obligations under the new Model Code of Meeting Practice to live stream Council meetings and to seek direction as to Councils preference for a venue for future Council Meetings as well as a budget provision if necessary.

2. Background

It is expected that the new Model Code of Meeting Practice (Code) - refer Report 10.4 - will come into effect for Bogan Shire Council in January 2026.

The Code includes, at Clauses 5.36 and 5.38 the following provisions:

- 5.36 Each meeting of the council or a committee of the council is to be recorded by means of an audio-visual device.
- 5.38 The recording of a meeting is to be made publicly available on the council's website at the same time as the meeting is taking place.

3. Discussion

As the Bogan Shire Council Chambers are not currently set up with suitable equipment, the requirement to live-stream Council meetings means that Council will need to determine whether to:

- a) Hold future Council meetings at the Bogan Shire Youth and Community Centre, or
- b) Provide a budget 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.

The main meeting room at the Bogan Shire Youth and Community Centre is currently being fitted with audio-visual capability as part of the Centre's Resources for Regions funded projects. There may be some benefits attached to holding Council meetings at the Centre including better facilities and public spaces.

The installation of a basic audio-visual capability in the Council Chambers, incorporating a fixed camera at the northern end of the Chambers is estimated to be \$10,000 based on preliminary enquiries.

It is recommended that Council consider whether to hold Council meetings at the Bogan Shire Youth and Community Centre or remain at the Council Chambers. If the decision to remain at the Council Chambers, then Council will need to resolve that a budget of \$10,000 be allocated to installation of audio-visual equipment for the Council Chambers as part of the first budget review.

4. Attachments

Nil

5. Recommendation

For Council's consideration.

10.6 CHRISTMAS - NEW YEAR CLOSURE

1. Introduction

The purpose of this report is to obtain Council's approval for the closure of Council offices and services over the Christmas/New Year holiday period and to set a date for the December Council Meeting and Christmas Party.

2. Background

As a long-established practice in common with other Councils, Bogan Shire Council has closed its Council offices and certain services between Christmas and New Year.

At its meeting on 24 October 2024 Council resolved as follows:

1. That Council closes the Shire administration offices as well as the Library, from Monday 23 December 2024 to Friday 3 January 2025 inclusive, and advises the community accordingly.
2. That Council closes the Bogan Shire Early Learning Centre, Bogan Shire Medical Centre and Bogan Shire Youth and Community Centre between Monday 23 December 2024 and Friday 3 January 2025 and informs the community accordingly.
3. That the December Ordinary Council Meeting takes place at 9am on Thursday 12 December 2024.
4. That the Bogan Shire Council Christmas Party take place between 12.00pm and 3.00pm on Thursday 12 December 2024, involving all Councillors, Staff and their partners, and that Council covers the cost of this event.

5. Discussion

Christmas Day and Boxing Day fall on a Thursday and Friday, with Thursday 25 December and Friday 26 December 2025 being declared Public Holidays. New Years Day falls on a Thursday, with Thursday 1 January 2026 being declared a Public Holiday.

Customary practice is to close the Council offices as well as other services during the Christmas and New Year break.

This would mean that the Shire Administration Offices, Youth and Community Centre, Library and Medical Centre will be closed between 22 December 2025 and 2 January 2026.

The Bogan Shire Early Learning Centre closes over this period for their annual shutdown and clean, which will be between 18 December 2025 and 9 January 2026.

It has previously been suggested that the December Council Meetings be held at 9.00am, and the most suitable date in December 2025 is Thursday 18 December.

It has been the practice in the past to have a combined Councillor/Staff Christmas Party from 12.00pm to 3.00pm on the day of the December Council Meeting, with Council covering the cost of this event.

6. Attachments

Nil

7. Recommendation

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 December Ordinary Council Meeting takes place at 9.00am on Thursday 18 December 2025.
3. 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

1. Introduction

The purpose of this report is for Council to consider the option of going into recess during December 2025/January 2026.

2. Background

Council has in the recent past not held an Ordinary Monthly Meeting in January.

3. Discussion

It is common for Councils to go into recess over the holiday season. At that time of year a number of people, including Councillors and staff take holidays. Generally speaking, this is a quieter period for Government, suppliers and professional advisors as well, resulting in less need for Council decision-making than at other times of the year.

Not having regular meetings can result in delays in decision-making. Council has previously, subject to the limitations in Section 377 of the Local Government Act 1993, delegated certain Council functions, including making decisions that would otherwise be made by Council, to the Mayor, Deputy Mayor and General Manager collectively for this period – with Councillors to be contacted and consulted if practical. These decisions should be reported to the Council at its first meeting in the New Year.

4. Attachments

Nil

5. Recommendation

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

1. Introduction

The purpose of this report is to advise Council of the activities and statistics of the operation of the Bogan Shire Early Learning Centre (ELC).

2. Background

At the end of each term a report is provided to Council on the activities and statistics of the Bogan Shire Early Learning Centre (ELC).

3. Discussion

Usage Capacity

	Monday	Tuesday	Wednesday	Thursday	Friday	Ave
July 25	60%	78%	79%	69%	69%	70%
August 25	60%	78%	78%	68%	68%	70%
September 25	60%	79%	80%	68%	70%	71%

The numbers are a percentage of the 59 places available daily at the service – This time last year, the percentages were based on a license capacity of 43 children per day.

Staffing

The ELC capacity has been growing steadily with a number of staff having completed their Certificate III qualifications. There have also been a couple of staff signing up to study their Diploma qualifications. The three new School Based Trainees from Nyngan High School started with the Service this quarter. Further recruitment of vacant positions will continue over the coming months to meet the increase in child enrolments.

Waitlist

The waitlist continues to grow at the service with 42 families currently waiting future placement. The waitlist numbers indicate solid future enrolment figures as most families are not looking for placement until the start of the new year. The children on the waitlist are also largely populated by Nursery children aged 0-2 years.

Departmental Approvals/ Regulation Changes

Earlier in the year, sweeping national reforms were enacted to strengthen child safety in early childhood education and care (ECEC) services across Australia and these were designed to protect children from harm.

As of 1 September 2025, the *Education and Care Services National Regulations* were amended and came into effect.

Three key changes now apply:

1. Services must have a policy and procedures around digital technologies and online environments, including the use of CCTV.
2. The timeframe to notify the regulatory authority of any incidents or allegations of physical or sexual abuse of a child while at an education and care reduces from 7 days to 24 hours.
3. Services will need to be free of vaping substances and devices.

From 1 January 2026, the National Quality Standard will also be updated to strengthen wording around children's safety and its direct link to quality.

Changes to *Regulation 168* specifically relates to implementing policies and procedures around the safe use of digital technologies and online environments at the service. However, these changes have also meant that specific wording under Regulation 168 and National Quality Area 2 – Children's Health and Safety (National Quality Framework) has been required to be updated in the majority of our existing policies as well as new policies being developed. The new policies are "Safe use of digital technologies and online environments" and a "Reportable Conduct Policy".

The new policies outline the new Regulations as well as the procedure around the storage and destruction of photos and the procedure that the ELC follows to ensure compliance with the National Model Code for Taking Images or Videos of Children while Providing Early Childhood Education and Care (National Model Code) and the guidelines of the new policy.

There will more changes to come with the National Quality Framework currently being re-written and coming into effect on 1 January 2026.

Recent Activities

The ELC staff have been working hard to increase their knowledge and extend their own learning. Professional Development opportunities in Key Word Sign, Digital Safety and Road Safety have been offered to staff and completed by the majority. These Professional Development opportunities allow staff to further increase their knowledge around specific areas and implement these practices into their programs across the service.

The staff continue to observe the setup of their rooms and determine if they allow for thoughtful use and relevance to the children's day. Critical Reflections have been completed around some transitions including lunch time in the nursery room. Critical Reflection has become an embedded practice in the service with each room completing their own reflections as a team and monthly critical reflection as an entire working group.

Our Bilby's room (3-5yo) attended the NAIDOC opening ceremony as an excursion – the children really enjoyed the dancing and the music.

The ELC staff also held their own entertainment show case, followed by morning tea with some members of the LALC on Wednesday 17 September. Staff and Management look forward to further developing the relationship between the ELC and LALC.

Two ELC staff attended the NAIDOC Community Day at Rotary Park along with two additional staff from other areas of Council. They provided face painting and some entertainment for the children.

Children and Families

Families of the ELC have been given the opportunity to partake in surveys each month, covering topics such as our seasonal menus, programming, and enrolment process. These survey responses are reviewed to observe any common areas of concern that can be addressed. All feedback is valued and used to improve in the areas surveyed on.

The ELC now has a “transition” process and procedure for children moving from one room to another (due to their age). This includes information given to parents before their child is due to move and the opportunity for the children and families to spend time in the new room, forming relationships with the educators and other peers. This ensures that we provide as smooth a transition as possible when the time comes, for both the children and their families.

4. Attachments

Nil

5. Recommendation

That the Early Learning Centre report be received and noted.

11.2 BOGAN BUSH MOBILE – TERM 3 REPORT

1. Introduction

The purpose of this report is to advise Council on the Term 3 2025 activities of the Bogan Bush Mobile service.

2. Background

At the end of each term a report is provided to Council on the activities and statistics of the Bogan Bush Mobile service.

3. Discussion

Term 3 - 2025

July – September

Statistics:

Total Children Enrolled:	Children 66, Families 53
Term Attendance:	51 Children
Term Sessions:	46
Term Total KM'S:	8510

Current Areas being visited:

Marthaguy, Marra, Mungery, Trangie, Girilambone, Tottenham, Duck Creek and Collie.

Term 3 Activities:

Staffing arrangements

Throughout Term 3, the team continued to work well together, using Critical Reflections on their practices and observations to guide the children's educational programming. With an exceptional focus on community, children's interests, and children's goals they have successfully created a sense of welcome and belonging that can often be difficult to capture. This focus has also been carried through for the children attending the play sessions, which is an outstanding achievement.

Recent activities

The BBM team was visited by assessors from the Department of Education on Friday 26 September, and a 'compliance spot check' was conducted on the Collie Long Day Care Session. Assessors are required to visit the venues, assess the setup of the venue, speak with parents and educators, and observe and assess interactions between educators, children, families, and team members.

The Manager Children's Services was also interviewed and asked to provide relevant evidence and documentation covered under the 'compliance spot check' to demonstrate the Service was meeting the requirements. The Critical Reflections and embedding of staff practices was also evidenced and documented by the Department's assessment officers.

The officers spoke so highly of the team and what they have been able to achieve given they are required to bring all of the resources and equipment with them in the BBM vehicle, set up for the session, run the session and then pack up the session for each visit, noting that the Collie Long Day Care Session runs only once per week.

The BBM remains fully compliant with no breaches being issued and high praise for the service and the high level of education and care it offers to communities that would otherwise have to travel for childcare.

The team are currently discussing their rural session Christmas parties with input being collected from community and the children.

Changes to BBM play session and day-care sessions

The BBM staff and Manager Children's Services are always on the lookout for additional locations, other towns or villages that have an identified need or that could benefit from the BBM Service being delivered.

The weekly Collie Long Day Care sessions, which were implemented at the beginning of this year continue to be a success with families maintaining their use of these sessions.

Regular electronic surveys are used to allow for families to provide feedback on the play sessions they currently attend. Collected feedback is then used to determine any changes that are needed.

The Bogan Bush Mobile service continues to regularly advertise what they do and where they currently operate, inviting suggestions, feedback or community interest for other locations that may benefit from the service.

There are no major changes identified in locations and delivery of service for term 4.

4. Attachments

Nil

5. Recommendation

That the Bogan Bush Mobile report be received and noted.

11.3 BOGAN SHIRE MEDICAL CENTRE PATIENT BILLING OPTIONS

1. Introduction

The purpose of this report is for Council to consider to stop charging gap fees at the Bogan Shire Medical Centre and resume 100% Bulk Billing for all patients.

2. Background

Council adopted the 2024/2025 Operational Plan and Budget, which included the introduction of gap fees for the first time for certain Medicare item numbers for those patients who were not Commonwealth Concession Card holders or children under 16 years.

The gap fees currently being charged are for the following Medicare item numbers:

- Item 23 (Standard 15min consultation) - \$41.50 gap fee
- Item 36 (Consultation plus, for e.g. tests, between 20 and 40min) - \$52.00 gap fee
- Item 44 (Consultation plus, for e.g. tests, over 40min) - \$62.50 gap fee

It is important to note that these are on the lower range of gap fees charged by similar practices.

No gap fees are charged for pension or concession card holders and there is no gap fee for Chronic Disease Management (CDM) or health assessment appointments so as not to disincentivise patients.

3. Discussion

The Federal Government has announced the following changes to bulk billing incentives from 1 November 2025:

1. Universal eligibility for bulk billing incentives

From 1 November 2025, *all* Medicare-eligible patients (not just children, pensioners or concession card holders) will qualify when their GP bulk bills an “eligible” service.

2. Bulk Billing Practice Incentive Program (BBPIP)

A new quarterly incentive of **12.5%** of the MBS benefit from eligible services, paid to practices that bulk bill *every* eligible services for *all* Medicare-eligible patients.

The objectives of the Government’s changes are to support GPs and GP Practices to provide bulk billed care, reinforce primary care as the first point of contact within the health system, and make it easier for patients to access affordable care where cost is not a barrier to access.

Based on specialist financial advice received, income generated at the Bogan Shire Medical Centre should increase by between \$50,000 and \$100,000 per annum if the Practice reverts to 100% bulk billing for all patients from 1 November 2025.

Additional benefits of reverting to 100% bulk billing include less administration time and cost, as well as increased patient/community goodwill as 24% of our patients will not be required to make their own payments.

4. Attachments

Nil

5. Recommendation

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

1. Introduction

The purpose of this report is to provide Council with information on the Little Wings – Medical Wings Paediatric Services (visiting clinics) and for Council to consider ways in which this service can be financially supported to be delivered in Nyngan.

2. Background

Little Wings supports rural and remote communities by flying volunteer paediatricians to deliver free and unlimited paediatric clinics for families. These clinics are run in partnership with local hospitals, Aboriginal Medical Centres, primary health clinics, and Immigration Centres to ensure families are supported in culturally safe and accessible environments.

The costs to deliver each clinic flight generally fall between \$1,500 and \$1,800. This amount represents the operational cost to Little Wings, which is fully covered by them. All their pilots and crew are volunteers, and there is no cost to participating families or local medical services. There is a referral process involved in setting up clinics to be delivered in the community.

Medical Wings delivered over 100 paediatric clinics last year across regional and remote NSW and QLD. Each clinic typically includes several paediatricians, and the program currently supports over 3,200 families and plays a vital role in improving access to healthcare in underserved areas.

Medical Wings Paediatric Services flights can also include other specialists being flown in to meet the needs of the community where there is an identified gap in service delivery.

3. Discussion

Little Wings – Medical Wings are hoping to provide increased services to local communities by way of transporting medical specialists into community; whereby communities identify the specialists they require to address gaps in medical service provisions.

The current need in the Bogan Shire community is quite high. Council has been informed by Little Wings – Medical Wings staff that there are over 100 children requiring Paediatric Services and potentially referrals on to other specialists as well.

Benefits

The benefits of the Medical Wings Paediatric Services to families, communities, and the health system includes:

- access to the National Disability Insurance Scheme (NDIS)
- provision of GP Management Plans (GPMPs) – organised approach to care for people with chronic medical conditions
- increased access to services and increased utilisation

- improved family wellbeing through decreased travel and reducing anxiety related to health access and treatment
- alleviating economic burden through decreased travel costs, allowing parents and carers to stay within communities to continue working
- strengthening the healthcare system through building capacity within the health workforce and reducing inappropriate use of paediatric hospital beds in rural and remote locations.

Considerations

- Medical Wings Service provision is currently dependent on funding from each local community through donations
- The costs for delivering the service to local communities ranges between \$18,000 and \$21,600 per year
- The Duck Creek Committee recently donated \$10,000
- To introduce and keep the Medical Wings Service running for the next 12 months, a further \$8,000 to \$11,600 is required from the local community
- In addition to paediatricians, Medical Wings has the capacity to include other specialists in their visiting clinics

Funding Options

Council could consider the following:

- Promoting benefits of the Medical Wings Services to the local community to encourage businesses, community groups, sporting clubs and individuals to make donations.
- Funding of between \$8,000 and \$11,600, subject to available budget, to make up the \$18,000 to \$21,600 needed for 12 months of service delivery.
- Making application for grant funding. Council applied for a grant for \$21,600 earlier in the year through a local charity but is yet to hear of the outcome of this application.

4. Attachments

Nil

5. Recommendation

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 make up the \$8,000 - \$11,600 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

1. Introduction

The purpose of this report is to advise Council of community response to the declaration of a local event day / public holiday for Nyngan Show Day in 2026 and for Council to determine their request to the Minister for Industrial Relations accordingly.

2. Background

The NSW Government introduced legislation in 2010 which makes provision for the declaration of local event days as an alternative to local public holidays. Based on information provided by NSW Industrial Relations the potential impacts on business and the community for a public holiday as opposed to a local event day in a designated local government area are:

Public Holidays

- Banks are required to close unless they hold specific approval to remain open.
- Shops are free to open without restriction.
- All employees who work in the designated area are entitled to be absent from work.
- Those employees who work may have an entitlement to penalty rates.

Local Event Day

- Banks and shops are free to open without restriction.
- Entitlements to paid time off work or penalty rates for employees will only arise where they have been agreed at a workplace level.

Following many years of representation from Nyngan schools and the general community who wished to fully participate in the Nyngan Show, Council has resolved since 2021 to apply for a full day Public Holiday on the Monday (the second and final day) for the Nyngan Show Day.

3. Discussion

As part of the standard public consultation process for the 2026 Show Day, Council is required to assess community sentiment by specifically targeted consultation with local banks, schools, major employers, and local transport companies, taking into consideration arrangements for students on the day as well as consideration of the costs and benefits to business and community.

Council requested that submissions include a preference on whether the declaration of a Local Event Day over a Public Holiday was preferred.

Council's application for a public holiday is due to the Minister for Industrial Relations by Tuesday, 28 October 2025. Broad community consultation has included a Facebook post, Public Notices in the Nyngan Weekly and a Public Notice on Council's website. Letters were also sent to local business (major employers) and organisations.

Council received 8 letters/emails in response to targeted consultation which have been included as attachments to this report for Council's consideration in determining its application to the Minister for Industrial Relations.

No other correspondence, submissions or community feedback was received at the time of writing the report.

4. Attachments

1. Response - Commonwealth Bank - Nyngan Branch
2. Response - Langley's Coaches
3. Response - Neill Earthmoving
4. Response - Girilambone Public School
5. Response - Hermidale Public School
6. Response - Nyngan High School
7. Response - St Josephs School
8. Response – Aeris Resources

5. Recommendation

For Council's consideration.

From: Jodi (Branch Manager) Douglas <jodi.douglas@cba.com.au>
Sent: Wednesday, October 8, 2025 11:47 AM
To: Melissa Salter <melissa.salter@bogan.nsw.gov.au>; Haylee Martin <haylee.martin@bogan.nsw.gov.au>
Subject: RE: Nyngan Show Day Holiday 2026.

[CBA Information Classification: Confidential]

Hi Haylee and Melissa

Nyngan Show Day

We would like to express our preference for observing the full-day public holiday, as it provides a valuable opportunity for our team to actively participate in community events.

Our staff are typically involved in some capacity with the local show, and we see this as an important way to support and engage with the community.

CBA remains strongly committed to fostering community involvement and supporting local initiatives.

However, should the decision be to proceed with a local event day instead, we will ensure our support is focused on Sunday activities in a meaningful way.

Regards

Jodi



Jodi Douglas
Branch Manager
Nyngan
109 Pangee St
Nyngan NSW 2825
Phone: 0268321120
Mobile: 0478402856
E: jodi.douglas@cba.com.au

We work flexibly at Commonwealth Bank. I'm sending this message now because it suits me, but I don't expect that you read or respond to it outside of regular working hours.

Our purpose: Building a brighter future for all.

From: Sarah Hansen <sarah.hansen@langleyscoaches. [REDACTED]>
Sent: Monday, September 29, 2025 9:03 AM
To: Melissa Salter <melissa.salter@bogan.nsw.gov.au>; Debb Wood <debb.wood@bogan.nsw.gov.au>
Subject: Fw: Nyngan Show Day Holiday 2026

Good morning Melissa and Debb,

I hope you're both doing well.

Regarding the attached letter, we believe it would be more beneficial if the day were declared a public holiday. If it is a declared Public Holiday, Transport for NSW will not require our services to operate. However, if it is merely a local show day, we will still need to provide services even though the schools are closed.

Should the day be declared a public holiday, only one service will need to operate, which transports students to Nevertire, from where they transfer to another bus to reach school in Trangie. Even if no students utilise the service on this public holiday, we would still need to operate and pay the applicable public holiday rate.

Please let me know if you need any additional information.

Hope you have a lovely day.



Sarah Hansen • Business Manager | Langley's Coaches
Director | Australia Wide Coaches & Pinetree Tours
t. 02 6882 8977 | e. sarah.hansen@langleyscoaches.com.au
e. sarah.hansen@austwidecoaches.com.au | w. langleyscoaches.com.au
w. austwidecoaches.com.au | w. pinetreetours.com
s. 4 Jannali Road, Dubbo NSW 2830 | PO Box 1190, Dubbo NSW 2830



From: Jacob Neill <jneill@neillearthmoving.com.au>
Sent: Tuesday, September 30, 2025 12:18:24 PM
To: Haylee Martin <
Subject: RE: Nyngan Show Public Holiday 2026

Hi Haylee,

Thank you for the email.

As you are aware Neill Earthmoving is proudly locally owned and supports local events such as the Nyngan show and many others.

We are in the view of the event being held as a "Local Event Day".

We understand the concept of trying to make it a public holiday but staff see this as an opportunity to just have another day off without actually supporting the show.

I would rather the money we spend on wages for staff not to attend the show be contributed directly to other community events.

Regards

Jacob Neill

| PH 0457770855 | FAX 02 6832 2792 | Email: jneill@neillearthmoving.com.au | PO Box 93 NYNGAN NSW 2825





GIRILAMBONE PUBLIC SCHOOL

Towards a better world

17 September, 2025

**Bogan Shire Council
81 Cobar St
Nyngan NSW 2825**

Dear Mr Francis,

Re: 2026 Nyngan Show Day Holiday – Support for Declaration as a Public Holiday

Thank you for inviting Girilambone Public School to provide feedback regarding the declaration of the 2026 Nyngan Show Day on Monday, 18 May 2026.

After careful consideration, we fully support the declaration of Nyngan Show Day as a Public Holiday. We believe that a Public Holiday is the most appropriate option as it maximises community participation and allows families, local businesses, and community members to engage fully with the Show. The day is a significant local event that fosters community spirit and supports local culture, and a Public Holiday will help to encourage widespread attendance and involvement.

While a Public Holiday may have some operational impacts on staffing and business hours, we believe these are outweighed by the social and cultural benefits to the Nyngan community. We support the intent behind the holiday to enable as many people as possible to attend and enjoy the Show.

Thank you for considering our submission. Should you require any further information, please feel free to contact me.

Kind Regards,

Wendy Robb
Principal

**Vega Street,
Girilambone
NSW 2831**

Phone: 02 6833 1039
Fax: 02 6833 1037
Email: girilambon-p.school@det.nsw.edu.au

Principal:
Miss Rebekah Harris
Rebekah.Harris3@det.nsw.edu.au

School Administrative Manager:
Miss Tammy Martin
Tammy.Martin18@det.nsw.edu.au

From: Kyley Cleary (Kyley Cleary) <KYLEY.CLEARY@det.nsw.edu.au>
Sent: Tuesday, October 14, 2025 5:30 PM
To: Haylee Martin <haylee.martin@bogan.nsw.gov.au>
Cc: Kerrie Pitkin <Kerrie.Pitkin@det.nsw.edu.au>
Subject: Fw: Nyngan Show Day Holiday 2026.

Good afternoon, Haley,

Hermidale Public School support the application for a Public Holiday. This allows all families and students here in Hermidale to attend.

Regards,

Kyley Cleary

Principal
Hermidale Public School

☎ (02) 8833 0707

✉ kyley.cleary@det.nsw.edu.au



From: Tanya Buchanan <TANYA.BUCHANAN@det.nsw.edu.au>
Sent: Tuesday, October 14, 2025 4:27 PM
To: Haylee Martin <haylee.martin@bogan.nsw.gov.au>
Subject: Re: Nyngan Show Day Holiday 2026

Hi Haylee

Nyngan High School would support a Public Holiday declared for the Nyngan Show in 2026.

Thank you.

Tanya Buchanan
Deputy Principal
Nyngan High School
(02)68321004

I am sending you this message because it is a good time for me, but I do not expect you to read, respond or action this email outside of school operating hours.

Ngini ngurrampaa Wangaaypuwan

This is Ngiyampaa Wangaaypuwan country

Ngini thirripakirri wara-dhunma-nha

We are learning here together





St Joseph's School

23 Terangion Street
P.O. Box 142
NYNGAN NSW 2825
Phone: (02) 68321588
Fax: (02) 68321454

Email: admin.nyngan@wf.catholic.edu.au

14th October, 2025

Derek Francis
General Manager
Bogan Shire Council
P.O. Box 221
NYNGAN NSW 2825

Dear Derek,

RE: 2026 NYNGAN SHOW DAY HOLIDAY

The Nyngan Show is an important event for the people of Nyngan and surrounding districts. All attempts should be made to allow full participation by the community and enable our townsfolk to enjoy this time and to appreciate the talents of our local exhibitors. It is also an occasion for interacting with family and friends, where they can come together and enjoy all that the show has to offer.

We, at St Joseph's School, fully support the council's decision to declare a public holiday as the most appropriate option for the Nyngan Show Day. As many people as possible should be encouraged to participate in the Nyngan Show.

I do hope that the opinions of our school community will be taken into consideration.

Yours sincerely,



Sharon Grimmond
Principal

From: Jason Hughes <jhughes@aerisresources.com.au>
Sent: Thursday, October 16, 2025 11:44 AM
To: Haylee Martin <haylee.martin@bogan.nsw.gov.au>; Natalie O'Connell <noconnell@aerisresources.com.au>
Cc: Dane Kapernick <dkapernick@aerisresources.com.au>
Subject: RE: Nyngan Show Day Holiday 2026

Morning Haylee

Apologies for the late reply.

Purely from a business point of view Tritton Mines would prefer the day to just be a Local Event Day as there is a financial and production impact to the business if the day is classified as a Public Holiday.

Regards



Jason Hughes

General Manager | Aeris Resources - Tritton Operations

D: +61 2 6838 1005 | M: 0414 989 693

P: +61 2 6838 1100

E: jhughes@aerisresources.com.au

Yarrandale Rd, Hemidale, NSW, 2831

www.aerisresources.com.au



12 FINANCE AND CORPORATE SERVICES REPORTS

12.1 SUMMARY OF RATE AND ANNUAL CHARGES COLLECTION

1. Introduction

The purpose of this report is to provide a comparison of rate collections as at 30th September, 2025, with the same period last year.

2. Background

This report is provided for the information of Councillors.

3. Discussion

Rate Collections	2025-2026	2024-2025
Arrears Prior to 01/01/2025	273,608	359,964
First Instalment arrears as at 30/9/2025	129,276	121,697
Second Instalment outstanding as at 30/9/2025	1,114,811	1,078,142
Third Instalment outstanding as at 30/9/2025	1,169,479	1,125,695
Fourth Instalment outstanding as at 30/9/2025	1,187,080	1,143,413
Total Arrears	402,884	481,661
Total Outstanding	3,874,254	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	-2,265,574	-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 %	6.5%	7.7%

Total arrears have decreased from \$481,661 at the 30th September 2024 to \$402,884 as at 30th September this year.

Each instalment amounts to approximately \$1,549,000 (Total Rates, Waste, Water & Sewer Access Charges)

As at the 30th September Council had collected \$110,796 less than at the same time last year. At the time of writing this report, Council has collected an additional \$47,342.

4. Attachments

Nil

5. Recommendation

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

12.2 INVESTMENTS SEPTEMBER 2025

1. Introduction

The purpose of this report is to outline the performance of Council's investment portfolio for the month of September 2025.

2. Background

In accordance with Clause 212 of the Local Government (General) Regulation 2005 a report must be presented to the Council setting out details of all the money that the Council has invested under section 625 of the Act.

3. Discussion

The Investment Report for September 2025 is shown below. At the 31st September 2025 Council had \$34 million invested. There has been an increase of \$1.3 million due to Council receiving payment of the 4th Instalment of the NSW Infrastructure Betterment Fund and the final claim for 2024/2025 from Transport for NSW for ordered works and RMAP claims. Consideration of this report means that Council is complying with the Local Government (General) Regulation 2005.

Investment Movements for September 2025

It is hereby certified that these investments have been made in accordance with the Local Government Act 1993 and the Regulations thereto.

REF	Source	Maturity	Days	% rate	Bal Aug 25	Bal Sep 25
42-150-6894	NAB - Professional Funds	4/05/2016	At Call	4.350%	13,979,509.94	15,272,402.84
11271016	Westpac	17/12/2024	17/12/2025	5.010%	6,000,000.00	6,000,000.00
88-392-4994	NAB	29/05/2025	29/05/2026	4.200%	2,000,000.00	2,000,000.00
32-556-4779	NAB	5/11/2024	5/11/2025	5.050%	2,000,000.00	2,000,000.00
98-544-4756	NAB	30/01/2025	30/01/2026	4.850%	2,000,000.00	2,000,000.00
98-568-5779	NAB	30/01/2025	30/01/2026	4.850%	2,000,000.00	2,000,000.00
	Westpac	17/04/2025	17/04/2026	4.200%	2,000,000.00	2,000,000.00
	Westpac	09/05/2025	11/05/2026	4.250%	2,800,000.00	2,800,000.00
	Balance securities held				32,779,509.94	34,072,402.84
	Balance Ledger 19010.8200.8200				32,779,509.94	34,072,402.84
	Summary by institution					
	Commonwealth				0.00	0.00
	NAB				21,979,509.94	23,272,402.84
	Westpac				10,800,000.00	10,800,000.00
					32,779,509.94	34,072,402.84

4. Attachments - Nil

5. Recommendation

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

12.3 DELIVERY PROGRAM

1. Introduction

The purpose of this report is to provide information regarding progress with respect to the principal activities detailed in Council's adopted Delivery Program.

2. Background

The General Manager is required under the provisions of Section 404(5) of the Local Government Act to provide Council with regular reports regarding progress with respect to the principal activities detailed in Council's Delivery Program.

Council previously resolved that these reports be provided in October and April.

3. Discussion

A full Delivery Program Report listing each strategy and activity in the Delivery Program is available on request from the General Manager or on Council's website. Attached to this report, however, is an extract of the full Delivery Program Report showing those activities which are marked as:-

- Not started (NS)
- Not progressing (NP)
- Progressing with issues (PWI)
- Completed (C)

All other activities not shown in the attachment, are marked as "Progressing – No Issues".

The Report mirrors the layout of Council's Delivery Program and 2025/2026 Operating Plan and Budget. Directors responsible for each of the activities listed under the Strategies and Outcomes have indicated the current status of the activity and, where appropriate, have included comments.

4. Attachments

1. Extract of Delivery Program Report - 2025/2026 Activities

5. Recommendation

That Council receive and note the Delivery Program report.

Key - Status

NS: Not Started

NP: Not Progressing

PNI: Progressing no Issues

PWI: Progressing with Issues

C: Completed

Strategy 1.1.1				
Support and create opportunities for community festivals, events and cultural activities through planning, marketing, direct involvement and various forms of assistance.				
	Activities 2025/26	Status	Action Comments	Council Lead
i	Provide community events, activities and venues to celebrate Australia Day	NS	Occurs in Quarter 3	Director People and Community Services
ii	Seek sponsorship and organise the Christmas Lights and Rural Mailbox Competitions	NS	Occurs in Quarter 2	Director People and Community Services
v	Support and encourage the Arts through annual membership of Outback Arts.	C	Annual Membership paid to Outback Arts	Director People and Community Services
Strategy 1.1.3				
Identify, respect and preserve sites and items of historical significance.				
	Activities 2025/26	Status	Action Comments	Council Lead
i	Identify and develop plans to preserve Council owned historic buildings	NS	Following on from completion of Heritage Study (Town Hall will be assessed in the current Heritage Study Review).	Director Development and Environmental Services
ii	Investigate opportunities for grant funding for management plans and preservation of our historic buildings	NS	Following on from completion of Heritage Study.	Director Development and Environmental Services
Strategy 1.2.3				
Maintain and improve our sports grounds and active recreational facilities through the diversity of sport and recreation on offer.				
	Activities 2025/26	Status	Action Comments	Council Lead
iv	Consult with user groups to ensure that facilities are maintained and improved to suit their requirements	NS	User group meetings to be arranged	Director Infrastructure Services
Strategy 1.3.1				
Provide and improve childcare facilities, preschools, after hours care and playgroups that meet the needs of the whole community.				
	Activities 2025/26	Status	Action Comments	Council Lead
iii	Lobby Government to address the need for before and after school care, pre-school and play groups	NP	Matter has been forwarded to State Member Roay Butler for follow up	General Manager

Strategy 1.3.4				
Identify and support the social needs of older people in the community and provide programs and infrastructure to support social interaction as well as housing to support assisted and independent living.				
	Activities 2025/26	Status	Action Comments	Council Lead
ii	Develop a program of workshops and/or events in Seniors Week, depending on funding, including Senior Citizen of the Year Awards and Morning Tea	NS	Occurs in Quarter 3	Director People and Community Services
Strategy 2.1.1				
Efficient local and regional transport networks that meet community and business needs.				
	Activities 2025/26	Status	Action Comments	Council Lead
iv	Develop and adopt a Shire road sealing strategy	NS	Further data collection required	Director Infrastructure Services
Strategy 2.1.3				
Provide, maintain and improve bike paths and walking tracks.				
	Activities 2025/26	Status	Action Comments	Council Lead
i	Work with the community to understand the need for improved bike paths and walking tracks and prepare a Plan.	NS	Schedule for Quarter 4	Director Infrastructure Services
iii	Continue implementation of projects outlined in the Bogan Shire Active Transport Plan	NP	Not funded in current year	Director Infrastructure Services
Strategy 2.2.1				
Advocate for continued use of the rail line for transporting agricultural and mining products.				
	Activities 2025/26	Status	Action Comments	Council Lead
ii	Work with UGL Linx, TfNSW and NSW Police to ensure current standards of rail and crossing safety are maintained and promoted within the community	NP	The safety of Hoskins St level crossing remains an issue - referred to State MP Roy Butler.	General Manager
Strategy 2.2.2				
Advocate for improved safety, environmental management and amenity in the rail corridor.				
	Activities 2025/26	Status	Action Comments	Council Lead
i	Advocate for an improved rail crossing at Hoskins Street	NP	The safety of Hoskins St level crossing remains an issue - referred to State MP Roy Butler.	General Manager

Strategy 2.4.2				
Ensure effective management of liquid trade waste.				
	Activities 2025/26	Status	Action Comments	Council Lead
i	Review implementation of Trade Waste Policy, including licencing practices and inspections	NS		Director Development and Environmental Services
Strategy 2.5.1				
Maximise the coverage and availability of telecommunications infrastructure across the Shire.				
	Activities 2025/26	Status	Action Comments	Council Lead
i	Lobby service providers and government on behalf of the community	PWI	Raised via the Alliance of Western Councils	General Manager
Strategy 3.1.1				
Conduct periodic reviews of Council's planning instruments to ensure that land use planning supports the long term sustainability of our local communities and our economy.				
	Activities 2025/26	Status	Action Comments	Council Lead
i	Review of LEP 2011	NS	Funding dependent	Director Development and Environmental Services
vi	Implement the Residential Housing Strategy	C	Council adopted Local Housing Strategy	Director Development and Environmental Services
Strategy 3.1.3				
Ensure our community's buildings are safe, healthy and maintained.				
	Activities 2025/26	Status	Action Comments	Council Lead
i	Ensure all building owners are having essential services inspected annually where applicable	PWI	Not all building owners are submitting documentation - limited staff resources to follow up.	Director Development and Environmental Services
ii	Develop an asset management plan for Council's buildings	NS	Schedule for Quarter 4	Director Infrastructure Services
Strategy 3.2.1				
Provide cost effective and efficient kerbside collection of waste.				
	Activities 2025/26	Status	Action Comments	Council Lead
ii	Review and monitor kerbside recycling service collections in order to reduce contamination rates	PWI	Working with Netwaste to reduce recycling contmination	Director Development and Environmental Services

Strategy 3.3.1				
Provide safe, high quality, well serviced and maintained parks.				
	Activities 2025/26	Status	Action Comments	Council Lead
i	Develop master plans for all park areas	NS	Schedule for Quarter 4	Director Infrastructure Services
ii	Develop a playground upgrade program	NS	Schedule for Quarter 4	Director Infrastructure Services
Strategy 4.2.1				
Develop and implement a tourism strategy which includes the identification of potential opportunities for growth and new tourism products through consultation with stakeholders.				
	Activities 2025/26	Status	Action Comments	Council Lead
i	Investigate and develop a tourism strategy.	NS	Report to Council to determine strategic direction in Quarter 3	Director People and Community Services
Strategy 4.2.3				
Develop the availability of visitor and short-term accommodation to support local tourism.				
	Activities 2025/26	Status	Action Comments	Council Lead
i	Work with the community and businesses to understand the needs for visitor and short-term accommodation	NS	Community consultation scheduled for 2026	Director People and Community Services
Strategy 4.3.2				
Maintain airport facilities to meet required and expected standards.				
	Activities 2025/26	Status	Action Comments	Council Lead
iii	Install pilot activated lighting, subject to government funding	NS	Funding applied for await outcome.	Director Infrastructure Services
Strategy 4.4.2				
Enable and support opportunities for residential housing development in the Bogan Shire				
	Activities 2025/26	Status	Action Comments	Council Lead
ii	Sale of Hoskins St Residential subdivision sites	NS	Report to go to November Council meeting.	Director Finance and Corporate Services

Strategy 5.2.1				
Undertake sound financial planning, management and reporting to fulfil our responsibilities and ensure that Bogan Shire Council remains financially viable.				
	Activities 2025/26	Status	Action Comments	Council Lead
ii	Prepare and present Council's Operational Plan and Budget to Council for Approval within set timeframes	C		Director Finance and Corporate Services
Strategy 5.2.3				
Implement sound asset management practices to ensure adequate provision is made for the maintenance and long-term replacement of Council's infrastructure assets.				
	Activities 2025/26	Status	Action Comments	Council Lead
i	Review and adopt Council's Asset Management Strategy and Asset Management Policy	C		Director Finance and Corporate Services
ii	Review and implement, subject to budget, Asset Management Plans for the major categories of Council's assets: Transport and Stormwater, Water Supply and Sewerage and Buildings	PWI	Council does not have sufficient funding without grant funding to complete these works	Director Finance and Corporate Services
iii	Provide periodic asset management reports to inform decision-making	NS		Director Finance and Corporate Services
iv	Budget funds and seek grant funding to maintain assets at community expectations	PWI	Council does not have sufficient funding without grant funding to complete these works	Director Finance and Corporate Services
Strategy 5.2.4				
Manage Council's operations effectively and on business-like principles to maximise service delivery for the community.				
	Activities 2025/26	Status	Action Comments	Council Lead
i	Revise and implement a customer service charter to meet community expectations	NS	Scheduled for 2026	General Manager

12.4 QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2025

1. Introduction

The purpose of this report is to:

1. Receive and note the September 2025 Quarterly Budget Review Statement Report prepared in accordance with the Local Government (General) Regulation, 2005.
2. Amend the 2025/26 Operating and Capital Budgets in accordance with the recommended variations listed in the Attachments to this Report.

2. Background

Clause 203(1) of the Local Government (General) Regulation 2005 requires that Council complete a Budget Review Statement not later than 2 months after the end of each quarter (except the June quarter). The Regulation requires the Statement to show, by reference to the estimate of income and expenditure included in the Operational Plan for the relevant year, a revised estimate of the income and expenditure for that year.

The Review considers changes in the financial landscape as well as changes in Council's priorities and goals and is a key mechanism for maintaining sound financial management of Council's resources.

The figures in the Projected Year End Result column are the estimate of income/spending at the end of the financial year. It is the sum of the originally adopted budget for 2025/2026, plus items carried forward from 2024/2025, plus or minus recommended changes made at this first quarter review.

New uniform Quarterly budget review templates have been released by the Office of Local Government (OLG) that still require some work from the OLG before they can be completed and submitted both to Council and to the OLG. These are intended to be presented to Council at the next Council meeting.

3. Discussion

Performance Against Budget

The year to date performance against budget shows a \$213 adjustment to the original projected balance. Council budgeted for a cash surplus of \$307,314 overall and the changes to the budget now show a cash surplus of \$307,527 across all funds. Council should note an amount of \$39,399 was transferred from cash reserves to balance the Sewer Fund in the original budget and it will now be \$51,899 and \$136,223 was transferred in from the Plant Fund in the 2025/2026 original budget.

The general fund now shows a cash surplus of \$22,631 which is a change of \$213 to the original surplus. All changes to the budget for the first quarter have been offset against other changes. One of the changes are adjustments by the Federal Government to the Financial Assistance Grant (FAG) which has increased in the General component and the Local Roads component to what was originally budgeted, other adjustments are listed in Appendix B of this report.

Council will receive additional Financial Assistance Grant in 2025/2026 to what was originally budgeted. \$100,941 extra in the General Purpose component and \$14,304 extra in the Local Roads component of the grant making a net favourable adjustment of \$115,245.

The Sewer Fund has a change to the original budget of \$12,500 and as this fund was already in deficit it is recommended that the funds be transferred in from the Sewer fund cash reserves.

The Water Fund has no changes to the original budget.

As always Councillors and staff need to be aware of decisions made and their impact on Council's budget. It is always important that corresponding savings are found when making decisions on additional spending and this is not always possible therefore funds would need to come from any available surplus cash.

Attachments 1 and 2 (Operating Budget) with 3 and 4 (Capital Budget) detail the effect of budget review changes for the financial year to date as well as recommended changes for this quarter.

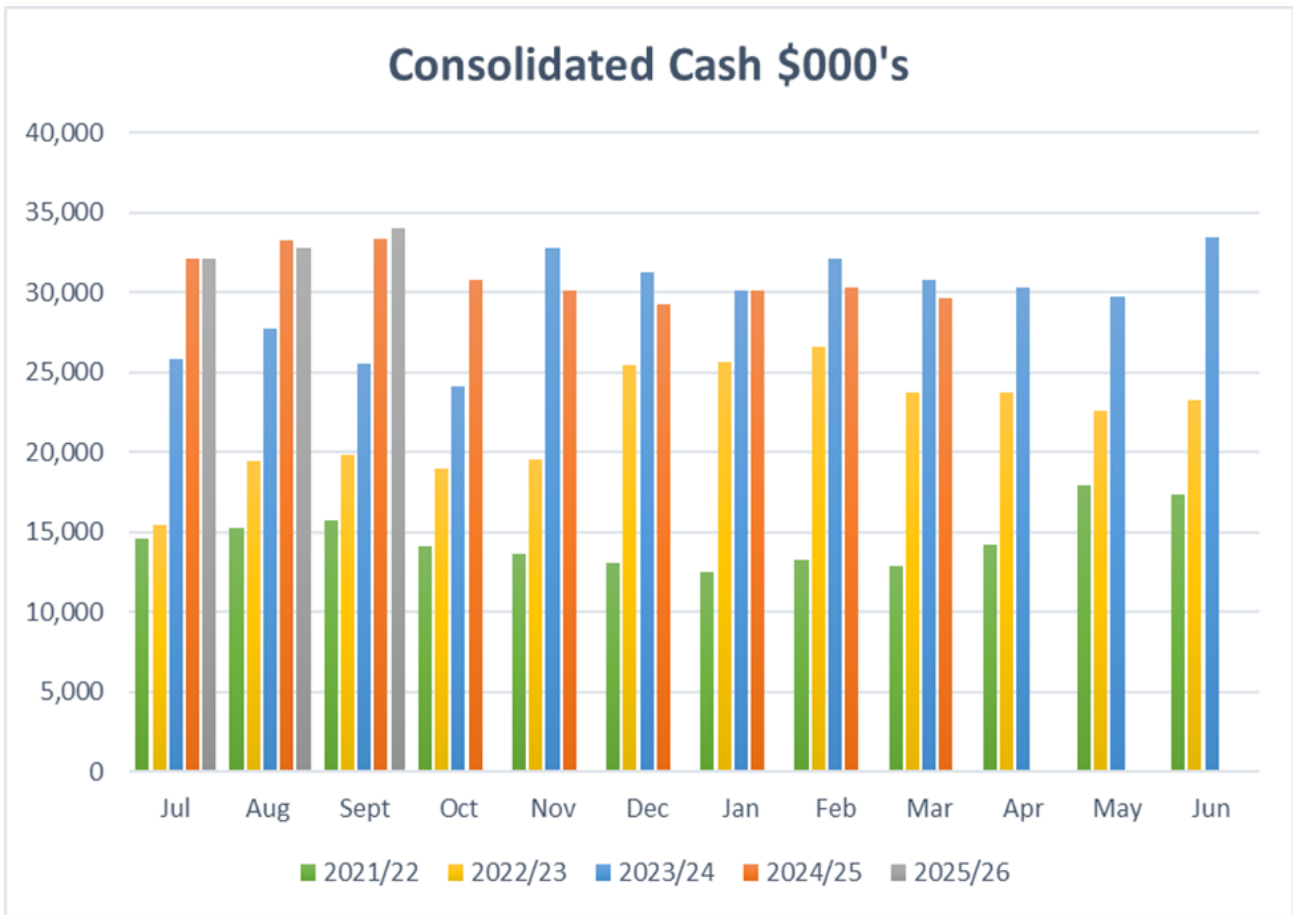
All changes to the budget reflect where costs are more or less than originally budgeted, or income received is going to be increased or reduced. Other changes to the budget are where Council has resolved to spend additional funds to the original budget. The budget is therefore adjusted accordingly to reflect these changes.

Cash

Council is holding significant cash balances once again due to prepayment of approximately 50% of the 2025/2026 Financial Assistance Grant (FAG) and the outstanding claim from Transport for NSW for ordered works and RMAP, as well as receiving the first quarterly instalments of the FAG and the majority of the first instalment of rates having been paid. Council also still holds grants funds that are restricted for their specific purpose as well as the Waste, Water and Sewer Funds being externally restricted and can only be used for the Waste, Water and Sewer operations. Consequently, the cash balance is expected to decrease over the next nine months as funds are expended.

As at 30th June 2026 Council had \$8,760,000 in unrestricted cash.

The cash position of individual funds is shown in Attachment 5 which also details the cash effects, if any, of budget review changes. The cash amount fluctuates throughout the year as cash is paid out and income is received.



Consulting and Legal Expenses

Attachment 6 shows contractor payments exceeding \$100,000, as well as expenditure on consultants and legal expenses for the September Quarter 2025.

Statement by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005.

It is my opinion that the Quarterly Budget Review Statement for Bogan Shire Council for the quarter ended 30/09/2025 indicates that Council's projected financial position at 30/6/2026 will be *satisfactory* at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: _____ date: 14/10/2025

Stephanie Waterhouse

Responsible Accounting Officer, Bogan Shire Council

4. Attachments

1. Budget Review Income & Expenditure Statement - September 2025
2. Budget Review Income & Expenditure Statement - Notes
3. Budget Review Capital Budget - September 2025
4. Budget Review Capital Budget - Notes
5. Budget Review Cash Position - September 2025
6. Budget Review Contracts - September Quarter 2025

5. Recommendation

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.

Bogan Shire Council

Budget Review for the quarter ended 30 September 2025

Attachment 1

Budget Review Income and Expenditure Statement

Operational Plan and Budget Outcome	Original Budget 2025/26 \$	Approved Changes	Revised Budget 2025/26 \$	Recommended Changes First Quarter Review		Projected Year End Result 2025/26 \$	Actual YTD 2025/26 \$
		Carry Forwards \$		\$	Note		
Income							
Theme 1 - Social							
1.1 Social & Cultural	352,000		352,000			352,000	
1.2 Community Centres	144,150		144,150	2,956	1	147,106	46,066
1.3 Inclusive Communities	2,256,167		2,256,167			2,256,167	615,170
1.4 Education	-		-			-	
1.5 Public Health	1,481,045		1,481,045			1,481,045	348,217
1.6 Emergency Services	94,716		94,716			94,716	
Theme 2 - Infrastructure							
2.1 Transport Networks	11,901,838		11,901,838	14,304	2	11,916,142	3,005,304
2.2 Rail Services	-		-			-	
2.3 Water	2,580,601		2,580,601			2,580,601	1,244,361
2.4 Sewer	676,306		676,306			676,306	449,049
2.5 Communication Networks	-		-			-	
Theme 3 - Environmental							
3.1 Built Environment	193,400		193,400			193,400	33,958
3.2 Waste & Recycling	1,145,879		1,145,879			1,145,879	1,008,370
3.3 Natural Environment	137,950		137,950			137,950	
3.4 Health & Safety Regulation	263,804		263,804			263,804	58,096
Theme 4 - Economic							
4.1 Local Industries & Business	236		236			236	118
4.2 Tourism	12,500		12,500			12,500	9,202
4.3 Public Transport & Air Services	1,836		1,836			1,836	603
Theme 5 - Civic Leadership							
5.1 Leadership, Advocacy & Governance	99,122		99,122			99,122	24,781
5.2 Managing Our Business (Inc Plant)	9,508,061		9,508,061	141,217	3	9,649,278	5,476,457
5.3 Disaster Management	-		-			-	
Labour Overheads	1,133,871		1,133,871	18,410	4	1,152,281	323,370
Total Income	31,983,482		31,983,482	176,887		32,160,369	12,643,122
Expenses							
Theme 1 - Social							
1.1 Social & Cultural	536,490		536,490	3,700	5	540,190	58,597
1.2 Community Centres	1,292,852	25,000	1,317,852	2,956	6	1,320,808	485,204
1.3 Inclusive Communities	2,362,058		2,362,058	3,439	7	2,365,497	617,570
1.4 Education	1,800		1,800			1,800	0
1.5 Public Health	2,118,709		2,118,709	17,713	8	2,136,422	619,475
1.6 Emergency Services	328,664		328,664			328,664	263,521
Theme 2 - Infrastructure							
2.1 Transport Networks	11,056,599	50,078	11,106,677	15,099	9	11,121,776	2,645,927
2.2 Rail Services	-		0			-	
2.3 Water	2,630,705		2,630,705			2,630,705	550,175
2.4 Sewer	912,705		912,705			912,705	236,044
2.5 Communication Networks	-		0			-	
Theme 3 - Environmental							
3.1 Built Environment	1,968,084	54,986	2,023,070	21,279	10	2,044,349	1,006,458
3.2 Waste & Recycling	1,068,284		1,068,284			1,068,284	293,367
3.3 Natural Environment	474,078		474,078	282	11	474,360	147,371
3.4 Health & Safety Regulation	853,576	100,000	953,576			953,576	194,407
Theme 4 - Economic							
4.1 Local Industries & Business	84,500	23,896	108,396			108,396	64,809
4.2 Tourism	159,562		159,562			159,562	53,570
4.3 Public Transport & Air Services	92,797		92,797	13,000	12	105,797	33,834
Theme 5 - Civic Leadership							
5.1 Leadership, Advocacy & Governance	875,725		875,725	-1,711	13	874,014	283,144
5.2 Managing Our Business (Inc Plant)	5,810,446		5,810,446	31,592	14	5,842,038	1,639,303
5.3 Disaster Management	28,050		28,050			28,050	7,777
Labour Overheads	1,133,871		1,133,871	18,410	15	1,152,281	489,216
Total Expenses	33,789,555	253,960	34,043,515	125,759		34,169,274	9,689,769

Bogan Shire Council

Attachment 2

Budget Review for the quarter ended 30 September 2025

Budget Review Income and Expenditure Statement - Notes

Note	Budget Adjustments		
	\$	Budget Effect	Description
1	-2,956		
	-3,000	Increase Income	Sales of plaques - Cemetery
	44	Decrease Income	Insurance reimbursement less than budgeted
2	-14,304		
	-14,304	Increase Income	Additional Financial Assistance Grant Local Roads Component
3	-141,217		
	-100,941	Increase Income	Additional Financial Assistance Grant General Component
	-1,208	Increase Income	Telstra refund
	-39,068	Increase Income	Workers Compensation refund to 2024/25 premium
4	-18,410		
	-18,410	Increase Income	Additional labour overheads
5	3,700		
	3,700	Increase Expenses	3 New Marquees for Community Events
6	2,956		
	3,000	Increase Expenses	Purchase of plaques - Cemetery
	-44	Decrease Expenses	Insurance premium less than budgeted
7	3,439		
	3,439	Increase Expenses	Workers Compensation premium higher than budgeted
8	17,713		
	1,113	Increase Expenses	Workers Compensation premium higher than budgeted
	16,600	Increase Expenses	Bird pest control - helicopter
9	15,099		
	14,304	Increase Expenses	Additional road expenditure from Financial Assistance Grant
	795	Increase Expenses	Workers Compensation premium higher than budgeted
10	21,279		
	21,279	Increase Expenses	Insurance premium more than budgeted
11	282		
	282	Increase Expenses	Workers Compensation premium higher than budgeted
12	13,000		
	13,000	Increase Expenses	Consultants Aerodrome - Geotechnical Survey
12	-1,711		
	-1,711	Decrease Expenses	Insurance premium less than budgeted
13	31,592		
	3,992	Increase Expenses	Big Bogan trademark fees
	5,600	Increase Expenses	Financial reporting software
	22,000	Increase Expenses	Human Resources Information System software and implementation
14	18,410		
	18,410	Increase Expenses	Workers Compensation premium higher than budgeted

Bogan Shire Council

Budget Review for the quarter ended 30 September 2025

Attachment 3

Budget Review Capital Budget

Operational Plan and Budget Outcome	Original Budget 2025/26 \$	Approved Changes		Recommended Changes First Quarter Review		Projected Year End Result 2025/26 \$	Actual YTD 2025/26 \$
		Carry Forwards \$	Revised Budget 2025/26 \$	\$	Note		
Income							
Theme 1 - Social							
1.1 Social & Cultural	-		-			-	
1.2 Community Centres	-		-			-	
1.3 Inclusive Communities	39,228		39,228			39,228	
1.4 Education	-		-			-	
1.5 Public Health	-		-			-	
1.6 Emergency Services	-		-			-	
Theme 2 - Infrastructure							
2.1 Transport Networks	1,567,849		1,567,849			1,567,849	397,458
2.2 Rail Services	-		-			-	
2.3 Water	-		-	855,309	1	855,309	855,309
2.4 Sewer	-		-			-	
2.5 Communication Networks	-		-			-	
Theme 3 - Environmental							
3.1 Built Environment	-		-			-	
3.2 Waste & Recycling	-		-			-	
3.3 Natural Environment	-		-			-	
3.4 Health & Safety Regulation	-		-			-	
Theme 4 - Economic							
4.1 Local Industries & Business	-		-			-	
4.2 Tourism	-		-			-	
4.3 Public Transport & Air Services	-		-			-	
Theme 5 - Civic Leadership							
5.1 Leadership, Advocacy & Governance	-		-			-	
5.2 Managing Our Business (Inc Plant)	1,732,000		1,732,000			1,732,000	
5.3 Disaster Management	-		-			-	
Total Income	3,339,077	0	3,339,077	855,309		4,194,386	1,252,767
Expenses							
Theme 1 - Social							
1.1 Social & Cultural	-		-			-	
1.2 Community Centres	252,309	128,839	381,148	50,915		432,063	185,238
1.3 Inclusive Communities	149,024	507,023	656,047			656,047	100,655
1.4 Education	-		-			-	
1.5 Public Health	139,287	28,405	167,692			167,692	51,524
1.6 Emergency Services	-		-			-	
Theme 2 - Infrastructure							
2.1 Transport Networks	2,708,526	12,076,253	14,784,779			14,784,779	1,210,334
2.2 Rail Services	-		-			-	
2.3 Water	295,000	610,763	905,763	855,309	3	1,761,072	1,510,681
2.4 Sewer	53,000	122,889	175,889	12,500	4	188,389	20,614
2.5 Communication Networks	-		-			-	
Theme 3 - Environmental							
3.1 Built Environment	285,806	218,015	503,821			503,821	83,701
3.2 Waste & Recycling	108,360	120,647	229,007			229,007	24,002
3.3 Natural Environment	20,000	2,638	22,638			22,638	
3.4 Health & Safety Regulation	-	134,916	134,916			134,916	18,464
Theme 4 - Economic							
4.1 Local Industries & Business	24,000	243,579	267,579			267,579	54,387
4.2 Tourism	10,000		10,000			10,000	2,710
4.3 Public Transport & Air Services	50,000	196,550	246,550			246,550	
Theme 5 - Civic Leadership							
5.1 Leadership, Advocacy & Governance	-		-			-	
5.2 Managing Our Business (Inc Plant)	2,070,000	8,491	2,078,491			2,078,491	924,788
5.3 Disaster Management	50,000		50,000			50,000	
Total Expenses	6,215,312	14,399,008	20,614,320	918,724		21,533,044	4,187,098

Bogan Shire Council
 Budget Review for the quarter ended 30 September 2025

Attachment 4

Budget Review Capital budget - Notes

Note	Budget Adjustments		
	\$	Budget Effect	Description
1	-855,309		
	-855,309	Increase Income	Grant Funding Received for Nyngan Emergency Bore
2	50,915		
	15,165	Increase Expenditure	Replace Bogan River fountain at Rotary Park
	35,750	Increase Expenditure	Replant London Plane Trees - Main Street
3	855,309		
	855,309	Increase Expenditure	Expenditure on Grant Funded Emergency Bore
4	12,500		
	12,500	Increase Expenditure	New replacement sewer Sludge Pump

Bogan Shire Council
Budget Review for the quarter ended 30 September 2025

Attachment 5

Budget Review Cash Position

1 General Fund	<u>General Fund</u> (Incorporating Waste and Plant)	First Quarter Review Recommended Changes	General Fund Total Budget after First Quarter Changes
Operating Income	28,726,575	-	28,903,462
Less: Operating Expenditure	30,246,145	112,759	30,358,904
	-	64,128	-
Add back depreciation	3,934,000		3,934,000
Cash from current year available to fund Capital	2,414,430	-	2,478,558
Add: Capital Grants to fund Capital Projects	2,607,077		2,607,077
Add: Sale of Capital Plant items	732,000		732,000
Less: Gross Capital Spending as per Draft Capital Budget	5,697,291	50,915	5,748,206
Less: Loan repayments on Capital projects	170,021		170,021
	-	-	-
	113,805	13,213	100,592
Transfer from Reserves	136,223	-	136,223
Cash Balance	22,418	-	35,631

2 Sewer Fund	Sewer Fund	Second Quarter Review Recommended Changes	Projected Year End Result 2024/25
Operating Income	676,306		676,306
Less: Operating Expenditure	912,705		912,705
	-	-	-
Add back depreciation	250,000		250,000
Cash from current year available to fund Capital	13,601	-	13,601
Gross Capital Spending as per Draft Capital Budget	53,000	12,500	65,500
Transfer In from Sewer Reserve	39,399	12,500	51,899
Cash Balance	-	-	-

3 Water Fund	Water Fund	Second Quarter Review Recommended Changes	Projected Year End Result 2024/25
Operating Income	2,580,601		2,580,601
Less: Operating Expenditure	2,630,705		2,630,705
	-	-	-
Add back depreciation	630,000		630,000
Cash from current year available to fund Capital	579,896	-	579,896
Add Capital Grants to fund Capital Projects	-		-
Gross Capital Spending as per Draft Capital Budget	295,000		295,000
Transfer In from Water Reserve	-	-	-
Cash Balance	284,896	-	284,896

4 Consolidated	Consolidated		Consolidated
Operating Income	31,983,482	-	32,160,369
Less: Operating Expenditure	33,789,555	112,759	33,902,314
	-	64,128	-
Add back depreciation	4,814,000	-	4,814,000
Cash from current year available to fund Capital	3,007,927	-	3,072,055
Add Capital Grants to fund Capital Projects	2,607,077	-	2,607,077
Add Sale of Plant	732,000	-	732,000
Gross Capital Spending as per Draft Capital Budget	6,045,291	63,415	6,108,706
Less loan repayments used to fund capital projects	170,021	-	170,021
Transfer from Sewer Fund Reserve	39,399	12,500	51,899
Transfer from Plant Fund	136,223	-	136,223
Cash Balance	307,314	-	320,527

Bogan Shire Council

Budget Review for the quarter ended 30 September 2025

Attachment 6

Budget Review Contracts and Other Expenses

Part A Contracts Listing

	Contractor	Contract detail & purpose	Contract value (\$) Incl GST for the Quarter	Commencement date	Duration of contract	Budgeted (Y/N)
1	Adrio Pty Ltd	2 Vehicles	\$ 125,954	21/08/2025	18/09/2025	Y
2	Aqua Irrigation Holdings	Pipe and fitting for Emergency Bore VP459295	\$ 134,606	1/07/2025	30/06/2026	Y
3	Central West Linemarking	Linemarking Highways	\$ 119,954	1/07/2025	30/06/2026	Y
4	Conseth Solutions Pty Ltd	Subdivision Tender	\$ 328,450	1/07/2025	12 Months	Y
5	Inland Petroleum	Petrol unleaded and diesel	\$ 147,467	1/07/2025	12 months	Y
6	Neill Earthmoving	Equipment Hire	\$ 133,939	1/07/2025	12 months	Y
7	Statecover Mutual	Workcover Insurance	\$ 367,581	1/07/2025	30/06/2026	Y
8	Statewide Mutual	Insurance	\$ 925,153	1/07/2025	30/06/2026	Y
9	Superior Pak Pty Ltd	Garbage Truck	\$ 596,957	7/08/2025	7/08/2025	Y

Notes

1. Minimum reporting level is 1% of estimated income from continuing operations or \$100,000 whichever is the lesser.
2. Payments listed are those entered into during the quarter on contracts which have yet to be fully performed at the end of the quarter.

Part B Consultancy and Legal Expenses

Expense	Expenditure YTD (\$)	Budgeted (Y/N)
Consultancies	34,043	Y
Legal Fees	0	Y

Definition of consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision-making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

12.5 BANKING TENDER

1. Introduction

This report is to seek Council approval to commence a tender process for the provision of Council's banking services to achieve best value for money and transparency.

2. Background

Council's current banking services are provided by National Australia Bank (NAB). It has been 10 years since Council last went to tender for Banking Services in 2015. The NAB has served Council's operational needs; however, it is timely to review the market to ensure Council continues to receive competitive, efficient, and innovative banking services.

Council has previously resolved, prior to our last tender, to bank locally with a Bank that has full banking facilities located in a branch at Nyngan and this would then mean that only the National Australia Bank and the Commonwealth Bank would be considered.

3. Discussion

Banking services are critical to Council's financial operations, including:

- Transactional banking (accounts, payments, receipts)
- Merchant services
- Online banking platforms
- Investment services
- Financial reporting and integration with Council systems

A tender process will allow Council to:

- Benchmark current services and costs
- Explore opportunities for improved technology and service delivery
- Consider sustainability and ethical banking practices

The proposed tender will be structured to allow flexibility in service delivery with evaluation criteria including cost, service capability, technology, and customer service.

Financial Implications:

- Costs associated with the tender process will be met within existing operational budgets. Potential savings or service improvements may be realised through a competitive process.

Policy and Legislative Implications:

While Council is not legally required to go to tender for banking services, Councils may choose to do so to ensure value for money, transparency and competitive service offerings

4. Attachments

Nil

5. Recommendation

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

1. Introduction

The purpose of this report is to provide Council with information regarding the activities of the Infrastructure Services Department.

2. Background

A regular activity report is provided for the information of Councillors.

3. Discussion

Roads

Road work undertaken for the reporting period 11 September 2025, to 2 October 2025 consisted of the following:

No.	Name	Comments
	Local Roads	
1	Mulla Road	Patch grading completed
25	Merryanbone Road	Maintenance grading completed
3	Buddabadah Road	Patch grading completed
38	Billandry Road	Maintenance grading completed
74	Doney’s Road	Maintenance grading completed
8	Bobadah Road	Maintenance grading completed
5	Peisley Road	Maintenance grading completed
40	Plummers Road	Maintenance grading completed
4	Dandaloo Road	Maintenance grading completed
40	Plummers Road	Grid abutments removal
11	Honeybugle Road	Grid abutments removal
76	Cox’s Road	Sign maintenance
74	Doney’s Road	Sign maintenance
22	Moonagee Road	Sign maintenance
20	Murrawombie Road	Spraying of roadside vegetation

No.	Name	Comments
	Local Roads	
79	New Bogan Road	Sign maintenance

	Regional Roads	
MR 424	Monkey Bridge Road	Maintenance grading completed
MR 424	Monkey Bridge Road	Sign maintenance
MR 228	Hermidale Nymagee Road	Spraying of roadside vegetation

	State Highways	
HW8	Barrier Highway	Spraying of roadside vegetation
HW7	Mitchell Highway	Pothole repairs
HW8	Barrier Highway	Pothole repairs
HW7	Mitchell Highway	Sign maintenance
HW8	Barrier Highway	Sign maintenance
HW70	Arthur Hall VC Way	Sign maintenance
HW70	Arthur Hall VC Way	Pothole repairs

Council has completed pothole repairs on the following roads:

• Nyngan Town Streets	• Canonba Road
• Mulla Road	• Barrier Highway
• Arthur Hall VC Way	• Mitchell Highway
• Murrawombie Road	• Bogan Shire depot

The upcoming Road Works Program includes, but is not limited to, the following works:

- Maintenance grading on the following roads: Dandaloo, Gongolgon, Shannonvale, Warrah, Logans.
- Resources for Regions 5km of Construction on Coffils Lane
- Re-sheeting sections of Peisley, Monkey Bridge, Dandaloo, Larsen's, New Bogan, & Colane roads

Works and Services

The work undertaken during this reporting period consisted of the following:

Civil Works

- Carried out repairs to the river level gauges at Jack Hargreaves Park
- Completed upgrades to the Senior Citizens Hall access
- Completed car park drainage at Bogan Shire Youth Centre
- Installed a new cubby house at the Early Learning Centre. The original was damaged in a storm
- Removed graffiti and a burnt-out vehicle at the River.

Community Facilities

- Mowing/slashing and maintenance of ovals, reserves and Highway approaching Nyngan (ongoing)
- Cleaning of Town facilities
- Cleaning and sweeping of the Nyngan Main Street
- Completed quarterly wash down of the Main Street footpaths

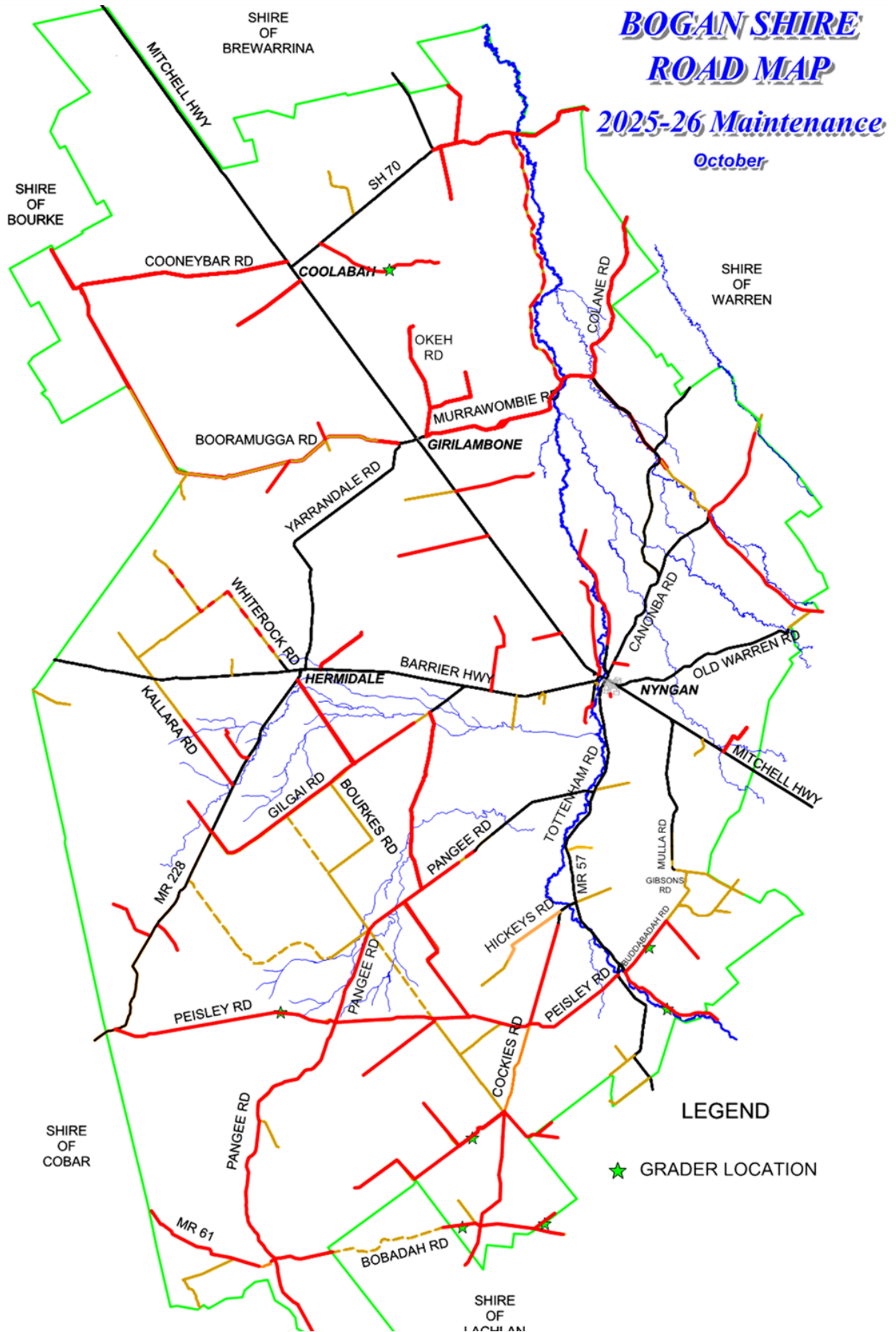
Water & Wastewater

- Repaired a leak on mains cock on the corner of Terangion and Cathundral Streets
- Cleared a sewer choke at 21 Ellen Street
- Albert Priest Channel was shut down on the 19th September; having received a short natural flow in the Bogan River. The weir pool and off river storages are at full capacity
- Replaced 10 meters of sewer reticulation at No 4 Pump Station on Hoskins Street
- Carried out quarterly water meter readings
- Commenced works on installation of off take structure from Albert Priest Channel to Belaringar Creek

4. Attachments - Roads Maintenance Map

5. Recommendation

That the Infrastructure Departmental Report be received and noted.



13.2 AERODROME LIGHTING GRANT

1. Introduction

The purpose of this report is to seek Council's direction on the funding source to replace the Pilot Activated Lighting (PAL) system at Nyngan Aerodrome.

2. Background

A report was presented to Council's August 2025 meeting regarding the likely cost to replace the PAL at Nyngan aerodrome. This is estimated to be \$467,000, with no allowance for contingency. The report (attached) also included information on potential funding sources.

Funding sources include the approved Federal Government's Remote Airstrip Upgrade Grant of \$116,550, the submitted application under the NSW government's Regional Economic Development and Community Investment Program (REDCIP) programme in the amount of \$515,533, and potential Council funds.

3. Discussion

The first milestone for the Federal Government grant is due on 31 October 2025, for the completion of design and procurement. As the project is not fully funded, this work has not yet been undertaken.

The acquittal date for the Federal Government grant and final report has already been extended to May 2026. We have been advised that under this grant it is not possible to do part of the project as the funding application was for a complete PAL.

At the time of writing, no advice as to the outcome of the REDCIP application has been received.

Accordingly, if Council wishes to proceed with a PAL, and utilise the \$116,550 grant (with associated acquittal timing), funding will need to be allocated. As outlined in the August 2025 report funding sources include:

- Re-allocation of the \$130,000 currently allocated for exclusion fencing.
- Loan
- Re-allocation of other budgeted funds

4. Attachments

1. August 2025 Business Paper

5. Recommendation

For Council's consideration

13.2 AERODROME LIGHTING

1. Introduction

The aim of this paper is to present information on the likely cost to replace the Pilot Activated Lighting (PAL) system at Nyngan Aerodrome.

2. Background

Approximately four years ago the Pilot Activated Lighting (PAL) system at Nyngan aerodrome ceased to function. The PAL was originally installed circa 1972. Since the system failure, Council has been using battery operated flares on the occasions when a night landing is required. In recent years there have been on average nine night time landings per annum.

It should be noted that standard procedure for night landings when the PAL was operational was for staff to be called out to do a 'roo run' prior to aircraft landing and take-off. This practice continues with the use of flares.

In 2024 Council applied for funding under the Federal Government's Remote Airstrip Upgrade Grant towards the replacement of the PAL. Council was successful in gaining a grant of \$116,550 towards the project which was then estimated to be \$350,000. Council was to contribute the balance of \$233,450. The acquittal date for the completion of the project and final report has already been extended to May 2026. (It is not possible to do part of the project as the funding application was for a complete PAL).

In February 2025 Council applied for funding under the NSW government's Regional Economic Development and Community Investment Program programme in the amount of \$515,533, to add to the previous grant (\$116,550) to complete a PAL. This estimate included a back-up generator, project management and contingency to the combined value of approximately \$165,000. At the time of writing this report, Council has not been advised of an outcome to the grant application.

3. Discussion

Nyngan Aerodrome is not permanently manned and there are no records on daytime usage. Night landings are recorded due to the requirement for staff to be called out.

There is currently one charter flight which lands at the aerodrome weekly (Wednesdays). This flight requires a pavement concession as the plane mass / tyre pressure exceed the runway pavement rating. The pavement concession that has been approved by Director Infrastructure Service on a month to month basis is subject to inspections of the runway before and after each use, and the plane operator confirming that they are responsible for the cost of any damage to the runway and taxiways.

Council does not charge landing fees and therefore there are no direct revenues associated with aerodrome usage. Landing fees can be the subject of a separate report.

The merits of a PAL versus the currently approved project for exclusion fencing of the aerodrome has recently been raised. The estimated cost for Council to complete a PAL with no contingency and without replacing the backup generator is \$467,000.

There is currently \$130,000 allocated for exclusion fencing. This allocation plus the previously approved grant totals \$246,550, leaving a shortfall of \$220,450.

Staff attendance to night landings is required with and without a PAL. If PAL is a higher priority than exclusion fencing, additional funding options could include:

- Loan
- Re-allocation of budgeted funds
- Use of any available unallocated cash.

Council may wish to review the adopted capital program to source funds. A number of projects were the subject of revote at the July 2025 meeting.

These include a couple of programs that could potentially be accessed to fund a PAL.

- Pipe Culvert Renewals Rural Roads Current balance \$160,000
- Bridge Repair Program Current balance \$160,000

A number of failing culverts have recently been identified, and it is recommended that the Pipe Culvert Renewals Rural roads not be fully drawn down.

4. Attachments

Nil

5. Recommendation

For noting.

13.3 WATER EXTENSIONS POLICY FURTHER INFORMATION

1. Introduction

The purpose of this report is to provide further information to enable Council to consider and adopt a policy regarding requests for extensions to water services and water mains.

2. Background

A report was presented to Council's meeting of September 2025 outlining considerations and a draft Policy for Extending Town Water Supply.

At Councils Meeting on 25 September 2025, Council resolved (215/25):

- “1. *That between now and the next Council meeting, an investigation is done on Mr Robbs requirements, with a further report to the October Council Meeting.*
2. *That the Director of Infrastructure Services presents a report with more detail with existing pipelines and potential flow rates that may limit or enhance decision-making, with a resubmitted draft new policy.”*

3. Discussion

Mr Robb was contacted and has advised that the proposed water connection would be for a wash basin and toilet at a shearing shed. The shed would be used 8 – 10 times per year, for four or five people. It is noted that clause 3e of the 2006 policy states that “Town water can only be used for urban and domestic purposes only, not for stock watering or agricultural purposes.”

In response to Part 2 of the above resolution, an updated sketch of currently serviced properties, including pipe details, and corrections to serviced properties is attached. Councillors will note that the majority of the extensions are 50mm poly lines. This diameter of pipeline will not provide the minimum fire hydrant firefighting flow of 10l/s at 150kPa.

Pressure and flow tests were undertaken at several locations on 30 September with the results tabulated below.

	Pressure Static	Pressure with flow	Flow rate
Tottenham Rd (Raw water Pump Station)	215kPa	50kPa	28l/min
Dandaloo St (Southern end)	210kPa	70kPa	40l/min
Saleyards	215kPa	45kPa	26l/min
Old Warren Rd (Abattoir)	230kPa	70kPa	56l/min
Canonba Rd (Waste Depot)	250kPa	70kPa	40l/min
Jubilee Street (on 50mm extension)	220kPa	50kPa	32l/min

As a comparison, pressure and flow testing was undertaken at the Council Chambers on 2 October 2025. The results were 240kPa static, 80kPa flowing, and 42l/min. All tests were undertaken at hose taps.

Council’s Policy of 2006 included the below clause:

“If a water service would not supply 0.5 litres per second flow into the dwelling, without affecting other consumers, the service must discharge to an enclosed tank on the property, and the water then pumped to the dwelling.”

Based on the above test results any additional services on the saleyards line, Tottenham Road line, and Jubilee Street line are unlikely to achieve 0.5l/s without affecting other consumers.

In contrast, it appears that there is currently some capacity for additional users on the Dandaloo Street, Old Warren Road, and Canonba Road lines. Even with these lines it would be prudent to condition any approval with the requirement of a trickle discharge to an enclosed tank on the property, and the water then pumped to the dwelling. This reduces the risk to Council of future pressure/flow complaints and provides an onsite water storage for firefighting.

In the discussion of potential extension limits Councillors also mentioned the desire for farmlets outside of the flood levee. It is understood that this would require an amendment to Council’s Local Environment Plan (LEP). Given the duration of the current amendment for Tabratong Street, an amendment to facilitate farmlets is likely to be a lengthy process.

It is logical that any additional water services outside the flood levee align with the LEP or proposed future amendments to the LEP. For example, if Council proposes to amend the LEP to facilitate farmlets east of Nyngan (due to lower flood impacts) then inclusion of some additional customers along Old Warren Road would align with this.

Any significant expansion of customers should align with the LEP and needs to be planned as the existing 50mm poly lines will need to be upgraded. Ideally those benefitting from the water supply, pay for the upgrade rather than other ratepayers.

Council also needs to be cognisant of our current water allocation and not over commit development. As previously advised that there is only a 10 – 20% contingency over the full development within the flood levee, based on current usage of 750 – 850ML per annum.

Councillors will also recall Minute (122/2022) which limited extraction from the Nyngan emergency bore to 200ML per year.

With respect to a policy on Extending Town Water Supply, a course of action may be to:

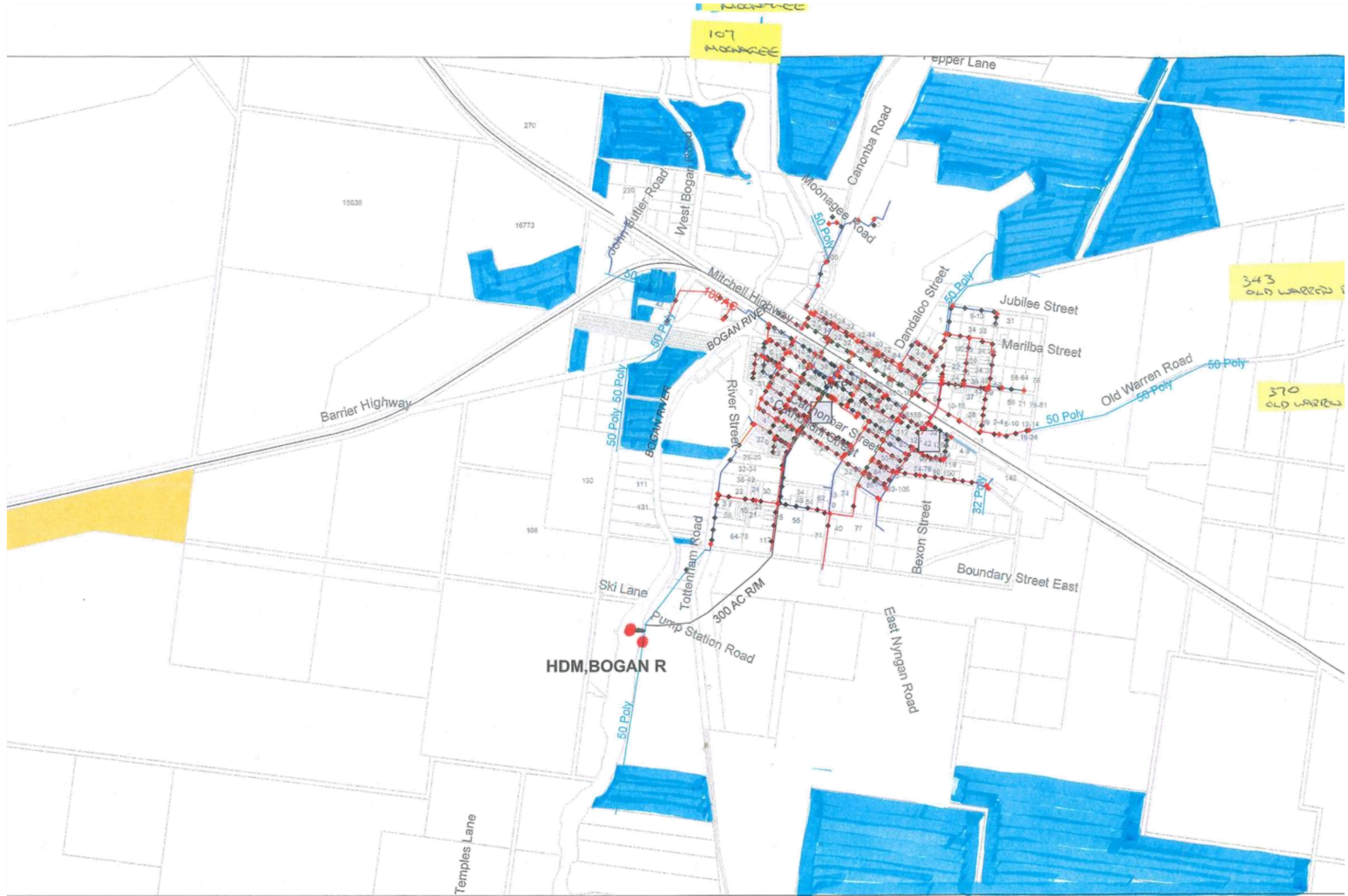
- Adopt the Policy as presented in September 2025
- Resolve to fund an amendment to the LEP to allow farmlets (or other higher density development) outside the levee,
- Determine the cost of upgrading water mains, and the area to be benefitted to determine an appropriate contribution per lot, &
- Amend the Policy for Extending Town Water Supply once the direction of development is known.

4. Attachments

1. Sketch indicating properties outside of the Nyngan Levee that have reticulated town water

5. Recommendation

For Council's consideration



Properties supplied town water

14 DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORTS

14.1 DEVELOPMENT APPLICATIONS REPORT

1. Introduction

The purpose of this report is to advise Council of Development Applications that have been submitted to Council for approval.

2. Discussion

Two new Development Applications and one Complying Development Certificate Application were received during the reporting period. The table below outlines Development Applications that are currently under assessment:

DA NUMBER	APPLICANT	ADDRESS	DESCRIPTION	VALUE (\$)	PROGRESS
2024/004	Mr I Bennett	60 Nymagee St, Nyngan	New Awning	\$35,000	Approved
2025/013	Mr T Lewis	32 Ellen St, Nyngan	New shed	\$50,000	Approved
2025/014	Mrs C Watt	7 Derrybong St, Nyngan	Pergola	\$6,000	Approved
2025/016	Mr T Richards	77 Warren St, Nyngan	New shed	\$30,000	On Public Exhibition
2025/017	Tritton Resources	Mitchell Highway, Girilambone	Test pit	\$3,000	Under assessment
CDC 2025/003	Tritton Resources	177 Railway Road, Girilambone	Construction of Overhead Powerline	\$718,600	Approved

Council staff continue to receive enquiries and assist the public in relation to Development Applications and the complexity of their lodgment on the NSW Planning Portal.

Attachment 1 contains statistical and historical information in relation to applications received.

3. Attachments

1. Development Applications Statistics

4. Recommendation

That the Development Applications Report be received and noted.

	Application Type							Application Value
	Totals		Breakup					
	DA	CDC	Dwellings	Shed/Garage/ Patio/Awning	Pool	Sub- division	Other	
July 2025	0	0	0	0	0	0	0	\$0.00
August 2025	2	0	0	2	2	0	0	\$56,000.00
September 2025	2	1	0	1	0	0	2	\$751,600.00
October 2025								
November 2025								
December 2025								
January 2026								
February 2026								
March 2026								
April 2026								
May 2026								
June 2026								
Total 2025/26	4	1	0	3	0	0	0	\$807,600.00
Total 2024/25	18	2	4	9	1	2	4	\$ 4,476,447.00
Total 2023/24	27	0	8	14	1	0	4	\$ 7,576,651.00
Total 2022/23	33	1	7	12	5	2	8	\$ 7,443,708.00
Total 2021/22	26	0	13	8	2	1	5	\$ 6,354,396.00
Total 2020/21	34	3	5	14	3	5	9	\$ 4,107,610.00
Total 2019/20	24	0	0	10	1	3	10	\$ 11,294,300.00

14.2 NYNGAN SALEYARDS REPORT

1. Introduction

The purpose of this report is to advise Council of the unmonitored water use at the Nyngan Sale Yards and provide an update on the current status of the site.

2. Background

At the March 2020 Ordinary Council Meeting, a report was presented outlining correspondence received from the Department of Planning, Industry and Environment (DPIE) regarding changes to the *Crown Land Management Act 1916*. Under these changes, Council was offered the option to voluntarily convert its Perpetual Special Lease 78218 on the Nyngan Sale Yards to freehold.

Council resolved (047/2020) to authorise the General Manager to investigate the potential economic value of purchasing the site for development or sale to commercial interests.

A follow-up report was presented at the June 2020 meeting. It confirmed that Council was under no obligation to purchase the site and that the lease would continue under its current terms and conditions (excluding possible rent adjustments).

The investigation identified a number of risks associated with maintaining the site as a sale yard, despite it not being used commercially at the time. There was evidence the facility had been accessed to hold stock and that the truck wash bay had been used without Council's knowledge or permission.

To address unauthorised access, signage stating "No Unauthorised Access" has since been installed at both entrances to the site to mitigate risk and reduce liability to Council.

Council at its Ordinary Meeting in July 2020 resolved (191/2020) to decommission the sale yards, advertise the facility for dismantling and removal, and return the land to the Crown.

A rescission motion was subsequently passed (192/2020), resolving that:

1. *Council purchase the Nyngan Sale Yards from the Crown for \$35,100, to be funded from Council reserves; and*
2. *The General Manager report back to Council on necessary measures to allow future use of the site, including an RMS heavy vehicle uncoupling station, wash bay for trucks and hold over area for livestock.*

Council submitted the purchase application on 25 August 2020. However, due to changes in legislation, the transfer has not yet been finalised. Staff have been advised that the necessary legislative amendments are underway to allow completion of the purchase.

3. Discussion

The Nyngan Sale Yards site comprises 22.36 hectares (55 acres) and is zoned RU1 – Primary Production. This zoning places limitations on permitted uses which is outlined in the Bogan LEP extract (Attachment 1). Council continues to lease the site and intends to finalise the purchase once legislation allows. The lease payment was made in February 2025 at a cost of \$604.00 to Council.

The most recent recorded use of the sale yards was on 9 September 2014, when 58 head of cattle were sold, generating \$167 for Council. Since that time, the site has not been actively used, and maintenance has not been prioritised, resulting in significant deterioration of infrastructure.

A risk assessment completed in June 2020 identified key issues:

- The facility is in poor condition and would require significant investment in materials, labour, and plant to bring it up to a usable standard.
- Stock ramps are damaged, with non-functional lifting mechanisms.
- Effluent management systems are inadequate.
- Yards, gates, and concrete flooring require extensive repair, and water troughs need cleaning and maintenance.

It is likely that the condition of the site has worsened since the 2020 inspection due to continued inactivity and lack of maintenance.

Roads and Maritime Services- Heavy Vehicle Uncoupling Station

In 2020 Roads and Maritime Services (RMS) expressed interest in the site for an uncoupling bay for heavy vehicles and road trains. The location of the site was appealing as it is close to the junction of the Barrier and Mitchell Highways. RMS advised the Roads Manager that they would come back to Council in the future however this endeavour has not progressed to date.

Should RMS renew interest in leasing the site, required improvements (including a compliant wash bay) could potentially be funded by RMS.

Wash Down Bay

The existing truck wash bay does not meet environmental standards and would require a major upgrade to meet environmental and operational requirements if it were to operate commercially.

Attachment 2 outlines standards and what would be required if Council were to consider upgrading the truck wash bay.

The existing wash down bay consists of a water tank, hard stand and settling ponds with the key issues being:

- Lack of an oil/water separator
- No authorised discharge point or tank
- Inadequate bunding
- Risk of environmental breaches under the *EP&A Act*.

Despite the wash bay no longer being commercially available, water usage data suggests that the wash bay has continued to be used without authorisation, resulting in ongoing cost to Council as outlined in the following table:

Year	Water Cost
2021	\$18,398.75
2022	\$5,750.35
2023	\$5,688.45
2024	\$7,904.10
2025	\$6,970.95
First quarter this FY	\$3,843.40

To reduce environmental risk and prevent further unauthorised use, it is recommended that the water supply to the wash bay be isolated.

Should Council wish to consider upgrading the facility in the future, costings would need to be obtained and funding sourced. Additionally, management arrangements and user charging systems would need to be developed.

Hold Over Area for Livestock

Re-establishing the yards as a livestock hold over area would require major upgrades and compliance with current animal welfare standards (Attachment 3), including shaded areas for stock during high temperatures.

If the site were to be used for livestock purposes the following would be required:

- Rehabilitation and upgrade of facilities ensuring identified risks are addressed
- Implementation of an ongoing maintenance plan
- Allocation of staff for management and compliance

Council must consider whether it is prepared to invest the necessary resources and funding to restore the facility to an operational standard given that it is very unlikely that the outlay of costs will be recouped.

The sale yards have not been in commercial use since 2014, and Council has received little to no enquiries regarding their use. Instead, Council has continued to utilise the livestock yards at the showground for events such as ram sales.

It is also important to note that should Council authorise access to the site, it would assume full responsibility for managing risks related to property, livestock, public safety, environmental compliance, and biosecurity. Council would also be responsible for Chain of Responsibility requirements for vehicles entering the site.

4. Attachments

1. Attachment 1 - Zone RU1
2. Attachment 2 - Transport NSW Guide
3. Attachment 3 - Australian Animal Welfare Standards - extract

5. Recommendation

1. That Council water supply to the sale yard truck wash area be disconnected to prevent unauthorised use.
2. That the Nyngan Saleyard Report be received and noted.

Attachment 1**Zone RU1 Primary Production****1 Objectives of zone**

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

2 Permitted without consent

Environmental protection works; Extensive agriculture; Forestry; Home-based child care; Home occupations; Roads

3 Permitted with consent

Agritourism; Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Depots; Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Freight transport facilities; Hazardous industries; Heavy industrial storage establishments; Helipads; Home businesses; Home industries; Home occupations (sex services); Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Mooring pens; Moorings; Offensive industries; Open cut mining; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Roadside stalls; Rural industries; Rural workers' dwellings; Veterinary hospitals; Water recreation structures; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3



Transport for NSW

Truck washes

Information guide



December 2021 | Version: 1

Disclaimer

This Design and Construction Guide should be considered when designing and assembling truck wash bays and facilities in NSW. While all care has been taken in producing this guide, Transport for NSW (Transport) does not warrant or represent that the information is up to date, exhaustive or free from errors or omissions. Liability will not be taken or warranted by Transport in relation to the accuracy, quality or operability of the information and recommendations provided. To the extent permitted by law, Transport disclaims all warranties, representations and endorsements, express or implied, with regards to the information. Users who apply the information do so at their own risk and will be responsible for making their own assessment of the information. All liability is expressly disclaimed by the authors (including copyright owners) in respect of anything done or omitted to be done and the consequences upon reliance of the contents of this information.

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December 2021
21.346

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Overview

Truck washes play a significant role in vehicle productivity and maintenance, and in protecting the biosecurity of New South Wales.

By recognising that a primary route of contamination is through contaminated transport, washing, disinfecting and drying transport trailers is a fundamental process to reduce bio-contamination.

Truck washes are highly valuable for excluding and containing emerging and resident pathogens.

Industry consultation

Industries have differing priorities in truck wash operations and performance. For example, the grain industry places greater emphasis on the cleaning of a vehicle's undercarriage compared to cattle truck wash operators.

Consultation and collaboration with relevant stakeholders including local industries are recommended to ensure that truck wash facilities are designed to meet the needs of end users and have the best final design.

Councils should consider assembling data from multiple sources and using judgment to develop the guidelines for the construction and operation of truck washes. Where data is not available, cost estimates should be made with reference to nearby truck wash facilities and be tested within the industry.



Cleaning method

The method of cleaning used in a truck wash should be appropriate for the type of vehicle, commodities and contaminants on vehicles that will utilise the facility.

Truck wash design

The following information was identified as recommended best practice for truck wash design:

Site requirements, location and amenities

Accessibility / convenience for users: Truck wash facilities located close to major roads are more likely to be used by industry. The wash-down facility should be accessible in all weather conditions and open 24 hours and 7 days per week.

Land considerations: Land constraints should be considered when selecting the location, as this will impact construction and operational costs. Entry and exit points around the wash bay are important safety considerations, to reduce potential vehicle incidents.

Environmental impacts: Precautions should be taken to ensure that a truck wash facility will not jeopardise environmentally sensitive areas or have a negative impact on existing or future land uses. Potential risks to public health and impact on the areas surrounding the truck wash facility can be mitigated by providing buffer zones between the facility and any sensitive areas.

Capacity: Depending on truck volumes, some facilities may require two wash bays to limit trucks having to wait to access the wash. On average, a type 2 Common Road Train can take up to six hours to wash down (or one hour per crate).

AVDATA type system: An AVDATA type system has been adopted by industry for accessing and managing truck wash facilities.

Lighting: Lighting should be sufficient for use at night and for security purposes. Lighting should be erected on each side of the wash-down bay at a minimum height of 6.1m.

Signage: Clear signage of the site layout and facilities is recommended. Clear information displaying instructions for the use of the truck wash facility and emergency contact details should be provided.

Amenities: Toilet and shower facilities for truck wash users and a rubbish bin should be provided on site.

Wastewater collection and disposal

The most important element of a vehicle wash-down bay is the management of wastewater. Effluent and various floating debris will result in contamination of the local water supply if not treated properly. Effective risk management procedures can keep the likelihood or severity of any negative outcomes from any such incidents to an acceptable level.

The main approach to effective effluent disposal at a truck wash facility is:

1. Minimal level effluent treatment and direct discharge into the municipal sewer system
2. Medium level effluent treatment and final effluent disposal through evaporation or irrigation
3. High level effluent treatment for effluent recycling and reuse within the truckwash.

It is recommended that an authorised discharge point must be negotiated with the local water authority, or a discharge tank must be installed. The tank will collect treated water for disposal by truck.

Wastewater reuse and recycling systems should be considered in the truck wash development. There are technologies available which vary in complexity and level of treatment.

Truck wash facility

Wash-down bay

Size: Recommended rule is for wash down pads to be about two metres wider and longer than the largest vehicles to be washed. This would be effective in containing wash water and preventing splashes from escaping the confines. Ideally, the pads should have a minimum thickness of 150mm slab on grade and edge thickening.

Bunding: Bunding in the form of installed speed humps at the entry and exit points of the wash bay should be considered, in order to divert surface rainwater run-off away from the wash area.

Construction material: The pad should be made from an impervious material such as concrete and engineered to withstand the weight load throughout the life of the pad, without structural damage.

Slab gradient: The wash bay floor should be graded to drain towards a collection point or channel connected to the sediment trap or pump tank. It is recommended that the down slope be 3-4% at the rear and the cross slope be 2-3% to the left when the vehicle is on the wash pad.

Elevated platform: If budget allows, an elevated platform should be erected to enable safe cleaning of upper decks.

Sediment trap

A sediment trap is required to remove sediment from wash water prior to disposal.

The size of the sediment trap required will depend on:

- Contamination level of the vehicle or equipment being washed
- Volume and flow rate of the incoming wash water
- Time needed for the sediment to drop out of the wash water in the trap.

Oil/water separators

An oil/water separator is required to remove oil from wash water prior to disposal.

Wash-down bays connected to an approved oil/water separator such as a vertical gravity separator (VGS), coalescing plate separator (CPS), or hydro cyclone unit should be designed to consistently produce a waste stream with a maximum hydrocarbon level of 30ppm (roughly 30mg/L).

Note: triple interceptors will no longer be approved as the primary or main oil/water separation device in any wash-down bay process.

Holding tanks

Regulatory agencies may authorise the installation of a temporary holding tank for offsite disposal of wash water.

It is strongly recommended that the holding tank have backup systems such as floating cut-off switches, alarms, or overflow tanks installed in case of pump failures or overflows.

Backflow devices

All wash-down bays connected to a mains water supply should have a backflow device installed as required by the Regulatory Authorities.

Vehicle wash-down bays are deemed to be a high hazard backflow risk and therefore a boundary containment device is required.

Leach drains

Leach drains connected to any wash-down bay must be installed in accordance with the requirements of local government and the *Health Act 1971*.

Water supply and pressure

The volume and quality of water required for truck wash facilities will vary depending on the size and configuration of the vehicle and the water dispensing equipment

High pressure or high flow water is recommended. The water pressure should be 160psi at 100 litres per minute at the tap using a 1 1/4 inch tap fitting.

Sampling points

An inspection and sampling point needs to be provided prior to the point where any wash-down bay waste water is disposed of, either to sewer or onsite effluent disposal system.



Regulatory compliance

The truck wash facility must comply with regulatory requirements:

- Work Health and Safety Act 2011 (WHS Act)
- Occupational Safety and Health Act 1984
- Environmental Protection Act, 1986
- Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974
- Australian Standard AS/NZS 3500.2:2003 Plumbing and Drainage
- Commonwealth, state and local authority codes, regulations, and relevant Australian Standards as applicable to the land transport of livestock. This includes compliance to standards relating to the installation of electrical services, concrete footings, floor slabs and steel structures as per the Building Code of Australia (BCA).



Pricing strategy

Pricing should be based on competitive market prices, otherwise pricing should be based on the principle of cost recovery.

Project stages

Stage 1: Industry consultation and need analysis

- Consultation with key stakeholders
- Consultation with the freight industry (e.g. Freight Transporters, LBRCA)
- Assessment of the truck wash needs
- Prepare a Scope of Works
- Preliminary design consultation
- Assessment of design options and economic feasibility
- Assessment of compliance with Regulatory Authorities
- Cost estimates for equipment, delivery and construction.

Stage 2: Application for funding

- Complete the Application Form
- Complete the Benefit Cost Analysis Mode
- Gather documents for submission (i.e. design/specifications, letters of support)
- Submit the application

Stage 3: Final Design & Costing

- Geotechnical investigation and/or evaluation of available geotechnical data
- Prepare final design drawings
- Submit design for approval
- Full cost breakdown for equipment, delivery and construction
- Equipment specifications and process instructions, as required

Stage 4: Procurement & Construction

- Procurement
- Manage site delivery
- Creation of a coordinated construction program based on requirements.

Stage 5: Compliance

- Submit documentation to the relevant Local Authority
- Coordinate Authority inspections, as applicable
- Retain construction drawings and project documentation on completion for future records and maintenance.

Stage 6: Operation and Maintenance

It is the responsibility of truck wash owner to ensure the effective operation of the truck wash.

This includes ongoing monitoring and coordinating the timely removal of accumulated materials from channels, coalescing plate packs, settling pits and silt traps.

Attachments

Example Truck Wash Designs

The following designs are effective truck wash designs that are currently operational:

Berrigan Shire Council - Finley Truck wash

Note: Permission was provided by Berrigan Shire Council to publish their designs to assist other Councils. It is the responsibility of truck wash owner to ensure the effective operation of the truck wash.

EDWARDS ROAD - FINLEY TRUCKWASH & ACCESS ROAD UPGRADE



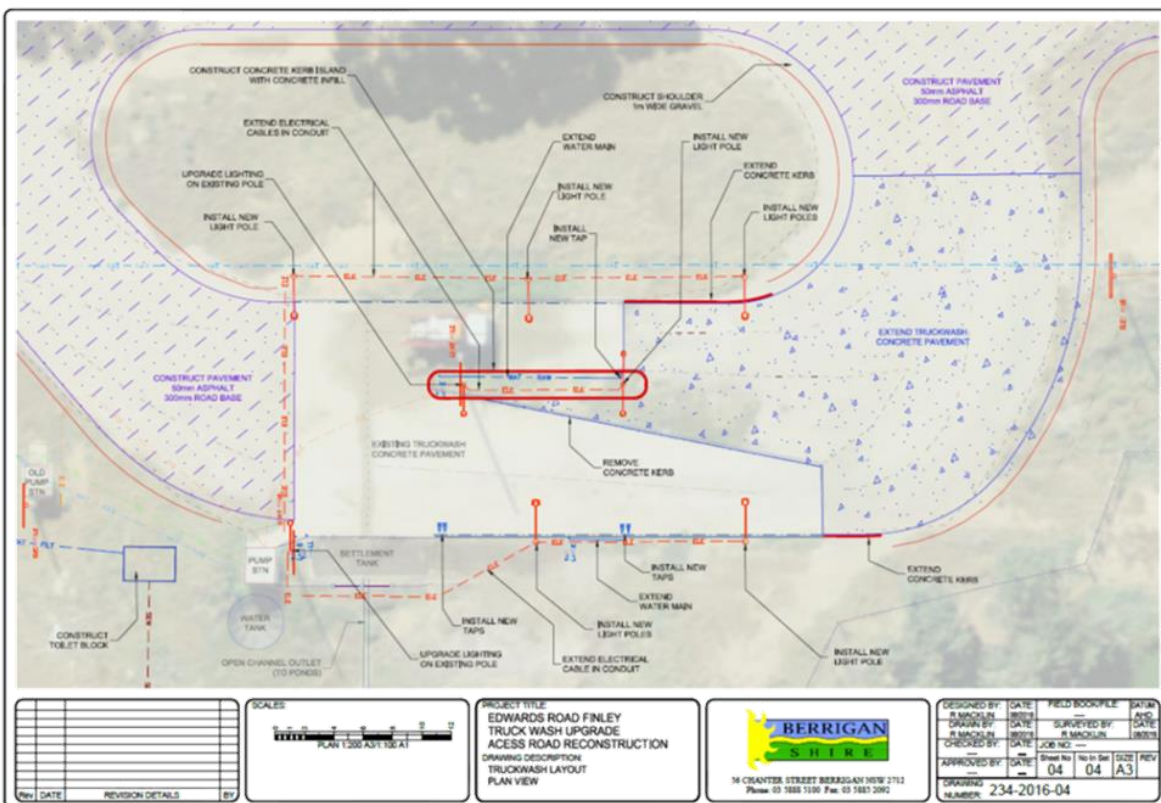
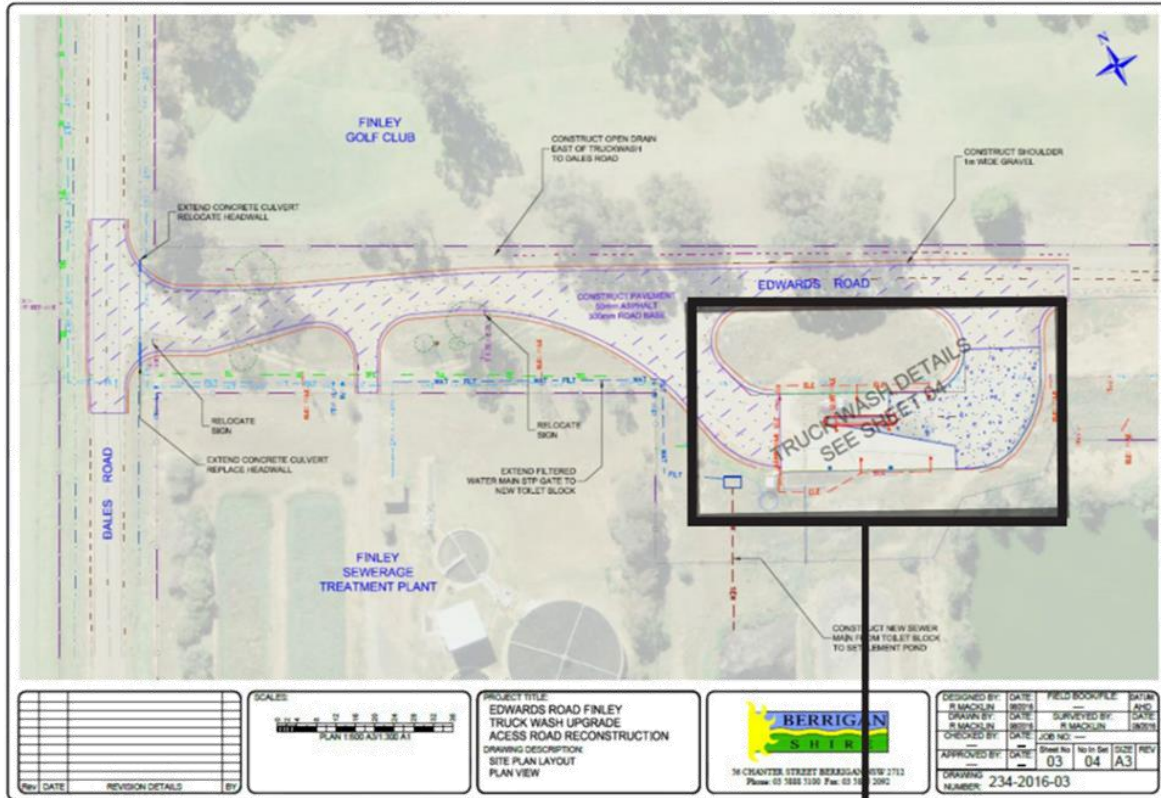
REV	DATE	REVISION DETAILS	BY

<p>0 50 100 150 200 250 300</p> <p>PLAN 1:5000 (A1) 1:2500 (A1)</p>

<p>PROJECT TITLE</p> <p>EDWARDS ROAD FINLEY TRUCK WASH UPGRADE ACCESS ROAD RECONSTRUCTION</p> <p><small>DRAWING DESCRIPTION</small></p>
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 <p>BERRIGAN S.H.I.R.E.</p> <p><small>34 CHANTREL STREET BERRIGAN NSW 2112 Phone: 03 9888 1500 Fax: 03 9883 2992</small></p>
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DESIGNED BY	DATE	FIELD BOOK/FILE	DRAWN
R. MACKLIN	08/07/16		
DRAWN BY	DATE	SUPERSEDED BY	DATE
R. MACKLIN			
CHECKED BY	DATE	DOCS NO.	NO. OF SHEETS
			1/2
APPROVED BY	DATE	SCALE	REV
DRAWING NUMBER	234-2016-01		



Attachment 3**Extract from the Australian Animal Welfare Standards and Guidelines for Saleyards and Depots.**

S1.1 A person must exercise a duty of care to ensure the welfare of livestock under their control and compliance with these saleyard welfare standards.

The responsibilities of persons involved in the saleyard process are as listed below:

- (i) Saleyard and depot operators, including saleyard managers and superintendents are responsible for:
 - a) overall responsibility for welfare, care and handling of livestock at the saleyard;
 - b) provision of suitable and maintained facilities;
 - c) provision of water for livestock;
 - d) provision of feed for livestock when not in the care of owner or the owner's appointed agent;
 - e) regular inspection of all livestock when not in the care of owner or the owner's appointed agent;
 - f) overall responsibility for penning density in the saleyard through the provision and allocation of appropriate holding, selling and post-sale pens;
 - g) arrangements for appropriate care, treatment or humane killing of identified weak, sick or injured livestock including livestock assessed as unfit for sale or further transport;
 - h) arrangements for the disposal of dead animals;
 - i) management of an animal welfare issues register system;
 - j) contingency planning and arrangements for the saleyard;
 - k) displaying contact details including emergency contacts for receipt of stock outside operating hours;
 - l) ensuring persons responsible for handling or managing livestock in the saleyard have the relevant knowledge, skills and experience to perform their duties, or are supervised by such a person.

14.3 BOGAN RIVER BUSHCARE REPORT

1. Introduction

The purpose of this report is to advise Council of the activities undertaken by the Bogan River Bushcare Group.

2. Background

The Bogan River Bushcare Group (BRBCG) was established in 2022 through grant funding from the NSW Government. The program has proven successful and has continued to grow. A stocked nursery is now established, planting days along the Bogan River with the community have occurred with the vision to continue community involvement and work towards rehabilitating areas along the banks of the Bogan River at Nyngan.

3. Discussion

Nursery Operations

The BRBCG continues to effectively manage and maintain the now well-established native plant nursery, which currently handles approximately 1500 plants. Ongoing tasks include regular watering, weeding, fertilising, repotting as needed, and the maintenance and inspection of the nursery's irrigation system.



The plants grown and cared for at the nursery support not only Bushcare rehabilitation projects but are also supplied to various Council managed areas, including parks and gardens.

The nursery infrastructure includes:

- Two sheds for potting, seed handling, and other activities
- One storage shed
- Six plant benches
- Retractable shade cover
- A dedicated shadehouse
- Hardening-off area
- Fully operational irrigation system

In addition, native trees and shrubs have been planted around the nursery grounds to demonstrate vegetation types beneficial for native wildlife and to encourage biodiversity education.

Community Engagement

BRBCG is strengthening community connections through hands on events and educational activities. Since August, community days have been held on the second and fourth Thursday of each month at both the nursery and along the banks of the Bogan River at Nyngan.

Community days at the Bogan River

- Weeding Day: Focused on removing invasive species around the lower weir.
- Revegetation and Weed Control Day: Included planting of native species around the Bushcare outdoor classroom to restore the natural environment and attract local fauna. A weed control strategy is currently being developed in response to a noticeable increase in weed growth this year. Plantings included:
 - Eucalyptus: 5
 - Acacia: 5
 - Shrubs: 3
 - Groundcovers: 9

Community days at the Nursery

- Propagation Day: Involved dividing and potting various native grasses to expand stock.
- Weeding and Planting Day: Included weeding garden beds and planting native trees and shrubs from the Nyngan area in the nursery's Bush Garden. This space is intended to showcase local flora and educate the community about their ecological roles, including habitat and food sources for native fauna.

Community response has been positive. Since advertising regular events via social media and local flyers, public interest has increased. Once the current community day structure is fully established, BRBCG aims to introduce additional events on weekends and during school holidays.

The layout of the nursery and community hub, along with the acquisition of necessary tools and equipment, has enabled the group to offer a variety of activities during community days — from propagation and planting to weeding and native seed handling.

Outdoor Classroom

The outdoor classroom which is located on the eastern side of the lower weir continues to be a well-utilised and enjoyable space for the community. It serves as both an educational and recreational asset, as well as a central hub for on-ground Bushcare activities carried out along the River. Photos of the outdoor classroom can be seen below.



Education – Local Schools

BRBCG has initiated contact with local schools to align Bushcare activities with school curriculums and to enhance environmental education opportunities for students.

- St Joseph’s School has invited BRBCG to attend a staff meeting to discuss collaborative opportunities.
- Girilambone Public School has requested a visit from the group to explore future involvement.
- A Nyngan High School teacher has reached out to request Bushcare support for classes traditionally held by the river.

To support these educational efforts, BRBCG is developing a range of child-friendly educational tools and resources, including:

- Nature-based craft activity guides
- The ‘Bogan Bugs’ collection – a series of engaging information sheets designed to teach children about local insect species and their ecological importance.



Indian Myna Bird Control

BRBCG has also supported the rollout of the Indian myna bird trapping program. To date, 17 Indian mynas have been successfully trapped and removed. This ongoing program aims to reduce the impact of this invasive species on native birds and ecosystems.

Upcoming Activities

In the coming months, BRBCG will take advantage of warmer weather to:

- Begin propagation of native plants and seed germination using locally collected seeds
- Relocate growing plants within the nursery according to their specific light and moisture needs

- Transition seedlings from the shade house to the hardening-off area, ensuring proper acclimatisation before planting in the ground.

These processes aim to enhance plant survival rates and improve biodiversity outcomes in local Bushcare projects.

Regular community days are to continue on the second and fourth Thursday of each month:

- Nursery Community Days
These events will provide public access to the nursery, allowing hands on participation in propagation and seed handling activities.
- Bogan River Community Days
Focused on planting and weed control, these days will further community engagement, raise awareness of the group's efforts, and improve the natural environment along the river.

The long-term objective is to establish a stable and committed group of volunteers to support regular Bushcare activities.

Bog Garden Development

BRBCG is currently developing a 'Bog Garden' and wildlife pond at the nursery. Plants and small aquatic species have been ethically sourced from the Bogan River to populate this space. The garden is designed to demonstrate the importance of wetland habitats and further support native biodiversity.



Other

Recently, native plants grown at the Bushcare nursery were donated and gifted to new Australian citizens to help promote a sense of community and encourage care for the local environment.

The BRBCG has also worked alongside Council's gardening team on spring plantings and provided specialised advice to support planting efforts across various Council projects.

4. Attachments

Nil

5. Recommendation

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**

Correspondence from Roy Butler, copy of correspondence from Hon. Jenny Aitchison MP, Minister for Roads, Minister for Regional Transport, regarding sealed shoulders along the Mitchell Highway, south of Girilambone.

Attachments

1. Correspondence from Roy Butlers Office & Hon. Jenny Aitchison MP, Minister for Roads, Minister for Regional Transport

Recommendation

For Noting.

From: Miranda Fry <Miranda.Fry@parliament.nsw.gov.au>
Sent: Thursday, October 2, 2025 1:41 PM
To: Melissa Salter <melissa.salter@bogan.nsw.gov.au>
Subject: RE: Correspondence from Bogan Shire Council: Lack of Shoulder on Mitchell Highway, south of Girilambone

Hi Melissa,

Have just received a response on this one for Bogan Shire Council today which I've attached for you.

Please let me know any further actions I can take on Council's behalf if required.

Thanks
Miranda

Miranda Fry

Senior Electorate Officer- Cobar
Office of Roy Butler MP, Member for Barwon
A 11 Barton St Cobar NSW 2835
M 0457 616 923
P 02 6836 3722
E Miranda.Fry@parliament.nsw.gov.au
W www.roybutler.com.au

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The Hon Jenny Aitchison MP

Minister for Roads
Minister for Regional Transport



Your Ref: RB08148
Our Ref: C-00006418

Mr Roy Butler MP
Member for Barwon
Suite 1 Ground Floor 60 Maitland Street
Narrabri NSW 2390

Dear Roy,

Thank you for your correspondence on behalf of Bogan Shire Council about sealed shoulders along the Mitchell Highway south of Girilambone.

I am always grateful to hear about ways we can improve our road network and appreciate Mayor Glen Neill and Mr Derek Francis, Council's General Manager, taking the time to advocate on this issue. On receipt of your correspondence I sought advice from Transport for NSW.

I am advised Transport for NSW recently completed repairs to the damaged and narrow sealed shoulders which were the site of recent truck incidents. These works were carried out as a like-for-like repair under the pavement maintenance program, which is designed to maintain existing road infrastructure. Broader improvements such as road widening fall outside the scope of this program and require separate funding.

Transport for NSW actively assesses and prioritises locations across the State road network that may qualify for funding under various programs, including the NSW Government [Towards Zero](#) safety initiative.

Submissions for funding are developed in line with program guidelines, and Transport for NSW advises it is working collaboratively across asset management and road safety teams to identify potential sites for integrated improvement projects. If funding becomes available, Transport for NSW will consider minor improvement works to address specific safety and maintenance concerns, including shoulder width.

Meanwhile, Bogan Shire Council may be assured Transport for NSW will continue regular inspections and routine maintenance to ensure the road remains safe and functional for all users.

52 Martin Place Sydney NSW 2000
GPO Box 5341 Sydney NSW 2001

02 7225 6220
nsw.gov.au/ministeraitchison

1

- 2 -

C-00006418

Transport for NSW remains committed to delivering safe and reliable transport infrastructure that supports the movement of freight and people, and contributes to the economic development of regional communities.

Thank you for taking the time to write to me. I genuinely appreciate the effort Bogan Shire Council has made to raise this matter with the Government.

Yours sincerely,



The Hon Jenny Aitchison MP
Minister for Roads
Minister for Regional Transport

2/10/2025

52 Martin Place Sydney NSW 2000
GPO Box 5341 Sydney NSW 2001

02 7225 6220
nsw.gov.au/ministeraitchison

2

15.2 CORRESPONDENCE FROM MH & K CARTER

Correspondence received from MH & K Carter, regarding request for renaming of Days Road.

Attachments

1. Correspondence from MH & K Carter

Recommendation

For Council's consideration.

MH&K Carter

0429 331 023 | mhkcarter@gmail.com | "Birimba" | PO Box 132, NYNGAN NSW 2825

The General Manager
 Bogan Shire Council
 81 Cobar Street
 NYNGAN NSW 2825

Dear General Manager/Council Representative

I am writing to respectfully request that *Days Road* be renamed to *Kays Road*, Nyngan. This request is in recognition of our family's sixty-year connection to the property and the circumstances that led to the road's establishment.

The road now known as Days Road was not initially requested by its previous owner, Mr Jimmy Day. Mr Day did not instigate the proposal for the road; he cited his preference for privacy and a desire to limit access to the property, as the reasons for not requesting a road.

The request for the road was initiated by my late wife Kay Carter, who contacted the Bogan Shire Council to explore the necessary requirements for a formal access road. This followed a distressing incident in which one of our children was seriously injured and services were unable to access the property. In light of this, the situation was reassessed.

Kay highlighted the urgent need for a safe and reliable access, not only for the family, but also for the school bus service, neighbours', and emergency services. Her efforts led to an engineering assessment and the eventual construction of the road, which has since become an essential part of our daily lives.

While the road was approved and built in response to my wife's request, the road was named after the previous owner, despite his earlier decision not to pursue its construction.

We respectfully propose renaming the road to Kays Road, to better reflect my wife's contribution and connection to this road and the surrounding property, where our family continues to reside today.

We appreciate your consideration of this request and remain available should further information be required, to support this proposal.

Regards



Michael H Carter
 Date: 19-9-25

BOGAN SHIRE COUNCIL	
FILE	02 OCT 2025
R/N	
ASSIGNEE	

15.3 CORRESPONDENCE FROM MRS SKEWPECK

Correspondence received from Mrs Skewpeck, regarding the footpath at the corner of Derrybong and Cathundril Streets.

Director of Infrastructure Service Comment:

The area in question was a grassed table drain which held water. The drain was cleaned to facilitate flow, and will be trimmed with a grader in the near future.

This section of Derrybong Street is one of many streets in Nyngan that have earth/grass table drains.

Attachments

1. Correspondence from Mrs Skewpeck

Recommendation

For Noting.

30-9-25.

Attention:

General manager and Councillors

I am writing this letter in reference to work done by Shire to the side area of my house cnr of Derrybang + Cathundril Street

My fence line had a good well looked after grass area but it is now an unsightly mess.

After completing work the job looks unfinished as the area is unlevel and has holes creating trip hazards

I please ask Shire to return and bring back to original or managable state so I can look after it as I have previously done.

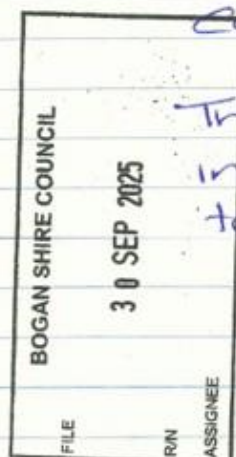
Please give this your urgent attention as heavy rain will only cause further damage.

Please attach letter for Councillor view thankyou.

Thankyou for your assistance in this matter look forward to your correspondence

L E Skewpeck

Lynne Skewpeck
79 Cathundril St
Nyngan
Ph 0438 321565



16 MEETING CLOSURE