

Income and Expenses Budget Review Statement										
Bogan Shire Council										
Budget review for the quarter ended 31/03/2026										
Water Fund										
Description	Previous Year	Current Year	Approved	Approved	Approved	Revised	Recommended	Projected	VARIANCE	ACTUAL
	Actual	Budget	Changes	Changes	Changes	Budget	changes	Year End	ORIGINAL	YTD
	2024/25	2025/26	Q 1	Q 2	Q 3		for council	(FYE)	Budget v FYE	
	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	resolution	Result	2025/26	2025/26
									\$000's	\$000's
<b>INCOME</b>										
Access Charges	929	983				983		983	0	981
User Charges	1,418	1,489				1,489		1,489	0	1,188
Fees						0		0	0	0
Grants & Contributions - Operating	71	9				9		9	0	-53
Interest and Investment Income	120	87				87		87	0	0
Other Income	5	13				13		13	0	54
Net gain from disposal of assets						0		0	0	0
<b>Total income from continuing operations</b>	<b>2,543</b>	<b>2,581</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,581</b>	<b>0</b>	<b>2,581</b>	<b>0</b>	<b>2,170</b>
<b>EXPENSES</b>										
Employee benefits and on-costs	412	370				370		370	0	281
Materials & Services	1,603	1,595				1,595		1,595	0	1,013
Borrowing Costs						0		0	0	0
Water purchase charges	200					0		0	0	0
Calculated tax/odon equivalents						0		0	0	0
Debt guarantee fee						0		0	0	0
Other Expenses		36				36		36	0	15
Net Loss from Disposal of Assets						0		0	0	0
<b>Total Expenses from continuing operations excluding depreciation, amortisation and impairment of non financial assets</b>	<b>2,215</b>	<b>2,001</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,001</b>	<b>0</b>	<b>2,001</b>	<b>0</b>	<b>1,309</b>
<b>Operating Result from continuing operations excluding depreciation, amortisation and impairment of non financial assets</b>	<b>328</b>	<b>580</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>580</b>	<b>0</b>	<b>580</b>	<b>0</b>	<b>861</b>
Depreciation, amortisation and impairment of non financial assets	888	630				630		630	0	472
<b>Surplus / (Deficit) from continuing operations before capital amounts</b>	<b>-560</b>	<b>-50</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-50</b>	<b>0</b>	<b>-50</b>	<b>0</b>	<b>389</b>
Grants and Contributions - Capital	1,836		855			855		855	855	
<b>Surplus / (Deficit) from continuing operations after capital amounts</b>	<b>1,276</b>	<b>-50</b>	<b>855</b>	<b>0</b>	<b>0</b>	<b>805</b>	<b>0</b>	<b>805</b>	<b>855</b>	<b>389</b>

**Notes**  
 Original Budget +/- approved budget changes in previous quarters - REVISED Budget  
 Revised Budget +/- recommended changes this quarter - PROJECTED year results

The quarterly recommended changes to the revised budget are to include:  
 1) an explanation for the recommended changes and any impact this will have on the Operational Plan, Delivery Program and Long Term Financial Plan  
 2) any impacts of year to date expenditure on recommended changes to budget

**Explanations are to be in plain English and in a style that is easily understood by readers of non-financial information.**  
**The narrative is important in understanding why budget changes are necessary.**

Income and Expenses Budget Review Statement										
Bogan Shire Council										
Budget review for the quarter ended 31/03/2026										
Sewer Fund										
Description	Previous Year	Current Year	Approved	Approved	Approved	Revised	Recommended	Projected	VARIANCE	ACTUAL
	Actual	Original	Changes	Changes	Changes	Budget	changes	Year End	ORIGINAL	YTD
	2024/25 \$000's	2025/26 \$000's	Review Q 1 \$000's	Review Q 2 \$000's	Review Q 3 \$000's	\$000's	for council resolution \$000's	Result 2025/26 \$000's	budget v PYE 2025/26 \$000's	2025/26 \$000's
<b>INCOME</b>										
Access charges	388	411				411		411	0	409
User charges	178	182				182		182	0	138
Liquid trade-waste charges						0		0	0	
Fees						0		0	0	
Grants and contributions - Operating	8	8				8		8	0	7
Interest and investment income	91	73				73		73	0	
Other income	5	2				2		2	0	
Net gain from disposal of assets						0		0	0	
<b>Total income from continuing operations</b>	<b>670</b>	<b>676</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>676</b>	<b>0</b>	<b>676</b>	<b>0</b>	<b>554</b>
<b>EXPENSES</b>										
Employee benefits and on-costs	123	121				121		121	0	87
Materials & Services	465	541				541		541	0	341
Borrowing Costs						0		0	0	
Calculated taxation equivalents						0		0	0	
Debt Guarantee fee						0		0	0	
Other Expenses	4					0		0	0	
Net Loss from Disposal of Assets						0		0	0	
<b>Total Expenses from continuing operations excluding depreciation, amortisation and impairment of non financial assets</b>	<b>592</b>	<b>662</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>662</b>	<b>0</b>	<b>662</b>	<b>0</b>	<b>428</b>
<b>Operating Result from continuing operations excluding depreciation, amortisation and impairment of non financial assets</b>	<b>78</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>14</b>	<b>0</b>	<b>14</b>	<b>0</b>	<b>126</b>
Depreciation, amortisation and impairment of non financial assets	283	250				250		250	0	188
<b>Surplus / (Deficit) from continuing operations before capital amounts</b>	<b>-205</b>	<b>-236</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-236</b>	<b>0</b>	<b>-236</b>	<b>0</b>	<b>-62</b>
Grants and Contributions - Capital						0		0	0	
<b>Surplus / (Deficit) from continuing operations after capital amounts</b>	<b>-205</b>	<b>-236</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-236</b>	<b>0</b>	<b>-236</b>	<b>0</b>	<b>-62</b>

**Notes**  
 Original Budget +/- approved budget changes in previous quarters = REVISED Budget  
 Revised Budget +/- recommended changes this quarter = PROJECTED year results

The quarterly recommended changes to the revised budget are to include:  
 1) an explanation for the recommended changes and any impact this will have on the Operational Plan, Delivery Program and Long Term Financial Plan  
 2) any impacts of year to date expenditure on recommended changes to budget

**Explanations are to be in plain English and in a style that is easily understood by readers of non-financial information.**  
 The narrative is important in understanding why budget changes are necessary.

Capital Budget Review Statement										
Bogan Shire Council										
Budget review for the quarter ended 31/03/2026										
Description	Previous Year	Current Year	Approved	Approved	Approved	Revised	Recommended	Projected	VARIANCE	ACTUAL
	Actual	Budget	Changes	Changes	Changes	Budget	changes	Year End	ORIGINAL	YTD
	2024/25 \$000's	2025/26 \$000's	Review Q 1 \$000's	Review Q 2 \$000's	Review Q 3 \$000's	\$000's	for council resolution \$000's	2025/26 Result \$000's	budget v PYE 2025/26 \$000's	2025/26 \$000's
<b>CAPITAL FUNDING</b>										
Rates & other untied funding						0		0	0	
Capital Grants & Contributions	6,984	1,607	855			2,462		2,462	855	6,366
Reserves - External Restrictions	12,943					0		0	0	
Reserves - Internally Allocated	10,913					0		0	0	
New Loans		1,000				1,000		1,000	0	0
Proceeds from sale of assets	651	732				732		732	0	168
Other						0		0	0	
<b>Total Capital Funding</b>	<b>31,491</b>	<b>3,339</b>	<b>855</b>	<b>0</b>	<b>0</b>	<b>4,194</b>	<b>0</b>	<b>4,194</b>	<b>855</b>	<b>6,534</b>
<b>CAPITAL EXPENDITURE</b>										
WIP	2,207					0		0	0	
New Assets	5,144	6,045	919	38		7,002		7,002	957	9,941
Asset Renewal	5,098					0		0	0	
Other		170				170		170	0	317
<b>Total Capital Expenditure</b>	<b>12,449</b>	<b>6,215</b>	<b>919</b>	<b>38</b>	<b>0</b>	<b>7,172</b>	<b>0</b>	<b>7,172</b>	<b>957</b>	<b>10,258</b>
<b>Net Capital Funding - Surplus /(Deficit)</b>	<b>19,042</b>	<b>-2,876</b>	<b>-64</b>	<b>-38</b>	<b>0</b>	<b>-2,978</b>	<b>0</b>	<b>-2,978</b>	<b>-102</b>	<b>-3,724</b>

**Notes**

Original Budget +/- approved budget changes in previous quarters = REVISED Budget  
 Revised Budget +/- recommended changes this quarter = PROJECTED year results

Where the **Total Capital Funding** and the **Total Capital Expenditure** values do not match an explanation is to be provided.  
 Carry over funding from previous year should be identified and any proposed carry forwards into next financial year are to be explained.

The quarterly recommended changes to the revised budget are to include:

- 1) an explanation for the recommended changes and any impact this will have on the Operational Plan, Delivery Program and Long Term Financial Plan
- 2) any impacts of year to date expenditure on recommended changes to budget

**Explanations are to be in plain English and in a style that is easily understood by readers of non-financial information.**  
**The narrative is important in understanding why budget changes are necessary.**

Cash and Investments Budget Review Statement										
Bogan Shire Council										
Budget review for the quarter ended 31/03/2026										
Description	Previous Year	Current Year	Approved	Approved	Approved	Revised	Recommended	Projected	VARIANCE	ACTUAL
	Actual	Budget	Review	Review	Review	Budget	for council	Year End	ORIGINAL	YTD
	2024/25 \$000's	2025/26 \$000's	Q 1 \$000's	Q 2 \$000's	Q 3 \$000's	\$000's	resolution \$000's	(PYE) 2025/26 \$000's	budget v FYE 2025/26 \$000's	2025/26 \$000's
<b>Total Cash, Cash Equivalents &amp; Investments</b>						0		0	0	
<b>EXTERNALLY RESTRICTED</b>										
Water Fund	4,735	5,020		-38		4,982		4,982	-38	320
Sewer Fund	2,093	2,054	-13			2,041		2,041	-13	-120
Developer contributions - General	26	26	7			33		33	7	
Developer contributions - Water						0		0	0	
Developer contributions - Sewer						0		0	0	
Transport for NSW Contributions						0		0	0	
Domestic waste management	166	200				200		200	0	111
Stormwater management						0		0	0	
Other	5,923	5,923				5,923		5,923	0	
<b>Total Externally Restricted</b>	<b>12,943</b>	<b>13,223</b>	<b>-6</b>	<b>-38</b>	<b>0</b>	<b>13,179</b>	<b>0</b>	<b>13,179</b>	<b>-44</b>	<b>311</b>
<b>Cash, cash equivalents &amp; investments not subject to external restrictions</b>	<b>-12,943</b>	<b>-13,223</b>	<b>6</b>	<b>38</b>	<b>0</b>	<b>-13,179</b>	<b>0</b>	<b>-13,179</b>	<b>44</b>	<b>-311</b>
<b>INTERNAL ALLOCATIONS</b>										
Employee entitlements	539	571				571		571	0	
FAG In Advance	3,214	3,214				3,214		3,214	0	-1,459
Plant	3,211	3,075				3,075		3,075	0	-299
Other Internal Restrictions	3,949	3,949				3,949		3,949	0	-2,086
Insert nature of allocation						0		0	0	
Insert nature of allocation						0		0	0	
Other						0		0	0	
<b>Total Internally Allocated</b>	<b>10,913</b>	<b>10,809</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10,809</b>	<b>0</b>	<b>10,809</b>	<b>0</b>	<b>-3,844</b>
<b>Unallocated</b>	<b>-23,856</b>	<b>-24,032</b>	<b>6</b>	<b>38</b>	<b>0</b>	<b>-23,988</b>	<b>0</b>	<b>-23,988</b>	<b>44</b>	<b>3,533</b>

their use.  
discretion of council.

Developer Contributions Summary																						
Bogan Shire Council																						
Budget review for the quarter ended 31/03/2026																						
Purpose	Opening Balance As at 1 July 2025 \$000's	Developer Contributions Received									Interest Earned			Monetary Amounts Expended			Internal Borrowings (to)/from			Held as Restricted Asset As at this Q \$000's	Cumulative balance of internal borrowings (to)/from As at this Q \$000's	
		Cash			Non-Cash Land			Non-Cash Other			Q1	Q2	Q3	Q1	Q2	Q3	Q1	Q2	Q3			
		Q1 \$000's	Q2 \$000's	Q3 \$000's	Q1 \$000's	Q2 \$000's	Q3 \$000's	Q1 \$000's	Q2 \$000's	Q3 \$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's			\$000's
Drainage																					0	
Roads																					0	
Traffic facilities																					0	
Parking																					0	
Open space																					0	
Community facilities																					0	
Other																					0	
<b>Total \$7.11 Under plans</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
\$7.13 Not under plans																					0	
\$7.12 Device	24	7																			33	
\$7.1 Planning agreements																					0	
\$64 Contributions																					0	
Other																					0	
<b>Total Developer Contributions</b>	<b>26</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>33</b>	

**Notes**  
 All developer contributions received are to be disclosed, and distinguished as cash or non cash. Recognition occurs when council gains control over the asset (cash or non cash). Councils have obligations to provide facilities from contribution revenue levied on developers under the provisions of s7.4,s7.11 and s7.12 of the Environmental Planning and Assessment Act 1979. Developer contributions may only be expended for the purpose for which the contributions were required, however council may apply contributions according to the priorities established in work schedules for the contribution plan. "Monetary Amounts Expended" should only include monetary expenditure. Enter positive value when expended. The amounts recorded under "Non-cash Land" and "Non-cash Other" are not included in "Monetary Amounts Expended", as these represent

**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 9<sup>TH</sup> April to 8<sup>th</sup> May consisted of the following:

No.	Name	Comments
	Local Roads	
56	Dicksons Road	Resheeting
58	Cooneys Road	Maintenance Grade
20	Murrawombie Road	Maintenance Grade
63	Westlyn Road	Maintenance Grade
22	Moonagee Road	Maintenance Grade
82	Pepper Lane	Maintenance Grade
25	Merryanbone Road	Maintenance Grade
78	Okeh Road	Maintenance Grade
15	Kallara Road	Maintenance Grade
24	Canonba Road	Weeds Spraying
5	Peisley Road	Weeds Spraying
1	Mulla Road	Weeds Spraying
	Various Sealed Rural Roads	Slashing

	State Highways	
HW7	Mitchell Highway	Weed Spraying Reseals Slashing
HW8	Barrier Highway	Heavy Patching Reseals Slashing
MR70	Arthur Hall VC Way	Reseals Shoulder grading

Council has completed pothole repairs on the following roads:

• Canonba Road	• Buckinguy Road
• Hermidale Nymagee Road	• Pangee Road
• Moonagee Road	• Tottenham Road
• Town Streets	

The Upcoming / Ongoing Road Works Program includes, but is not limited to, the following works:

Highways:

Heavy Patching – Mitchell Highway (HW7) and Arthur Hall VC Way Highway (SH70).

Regional, Rural, Local Road & Town & Village Streets:

- Laroo Road – Maintenance Grading.
- Whiterock Road – Maintenance Grading.
- Kallara Road – Patch Grading throughout causeways/ rough areas.
- Pangee Road – Maintenance Grading/ Patch Grading truck rutting.
- Gilgai Road – Maintenance Grading.

**Works and Services**

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

Civil Works

- Replaced covers on storm water pits corner of Nymagee & Moonagee Streets.
- Painted and marked court for pickle ball.
- Carried out gutter & driveway repairs Derrybong Street.
- Repaired Damage to outer running rail racecourse & Rodney Robb Arena.

- Installed furlong markers racecourse.
- Re-oiled seating racecourse grandstand.
- Installed emergency generator in ELC.
- Repaired damage to grate (Nymagee & Moonagee Streets) and re-aligned pathway.
- Installed two slabs for garbage bin installation Moonagee Street Park.

#### Community Facilities

- Mowing/slashing and maintenance of ovals, reserves and highway approaches to Nyngan.
- Cleaning of town facilities.
- Cleaning and sweeping of the Nyngan CBD.
- Carried out works in preparation for Anzac Day.
- Cleaning of town streets gutters and culverts.
- Started Spraying parks and ovals for clover control.

#### Water & Wastewater

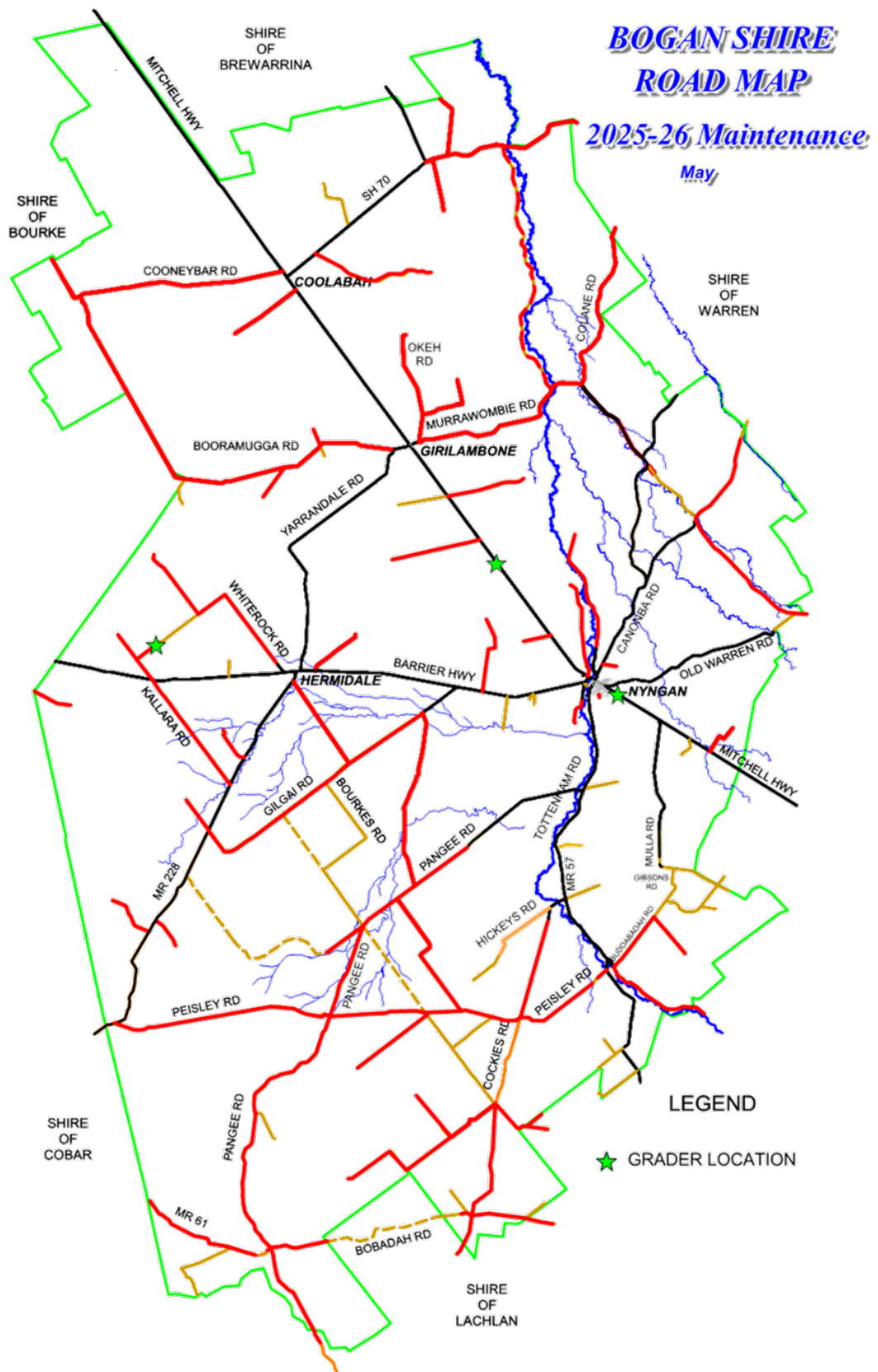
- Albert Priest Channel run commenced 4<sup>th</sup> of May and ordered until the 25 June. This run will see all available allocations exhausted for the 25/26 water year. At this stage it is anticipated that off river water storages and upper weir will be at full capacity to start new water year.
- Replaced section of clear water rising main at filtration plant.
- Replaced water meter Wilga Tank
- Village water supply levels as follows:
  - Coolabah 15%
  - Girilambone 15%
  - Wilga 8% (pumping from Wilga to Coolabah)
- Carried out maintenance on septic tanks & pumps in preparation for Anzac Races

#### **4. Attachments**

1. Maintenance Map May 2026

#### **5. Recommendation**

That the Infrastructure Departmental report be received and noted.



**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**

Six new Development Applications were received during the reporting period. The table below outlines Development Applications that are currently under assessment:

DA NUMBER	APPLICANT	LOT - DP	ADDRESS	DESCRIPTION	VALUE (\$)	PROGRESS
2021/022	Mr T Lawson	Lot 3 Section 7 DP 758515	25 Quanda Street Hermidale	New Private Shed	\$25,000	Under Assessment
2024/014	Mr S Issa	Lot 8 Section 26 DP 758441	15 Pine Street, Girilambone	Hotel/Motel accommodation	\$1,607,026	Withdrawn
2025/023	Mr A Witherby	Lot 14 DP 755305	232 Mitchell Highway, Nyngan	Solar Farm	\$6,000,000	Additional Information Required
2025/024	Nyngan Riverside Tourist Park	Lot 1 DP 1320203	145 Barrier Highway, Nyngan	Alterations, Additions and Use of Existing Structures – Caravan Park	\$900,000	Additional Information Required
		Lot 47 DP 824106 - Lot 2 DP 1315800	30 Mitchell Highway. Nyngan			
		Lot 1 Section 1 DP 1121	65 Barrier Highway, Nyngan			
2025/025	Mr K White	Lot 86 DP 755305	343 Old Warren Road, Nyngan	Alterations and additions to dwelling	\$297,000	Under Assessment
2026/004	Mr C Toner	Lot B DP396446	13 Minore Street, Nyngan	New Multi Dwelling Housing	\$ 1,976, 041	Approved
2026/010	SJ Pools	Lot 2 DP 1034196	7 Oatley Street, Nyngan	New Inground Swimming Pool	\$99,832	Approved
2026/012	Mr V Williamson	Lot 5 DP 1281825	36 Dandaloo Street, Nyngan	Dual Occupancy - Detached	\$983,635.04	Report to Council Refers

2026/013	Ms L Wannan	Lot 15 DP 103230	8 Cobar Street, Nyngan	Alterations and additions to dwelling	\$79,000	Approved
2026/014	Mr T Richards	Lot 821 DP 788234	143 Pangee Street, Nyngan	Change of Use from Rural Supplies Store to Gymnasium	\$2,250.00	Approved
2026/016	Mrs R Matheson	Lot 4 DP 1281825	38 Dandaloo Street, Nyngan	New Inground Swimming Pool	\$25,000	Additional Information Required

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	0	0	0	\$56,000.00
September 2025	2	1	0	1	0	0	2	\$751,600.00
October 2025	3	0	0	1	0	0	2*	\$3,020,674.00
November 2025	4	0	1	2	0	0	1**	\$1,046,035.00
December 2025	1	0	0	0	0	0	1***	\$900,000.00
January 2026	3	0	0	1	0	0	2****	\$6,319,500.00
February 2026	4	0	1	3	0	0	0	\$1,390,000.00
March 2026	7	0	0	3	3	1	0	\$358,388.00
April 2026	6	0	0	1	1	0	4#	\$3,090,926.04
May 2026								
June 2026								
<b>Total 2025/26</b>	<b>32</b>	<b>1</b>	<b>2</b>	<b>14</b>	<b>4</b>	<b>1</b>	<b>12</b>	<b>\$16,933,123.04</b>
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

\* Hotel/Motel accomodation + New Multi Dwelling

\*\* Alterations to building

\*\*\* Alterations, Additions and Use of Existing Structures – Caravan Park

\*\*\*\*Alterations & additions to dwelling & Solar Farm

# New Multi Dwelling, Change of Use, Alterations & additions to dwelling & New Dual Occupancy

## 14.2 DETERMINATION OF DEVELOPMENT APPLICATION 2026/012

### 1. Introduction

The purpose of this report is to seek Council's decision on a Development Application lodged with Council for a proposed detached dual occupancy located at Lot 5 DP 1281825 No 36 Dandaloo Street, Nyngan.

### 2. Background

A Development Application (DA) was lodged with Council via the NSW Planning Portal proposing to construct a new single storey dwelling, with an existing single storey dwelling already located on the property. This would categorise the development as a detached dual occupancy.

Council's Delegations of Authority to the General Manager allows for the following:-

*"To approve plans of subdivision and other development applications that comply with sound planning practice, appropriate standards, legislation and Council policy. Applications expected to have significant unresolved social, economic or environmental impacts, designated developments and all assessments that result in a recommendation for refusal are to be reported to Council for determination".*

As two objections were received during the neighbour notification process, the application is referred to Council for determination.

### 3. Discussion

The proposed Development Application consists of an existing single-story dwelling located on the southern side of the property, and a new single-story dwelling to be constructed on the northern side of the property resulting in the applicant seeking approval for a detached dual occupancy. The architectural plans for the proposed development are provided in Attachment 1.

In accordance with Section 1.8 of Council's Development Control Plan, the application and supporting documents were circulated to neighbouring property owners for comment, resulting in two written objections. During the notification period, the objecting property owners raised the following concerns provided in Attachments 2 and 3.

The applicant was then provided with the objection details and provided the following responses to address the objections:

*In relation to the subject site and proposed development, housing density is controlled by the local environmental plan and development control plan in relation to land use and zoning controls. In this case, the proposed development is classified as dual occupancy (detached) and the subject site is zoned as R1 General Residential pursuant to the Bogan Local Environmental Plan 2011 (LEP). Dual occupancy (detached) housing is permitted with consent in the R1 zone.*

*With consideration of the Bogan Development Control Plan 2012 (DCP), we refer back to the justification provided in the Statement of Environmental Effects (SoEE), prepared by [REDACTED] on 16 March 2026. In particular, reference to density controls as follows –*

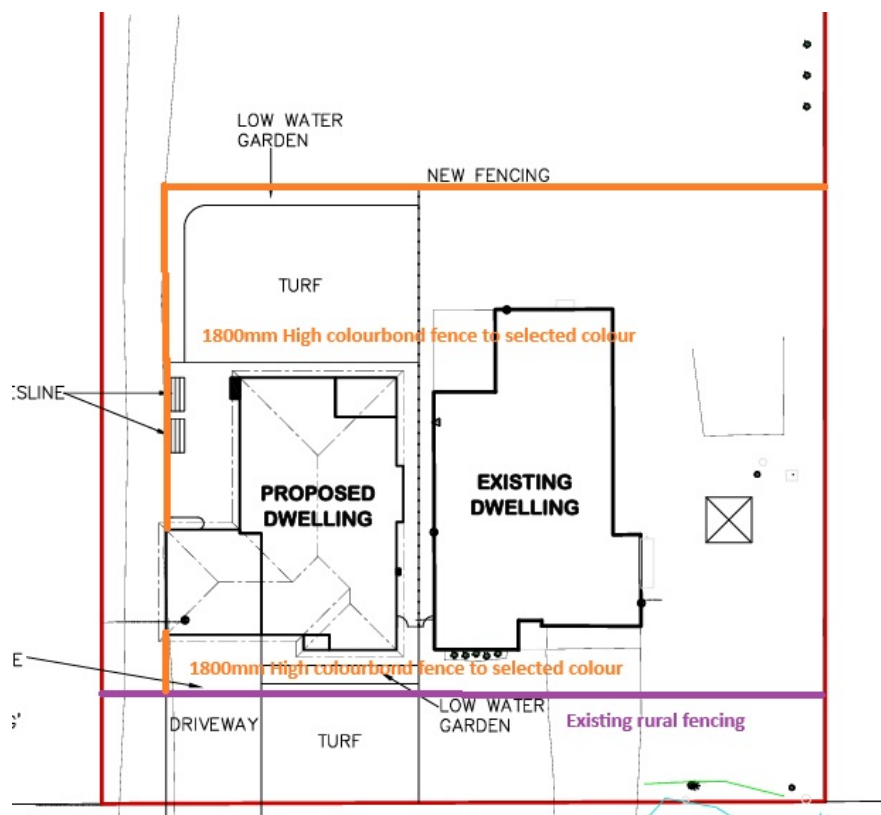
“The prescribed site density is 300m<sup>2</sup> per dwelling in accordance with the DCP. The overall site area is approximately 4,427m<sup>2</sup> allowing adequate area for the dual occupancy to achieve minimum site densities.”

The proposed single storey dual occupancy development is considered to be consistent with the existing character of the street and complies with the relevant local planning legislation and development controls. We trust that the additional information provided addresses Council’s concerns.

Following this, Council staff completed an assessment of the application with the following comments made in response to the objection:

1. As noted by the applicant, the proposed development meets the numerical standards for density noted in Council’s Development Control Plan.
2. As noted on the below marked up plan provided by the applicant, fencing is partially provided on the property. The fencing is to be constructed with 1.8m high colourbond fencing.

Boundary fencing is considered to be a civil matter between property owners as Council has no jurisdiction under the *Dividing Fences Act 1991*.



#### 4. Attachments

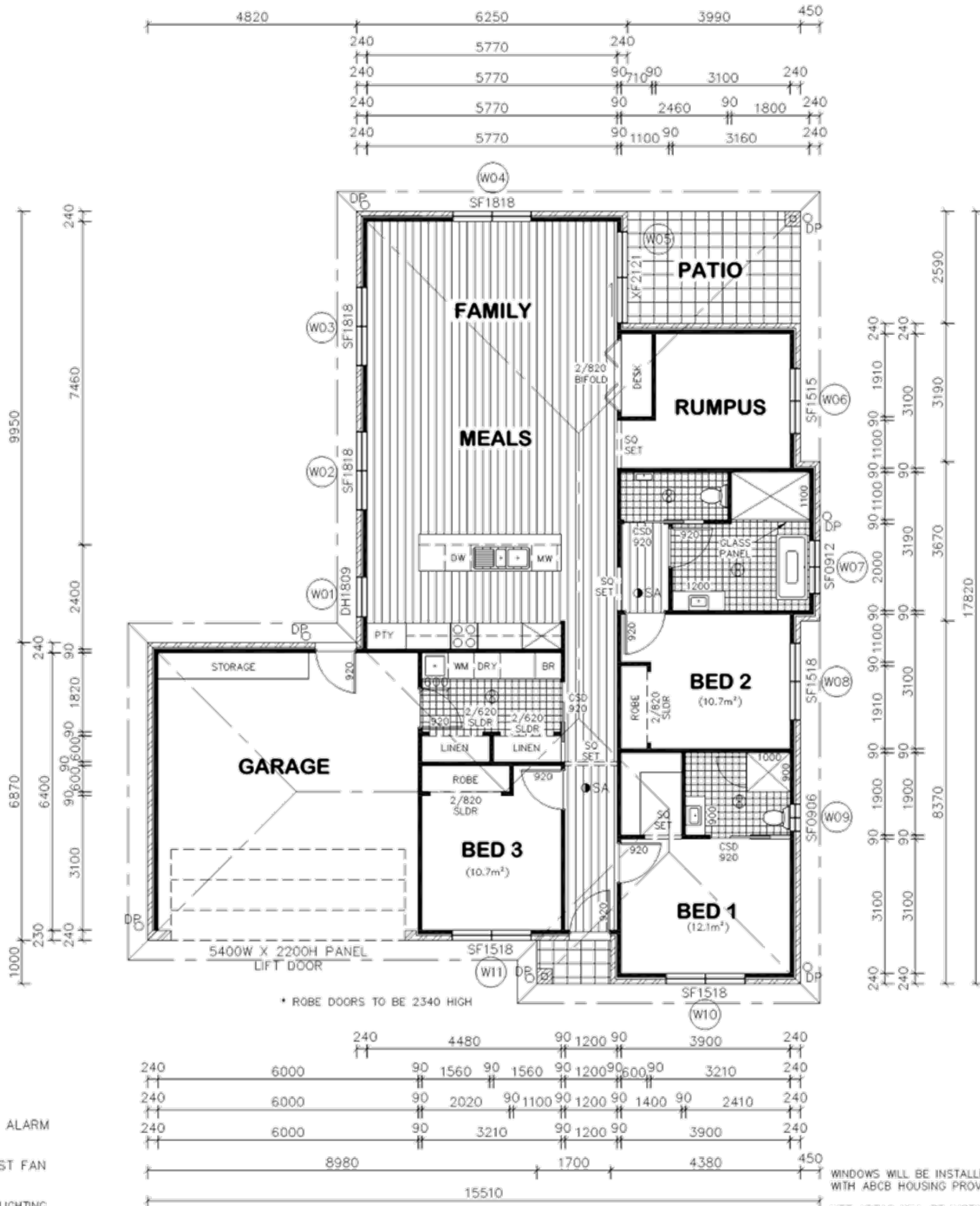
1. Architectural Plans
2. Objection 1
3. Objection 2
4. Draft - Notice of Determination

**5. Recommendation**

That Council approve Development Application 2026/012 for the construction of a detached dual occupancy on Lot 5 DP1281825 No 36 Dandaloo Street, Nyngan, subject to the conditions in the Draft Notice of Determination.



<b>LIVING</b>	<b>158.52</b>
<b>GARAGE</b>	<b>42.53</b>
<b>REAR PATIO</b>	<b>10.33</b>
<b>PATIO</b>	<b>1.70</b>
<b>TOTAL</b>	<b>213.08 sq.m (22.94 sq.)</b>



- SA SMOKE ALARM
- ⊗ EXHAUST FAN

\* NOTE: EXTERNAL LIGHTING  
ALL EXTERNAL LIGHT FITTINGS ARE TO BE SHIELDED, I.E. DOES NOT PERMIT LIGHT TO SHINE ABOVE THE HORIZONTAL PLANE.  
\* ALL DIMENSIONS ARE TO BE CONFIRMED BY THE BUILDER PRIOR TO CONSTRUCTION. DO NOT SCALE FROM DRAWINGS. BUILDING SET OUT & SITE BOUNDARY DETAILS TO BE CONFIRMED BY A REGISTERED SURVEYOR. ALL WORK TO BE CARRIED OUT TO RELEVANT STANDARDS AND BUILDING CODES.

**Certificate No. 0012797650**

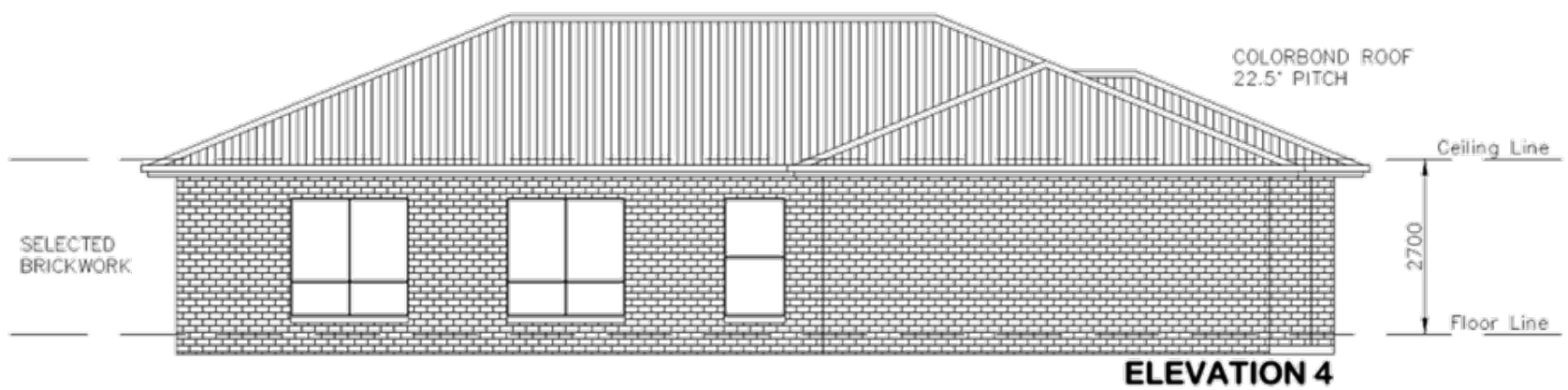
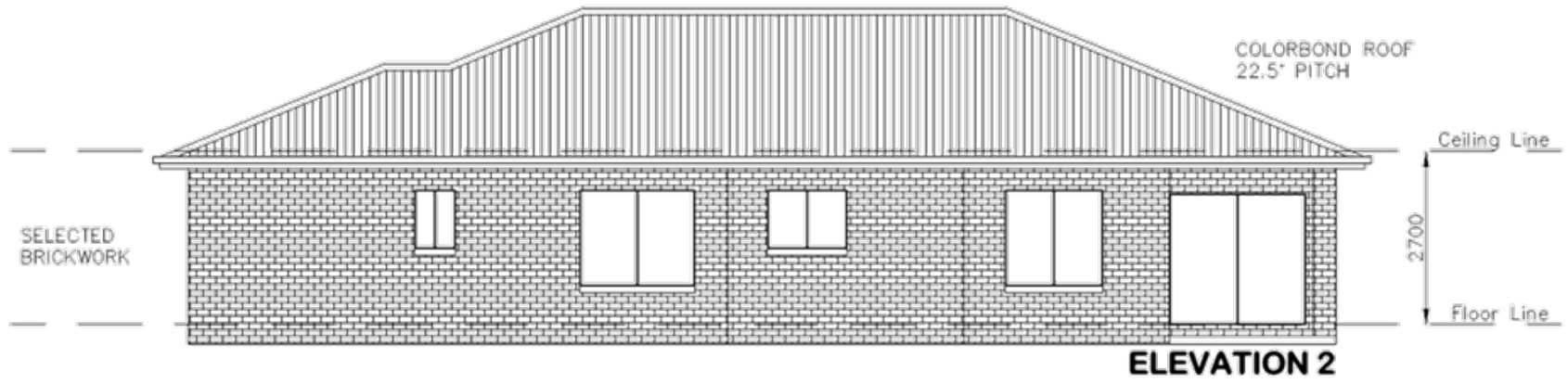
Assessor name: Daniel Lowe  
Accreditation No. HERA10030  
Property Address: 36 Dandaloo Street, NYNGAN NSW 2825

Version: 2025.0



WINDOWS WILL BE INSTALLED IN ACCORDANCE WITH ABCB HOUSING PROVISIONS PART 8.2.  
WET AREAS WILL BE INSTALLED IN ACCORDANCE WITH ABCB HOUSING PROVISIONS PART 10.2.  
CONDENSATION MANAGEMENT WILL BE INSTALLED IN ACCORDANCE WITH ABCB HOUSING PROVISIONS PART 10.8.  
STAIRS AND STAIR TREADS WILL BE INSTALLED IN ACCORDANCE WITH ABCB HOUSING PROVISIONS PART 11.2.  
EXHAUST SYSTEMS THROUGHOUT DWELLING WILL BE INSTALLED IN ACCORDANCE WITH ABCB HOUSING PROVISIONS PART 10.8.

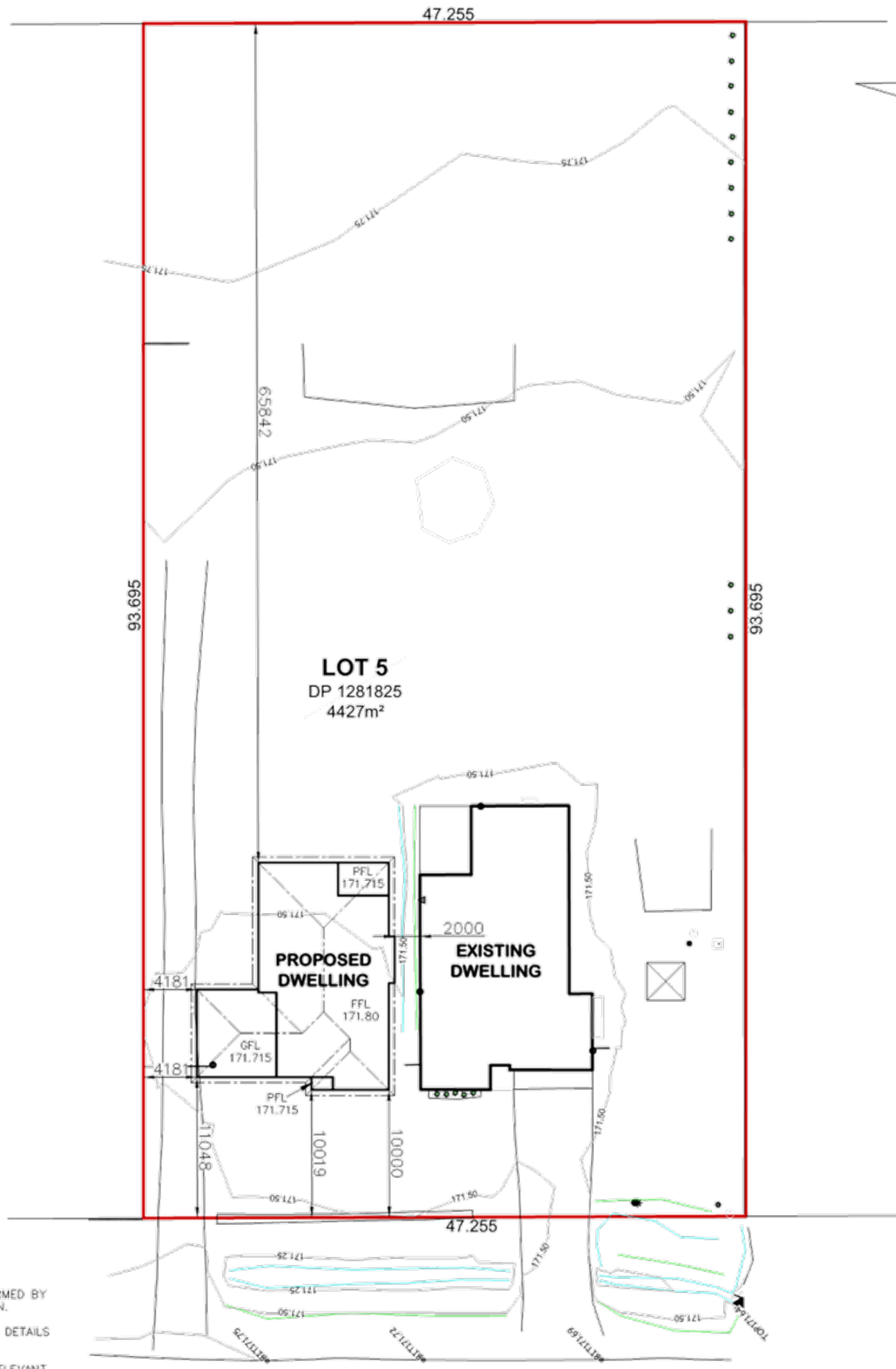
<b>DATE:</b> 12.02.26	<b>SCALE:</b> 1:100 (A3)	<b>DRAWN:</b> WP	<b>DRAWING:</b> FLOOR PLAN 36 DANDALOO STREET, NYNGAN
<b>SHEET:</b> 1 / 6	<b>JOB No:</b> 26002	<b>ISSUE:</b> E	



\* ALL DIMENSIONS ARE TO BE CONFIRMED BY THE BUILDER PRIOR TO CONSTRUCTION. DO NOT SCALE FROM DRAWINGS. BUILDING SET OUT & SITE BOUNDARY DETAILS TO BE CONFIRMED BY A REGISTERED SURVEYOR. ALL WORK TO BE CARRIED OUT TO RELEVANT STANDARDS AND BUILDING CODES.



<b>DATE:</b> 12.02.26	<b>SCALE:</b> 1:100 (A3)	<b>DRAWN:</b> WP	<b>DRAWING:</b> ELEVATIONS 36 DANDALOO STREET, NYNGAN
<b>SHEET:</b> 2 / 6	<b>JOB No:</b> 26002	<b>ISSUE:</b> E	



\* ALL DIMENSIONS ARE TO BE CONFIRMED BY THE BUILDER PRIOR TO CONSTRUCTION. DO NOT SCALE FROM DRAWINGS. BUILDING SET OUT & SITE BOUNDARY DETAILS TO BE CONFIRMED BY A REGISTERED SURVEYOR. ALL WORK TO BE CARRIED OUT TO RELEVANT STANDARDS AND BUILDING CODES.

\* ALL SURFACE LEVELS AND FEATURE LOCATIONS ARE TO BE CONFIRMED PRIOR TO CONSTRUCTION

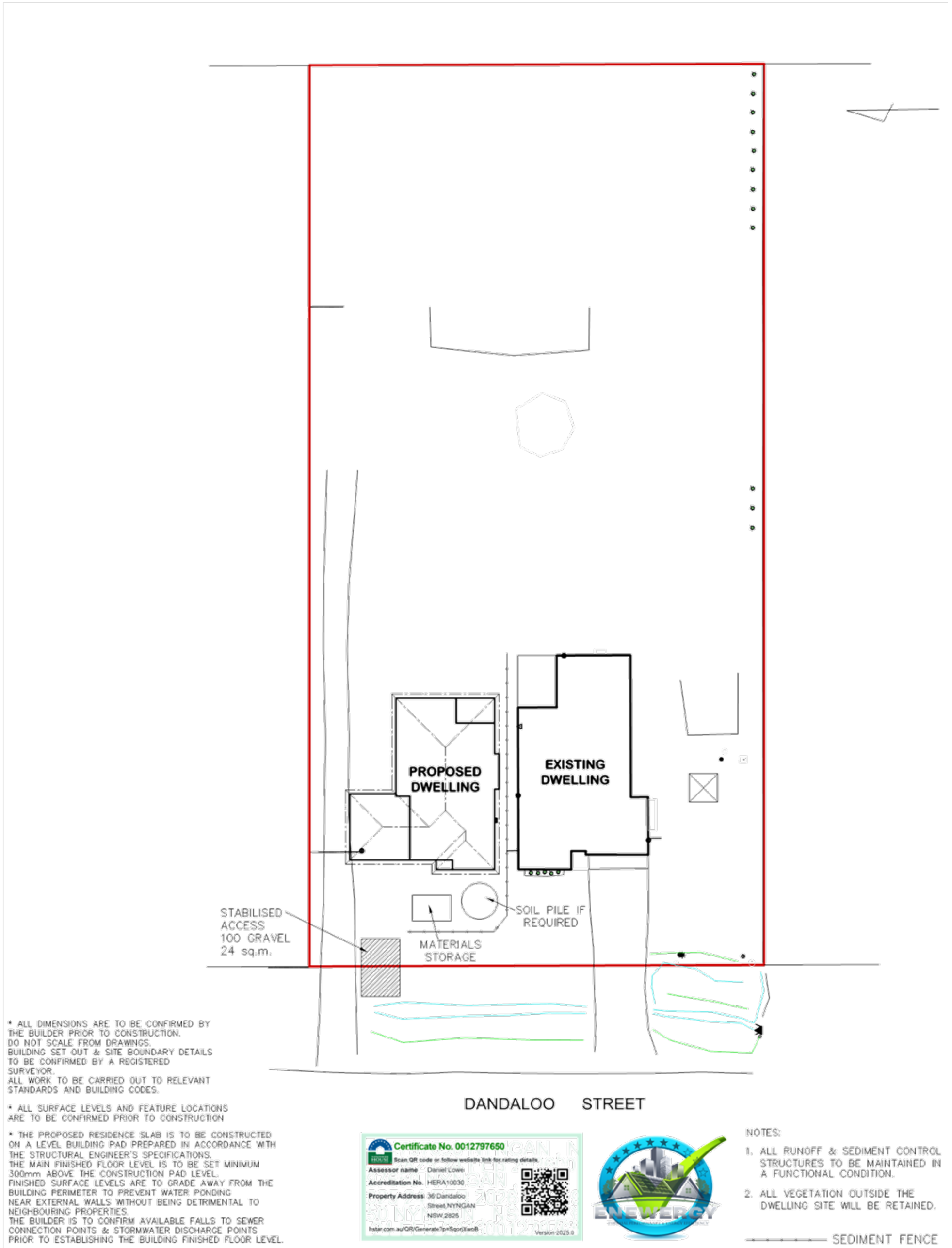
\* THE PROPOSED RESIDENCE SLAB IS TO BE CONSTRUCTED ON A LEVEL BUILDING PAD PREPARED IN ACCORDANCE WITH THE STRUCTURAL ENGINEER'S SPECIFICATIONS. THE MAIN FINISHED FLOOR LEVEL IS TO BE SET MINIMUM 300mm ABOVE THE CONSTRUCTION PAD LEVEL. FINISHED SURFACE LEVELS ARE TO GRADE AWAY FROM THE BUILDING PERIMETER TO PREVENT WATER PONDING NEAR EXTERNAL WALLS WITHOUT BEING DETRIMENTAL TO NEIGHBOURING PROPERTIES. THE BUILDER IS TO CONFIRM AVAILABLE FALLS TO SEWER CONNECTION POINTS & STORMWATER DISCHARGE POINTS PRIOR TO ESTABLISHING THE BUILDING FINISHED FLOOR LEVEL.

DANDALOO STREET

**Certificate No. 0012797650**  
 Scan QR code or follow website link for rating details.  
 Assessor name: Daniel Lowe  
 Accreditation No.: HERA10030  
 Property Address: 36 Dandaloo Street, NYNGAN NSW, 2825  
 hstar.com.au/QR/Generate?pr=SqurKwoB  
 Version 2025.0



<b>DATE:</b> 12.02.26	<b>SCALE:</b> 1:350 (A3)	<b>DRAWN:</b> WP	<b>DRAWING:</b> SITE PLAN 36 DANDALOO STREET, NYNGAN
<b>SHEET:</b> 3 / 6	<b>JOB No:</b> 26002	<b>ISSUE:</b> E	

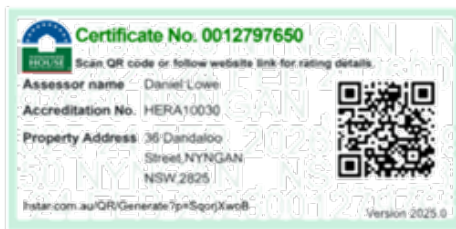


\* ALL DIMENSIONS ARE TO BE CONFIRMED BY THE BUILDER PRIOR TO CONSTRUCTION. DO NOT SCALE FROM DRAWINGS. BUILDING SET OUT & SITE BOUNDARY DETAILS TO BE CONFIRMED BY A REGISTERED SURVEYOR. ALL WORK TO BE CARRIED OUT TO RELEVANT STANDARDS AND BUILDING CODES.

\* ALL SURFACE LEVELS AND FEATURE LOCATIONS ARE TO BE CONFIRMED PRIOR TO CONSTRUCTION

\* THE PROPOSED RESIDENCE SLAB IS TO BE CONSTRUCTED ON A LEVEL BUILDING PAD PREPARED IN ACCORDANCE WITH THE STRUCTURAL ENGINEER'S SPECIFICATIONS. THE MAIN FINISHED FLOOR LEVEL IS TO BE SET MINIMUM 300mm ABOVE THE CONSTRUCTION PAD LEVEL. FINISHED SURFACE LEVELS ARE TO GRADE AWAY FROM THE BUILDING PERIMETER TO PREVENT WATER PONDING NEAR EXTERNAL WALLS WITHOUT BEING DETRIMENTAL TO NEIGHBOURING PROPERTIES. THE BUILDER IS TO CONFIRM AVAILABLE FALLS TO SEWER CONNECTION POINTS & STORMWATER DISCHARGE POINTS PRIOR TO ESTABLISHING THE BUILDING FINISHED FLOOR LEVEL.

DANDALOO STREET



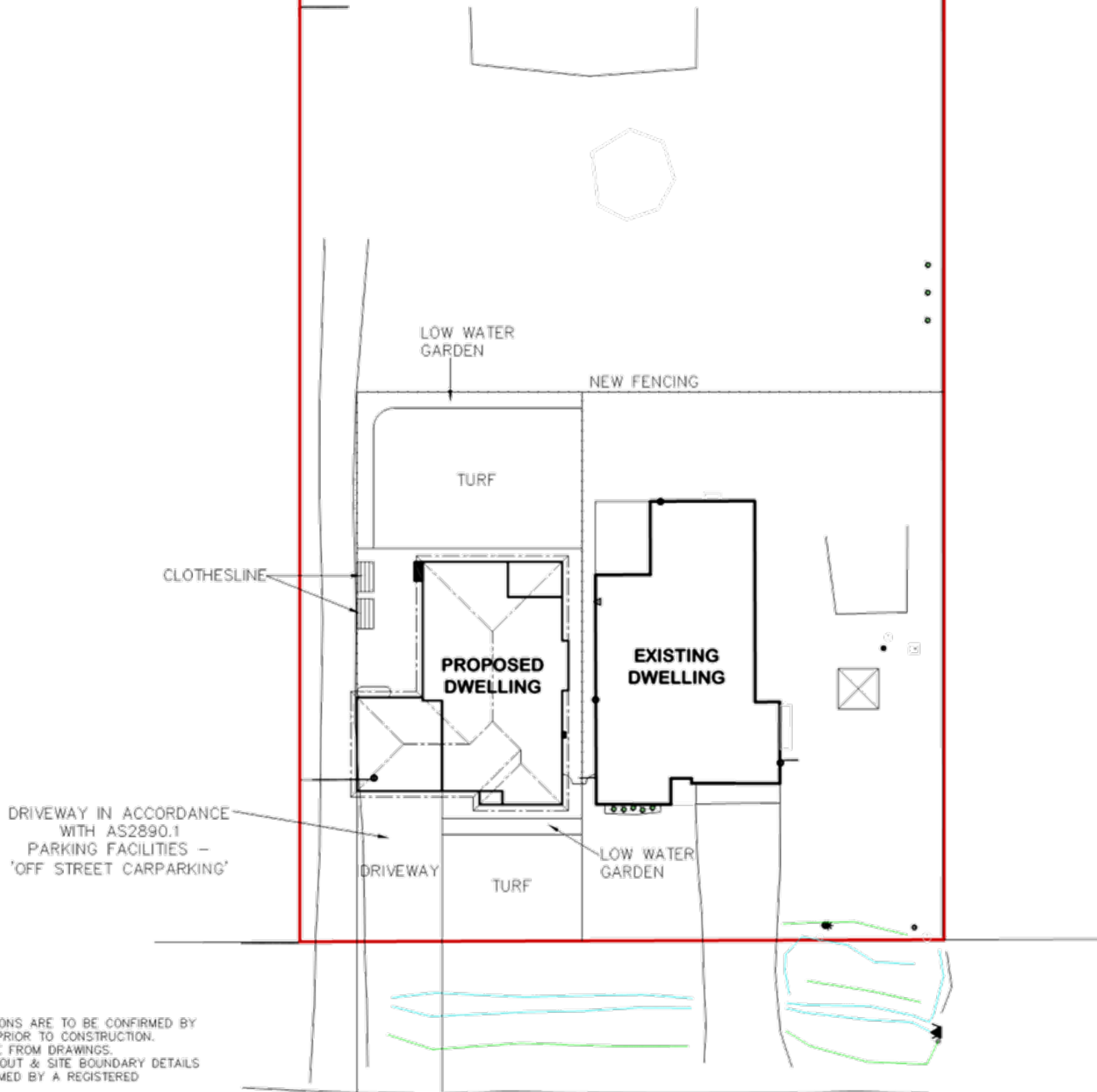
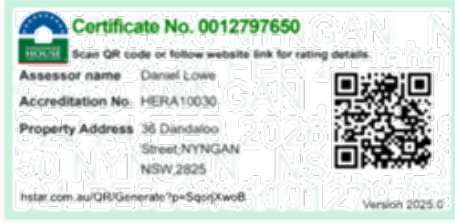
NOTES:

1. ALL RUNOFF & SEDIMENT CONTROL STRUCTURES TO BE MAINTAINED IN A FUNCTIONAL CONDITION.
2. ALL VEGETATION OUTSIDE THE DWELLING SITE WILL BE RETAINED.

----- SEDIMENT FENCE

<b>DATE:</b> 12.02.26	<b>SCALE:</b> 1:350 (A3)	<b>DRAWN:</b> WP
<b>SHEET:</b> 4 / 6	<b>JOB No:</b> 26002	<b>ISSUE:</b> E

**DRAWING:**  
**EROSION & SEDIMENT CONTROL PLAN**  
**36 DANDALOO STREET, NYNGAN**



\* ALL DIMENSIONS ARE TO BE CONFIRMED BY THE BUILDER PRIOR TO CONSTRUCTION. DO NOT SCALE FROM DRAWINGS. BUILDING SET OUT & SITE BOUNDARY DETAILS TO BE CONFIRMED BY A REGISTERED SURVEYOR. ALL WORK TO BE CARRIED OUT TO RELEVANT STANDARDS AND BUILDING CODES.

\* ALL SURFACE LEVELS AND FEATURE LOCATIONS ARE TO BE CONFIRMED PRIOR TO CONSTRUCTION

\* THE PROPOSED RESIDENCE SLAB IS TO BE CONSTRUCTED ON A LEVEL BUILDING PAD PREPARED IN ACCORDANCE WITH THE STRUCTURAL ENGINEER'S SPECIFICATIONS. THE MAIN FINISHED FLOOR LEVEL IS TO BE SET MINIMUM 300mm ABOVE THE CONSTRUCTION PAD LEVEL. FINISHED SURFACE LEVELS ARE TO GRADE AWAY FROM THE BUILDING PERIMETER TO PREVENT WATER PONDING NEAR EXTERNAL WALLS WITHOUT BEING DETRIMENTAL TO NEIGHBOURING PROPERTIES. THE BUILDER IS TO CONFIRM AVAILABLE FALLS TO SEWER CONNECTION POINTS & STORMWATER DISCHARGE POINTS PRIOR TO ESTABLISHING THE BUILDING FINISHED FLOOR LEVEL.

- LEGEND:
- 3000L POLY RAINWATER TANK
  - A/C LOCATION TO BE CONFIRMED ON SITE
  - HOT WATER SYSTEM LOCATION TO BE CONFIRMED

<b>DATE:</b> 12.02.26	<b>SCALE:</b> 1:350 (A3)	<b>DRAWN:</b> WP	<b>DRAWING:</b> BASIX COMMITMENTS PLAN 36 DANDALOO STREET, NYNGAN
<b>SHEET:</b> 5 / 6	<b>JOB No:</b> 26002	<b>ISSUE:</b> E	

BASIX COMMITMENTS	
<b>WATER COMMITMENTS</b> LANDSCAPE AREA LOW WATER USE SPECIES OF VEGETATION FITTINGS SHOWER HEAD RATING TOILET FLUSHING SYSTEM RATING KITCHEN TAPS BATH TAPS <b>ALTERNATIVE WATER</b> RAINWATER TANK RAINWATER TANK CAPACITY ROOF COLLECTION AREA FOR R/W R/W TANK CONNECTED TO	45 SQ.M. MIN RATING 4 STAR 4 STAR 5 STAR 5 STAR 3000 LITRE 100 SQ.M. MIN 1 No. OUTDOOR TAP ALL TOILETS IN DWELLING THE COLD WATER TAP THAT SUPPLIES THE CLOTHES WASHER
<b>ENERGY COMMITMENTS</b> HOT WATER SYSTEM COOLING SYSTEM HEATING SYSTEM VENTILATION BATHROOM KITCHEN LAUNDRY	GAS INSTANTANEOUS - 5 STAR REVERSE CYCLE: EER 3.0-3.5 WITH DAY/NIGHT ZONING BETWEEN LIVING/BED AREAS REVERSE CYCLE: EER 3.0-3.5 WITH DAY/NIGHT ZONING BETWEEN LIVING/BED AREAS EXTRACT FAN DUCTED TO ROOF OR FACADE - MANUAL ON/OFF EXTRACT FAN DUCTED TO ROOF OR FACADE - MANUAL ON/OFF EXTRACT FAN DUCTED TO ROOF OR FACADE - MANUAL ON/OFF
<b>NATURAL LIGHTING</b> KITCHEN BATHROOMS/TOILETS	WINDOW WINDOW x 2
<b>APPLIANCES</b> KITCHEN CLOTHES DRYING	OUTDOOR CLOTHES DRYING LINE

These are the specifications upon which the Basix assessment is based. These specifications take precedence over the drawings or other specifications.

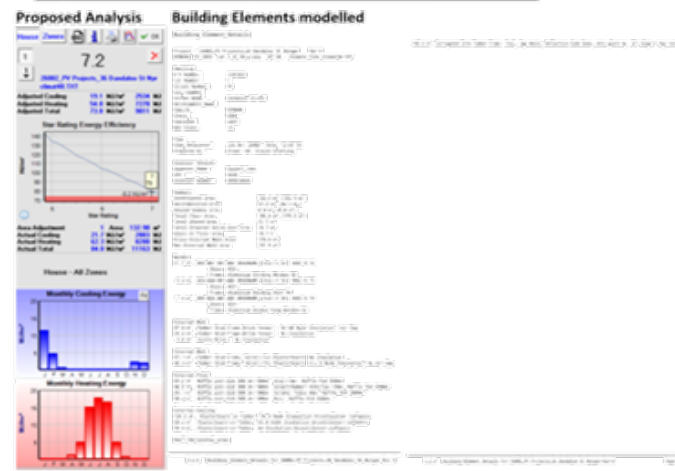


REQUIREMENTS FOR NSW 7 NATHERS (NCC-2022)	
DATE	16/02/2026
ADDRESS	No 36 Dandaloo Street Nyngan NSW 2825
DP #	Lot 5 on DP 1281825
CLIMATE ZONE	48
WIND SHIELDING	SUBURBAN
CLIENT/COMPANY	PV Projects c/o Avalon Drafting

- Proposed Insulation:** (worst case scenario modelled where information not provided - as per techniques)
- Framing Material: Timber
  - Roof colour: Light (Solar absorbance <0.475)
  - Roof: Sarking under
  - Ceilings (excludes eaves/risers/porch): R4.0 to Ceilings, R3.0 edge batts where required (Excluding Garage)
  - External wall material: Brick Veneer
  - External wall colour: Medium (Solar absorbance 0.475 < SA < 0.70)
  - External walls: R2.0 + Vapour permeable foil (Excluding Garage = Fail only to BV)
  - Internal walls: R2.0 to Garage & Bath
  - Waffle pod slab: 300mm
- Proposed Windows:** \*if alternative glazing used to that modelled below, equal or lower U values & SHGC to be within 5% required
- |                    |  |                     |
|--------------------|--|---------------------|
| Sliding Windows    | 21.7 m <sup>2</sup> BRD-001-001-001 BRADNAMS     | Uval 6.43 SHGC 0.76 |
|                    | Glass 3Clr Frame Aluminium Sliding Window SG     |                     |
| Sliding Doors      | 4.4 m <sup>2</sup> BRD-020-001-001 BRADNAMS      | Uval 6.34 SHGC 0.75 |
|                    | Glass 4Clr Frame Aluminium Sliding Door SG       |                     |
| Double Hung Window | 1.6 m <sup>2</sup> BRD-024-001-001 BRADNAMS      | Uval 6.30 SHGC 0.74 |
|                    | Glass 3Clr Frame Aluminium Double Hung Window SG |                     |
- Floor Coverings:**
- Kitchen, Family, Meals, Entry, Hall: Vinyl Plank
  - Bedrooms, WIR, Rumpus: Carpet & Rubber Underlay
  - Wet Areas: Ceramic Tiles
  - Garage: Bare
- Ceiling Penetrations:**  
Allowance for ceiling penetrations for recessed LED downlights, exhaust fans and flues has been made as per the electrical plan. If there is no lighting plan the certificate will state clearly that the dwelling has been rated without downlights and clients need to know that the dwelling will need to be rated again if these features are present - assessors should enter return jobs accordingly!  
This address is BCA requirements for Ceiling penetrations report. BCA 3.22.1  
\*modelled with Sealed IC Rated LED Downlights, qty @ approx. 3 per 3m<sup>2</sup> (Average quantities).
- Building sealing requirements:**
- All exhaust fans to be fitted with dampers as per NCC.
  - External doors to be weather stripped and windows to comply with AS 2047.
  - All gaps from service penetrations etc are to be sealed. As should internal doors to garage.
  - All chimneys and flues to have dampers as per BCA requirements 3.22.3.1.

ABCN NATHERS Heating & Cooling Load Limits ABCN Standard 2022.

CLIMATE ZONE # 48	BASIX TARGETS CSOG	Job No 26002
NATHERS Star Rating Score	≥7.0 STARS	7.2 STARS
Cooling Loads MJ/m <sup>2</sup> .annum	≤31.6	19.1
Heating Loads MJ/m <sup>2</sup> .annum	≤72.6	54.8
Adjusted Total	≤79.0	73.8

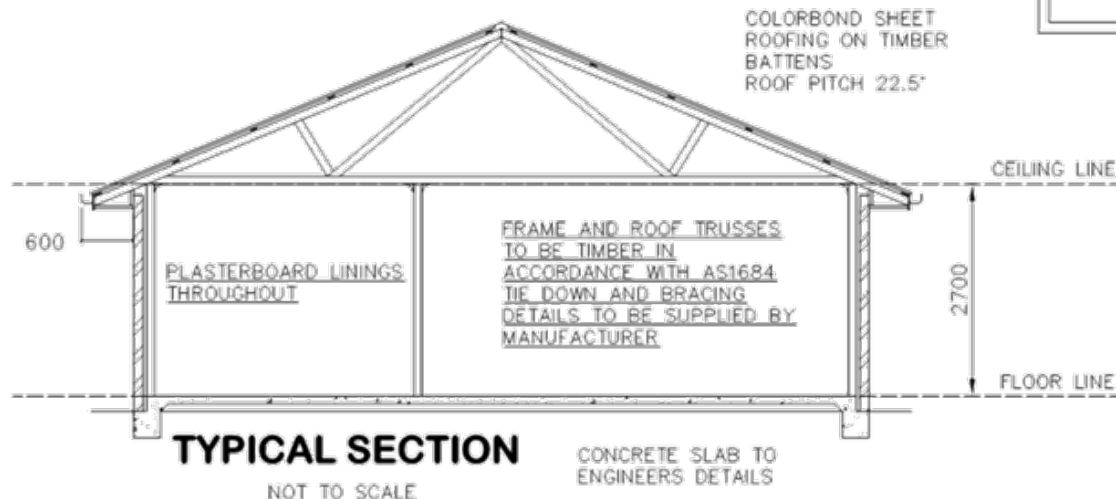


\* NOTE - WIND CLASSIFICATION TO BE N2

\* ALL DIMENSIONS ARE TO BE CONFIRMED BY THE BUILDER PRIOR TO CONSTRUCTION. DO NOT SCALE FROM DRAWINGS. BUILDING SET OUT & SITE BOUNDARY DETAILS TO BE CONFIRMED BY A REGISTERED SURVEYOR. ALL WORK TO BE CARRIED OUT TO RELEVANT STANDARDS AND BUILDING CODES.

\* ALL SURFACE LEVELS AND FEATURE LOCATIONS ARE TO BE CONFIRMED PRIOR TO CONSTRUCTION

\* THE PROPOSED RESIDENCE SLAB IS TO BE CONSTRUCTED ON A LEVEL BUILDING PAD PREPARED IN ACCORDANCE WITH THE STRUCTURAL ENGINEER'S SPECIFICATIONS. THE MAIN FINISHED FLOOR LEVEL IS TO BE SET MINIMUM 300mm ABOVE THE CONSTRUCTION PAD LEVEL. FINISHED SURFACE LEVELS ARE TO GRADE AWAY FROM THE BUILDING PERIMETER TO PREVENT WATER PONDING NEAR EXTERNAL WALLS WITHOUT BEING DETRIMENTAL TO NEIGHBOURING PROPERTIES. THE BUILDER IS TO CONFIRM AVAILABLE FALLS TO SEWER CONNECTION POINTS & STORMWATER DISCHARGE POINTS PRIOR TO ESTABLISHING THE BUILDING FINISHED FLOOR LEVEL.



<b>DATE:</b> 12.02.26	<b>SCALE:</b> N / A	<b>DRAWN:</b> WP
<b>SHEET:</b> 6 / 6	<b>JOB No:</b> 26002	<b>ISSUE:</b> E

**DRAWING:**  
BASIX COMMITMENTS & TYP SECTION  
36 DANDALOO STREET, NYNGAN

14<sup>th</sup> April, 2026

To Whom it May Concern,

I am writing to formally object to the proposed dual occupancy development at 36 Dandaloo Street, Nyngan.

As a resident of the surrounding area, I have several concerns regarding the potential impacts this development may have on the neighbourhood.

The proposed dual occupancy appears very inconsistent with the existing character of the street, which is predominately composed of single dwellings. Introducing a higher density development in this location risks undermining the established streetscape and may set an undesirable precedent for further overdevelopment.

I request that council carefully assess the proposal to ensure that any development aligns with the intended character and capacity of the area. The recent new residential subdivision land release by Bogan Shire Council provides more appropriate opportunities for property development.

For the reasons outlined above, I respectfully request that this application be refused.

Thank you for considering my submission.

Kind regards,

17/04/2026

To Whom It May Concern,

I am writing regarding the proposed additional dwelling at 36 Dandaloo Street, Nyngan.

As a neighbouring property owner, I would like to raise some concerns about the current positioning of the proposed dwelling. One of the main reasons we chose to purchase our block in this street was due to the spacing between homes and the open, well-laid-out feel of the area. The street is predominantly made up of single dwellings with generous space between them, which contributes greatly to its overall character.

Placing another dwelling alongside the existing house does not appear consistent with this and may impact the open streetscape that residents value. I am concerned that this layout could change the overall feel of the street and reduce the sense of space that is currently enjoyed.

While I understand the need for additional housing, there are other areas within Nyngan, including newer subdivisions and vacant blocks, that are more suited to this style of development. These areas are better designed to accommodate higher-density housing without impacting the established character and spacing of existing residential streets such as Dandaloo Street.

I respectfully ask that consideration be given to revising the proposal so that any additional dwelling is positioned at the rear of the block rather than beside the existing house. There appears to be ample space at the back of the property to accommodate this, and it would allow for development while still maintaining the established character and appearance of the street.

I would also like to note that the existing boundary fence between our properties is a low wire fence that is not fully complete to the rear of the property and provides no privacy or visual screening between the two blocks. We have previously attempted to contact the applicant regarding the installation of a Colorbond boundary fence to improve privacy and reduce amenity impacts; however, we have not received a response. Given the proposed development, I respectfully request that appropriate boundary fencing be

considered as part of the application to ensure adequate privacy and protection of neighbouring amenity.

I am not opposed to development on the block, however I do ask that the layout be reconsidered in a way that better aligns with the surrounding properties and preserves the existing streetscape.

Thank you for your time and consideration.

Kinda Regards,





*"Comfortable Country Living"*

DA10/2026/012/001  
Date: 28 May 2026

**Mr Vincent Williamson  
PV Projects Pty Ltd  
36 Dandaloo Street  
NYNGAN NSW 2825**

Dear Mr Williamson,

**Notice of Determination of Development Application  
Section 4.15 (1)(a), Environmental Planning and Assessment Act 1979**

**Premises to which Notice refers:** Lot: 5 DP 1281825 No 36 Dandaloo Street NYNGAN NSW 2825

**Proposed Development:** Detached Dual Occupancy

The application submitted by you for permission to undertake the above described development, has been approved by Council.

The application has been determined as a conditional consent subject to the compliance with the conditions attached to this Notice and adherence to the requirements of the Environmental Planning and Assessment Act 1979 and Regulation thereunder.

**Development Application Number:** 10/2026/012/001

**Determination Date:** 28 May 2026

**Operation of Consent Date:** 28 May 2026

**Consent Expiry Date:** 28 May 2031

**Note:** Such consent will not lapse once the proposed development is physically commenced before the date the consent would otherwise lapse, except where a specific condition of consent limits the duration of consent.

The Planning Assessment Commission has not conducted a review of this application.

**Approvals under the Local Government Act 1993 integrated with this consent:**  
Section 68 – Sewer, Water and Stormwater

Telephone: (02) 6835 9000  
Facsimile: (02) 6835 9011  
Email: [admin@bogan.nsw.gov.au](mailto:admin@bogan.nsw.gov.au)  
[www.bogan.nsw.gov.au](http://www.bogan.nsw.gov.au)

Address all  
communications to:  
The General Manager  
PO Box 221

Council Chambers  
81 Cobar Street  
Nyngan  
New South Wales

**DA No. 10/2026/012/001**

**A. THE DEVELOPMENT**

**Approved Plans**

1. Development the subject of this determination notice must be carried out strictly in accordance with the following plans/reports marked as follows:

<b>Plan Reference</b>	<b>Drawn By</b>	<b>Dated/Sheets</b>
Statement of Environmental Effects	Urban Approved Town Planning	16 March 2026
Architectural Plans	Avalon Drafting	12-2-2026; Sheets 1-6 of 6

**B. PRIOR TO THE ISSUE OF A CROWN CERTIFICATE**

The following conditions are to be complied with, to the satisfaction of the Principal Certifying Authority:

**Construction Site Management Plan**

4. Before the issue of a Crown Certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier.

The plan must include the following matters:

- location and materials for protective fencing and hoardings to the perimeter on the site
- provisions for public safety
- pedestrian and vehicular site access points and construction activity zones
- details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

**Erosion and Sediment Control Plan**

5. Before the issue of a Crown Certificate, the applicant is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:
- Council's development control plan,
  - the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book), and
  - the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.

**Waste Management Plan**

6. Before the issue of a Crown Certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:
- (a) Council's Waste Management Development Control Plan OR
- (b) details the following:
- the contact details of the person(s) removing the waste
  - an estimate of the waste (type and quantity) and whether the waste is expected to be reused, recycled or go to landfill
  - the address of the disposal location(s) where the waste is to be taken.

The applicant must ensure the waste management plan is referred to in the construction site.

**Payment of Section 7.12 Levy**

7. Pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, and the Bogan Shire Section 7.12 Fixed Levy Development Contributions Plan 2021, a contribution of \$9836.35 must be paid to Council.

The amount to be paid is to be adjusted at the time of actual payment, in accordance with the Bogan Shire Section 7.12 Fixed Levy Development Contributions Plan 2021. The contribution is to be paid prior to the issue of a Crown Certificate.

**Section 68 Application – Sewer, Water and Stormwater**

8. Prior to the issue of a Crown Certificate, a Section 68 Application for Sewer, Water and Stormwater is to be approved by Council.

**C. PRIOR TO WORKS COMMENCING**

The following conditions are to be complied with or addressed prior to work commencing on the subject site(s):

**Notification/Principal Certifying Authority**

9. The applicant must advise Council of the intended date to commence work which is the subject of this consent by completing a notice of commencement of building works or subdivision works form, available from Council's Customer Service Centre. A minimum period of two (2) working days' notice must be given.
10. Written notice of intention shall be given to the owner of the adjoining allotments of land, outlining the particulars of the proposed work, which involves:
  - (a) Any excavation, below the base of the footings of a building on an adjoining allotment of land.
  - (b) The notice shall be given seven (7) days prior to the commencement of work.

**Construction Requirements**

11. The applicant/builder shall be responsible to report to the Council any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site. The damage shall be reported to Council as soon as the damage becomes apparent to the builder/ site manager. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to the public.

**Site Facilities**

12. Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.

**Site Notice Board**

13. A sign must be erected in a prominent position on the premises on which work is to be carried out. The sign is to be maintained during work, and removed at the completion of work. The sign must state:
  - (a) The name, address and telephone number of the principal certifying authority for the work; and
  - (b) The name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
  - (c) Unauthorised entry to the premises is prohibited.

**Relocation of Services**

14. The registered proprietor of the land shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. Council and other service authorities should be contacted for specific requirements prior to commencement of any works.

**D. DURING CONSTRUCTION**

The following conditions are to be complied with or addressed during construction:

**Hours of Construction Work and Deliveries**

15. Construction work/civil work/demolition work, including the delivery of materials, is only permitted on the site between the hours of 7:00am to 5:00pm Monday to Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

**Security Fence**

16. A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction.

**Note:** Fencing is not to be located on Council's reserve area.

**BCA Compliance**

17. Pursuant to Section 4.17 (11) of the EP&A Act 1979 all building work must be carried out in accordance with the requirements of the BCA

**External**

18. Switchboards for utilities shall not be attached to the street and/or road elevations of the development.

**Pollution Control**

19. Building operations such as brick cutting, mixing mortar and the washing of tools, paint brushes, form-work, concrete trucks and the like shall not be performed on the public footway or any other locations which may lead to the discharge of materials into Council's stormwater drainage system.

20. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.

21. Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the Applicant and Contractor shall ensure the appropriate Regulatory Authority (e.g. Environment Protection Authority, WorkCover Authority, Council, NSW Fire Brigade etc.) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority. (Note: Such materials cannot be disposed of to landfill unless the particular facilities are licensed to receive that type and class of waste).

**Stormwater Runoff**

22. Alterations to the natural surface contours must not impede or divert natural surface water runoff, so as to cause a nuisance to adjoining property owners.

**D. PRIOR TO ISSUE OF A CROWN COMPLETION CERTIFICATE**

The following conditions are to be complied with or addressed prior to issue of a Crown Completion Certificate by the Principal Certifying Authority:

**Certificates**

23. The premises must not be utilised until a Crown Completion Certificate is issued by Council. Copies of all documents relied upon for the issue of the crown completion certificate be forwarded to Council.

**F. ADVISORY**

- (a) If you are dissatisfied with this notice of determination or the conditions contained within this notice of determination, Section 8.2 of the Environmental Planning and Assessment Act 1979 gives you the right to request a review of the determination within 12 months after the date on which the application has been deemed to be determined.
- (b) If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which the application has been deemed to be determined.
- (c) In accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979, unless otherwise stated by a condition of this consent, this consent will lapse unless the development is commenced within five (5) years of the date of this notice.
- (d) The Planning Assessment Commission has/has not (nominate whichever is relevant), conducted a review of the application.
- (e) These conditions are imposed to control development, having regard to Section 4.15 of the Environmental Planning and Assessment Act 1979.
- (f) "DIAL BEFORE YOU DIG" DIAL 1100. Before any excavation work starts, contractors and others should phone the "Dial Before You Dig" service to access plans/information for underground pipes and cables, or you can lodge a free enquiry at: <http://www.1100.com.au>
- (g) Letter boxes must be provided in accordance with the requirements of Australia Post. In this regard, the developer is required to obtain approval from Australia Post for address numbering, and letter box positioning and dimensions.
- (h) You are advised that the placement of a concrete path around your home may render your home vulnerable to termite attack. To minimise the possibility of any damage, ensure that a minimum of 75mm clearance is provided between the base of the weephole and the level of the path.
- (i) The Bogan Shire Council Local Government area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity reports relating to some developments, no assessment may be made by Council in that regard. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent inquiries as to appropriate protection against the current and future

undertaken. Bogan Shire Council will not accept any liability for damage occurring to any construction of any type affected by soil and or ground water Salinity.

- (j) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.
- (k) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or the applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.

#### **DEFINITIONS**

<b>AEP</b>	Annual Exceedance Probability
<b>BCA</b>	Building Code of Australia
<b>Council</b>	Bogan Shire Council
<b>DECC</b>	Department of Environment and Climate Change
<b>CC</b>	Construction Certificate
<b>1% AEP Flood</b>	The 1 in 100 year flood
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2000</i>
<b>LPI Service</b>	Land and Property Information Service
<b>OC</b>	Occupation Certificate
<b>PCA</b>	Principal Certifying Authority
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>RMS</b>	Roads and Maritime Service

Yours faithfully

## 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 contains approximately 1200 plants including 450 trees, 40 shrubs, 140 Groundcover/other, 360 grasses and 210 assorted local plants. Ongoing tasks include regular watering, weeding, fertilising, repotting as needed, and the inspection and maintenance of the nursery's irrigation system.

The Group also achieved successful propagation of several species using seed collected from local bushland including:

- *Pittosporum angustifolium* (*Butter bush tree*)
- *Acacia pendula* – poor survival rate (*Weeping Myall tree*)
- *Glycine canescens* (*Silky Glycine vine*)
- *Dichanthium sericeum* (*Silky Blue grass*)
- *Hakea tephrosperma* (*Hooked Needlewood tree*)
- *Flindersia maculosa* (*Leopardwood tree*)

Several additional species that were sown were lost due to extreme weather fluctuations. Measures and future management considerations are being implemented to help minimise losses in the future.

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 shade house
- 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 continues to strengthen community connections through hands on events and educational activities. The nursery is open to volunteers each Monday morning to assist with nursery operations and maintenance. 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. From April onwards, community days are being held on the last Thursday of each month.

### Community days at the Bogan River included the following works

- Planting of two replacement trees at Rotary Park that had been damaged through vandalism, together with additional trees including River Red Gum and endemic Acacia species.
- Maintenance of trees previously planted at Rotary Park
- Bush Walks along the Walking track

### Community days at the Nursery included the following works:

- Plant maintenance, including cutting back grasses and assessing plant health.
- Potting up for grasses and plants
- Weeding and tiding of garden beds at front and rear of the nursery, including the removal of excess Salt bush growth and planning for future planting in these areas.
- General maintenance activities, including washing of used pots, mowing, cleaning sheds and premixing potting mix.

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



Volunteers and staff potting up grasses at the nursery

### 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.

Planning is underway for additional revegetation works within the surrounding bushland area. These works will involve local High School students as well as member of the Bush Care Group. Measures are also being implemented to prevent vehicles from driving through newly planted areas. Signage has been prepared to identify the areas as a revegetation site.



Outdoor Classroom

### Indian Myna Bird Control

BRBCG continues to support Indian Myna bird trapping program. To date, 22 Indian Mynas have been successfully trapped and removed. All five traps are currently on loan to members of the community with one person on the waitlist. This ongoing program aims to reduce the impact of this invasive species.

### Upcoming Activities

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

- Continue development of the pollinator garden at the nursery, including clearing weeds and non-native grasses and preparing the ground for planting. When the weather warms, grasses, groundcovers, and small-growing shrubs will be sown or planted, including species such as Kangaroo Grass, endemic daisies, *Dianella*, Native Bluebell, *Goodenia* species, and Chocolate Lilies.
- Compile and consolidate information collected and researched regarding:
  - optimal harvesting times for seed and cuttings of endemic native species; and
  - best-practice propagation times and techniques.
- Review previous unsuccessful seed propagation attempts to identify opportunities to improve future success rates.
- Establish the new greenhouse and plan propagation activities for spring.

- Install newly acquired benches to expand the nursery’s available working and growing space.

Regular community days are to continue on the 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.
- Bushwalks with volunteers around the shire on days other than community days to expand community involvement. Endemic plant communities as well as wildlife will be observed and discussed.

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

Other

A successful Clean Up Australia Day was held in March 2026, during which 13 bags of litter were collected, along with assorted miscellaneous rubbish including bicycles, wire and metal poles. Future litter clean-up activities are being planned as part of upcoming Community days.



Volunteers attending Clean Up Australia Day

The Avenue of Remembrance trees planted along Cannonbar Street have been well maintained and are establishing well. Several trees were vandalised or stolen within the first few months following planting; however, all have since been successfully replaced. Ongoing maintenance will continue until the trees are fully established.

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

**4. Attachments**

Nil

**5. Recommendation**

That the Bogan River Bushcare Report be received and noted.

## 14.4 CEMETERIES POLICY

### 1. Introduction

The purpose of this report is for Council to review and adopt an updated Cemeteries Policy.

### 2. Background

Council regularly reviews and updates the Cemeteries Policy on a periodic basis to ensure it remains current and compliant with relevant legislation and activities.

### 3. Discussion

The Cemeteries Policy provides effective guidelines that assist in ensuring the operations of the cemeteries are carried out in accordance with the appropriate Acts, Regulations and National Standards. It is also to ensure that the conduct of those entering the cemeteries is in accordance with reasonable and practical standards.

This policy includes all Council managed cemeteries within the Bogan Shire.

Whilst the entire policy has been reviewed and updated, an amendment for council's consideration is the inclusion of granite plinths/headstones in the new lawn section of the Nyngan cemetery.

Under the heading "Nyngan Lawn Cemetery – General", the following is stated:

*"no headstone (other than the headstone provided by Council for a plaque), statue or other structure is erected or constructed over an Interment Site in the lawn section, with the exception of a granite plinth/headstone. Approved granite plinths/headstone must precisely match the dimensions of the existing cement plinths/headstones be grey in colour to complement the existing cemetery landscape and be purchased at the cost of the grantee with no expense incurred by council".*

It should also be noted that Council's interment fees do not recover the actual operational costs associated with cemetery services. While larger councils may adopt a full cost recovery approach, smaller councils generally absorb a significant portion of these costs.

### 4. Attachments

1. DDES001 Cemeteries Policy Draft

### 5. Recommendation

That Council adopt the attached reviewed policy DDES001 Cemeteries Policy.

**POLICY DDES001**

**CEMETERIES POLICY**

DRAFT



**DDES001 Cemeteries Policy**

CONTENTS

OVERVIEW ..... 4

APPLICABILITY ..... 4

DEFINITIONS..... 4

Management of Cemeteries ..... 6

    Planning, Conduct and Maintenance of Cemeteries ..... 6

    Interment Rights..... 6

    Order for Interment..... 7

    Register of Interment Sites and Interments..... 7

    Certificate of Interment Right..... 8

    Refusal to Grant Exclusive Rights of Memorials ..... 8

    Hours of Interment and Exhumation..... 9

    Permit for Interment..... 9

    Exhumation ..... 9

    Miscellaneous ..... 9

    Penalty ..... 10

    Offenders may be prosecuted under Common Law and/or Statute Law..... 10

    Conservation and Heritage Issues ..... 10

GENERAL CEMETERIES ..... 11

    Addresses & Locations of Council Cemeteries ..... 11

    Requirements for Interment Sites..... 11

    Monuments and Inscriptions ..... 11

    Monumental Masons ..... 12

    Removal of Structures..... 12

    Removal and Replacement of Structures on Request..... 13

    Maintenance of Structures ..... 13

    Unsafe Monuments ..... 13

        Risk Category..... 13

        Identification and Reporting..... 14

        Subsidence..... 14

        Repair of Monument..... 14

NYNGAN LAWN CEMETERY ..... 15

    Requirements for Interment Sites..... 15

    Reservation of Interment Site..... 15

**DDES001 Cemeteries Policy**

General ..... 16  
Authority ..... 17  
Policy Owner / Further Assistance ..... 18  
Related Information ..... 18  
Review Date ..... 18  
Revision History..... 18

## **DDES001 Cemeteries Policy**

### **OVERVIEW**

This Policy provides effective guidelines that assist in ensuring the operations of the cemeteries are carried out in accordance with the appropriate Acts, Regulations and National Standards. It is also to ensure the conduct of those entering the cemeteries is in accordance with reasonable and practical standards.

### **APPLICABILITY**

This Policy applies to all cemeteries administered, operated, and maintained by the Council.

This Policy does not affect the operation of any Commonwealth or NSW State Acts and/or Regulations relating to cemeteries. Where the Policy differs from any Act and/or Regulation, the Act and/or Regulation takes precedence.

### **DEFINITIONS**

**Applicant:** means the person making an application –

- for an interment or memorial right,
- for a work permit or other Council consent,
- for an interment.

**Appropriate fee:** means a fee fixed by Council.

**Ashes:** means the processed remains recovered from the cremation of a body or pathological samples.

**Body:** means a human body and any part thereof.

**Burial place:** see "Interment Site".

**Burial right:** see "Interment Right".

**Cemetery** or **cemeteries:** means an area containing one or more interment sites. When used as a generic term it can apply to lone Interment Sites, family interment sites and larger collections, such as those under Council's control.

**Cost:** means the total cost to provide a service. For example, plaque cost includes the time taken to design the plaque, plaque manufacture, transport and fixing.

**Cost recovery fee:** a fee calculated to recover all of the costs incurred to provide a particular service or function.

**Council:** means the Bogan Shire Council.

**Cremated Remains:** see "Ashes".

### **DDES001 Cemeteries Policy**

***Cremated Remains Memorialisation:*** Areas or spaces for interment of cremated remains can be in gardens, freestanding structures, or incorporated into a building within the cemetery grounds. Maintenance of the structure is the responsibility of the organisation which maintains the cemetery. Maintenance of the plaque is the responsibility of the owner.

***Exhumation:*** means the removal of the remains of a dead person or still-born child from an Interment Site or vault but does not include the removal of remains from a vault in a cemetery for immediate transfer to another vault in the same cemetery.

***General Manager:*** means the General Manager of the Bogan Shire Council.

***Grantee:*** is the original owner/purchaser of the Interment Right. Where there are two (2) or more owners these should be registered as “joint tenants”. The recognised owner of the Interment Right is that person(s), or corporation(s) currently entered in the cemetery’s Interment Register. In the case of Monuments, the grantee refers to a surviving member of that person’s family.

***Interment Register*** means an official, mandatory record maintained by the cemetery operator that documents the details of all human remains placed in a permanent resting place.

***Interment Right:*** is the exclusive right to the owner/holder to inter human remains in a ‘Interment Site’. There is no entitlement to any “real estate” or property.

***Interment Site:*** means a place in a cemetery for the interment of human remains.

***Lawn Cemetery:*** means a lawn area with smaller, consistent headstones and plaques with interment sites arranged head-to-head.

***Licensee:*** means a Grantee.

***Monument:*** means any structure, plaque, headstone, masonry, metal work, casting or item placed over, in or around an Interment Site.

***Monument Interment Site:*** means a fully or partially enclosed Interment Site with a substantial headstone.

***Monumental mason:*** a tradesman mason or person possessing the skills to carry out monumental masonry work.

***Holder:*** is the lawful owner of an Interment Right, as recorded in the Cemetery Register, after the Grantee. Ownership may have been formally transferred or bequeathed by a Will.

***Policy:*** means the Bogan Shire Council Cemeteries Policy – DDES001.

***Register:*** means the Council’s formal repository of data containing all the required details of an interment, cremation, memorial site, Interment Right or Interment Right.

***Reservation:*** means a pre-need Interment Right.

***Transfer of Human Remains:*** means a transfer involving the removal of remains from an above ground structure in a cemetery for immediate transfer to another above ground structure in the same cemetery.

### **DDES001 Cemeteries Policy**

**Transfer of Interment Right:** means the owner/holder for the time being may transfer the Interment Right in accordance with this Policy. The transfer takes place when payment is made, and details entered into the Interment Register.

**Transfer of Right of Burial:** see "Transfer of Interment Right".

**Usual fees:** means the fees for specific purposes, as determined by the Council.

## **Management of Cemeteries**

### **Planning, Conduct and Maintenance of Cemeteries**

Council will make such provisions as it considers necessary for the following:

- a) the setting aside of sections for different types and classes of interments,
- b) the establishment of standards of construction and design for monuments and structures and conditions of entry for funeral directors, monumental masons, their workmen and contractors and other service providers associated with work in the Cemeteries,
- c) the size, multiple use, and location of interment sites,
- d) interments,
- e) the erection or installation of structures and the making of inscriptions,
- f) the carrying out of work by monument masons,
- g) the qualifications required by, and the security deposits to be lodged by monumental masons,
- h) the removal, replacement, and maintenance of structures,
- i) the improvement and maintenance of cemeteries,
- j) the making of arrangements for the care of interment places on an annual or other basis,
- k) the preservation, conservation, and promotion of cemetery sites presently in use as places of community significance in terms of their architectural, heritage, social and genealogical content,
- l) the promotion and interpretation of cemeteries through the installation of signage, brochures, and other interpretive materials.

### **Interment Rights**

There are two types of Interment Rights under the Cemeteries and Crematoria Act (C&CA):-

- (a) in perpetuity (a perpetual interment right), or

**DDES001 Cemeteries Policy**

- (b) for the period an Interment Right is granted under section 54 of the C&CA remains in force (a renewable Interment Right).

Council only grants perpetual interment rights and all references to 'Interment Right/s' in this Policy refers to perpetual Interment Rights.

Council will charge a fee to issue an Interment Right Certificate.

An Interment Right or any licence issued under its provisions does not transfer any equity or ownership of cemetery land to the owner of the Certificate or a beneficiary of it.

Council may revoke a perpetual Interment Right, previously granted if the right conferred by the perpetual interment Right is not exercised within 50 years after it is granted, subject to the requirement of the C&CA.

**Order for Interment**

The Council will only consider granting an Order for Interment for the remains of a deceased person in the site described in an Interment Right when,

- the deceased person is the person named in the Interment Right Certificate,
- or
- the person, or estate of the person, named in the Interment Right Certificate has given their formal consent.

An Order for Interment once issued by Council is irrevocable.

Additional fees and charges, other than the Application Fee (which is payable at application), as determined by Council, will be payable at the time the Interment Permit is determined and prior to its issue.

**Register of Interment Sites and Interments**

Council shall ensure that:

- a) an interment register, as required by the C&CA, is kept in respect of all Interment Sites and other memorials,
- b) a register of pre-need Interment Rights (reservations) is maintained,
- c) each register, which may be kept in written, printed, or electronic form, contains sufficient information to allow for simple cross-referencing of entries by -
  - Surname
  - Date of interment
  - Interment Site location
- d) each register entry contains the name and address of the owner of the Interment Right,
- e) each interment is recorded in its respective register immediately after the service.

### **DDES001 Cemeteries Policy**

Registers may be amended to remove or correct inaccuracies.

Upon application made by any person, Council will make available to the person a copy of any entry made in the Interment registers.

- a) Such applications shall be made on an approved form,
- b) Each form shall be limited to a single register entry,
- c) A fee per page, as set out in Council's Annual Fees & Charges may be charged for each application.

The registers will be used in any proceedings requiring evidence of the identity of the holder of an exclusive right that has been granted in respect of any interment or memorial site.

#### **Certificate of Interment Right**

The Council will issue to the owner of an Interment Right a Certificate, clearly showing:

- The owners name and address,
- The amount paid,
- The date of issue,
- A description of the physical location of the Interment Site,
- The terms and conditions under which the certificate is issued.

The application for a Certificate must be made on a form approved by Council.

Any fees relating to the purchase and issue of the Certificate must be paid at the time of application.

In the event that reservations are cancelled by notification of the owner or their authorised representative, the General Manager has the discretion to determine if the fees, or any part thereof, associated with that reservation are to be refunded.

In the event that the Council has conclusive proof that an owner of an exclusive Interment Right will have no need for a plot, that plot may be re-allocated.

#### **Refusal to Grant Exclusive Rights of Memorials**

The Council may refuse to grant or transfer an Interment Right to any person if, in the opinion of Council, the grant or transfer would create a monopoly or encourage dealings in such Interment Rights as a business rather than as an affordable service to the public, or within the bounds of normal free trading.

(Note: the intention of this clause is to prevent anyone purchasing bulk numbers of Interment Sites in order to "corner the market").

## **DDES001 Cemeteries Policy**

### **Hours of Interment and Exhumation**

Interments and exhumations shall take place only during the hours approved by Council between sunrise and sunset Monday to Friday and until Noon Saturdays. No interments or exhumations are permitted on Sunday.

### **Permit for Interment**

Interments are not to take place unless an Application for an Interment Permit has been received and approved by Council. A copy of the Policy may be provided to the applicant upon request.

An application for an Interment Permit will be approved when:

- a) all details have been supplied, and
- b) fees received.

Interments shall be in accordance with the Public Health Act and Regulation and this Policy.

### **Exhumation**

Exhumations are not to take place unless -

- a) prior written consent has been obtained from the Secretary of NSW Health; and
- b) an Order for Exhumation has been issued by Council.

This clause does not apply if an exhumation has been ordered by a Court.

### **Miscellaneous**

A person must not do any of the following (within a cemetery):

- a) damage, deface, interfere with, or alter interment sites,
- b) damage, deface, interfere with, or alter monuments,
- c) bury, inter or exhume any human remains, whether cremated or not,
- d) cause or permit an animal that is owned and/or under the person's control to enter or remain in a cemetery,
- e) take part in any gathering, meeting or assembly, except for the purpose of religious, research, historical, educational or other ceremony of interment or commemoration,
- f) engage in trade or commerce,
- g) distribute any circulars, advertisements, paper, drawn or photographic material without prior Council consent,
- h) erect a commercial sign,
- i) drive a vehicle at a speed of more than 10 kilometres per hour,
- j) drive a vehicle or a vehicle and trailer having an unladen weight of more than 3 tonnes,

**DDES001 Cemeteries Policy**

- k) drive a vehicle through a cemetery for the purpose of travelling between places outside of the cemetery,
- l) park a vehicle on any known interment site, verge or plantation, or in a manner that is likely to impede traffic,
- m) teach, learn or practice driving a vehicle,
- n) camp or reside on any land,
- o) possess or consume an alcoholic or intoxicating beverage or substance except from that directly associated with a funeral service,
- p) urinate or defecate, unless in the facilities provided by Council,
- q) bring into or leave any rubbish, scrap metal (including remains of vehicles), rock, soil, sand or any other such substances,
- r) kill, capture or in any way interfere with any animal, bird, or other fauna, whether native or introduced,
- s) plant any tree, shrub, herbage, or other plant without prior consent,
- t) other than at the time of interment, place flowers (whether natural or artificial), ornaments, memorabilia, or the like on or around an interment site, other than in the receptacles provided.

Council's written consent is required to legally carry out any other act or activity.

**Penalty**

Offenders may be prosecuted under Common Law and/or Statute Law.

**Conservation and Heritage Issues**

The Council recognises that interment grounds and cemeteries are places of significance to the community by virtue of their architectural, botanical, social or genealogical significance, and may:

- a) provide reasonable assistance to community groups and interested parties who seek to promote or research cemetery issues.
- b) provide signage and interpretive materials regarding historical information and points of interest regarding the cemeteries in the area.
- c) actively promote the publication of interment records, collection, and publication of other historical information.
- d) promote the repair of monuments within the cemeteries, contacting families where possible.

**DDES001 Cemeteries Policy****GENERAL CEMETERIES****Addresses & Locations of Council Cemeteries**

- a) Nyngan Cemetery, Cemetery Road, Nyngan.
- b) Girilambone Village Cemetery (off) Murrawombie Road, Girilambone.
- c) Hermidale Village Cemetery, Girilambone Road, Hermidale.
- d) Coolabah Village Cemetery, Cooneybar Road, Coolabah.

**Requirements for Interment Sites**

The dimensions of an Interment Site shall be a minimum of -

- a) 1000mm x 2400mm

Interments shall be in accordance with all requirements of the Public Health Regulation.

The maximum number of burials within any General Interment site is limited to two (2). However, the depth of the interment site will depend on the depth of the first burial and may be restricted by natural ground conditions (rock, water table, type of soil). The location and/or depth of existing burials can also determine whether a second interment can be made into an existing interment site. This is subject to confirmation prior to granting a reopening approval, which may involve probing of the interment site.

Council will allow ashes remains to be placed into a general interment site, upon payment of the Interment Fee specified in the Annual Fees and Charges recognising that this is the wish of some families, provided that:

- a) Where ash remains are placed into a general interment site the first (original interment) shall be at the normal rate for the purchase of a general interment site.
- b) Up to 3 additional ashes remains can be placed or memorialised within the site subject to payment of the Interment Fee as specified in Council's Annual Fees and Charges.
- c) The limits for placement in general interment sites shall be:
  - i. 1 burial and 2 ashes memorials, or:
  - ii. No burial and 4 ashes memorials.
- d) Approval of second or subsequent interments must be approved by Council and is also subject to Public Health Regulation depth and separation requirements and may require NSW Health approval.

**Monuments and Inscriptions**

A person shall not, in a cemetery:

- a) construct or install any monument, memorial, foundation, vault, table, headstone, gravestone, kerbing, railing, or other structure, unless it is of

**DDES001 Cemeteries Policy**

- i) a material and design approved in writing by the Council,
  - ii) carried out to the standard of workmanship required by the Council, and
  - iii) constructed in accordance with AS 4204 – 2019 “Headstones and Cemetery Monuments”.
- b) make any inscription or carry out any adornment, unless it is approved by the Council and made or carried out to the standard required by the Council.

Application for the approval of the Council shall,

- a) be made to the Council in writing,
- b) be accompanied by sketches, drawings, and other particulars of the design that may be required by the Council, and
- c) where the application relates to an inscription, be accompanied by a copy of the proposed inscription.

No trade inscription shall be allowed on any masonry work unless approved in writing, by Council.

**Monumental Masons**

A person shall not carry out any work as a monumental mason within a cemetery without written consent from the Council.

The Council may issue approval to undertake work as a monumental mason to any person it considers to be suitably qualified to undertake such work.

Any person may apply in writing to work as a monumental mason in a cemetery.

The Council may suspend or cancel the approval of any person by giving notice in writing.

**Removal of Structures**

The Council may,

- a) remove, demolish, alter, or require the removal, demolition or alteration of any structure or any adornment; or
- b) erase, correct, or require the erasure or correction of wording of any inscription that has been constructed, installed, made, or carried out,
  - i) without the written consent of the Council, or
  - ii) in accordance with an approval given by Council.

Where any work that has been approved and commenced but is not completed within a reasonable time (normally four weeks where there has not been an excess of poor weather) the Council may issue a written notice seeking completion of works within 8 weeks.

### **DDES001 Cemeteries Policy**

Where this notification is not complied with, the Council may remove or demolish such partially finished work as it deems necessary to preserve the fabric and amenity of the cemetery and public safety.

#### **Removal and Replacement of Structures on Request**

Where notice to open an Interment Site for a lawful purpose is given, the Council may authorise the removal of any part of a structure to enable the safe opening of the Interment site.

Prior to such consent, Council shall require: the lodgement of proof of ownership, the payment of the scheduled fees and related costs. The consent is subject to the requirement that the grantee or applicant is to make good the repair of the structure affected within fourteen (14) days of the interment or service date.

#### **Maintenance of Structures**

The ownership of monuments or other structures is deemed to be with the person or persons (or their heirs and successors) who caused the monument or structure to be constructed.

The Council shall not be responsible for the upkeep, maintenance, repair etc of any monument or structure.

The owner is responsible for the upkeep, maintenance, and repair of the monument.

Council may act to remove any structure that:

- is dilapidated or structurally unsound
- poses a safety risk
- obstructs access

The Council may remove any trees, shrubs, or other vegetation from any cemetery where, in its opinion, it is in the interest of the cemetery to do so.

#### **Unsafe Monuments**

##### **Risk Category**

Any monument identified as posing a safety risk will be accorded a category ranking as follows.

##### Category 1

Monuments over 1200mm in height that, irrespective of cause (subsidence, deterioration, etc);

- are likely to collapse or fall over at any time; and/or
- have significant sections or parts separating from the main monument.

##### Category 2

Monument 1200mm or less in height, that irrespective of cause (subsidence, deterioration, etc);

### **DDES001 Cemeteries Policy**

- are likely to collapse or fall over at any time, and/or
- have significant sections or parts separating from the main monument.

#### **Category 3**

Monuments that are affected by subsidence and are leaning by more than ten (10) degrees but are otherwise deemed to be in sound condition.

#### **Identification and Reporting**

Any identification of unsafe monuments and consequent actions under this clause will be thoroughly documented and supported with photographs. All actions will be recorded against the respective cemetery register entry.

#### **Subsidence**

Where subsidence is evident, Council will fill and compact the ground to rectify the issue.

#### **Repair of Monument**

Council will not repair monuments. Council will only act to ensure public and employee safety.

#### **Category 1 Monuments**

The area surrounding the monument is to be immediately secured with suitable barriers and signs.

Council will make reasonable efforts to contact the grantee of the Interment Right and instruct the grantee to take immediate steps to repair the monument.

Where the grantee cannot be contacted, a public notice will be issued, clearly identifying the Interment Site and indicating Council's intent to make the monument safe unless the grantee acts within fourteen (14) days and reserving Council's right to recover the costs, relating to the handling of the monument, from the grantee.

If the grantee has not contacted Council within fourteen (14) days of the public notice, the Council may take steps to make the monument safe.

**Note:** Making the monument safe will (usually) consist of laying the headstone face down on the ground of the Interment Site. This method, which preserves the inscription, is recommended by the National Trust.

#### **Category 2 Monuments**

Same as Category 1, except that the notice and action period will be extended from fourteen (14) to twenty-eight (28) days.

#### **Category 3 Monuments**

The Council will make reasonable efforts to contact the grantee to the site and instruct the grantee to take steps to repair the monument.

### **DDES001 Cemeteries Policy**

Where the grantee cannot be contacted, a public notice, clearly identifying the Interment Site and indicating to the grantee that they should take steps to repair the monument.

Council will continue to monitor the site until such time as the monument is identified as Category 1 or Category 2. The appropriate procedure will then be activated.

## **NYNGAN LAWN CEMETERY**

### **Requirements for Interment Sites**

The dimensions of an Interment Site shall be a minimum of - 1000mm x 2400mm.

Interments shall be in accordance with all requirements of the Public Health Regulation.

The maximum number of burials within the Nyngan Lawn Cemetery in a single interment site is limited to two (2). However, the depth of the interment site will depend on the depth of the first burial and may be restricted by natural ground conditions (rock, water table, type of soil).

The location and/or depth of existing burials can also determine whether a second interment can be located into an existing interment site. This is subject to confirmation prior to each interment, which may involve probing of the interment site.

Council permits the interment of cremated remains within general interment sites, subject to payment of the applicable Interment Fee specified in Council's Annual Fees and Charges, recognising that this may be the preference of some families.

The following conditions apply:

- a) The first interment within a general interment site must be at the standard purchase rate for a general interment site.
- b) Additional cremated remains may be interred within the site, subject to payment of the applicable Interment Fee specified in Council's Annual Fees and Charges.
- c) The maximum interment capacity for a general interment site is one (1) burial and up to two (2) cremated remains.
- d) A designated cremation interment site within the lawn cemetery may accommodate a maximum of four (4) sets of cremated remains.
- e) The cremation wall may accommodate up to two (2) sets of cremated remains.
- f) Any second or subsequent interment is subject to Council approval and compliance with applicable Public Health Regulation requirements relating to depth and separation distances and may also require approval from NSW Health.

### **Reservation of Interment Site**

Applications may be made to the General Manager for reservation of Interment Sites in the Lawn Cemetery. The General Manager may grant permission for

**DDES001 Cemeteries Policy**

interment sites to be reserved provided that access to unused sites is not restricted by such reservation. (Note - Typically this means that only the unused interment sites at either end of the headwall may be reserved or those adjacent to an internal roadway).

**General**

The Council will ensure that;

- a) it maintains, preserves, and repairs lawn cemetery Interment Sites.
- b) Interment Sites are not enclosed with any railing or kerbing.
- c) other than at the time of interment, all flowers are only placed in the receptacle located adjacent to or incorporated in the interment sites headstone. Breakables such as vases and the like are not to be placed on or by the Interment Site.

Flowers left on an Interment Site may remain in place for seven (7) days, and will then be removed by Council.

- d) no headstone (other than the headstone provided by Council for a plaque), statue or other structure is erected or constructed over an Interment Site in the lawn section, with the exception of a granite plinth/headstone. Approved granite plinths/headstone must precisely match the dimensions of the existing cement plinths/headstones be grey in colour to complement the existing cemetery landscape and be purchased at the cost of the grantee with no expense incurred by council.
- e) no tree, shrub or other plant is placed or planted on any Interment Site in a lawn section other than by Council at its absolute discretion.

The Council shall place over each Interment Site a headstone on the head beam in the Lawn Section, as soon as practicable after an interment has taken place in that Interment Site, and upon receipt of written instructions from the grantee, a memorial plaque, of a standard size and type as determined by the Council. The purchase of the plaque is at the full cost of the grantee. The installation of the plaque is provided by Council.

The Council may proceed to place a standard size and type of memorial plaque on an interment site without instructions from the grantee, under the following circumstances:

- a) the required funds have been paid and are held in trust by the Council for a period of not less than twelve (12) months,
- b) the Council has made reasonable efforts to contact the grantee of the Interment Right to seek instructions for the plaque,
- c) where the grantee cannot be contacted, a public notice will be issued, clearly identifying the Interment Site and indicating Council's intention to place a plaque using the funds held in trust unless the grantee acts within fourteen (14) days.

**DDES001 Cemeteries Policy**

If the grantee has not contacted Council within fourteen (14) days of the public notice, the Council may proceed with the plaque design and placement.

A grantee may apply to privately supply and fix a memorial plaque in a lawn cemetery provided that:

- a) an application has been lodged with Council,
- b) all fees as scheduled by Council for the lodgement of the application have been paid,
- c) the design, size, and type of plaque is consistent with the requirements determined by Council,
- d) Council has given its written approval.

A grantee is responsible for the ongoing maintenance and cleaning of the memorial plaque in a lawn cemetery and must ensure that:

- a) no cleaning agents, solvents, etc cause any detrimental effect to the plaque, concrete surrounds, neighbouring memorials or grassed areas,
- b) the design and type of plaque remain consistent with the requirements determined by Council, including but not limited to no alteration to the beam or headwall, and
- c) the plaque was in good order when received from the supplier and installed.

It is reasonable to expect that any concerns are reported to Council within 60 days of the grantee receiving written notification that installation is complete.

Council will not be liable for the repair, maintenance, upkeep or preservation of any plaque or item placed on an Interment Site in a lawn cemetery under the provisions of the Policy.

Council will allow small items of commemoration to be placed or affixed adjacent to the memorial plaques, provided that:

- a) items do not exceed 120mm in height,
- b) items are placed so they are fully contained on the upper surface of the concrete beam within the area immediately in front of or adjacent to the memorial plaque headstone,
- c) items are not of glass or any other fragile material, and
- d) items are not likely to offend.

Council may but will not generally confer with the family prior to removing any items that do not comply with the provisions of the Policy, or those deemed to be damaged, unsightly, likely to offend, or likely to be potentially harmful to the public or workers. Any items removed by Council may be disposed of without further notice.

**Authority**

Council Resolution No. XX/2026

**DDES001 Cemeteries Policy**

**Policy Owner / Further Assistance**

Director Development and Environmental Services  
 Manager Development and Environmental Services

**Related Information**

Biodiversity Conservation Act  
 Biosecurity Act  
 Births, Deaths, and Marriages Registration Act  
 Cemeteries and Crematorium Act and Regulation  
 Cemeteries and Crematorium – The Operators Code  
 Cemeteries and Crematorium – Voluntary Code of Practice for Cemetery Maintenance (Cemetery maintenance guide)  
 Coroners Act and Regulation  
 Environmental Planning and Assessment Act  
 Heritage Act  
 Local Government Act  
 Pesticides Act  
 Protection of the Environment Operations Act  
 Public Health Act and Regulation  
 Work, Health & Safety Act and Regulation  
 AS 4204 – 2019 “Headstones and Cemetery Monuments”

**Review Date**

May 2029

**Revision History**

<b>Date</b>	<b>Description of Change</b>	<b>Sections Affected</b>
25 July 2013	Minor rewording and inclusion of additional paragraph.	Section 3: 3.1, 3.5.3, 3.7, 3.10, 3.11.2, & 3.18
25 Feb2016	Adopted with amendments. Council Resolution No. 030/2016	Section 3.8.1 Section 3.18.7

**DDES001 Cemeteries Policy**

2023	Replacement of reference to Public Health Act and replacement with the Cemeteries and Crematoria Act, including numerous nomenclature changes of the C&C Act. Inclusion of reference to and adoption of Cemetery and Crematorium Operator Code of Practice 2018 (NSW) and, the Voluntary Code of Practice for Cemetery Maintenance 2020 (NSW). Removal of Section numbering.	All
2026	Definitions reviewed. Order of Interment clarified. Coolabah Village Cemetery added. Granite headstones included as an option in the lawn cemetery. Ashes included in lawn cemetery. Minor rewording whole document.	All

## **14.5 DUCK CREEK RACES - ALCOHOL PROHIBITED AREA**

### **1. Introduction**

The purpose of this report is for Council to consider re-establishing an Alcohol Prohibited Area at the Nyngan Showground/Racecourse for the duration of the Duck Creek Picnic Races event.

### **2. Background**

The annual Duck Creek Picnic Races are scheduled to take place on Saturday 4 July 2026 and are expected to attract a large crowd. In previous years, Council has declared an Alcohol Prohibited Area for parts of the Showground and Racecourse that are not contained within the security fencing erected by Duck Creek organisers.

### **3. Discussion**

Consultation with the event organisers and the NSW Police has indicated that the implementation of Alcohol Prohibited Areas significantly reduced the incidence of alcohol consumption within the car parks which is considered a major risk for the event in relation to the potential for anti-social behaviour and alcohol related medical emergencies.

Consistent with previous years, and to ensure a safe and enjoyable event, it is proposed that an Alcohol Prohibited Area be declared for a 48 hour period commencing at 6.00am on Saturday 4 July 2026, for the areas of the Nyngan Showground and Nyngan Racecourse that are not contained within the fencing erected by the organisers of the Duck Creek Picnic Races.

### **4. Attachments**

Nil

### **5. Recommendation**

That this report be received and noted. That Council declare an Alcohol Prohibited Area for 48 hours commencing at 6.00am on Saturday 4 July 2026 for areas of the Nyngan Showground and Nyngan Racecourse that are not contained within the security fencing erected by the organisers of the Duck Creek Picnic Races.

**15      PRECIS OF CORRESPONDENCE****15.1    CORRESPONDENCE RECEIVED FROM ROY BUTLER MP, MEMBER FOR BARWON**

Correspondence received from Roy Butler MP, Member for Barwon, regarding correspondence forwarded to The Hon. Tara Moriarty, Minister for Agriculture, regarding Monkey Bridge Crossing.

**Attachments**

1. Correspondence received from Roy Butler MP, Member for Barwon

**Recommendation**

For noting.



# ROY BUTLER MP

## INDEPENDENT MEMBER FOR BARWON

REF: RB12670

4 May 2026

The Hon Tara Moriarty MLC  
Minister for Agriculture  
GPO Box 5341  
SYDNEY NSW 2001

Dear Minister,

I write to you again on behalf of Bogan Shire Council Mayor, Clr Glen Neill and General Manager Derek Francis regarding the ongoing significant funding concerns around the Monkey Bridge crossing.

To date, there has been a failure by NSW Fisheries to specifically respond to my, and Council's question of why the existing crossing, for over 50 years, required change. It is clear, that over 50 years, the existing crossing did in no way regulate flow, and as such wouldn't impede fish passage. This stream is also not regularly in flow, it is an ephemeral stream.

Please provide a direct answer as to how this has changed as well as the evidence used showing how fish passage has the potential to be impeded after so long with no concerns being expressed.



The tenders have been received for the Monkey Bridge Crossing, with the design constraints from NSW Fisheries and also ensuring it meet the needs of the industry that actually uses the crossing in question, this has resulted in the project likely looking to cost in the region of \$1 million. This is unaffordable.

Approximately \$700,000.00 of Council's own funds would need to be allocated for the project to go forward at this stage. This is putting Council in an untenable position with such a constrained existing budget that is carefully managed to deliver vital and essential services to the community.

In the first instance, I would request that NSW Fisheries provide whatever additional funding is required to complete the project to their standard. Approximately \$700,000.00.

If Funding is not available the detour required would result in a significant increase to costs and hours on to each trip for small businesses. If the funding cannot be provided to Council, I would then request an ongoing compensation program for all surrounding affected landholders and industry, particularly when there is the compounding financial burden of the current fuel crisis, which could continue longer-term, drought and cost of living.

Bogan Shire Council has paid their fine and continually offered to do basic remediation work that would mean the crossing stayed the same as it has always been. NSW Fisheries has refused this and insists on a brand new crossing at the absolute detriment of this small rural and remote community and the everyday people who live there.

 [barwon@parliament.nsw.gov.au](mailto:barwon@parliament.nsw.gov.au)  
 [www.roybutler.com.au](http://www.roybutler.com.au)

**BROKEN HILL OFFICE**  
P 08 8087 3315  
1/142 ARGENT STREET

**COBAR OFFICE**  
P 02 6836 3722  
11 BARTON STREET

**NARRABRI OFFICE**  
P 02 6792 1422  
1/60 MAITLAND STREET



# ROY BUTLER MP

## INDEPENDENT MEMBER FOR BARWON

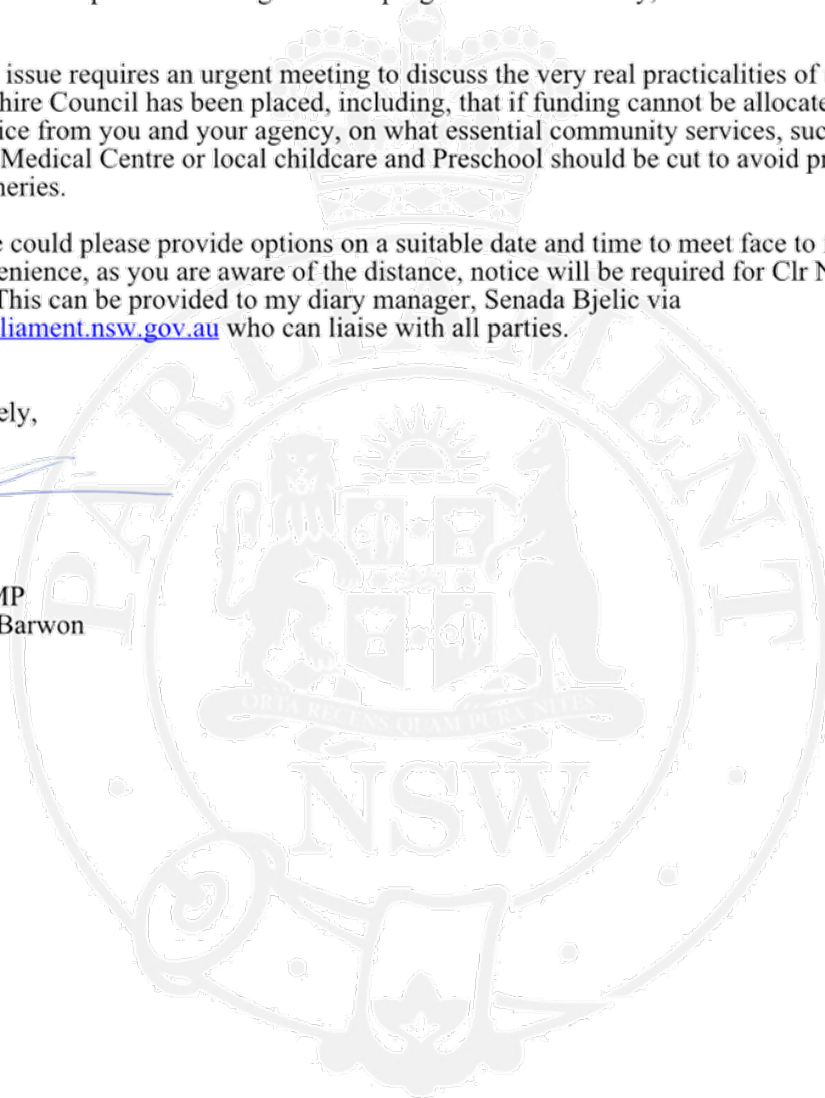
I acknowledge that one extension was granted by NSW Fisheries and that funding from the Commonwealth was provided through a NSW program. Unfortunately, this does not in any way assist.

I believe this issue requires an urgent meeting to discuss the very real practicalities of the position that Bogan Shire Council has been placed, including, that if funding cannot be allocated to Council, advice from you and your agency, on what essential community services, such as the Bogan Shire Medical Centre or local childcare and Preschool should be cut to avoid prosecution by NSW Fisheries.

If your office could please provide options on a suitable date and time to meet face to face at your earliest convenience, as you are aware of the distance, notice will be required for Clr Neill and Mr Francis. This can be provided to my diary manager, Senada Bjelic via [barwon@parliament.nsw.gov.au](mailto:barwon@parliament.nsw.gov.au) who can liaise with all parties.

Yours sincerely,

Roy Butler MP  
Member for Barwon



 [barwon@parliament.nsw.gov.au](mailto:barwon@parliament.nsw.gov.au)  
 [www.roybutler.com.au](http://www.roybutler.com.au)

**BROKEN HILL OFFICE**  
P 08 8087 3315  
1/142 ARGENT STREET

**COBAR OFFICE**  
P 02 6836 3722  
11 BARTON STREET

**NARRABRI OFFICE**  
P 02 6792 1422  
1/60 MAITLAND STREET

**15.2 CORRESPONDENCE RECEIVED FROM ROY BUTLER MP, MEMBER FOR BARWON**

Correspondence received from Roy Butler MP, Member for Barwon, regarding correspondence forwarded to Hon. Prudence Car MP, Minister for Education and Early Learning, regarding the lack of Before and After School Care in Nyngan.

**Attachments**

1. Correspondence received from Roy Butler MP, Member for Barwon

**Recommendation**

For noting.



# ROY BUTLER MP

## INDEPENDENT MEMBER FOR BARWON

REF: RB06294

6 May 2026

The Hon Prudence Car MP  
 Minister for Education and Early Learning  
 GPO Box 5341  
 SYDNEY NSW 2001

Dear Minister,

I write to you again on behalf of Clr Glen Neill, Mayor and Mr Derek Francis, General Manager of Bogan Shire Council regarding the continued lack of before and after school care for the community of Nyngan.

I enclose a copy of my previous correspondence for your consideration and acknowledge the response received from Minister Houssos, responding on your behalf in November 2025.

Despite assurances, there has not been active and meaningful engagement with the community or with Council by the Department, and there is increasing negative effects, including the attraction and retention of skilled workers for mine operations in the community specifically due to the lack of before and after school care. This has been raised previously however, the impact has now increased.

Bogan Shire Council has advocated through me and directly to the Department on behalf of their community and major industry as is their role as leaders. Council already goes above and beyond with their service delivery including early childhood education and care and a full medical centre. They should not be considered as the provider of last resort or be forced to take on more services which should not be business as usual.

I would request a meeting for Clr Neill, Mr Francis and myself to discuss this in greater detail including opportunities to attract an appropriate provider to implement the service as soon as possible.

Could you please investigate these concerns and provide a response back to me at your earliest convenience. A mutually suitable time for a meeting can be arranged via my diary manager, Senada Bjelic via [barwon@parliament.nsw.gov.au](mailto:barwon@parliament.nsw.gov.au) who can liaise with all parties.

Yours sincerely,

Roy Butler MP  
 Member for Barwon  
 Encl. (0125-ROY BUTLER MP OBO BOGAN SHIRE COUNCIL - BASC ONGOING CONCERNS and 0624-BOGAN SHIRE BASC-COMMUNITY CONSULTATION REQUIRED)

[barwon@parliament.nsw.gov.au](mailto:barwon@parliament.nsw.gov.au)  
[www.roybutler.com.au](http://www.roybutler.com.au)

**BROKEN HILL OFFICE**  
 P 08 8087 3315  
 1/142 ARGENT STREET

**COBAR OFFICE**  
 P 02 6836 3722  
 11 BARTON STREET

**NARRABRI OFFICE**  
 P 02 6792 1422  
 1/60 MAITLAND STREET

**15.3 CORRESPONDENCE FROM ISLA ROSS**

Correspondence received from Isla Ross, Member of Nyngan Pony Club, request for Financial Assistance.

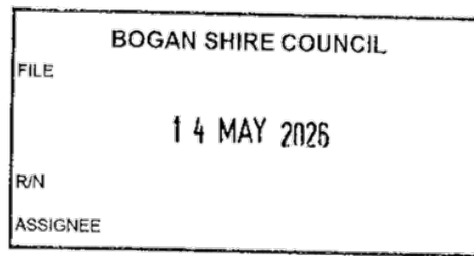
Director Finance and Corporate Services Note: A Financial Assistance Application form has been forwarded for them to complete and return. Council has an overall budget of \$12,000, with \$3,200 already spent.

**Attachments**

1. Correspondence received from Isla Ross

**Recommendation**

For Council's consideration



"Ayr"  
Nyngan 2825

9 May 2026

Mr D Francis  
General Manager  
Bogon Shire Council  
81 Cobar Street  
Nyngan 2825

Dear Mr Francis

For two weeks this July Lilly Robb, Chloe Fanning, Jade Potter and myself have been selected to travel to the USA as the first participants in the Phillip Dutton Exchange. The exchange criteria is for pony club members who display ongoing support for the Nyngan Pony Club of which Phillip was a member when growing up at Hermidale. Phillip went on to represent Australia at the 1996 Atlanta and the 2000 Sydney Olympics winning gold medals in the three day event.

On Saturday 23 May, Nyngan Pony Club has organised a rideathon to raise money to assist with the costs associated with the trip. The 46km ride from Nyngan to Hermidale will be followed by auctions and raffles.

Council has always been a great supporter of not only youth sport but all sports within the Bogon Shire and we would appreciate any financial contribution towards this once in a lifetime experience.

Yours faithfully

*I J Ross*

Isla Ross

**15.4 CORRESPONDENCE RECEIVED FROM PENNY MURRAY**

Correspondence received from Penny Murray.

**Attachments**

1. Correspondence from Penny Murray

**Recommendation**

For noting.

From: Penny Murray <[REDACTED]>  
Sent: Wednesday, 13 May 2026 2:26 PM  
To: Bogan Shire Council <[administrator@bogan.nsw.gov.au](mailto:administrator@bogan.nsw.gov.au)>  
Cc: Pen Murray <[REDACTED]>  
Subject: Fwd: The town

> Dear Sirs  
> I haven't been Nyngan for at least 30 years and I was delighted to see how clean and well organised your town is these days.  
> The facilities for travellers excellent.... thankyou.  
> The only negative was the encroachment of Indian mynah birds that have infested Sydney where I live. I hope you manage to eradicate them.  
> Sincerely  
>  
> Pen Murray  
> + [REDACTED]

**16 MEETING CLOSURE**