



BOGAN SHIRE COUNCIL

Minutes

Date: Thursday, 25 September 2025

Time: 7.00pm

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

**Derek Francis
General Manager**



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**MINUTES OF BOGAN SHIRE COUNCIL
ORDINARY COUNCIL MEETING HELD AT THE BOGAN SHIRE COUNCIL,
COUNCIL CHAMBERS, 81 COBAR STREET, NYNGAN
ON THURSDAY 25 SEPTEMBER 2025 AT 7.00PM**

PRESENT: Councillors Cr G Neill (Chairperson), K Bright, R Bootle, J Elias, D Menzies,

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

1 OPENING PRAYER

2 REMEMBRANCES

3 APOLOGIES

Resolved 196/2025

Moved: Cr Menzies

Seconded: Cr Bright

That the apologies received from Councillors V Boag, S Issa, G Jackson and E Stanton be accepted and leave of absence be granted.

4 DISCLOSURE OF INTERESTS

Nil

The following discussions and resolutions arose from decisions made in the Closed and Confidential Section of the Meeting, 25 September 2025:

5 CONFIDENTIAL MATTERS

Resolved 197/2025

Moved: Cr Elias

Seconded: Cr Menzies

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

5.1 MINUTES OF CONFIDENTIAL COUNCIL MEETING – 28 AUGUST 2025

Resolved 198/2025

Moved: Cr Menzies

Seconded: Cr Bootle

That the minutes of the Confidential Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 28 August 2025, be received and noted.
Business Arising: Nil.

Resolved 199/2025

Moved: Cr Menzies

Seconded: Cr Bootle

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

6 CONFIRMATION OF ORDINARY MINUTES

6.1 MINUTES OF ORDINARY MEETING - 28 AUGUST 2025

Resolved 200/2025

Moved: Cr Elias

Seconded: Cr Menzies

That the minutes of the Ordinary Council Meeting held at the Bogan Shire Council, Council Chambers, 81 Cobar Street, Nyngan on 28 August 2025, be received and noted.

Business Arising: Nil

7 NOTICE OF MOTION

Nil

8 MAYORAL MINUTES

Nil

9 COMMITTEE MEETING MINUTES

Nil

10 GENERAL MANAGER'S REPORTS**10.1 GENERAL MANAGERS CHECKLIST**

Item	Date	Minute No	Matter	Action Required	Officer	Status
1	21/12/2017	392/17	Increase of train speed through Nyngan	Strong letter of concern and a request to address Council be sent to the relevant rail authorities and a copy to the local member.	GM	Refer below.
	23/11/2023	282/23		That Council respond to Minister Aitchison, with a request that the train speed limit be reduced to 20km/hour, as Council is not in a position financially to provide rail crossing lights.		This matter was drawn to the attention of Minister Aitchison on 12/01/2024 during her visit to Nyngan. Further letters sent to Minister Aitchison and Roy Butler MP. Discussed with Minister Aitchison on 15/07/2024 during her visit to Nyngan. Letter received from Minister Aitchison. TNSW has requested a review of train speeds from UGL.
2	27/02/2025	012/25	Nyngan Emergency Bore	That Council seek tenders for the Nyngan Emergency Bore project	DIS	

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Item	Date	Minute No	Matter	Action Required	Officer	Status
				as now proposed by NSW Public Works with the following scope of works: i. Installation of a new bore, with power supply, in the vicinity of the current bore that meets the boundary proximity requirements of the Water Sharing Plan. ii. Installation of pipeline from the new bore site to Nyngan iii. Project design, project management and other associated costs.		A tender for the construction of the pipeline from the bore, along Old Warren Road has been published by Public Works. Investigation of a preferred route through Nyngan is in progress.
3	27/05/2021	126/21	Addressing Local Job Vacancies	Council delays the launch of the marketing campaign until progress is made with establishing more housing accommodation in Nyngan.	DPCS	Refer below.

Item	Date	Minute No	Matter	Action Required	Officer	Status
	28/09/2023	207/23		Council provides a budget of \$25,000 for production of videos for the relocation campaign.		Production of Employment video in progress. Production of Health and Education video in progress.
4	25/07/2024	144/24	New Water Treatment Plant Site	That Council does not proceed with building the new Water Treatment Plant on the site adjacent to the substation at the end of Dandaloo Street. That Council constructs the new Water Treatment Plant on the Council owned land at the Raw Water Pump Station at the upper weir.	DIS	In Progress
5	24/10/2024	245/24	Reclassification of Land – 8 Tabratong Street	That Council resolve to: 1. Lodge the Planning Proposal to Reclassify Public Land at 8 Tabratong Street Nyngan with the Department of Planning, Housing and Infrastructure for a Gateway Determination; and	DDES	Public Exhibition completed. No submissions received. Update: Community Consultation completed. Report to Council refers.

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Item	Date	Minute No	Matter	Action Required	Officer	Status
				2. Undertake community consultation in accordance with the Gateway Determination.		
6	27/07/2023 25/07/2024	160/23 146/24	School Exchange Program	The General Manager commence discussions around the future of the Tongling Exchange Program, with a report to Council. That Council consider locations that may have economic/industry ties for the School Exchange Program, to enhance the student experience.	GM	Discussions held with Acting Principal, Nyngan High School.
7	26/10/2023	247/23	Before and After School Care, Nyngan	That the Before and After School Care matter be further pursued with the Department of Education, and if necessary, the Minister.	GM	Refer below.

Item	Date	Minute No	Matter	Action Required	Officer	Status
	22/02/2024	009/24		Issue of lack of Before and After School Care in Nyngan be referred to Local Member.		Correspondence sent to Local Member.
	25/07/2024	147/24		That Council request the Local Member to make further contact with the Minister for Education about the lack of Before and After School Care in Nyngan.		Email sent to Local Member in August 2024. Contact, with reminder, made with Local Members Office October 2024. GM and DPCS met with officials of Department of Education to discuss community concerns. Local Member has written to Minister for Education and Early Learning and issued a press release.
8	23/11/2023	278/23	Nyngan Year-Round Fishery	That Council provide in principle support for the development of a Memorandum of Understanding with DPI Fisheries for a managed fishery in the Nyngan off-river storages, with a further report to Council to consider a draft Memorandum of Understanding.	DIS	Department of Primary Industries and Regional Development have advised that preparation of a risk assessment and draft Memorandum of Understanding is in progress.

Item	Date	Minute No	Matter	Action Required	Officer	Status
9	27/06/2024	134/24	Nyngan Community Homes	That Council request that Nyngan Community Homes Association presents a satisfactory Business Plan and shows it has the capacity to build planned homes on the land, Council will consider an appropriate arrangement to facilitate the provision of the land which was formerly the Palais Theatre, on the basis of that plan.	GM	Email forwarded to Nyngan Community Homes with Council resolution and to contact the General Manager if further information is required. Business Plan received from Nyngan Community Homes, 01/12/2024 with a request to address Council at a future meeting. Date to be determined in consultation with Mayor.
10	24/07/2025	166/25	Vermont Hill Road	That Council: 1. Install signage on Vermont Hill Road at the boundary, and at Fords Road advising that 'Road not regularly maintained by Bogan Shire Council, May be impassable to conventional vehicles, Use is at drivers risk". 2. Undertake basic works to the value of \$10,000 on the worst of the scours on Vermont Hill Road.	DIS	Update: COMPLETED

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Item	Date	Minute No	Matter	Action Required	Officer	Status
11	22/05/2025	120/25	Control of Pest Bird Species	- That Council publish information about the Indian Myna and control measures on social media and Council's website, to raise community awareness. - That Council apply for grant funding to promote community participation in managing Indian Myna populations within the Bogan LGA. - That Council survey local businesses to determine if there is interest in contributing funds and/or supporting practical efforts to assist in the management of Indian Myna birds.	DDES	Updates: COMPLETED In progress COMPLETED
12	27/03/2025	045/25	Cobar Water Board Water Supply Agreement	That the General Manager enter into a lease agreement with the Cobar Water Board for Lot 1 DP803368 for a period of 10 years, at an agreed market	GM	In progress

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Item	Date	Minute No	Matter	Action Required	Officer	Status
				related rental, with annual rent renew for the purposes of the installation of solar panels and a water pump station. This agreement is subject to a successful negotiation of a Water Supply Agreement with Cobar Water Board.		
13	26/06/2025	139/25	Bogan Shire Youth and Community Centre R4R9 Grant	That the General Manager makes application to vary the approved Resources for Regions 9 Grant project for the Bogan Shire Youth and Community Centre to make provision for: a. Building works – wall protection, internal door installation b. Outdoor sports facilities – pickleball court and table tennis c. Deletion of a fire pit and addition of a BBQ.	GM	Variation request submitted. Update: Verbal update at meeting.

Item	Date	Minute No	Matter	Action Required	Officer	Status
14	26/06/2025	148/25	Nyngan Cemetery Unidentified Plots	That the General Manager provide a report to Council on the matter of unidentified cemetery plots at the Nyngan Cemetery.	DIS	Report to future Council Meeting.
15	24/07/2025	168/25	Pangee Street Trees	That Council replace seven Pangee Street trees with Platanus Acerifolia (London Plane trees) this financial year and replace the other seven Pangee Street trees with Platanus Acerifolia (London Plane trees) next financial year.	DIS	Update: In progress.

PANGEE STREET TREES

Resolved 201/2025

Moved: Cr Bootle

Seconded: Cr Menzies

That the remaining affected trees in Pangee Street be replaced immediately with Platanus Acerifolia (London Plane trees), within the existing budget.

GENERAL MANAGERS CHECKLIST

Resolved 202/2025

Moved: Cr Elias

Seconded: Cr Bright

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

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11 PEOPLE AND COMMUNITY SERVICES REPORTS

11.1 BOGAN SHIRE MEDICAL CENTRE OPERATIONAL REPORT

Resolved 203/2025

Moved: Cr Bootle

Seconded: Cr Elias

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

11.2 VISITOR INFORMATION CENTRE OPERATIONAL REPORT

Resolved 204/2025

Moved: Cr Bright

Seconded: Cr Bootle

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

11.3 AUSTRALIA DAY 2026 NOMINATIONS AND AWARDS

Resolved 205/2025

Moved: Cr Elias

Seconded: Cr Menzies

1. That Council approves the categories, nominations forms and guidelines with the date of Friday 12 December 2025 being the closing date for all nominations and Councillor votes to be received by Friday 19 December 2025.
2. That the venue for the 2025 Australia Day Ceremony , including Citizenship, be held at Davidson Park, with a contingency plan of the Wye Pavilion as an adverse / wet weather back up venue.

LATE ITEM OF BUSINESS

Resolved 206/2025

Moved: Cr Bootle

Seconded: Cr Bright

That Council discuss the late item of Business – Bogan Shire Council Code For Taking Images Or Videos Of Children While Providing Early Education And Care

11.4 BOGAN SHIRE COUNCIL CODE FOR TAKING IMAGES OR VIDEOS OF CHILDREN WHILE PROVIDING EARLY EDUCATION AND CARE

Justification for inclusion: Urgency to be proactive in adopting Childsafe Code

Resolved 207/2025

Moved: Cr Bright

Seconded: Cr Menzies

That Council adopts the Bogan Shire Council Code for Taking Images or Videos of Children while Providing Early Education and Care (Bogan Shire Early Learning Centre and Bogan Bush Mobile).



BOGAN SHIRE COUNCIL CODE FOR TAKING IMAGES OR VIDEOS OF CHILDREN WHILE PROVIDING EARLY EDUCATION AND CARE

(Bogan Shire Early Learning Centre and Bogan Bush Mobile).

Part 1

Only service-issued electronic devices should be used when taking images or videos of children while providing education and care. The appropriate use of service-issued electronic devices for taking, sending and storing images or videos of children should be clearly outlined in policies and procedures.

Part 2

Personal electronic devices that can take images or videos (such as tablets, phones, digital cameras, and smart watches) and personal storage and file transfer media (such as SD cards, USB drives, hard drives and cloud storage) must not be in the possession of any person while providing education and care and working directly with children. Any exceptions to this should be for limited, essential purposes that are authorised in writing (or through another means if written authorisation is not reasonably practicable) by the approved provider of the service, and where that access does not impede the active supervision of children.

Part 3

Essential purposes for which use and / or possession of a personal electronic device may be authorised for purposes other than taking images or recording videos of children include:

- communication in an emergency situation involving a lost child, injury to child or staff member, or other serious incident, or in the case of a lockdown or evacuation of the service premises
- personal health requirements, e.g. heart or blood sugar level monitoring
- disability, e.g. where a personal electronic device is an essential means of communication for an educator or other staff member
- family necessity, e.g. a worker with an ill or dying family member
- technology failure, e.g. when a temporary outage of service-issued electronic devices has occurred
- local emergency event occurring, to receive emergency notifications through government warning systems, for example, bushfire evacuation text notification.

Part 4

Approved providers and their services should have strict controls in place for the appropriate storage and retention of images and videos of children

Adopted by Council 25 September 2025
Resolution 207/2025

12 FINANCE AND CORPORATE SERVICES REPORTS**12.1 INVESTMENTS AUGUST 2025****Resolved 208/2025**

Moved: Cr Bright

Seconded: Cr Bootle

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

12.2 SUMMARY RATE AND ANNUAL CHARGES COLLECTION

The Director of Finance and Corporate Service gave the following updates at the Council Meeting:

Rate Collections	2025-2026	2024-2025
Arrears Prior to 01/01/2025	280,468	539,241
First Instalment outstanding as at 31/8/2025	137,257	560,981
Second Instalment outstanding as at 31/8/2025	1,119,297	1,115,185
Third Instalment outstanding as at 31/8/2025	1,170,709	1,147,773
Fourth Instalment outstanding as at 31/8/2025	1,188,709	1,162,884
Total Arrears	334,792	539,241
Total Outstanding	3,896,441	4,526,064
Monthly Transactions		
Amount Levied & B/Fwd	6,192,744	6,254,196.99
Add: Adjustments	4,995	18,894
Less: Payments to end of August	2,238,919	-1,674,789
Less: Rebates	-67,226	-72,237
Add: Postponed	0	0
Gross Total Balance	4,272,963	4,526,064
Arrears of total amount levied %	11%	17.5%

Resolved 209/2025

Moved: Cr Bootle

Seconded: Cr Elias

That Council receive and note the Rate & Annual Charges Collection report for August 2025.

12.3 DRAFT ANNUAL FINANCIAL STATEMENTS 2024/2025**Resolved 210/2025**

Moved: Cr Menzies

Seconded: Cr Bright

1. That Council adopts the 2024/2025 Draft Annual Statements.
2. Council delegates authority to the General Manager to authorise the Year End Accounts for issue.

12.4 CROWN LAND - PLANS OF MANAGEMENT

Resolved 211/2025

Moved: Cr Bootle

Seconded: Cr Elias

1. That Council adopt the Management Plans listed:
 1. Plan of Management - Parks Established (Generic)
 2. Plan of Management - Parks Not established (Generic)
 3. Plan of Management - Natural areas Bushland (Generic)
2. That the Crown Land Plans of Management Report be received and noted.

13 INFRASTRUCTURE SERVICES REPORTS

13.1 DEPARTMENTAL ACTIVITY REPORT

Resolved 212/2025

Moved: Cr Menzies

Seconded: Cr Elias

That the Infrastructure Departmental Report be received and noted.

13.2 TRAFFIC COMMITTEE MEETING REPORT

Resolved 213/2025

Moved: Cr Bright

Seconded: Cr Menzies

That the Traffic Committee Meeting Report be received and noted.

13.3 AERODROME LANDING FEES

Resolved 214/2025

Moved: Cr Bright

Seconded: Cr Menzies

That Council note the Aerodrome Landing Fees Report.

13.4 WATER EXTENSIONS

Cr Elias **MOVED** that Council adopt the revised Policy for Extending Town Water Supply, as presented. **(Elias/Menzies)**

The **MOTION** was **PUT** to Council and the **MOTION** was **LOST**

Resolved 215/2025

Moved: Cr Bootle

Seconded: Cr Elias

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

The **MOTION** was **PUT** to Council and the **MOTION** was **CARRIED**

14 DEVELOPMENT AND ENVIRONMENTAL SERVICES REPORTS

14.1 DEVELOPMENT APPLICATIONS REPORT

Resolved 216/2025

Moved: Cr Elias

Seconded: Cr Menzies

That the Development Applications Report be received and noted.

14.2 COMPLIANCE REPORT

Resolved 217/2025

Moved: Cr Menzies

Seconded: Cr Bootle

That the Compliance Report be received and noted.

14.3 TABRATONG STREET PLANNING PROPOSAL

Resolved 218/2025

Moved: Cr Bright

Seconded: Cr Elias

That Council resolve to send the Final version of the *Planning Proposal to Reclassify Public Land at 8 Tabratong Street Nyngan* to the Department of Planning, Housing and Infrastructure for the LEP amendment to be made, so that Lot 1 DP102113, Lot 2 DP355559 and Lot 3 DP 945184 are reclassified from “community” to “operational”.

15 PRECIS OF CORRESPONDENCE

Nil

16 MEETING CLOSURE

There being no further business, the meeting closed at 8.15pm.

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

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GENERAL MANAGER

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MAYOR