Business Paper

Ordinary Meeting

Tuesday, 26th August 2025
1.00pm

HAY SHIRE COUNCIL

Hay Shire Council
ABN: 84 075 604 155
134 Lachlan Street PO Box 141 HAY NSW 2711
Telephone: 02 6990 1100 Facsimile: 02 6993 1288
Email: mail@hay.nsw.gov.au Website: www.hay.nsw.gov.au

21st August 2025

The Mayor and Councillors
Hay Shire Council
PO Box 141
Hay NSW 2711

Ladies and Gentlemen:

NOTICE OF MEETING

I have to inform you that an Ordinary Meeting of the Council will be held in the Council Chambers, Hay on:

Tuesday, 26th August to be held 1.00pm
in the Council Chambers.

The agenda for the meeting is as follows:

1. Council Prayer
2. Apologies
3. Confirmation of minutes
4. Matters arising from minutes
5. Declarations of interest
6. Supplementary Mayoral Minute
7. Mayor's Report
8. General Manager's Report
9. Committee Reports
10. In Committee Report

This meeting will be live streamed, and the link can be found at https://www.hay.nsw.gov.au/Inside-Hay-Shire-Council/Council-Meetings-and-Reports/Council-Meetings-Webcast
This meeting will also be audio recorded and available on Council's website within 48 hours on completion of the Ordinary meeting.

Yours sincerely,

David Webb

Vision

Where our people are resilient, healthy and safe, living together with a strong sense of community in a vibrant and prosperous economy.

Mission Statement

To be a progressive rural council committed to:

- Caring for the welfare of our communities
- Protecting and enhancing the environment;
- Building a climate that encourages opportunities for all;
- Managing the Council's resources in an open and accountable manner consistent with the principles of value for money and equity.

Corporate Values

Integrity
We will be honest, fair and ethical in all our dealings, complying with the letter and the spirit of the law. We will make decisions in an unbiased, objective manner devoid of any personal interests or prejudices. We will treat all people with respect.

Openness
We will be readily accessible and will be transparent in all our dealings. We will communicate truthfully and regularly with our community. We will give reasons for our decisions.

Responsiveness
We will consult with our community and other stakeholders and be guided by their wishes. We will deliver on our promises.

Quality of Service
We will strive to provide best-practice services through continuous improvement and embracing new ideas and we will respond promptly to service problems.

Principles

Council has reviewed its guiding principles in line with the new requirements resulting from the Local Government reform process which are now:-

- actively engage local communities, including through integrated planning and reporting;
- be transparent and accountable;
- recognise diverse needs and interests;
- have regard to social justice principles;
- have regard to the long term and cumulative effects of its actions on future generations;
- foster ecologically sustainable development;
- effectively manage risk;
- have regard to long term sustainability;
- work with others to secure services that are appropriate to meet local needs;
- foster continuous improvement and innovation;
- act fairly, ethically and without bias in the public interest; and
- endeavour to involve and support its staff.

Application for Leave of Absence

REPORTING OFFICER	General Manager
ATTACHMENTS	- Correspondence from Cr Will Miller dated 4th August 2025 - Correspondence from Cr Carol Oataway dated 8th August 2025

INTRODUCTION

Correspondence has been received from Cr's Will Miller and Carol Oataway requesting a leave of absence.

COMMENTARY

Cr Will Miller has requested a leave of absence effective from Thursday 7 August till Thursday 28 August 2025, for personal reasons.

Cr Carol Oataway has requested a leave of absence on the 26th August 2025, for medical reasons.

Under the Local Government Act 1993 Section 234 1(d) Councillors are required to apply for a leave of absence.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Civic Leadership** 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance 4.1.2 Monitor and evaluate Council's strategic planning documents 4.1.4 Council will seek to continuously improve
FINANCIAL IMPLICATION	Nil
LEGISLATIVE IMPLICATION	Local Government Act 1993 Section 234 1(d)
POLICY IMPLICATION	Nil
ASSET IMPLICATION	Nil
RISK IMPLICATION	Nil

RECOMMENDATION

That Council:

(a) Grants leave of absence to Cr Will Miller for the period 7 August till Thursday 28 August 2025; and
(b) Grants leave of absence to Cr Carol Oataway for 26th August 2025.

From: Cr Will Miller
To: David Webb
Cc: Cr Carol Oataway; Kerry McRae
Subject: Re: Leave
Date: Tuesday, 5 August 2025 6:22:35 PM
Attachments: image939199.jpg

That is correct, thank you GM

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From: David Webb <DWebb@hay.nsw.gov.au>
Sent: Monday, August 4, 2025 3:33:05 PM
To: Cr Will Miller <cr.miller@hay.nsw.gov.au>
Cc: Cr Carol Oataway <cr.oataway@hay.nsw.gov.au>; Kerry McRae <kmcrae@hay.nsw.gov.au>
Subject: RE: Leave

Thanks Cr Miller.

I assume you are requesting a leave of absence for the August meeting?

David Webb
General Manager

Hay Shire Council
134 Lachlan Street
Hay NSW 2711

Ph: 02 6990 1100 **Fax:** 02 6993 1288 **Mobile:** 0429 693 499
Values - Integrity • Openness • Responsiveness • Quality of Service

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Views expressed in this message are those of the individual sender, and are not necessarily the views of the Hay Shire Council.

From: Cr Will Miller <cr.miller@hay.nsw.gov.au>
Sent: Monday, 4 August 2025 3:31 PM
To: David Webb <DWebb@hay.nsw.gov.au>
Cc: Cr Carol Oataway <cr.oataway@hay.nsw.gov.au>
Subject: Leave

Good afternoon General Manager

This email is to inform you that I will be on leave from Thursday 7 August till Thursday 28 August.

During this time, I will be overseas, and can be contracted on my personal email if required - m_1780@hotmail.com

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From: Cr Carol Oataway
To: David Webb
Cc: Cr Martyn Quinn
Subject: Leave of Absence_August Meeting
Date: Friday, 8 August 2025 9:41:20 AM

Hi David,

After my dental appointment yesterday I was referred to an oral surgeon. The surgeon visits Griffith once a month and I have secured an appointment on August 26th. Unfortunately this clashes with the Council meeting. Therefore I am requesting a leave of absence for the August meeting.

Regards,

Carol

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MINUTES
INDEX

- Ordinary Meeting – 22nd July 2025
- Extraordinary Meeting – 31st July 2025

MINUTES OF THE ORDINARY MEETING OF THE HAY SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS LACHLAN STREET HAY AT 1.00PM ON 22nd JULY 2025

PRESENT: Councillors: Mayor Cr C Oataway (Chair), Cr G Chapman, Cr W Miller, Cr P Porter, Cr D Tapper, General Manager David Webb, Deputy General Manager – Mark Dowling, Executive Manager – People and Governance – Kirstyn Thronder and Executive Assistant Kerry McRae

Request to attend by Audio Visual Link: Cr L Garner & Cr M Quinn

25-84 **Resolved** that Councillors Garner and Quinn be approved to attend by Audio Visual Link

(Tapper/Miller)

Apology: Cr J Perry

25-85 **Resolved** that Council at the June 2025 Ordinary meeting granted leave of absence to Cr John Perry for the 22nd of July meeting.

This meeting was live streamed and audio recorded.

Address to Council: Nil

Confirmation of Minutes

25-86 **Resolved** that the minutes of the Ordinary Meeting of Council held19th June 2025 be confirmed.

(Porter/Tapper)

Declaration of Interest

Nil

Mayoral Report

M1 Mayoral Report

That Council notes the information provided in the report.

M2 Mayoral Minute

25-87 **Resolved** that Council

(a) Notes the findings of the LGNSW Cost Shifting report for the 2023/2024 financial year;
(b) Places a copy of the cost shifting report be placed on Council's website for our community to access.
(c) Writes to the NSW Treasurer and the NSW Country Mayors seeking action to address cost shifting onto local government through a combination of regulatory reform and appropriate funding; and
(d) Distributes a media release on the Cost Shifting report to the local media.

(Oataway/Chapman)

Delegate Report

Nil

General Manager's Reports

Action Plan Report

The report was received and noted.

C1 Development Applications for 13th June 2025 to 10th July 2025

That Council notes the list of Development Applications for 13th June to 10th July 2025.

C2 DA2024-44 Green Gold Energy Murrumbidgee River Road Solar Farm

25-88 **Resolved** that DA2024-44 for a 5MW Electricity Generating Works (Solar Farm and Battery) at Murrumbidgee River Road, Hay be **approved** with the following conditions:

(1) **Compliance with Consent:** The Development being completed in accordance with supporting documents and plans except where varied by conditions of this consent.

Reason: *To confirm the details of the application as submitted by the applicant and as approved by Council.*

(2) **Signage:** Site signage shall apply and must be erected on the site in a prominent, visible position for the duration of the construction.

- Stating that unauthorised entry to the site is not permitted;
- Showing the name of the builder or another person responsible for the site and a telephone number at which the builder or other persons can be contacted outside working hours; and
- The name, address and telephone contact of the Principal Certifying Authority for the work.

Any structures erected to meet the requirements of this condition must be removed when it is no longer required for the purposes for which it was erected.

Reason: *To meet the minimum requirements of the Environmental Planning and Assessment Regulation.*

(3) **Compliance with Standards:** Any building and associated works shall comply with the statutory requirements of the Environmental Planning & Assessment Act, Local Government Act and the National Construction Code (NCC). Detailed building and structural plans, including a Fire Safety Schedule need to be submitted as part of the Construction Certificate process.

Reason: *The legal obligations of the Council to administer the New South Wales building and planning laws in order to provide satisfactory standards of living and development.*

(4) **Mandatory Inspections:** A person who is carrying out or in charge of carrying out the work MUST **notify** Council one working day prior to the following stages of the work and MUST stop building work for 24 hours pending an inspection by an authorised officer:

a) At the commencement of the building work
b) Prior to covering any internal or underfloor plumbing
c) After excavation for, and prior to the placement of, any footings
d) Prior to pouring any in-situ reinforced concrete building element
e) Prior to covering of the framework for any floor, wall, roof or other building element
f) Prior to covering any storm water drainage connections
g) After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

(5) **Siting:** The applicant is responsible to ensure that the building is sited on the allotment and constructed to the design levels approved by Council as specified on the approved site plan.

(6) **Variations:** No alteration to approved plans and specifications is allowed unless separately approved by Council.

(7) **Site Encroachment Prohibited:** The structure shall be erected solely within the property boundaries. Guttering and eaves should not overhang into neighbouring properties.

Reason: *To ensure that no encroachments occur onto neighbouring properties.*

(8) **Construction Certificate Required:** A Construction Certificate must be obtained from a Principal Certifying Authority prior to commencement of any work.

Reason: *To ensure that minimum standards relating to structural adequacy, health and amenity are met.*

(9) **Roofwater**
Guttering and downpipes shall be provided and fitted in an approved manner and the stormwater shall be conveyed into a stormwater system.

(10) **Easements**
The applicant is required to ensure that any easements registered over the title to the land are complied with.

(11) **Builders Toilets:** Provision being made for temporary WC accommodation on site prior to the commencement of excavation or other associated building works.

Reason: To ensure minimum standards of hygiene for on-site workers.

(12) **Further Details Required:** The applicant should submit to Council, in duplicate, information relating to building work details for a Construction Certificate. No work relating to this detail shall be carried out until the information is supplied and approved by Council.

Reason: *To ensure that minimum standards relating to structural adequacy, health and amenity are met.*

(13) **Legal Access:** Physical access for vehicular movement shall be provided to the proposed development. Such access to be contained within a legally created easement or roadway.

Reason: *To ensure that legal access can be maintained to the development.*

(14) **Occupation Certificate Required:** Prior to commencement of the use (and/or) occupation of the subject development, a satisfactory final inspection (and/or) occupation certificate must be issued by the Principal Certifying Authority. An Occupation Certificate must be applied for through the NSW Planning Portal, and can be a “related certificate” to the Development Application.

Reason: *To ensure that minimum standards relating to structural adequacy, health and amenity are met.*

(15) **Noise control**
The emission of noise associated with the use of the premises including the operation of any mechanical plant and equipment must comply with all standards outlined in the Noise Policy for Industry 2017 (NSW EPA) & A Guide to the Noise Policy for Industry (NSW EPA).

In the event the use exceeds permitted levels, the person in control of the premises must arrange for an acoustic investigation to be carried out by an accredited acoustic engineer and implement those measures to reduce noise to acceptable levels. Additional ongoing mitigations will be required to be installed and maintained for the life of the development.

Reason*: To protect the amenity of the area and to comply with the Protection of the Environment Operations Act 1997 and Noise Policy for Industry 2017***.**

(16) **Amenity protection**
The approved development must not adversely affect the amenity and environment of the neighbourhood in any way including:

i. The appearance of any buildings, works or materials used.
ii. The parking or movement of motor vehicles.
iii. The transporting of materials or goods to or from the site.
iv. Noise, air and water discharges from the site.
v. Electrical interference.
vi. The storage and handling of garbage, fuels, chemicals, pesticides, gasses, waste products or other materials.
vii. Emissions or discharges into the surrounding environment including, from wastewater, sediment, dust, vibration, odours or other harmful products.

Note: The Applicant must notify, at the earliest opportunity, Hay Shire Council of any incident which has caused, or threatens to cause, material harm to the environment. For any other incident associated with the development, the Applicant must notify Hay Shire Council as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant must provide Hay Shire Council with a detailed report on the incident, and such further reports as may be requested.

Reason*: To protect the amenity of the adjoining area.*

(17) **Storage or Hazardous Goods**
Dangerous and hazardous goods shall be stored in accordance with SafeWork NSW requirements, dependent on the quantities stored. Any flammable or combustible liquids shall be stored in accordance with AS 1940 'The Storage and Handling of Flammable and Combustible Liquids'.

Hazardous and/or industrial waste arising from the use shall be removed and/or transported in accordance with the requirements of the EPA and SafeWork NSW.

Reason**: To ensure such operations do not interfere with use of the adjoining roadway and/or footpath**.

(18) **Liquid Spills**
Sufficient supplies of appropriate absorbent materials and other spill prevention and clean-up materials shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods, by placing absorbent material on the spill and sweeping or shovelling the material into a secure bin. Materials used to clean up shall be disposed of to an appropriately licensed waste facility.

Reason**: To ensure no amenity impacts occur as a result of the development**.

(19) **Lapsing of Consent**
This consent is limited to a period of 5 years from the date of the Notice of Determination, unless the works associated with the development have physically commenced.

***Reason:** To ensure compliance with the Environmental Planning & Assessment Act 1979.*

(20) **Vehicular Crossing**
a. Any vehicular crossing being required to enable satisfactory access shall be constructed at full expense of the applicant and to Council's specification. The existing gate access is to be maintained by the applicant to the satisfaction of Council.
b. A 375mm diameter reinforced concrete pipe culvert together with concrete head walls shall be constructed at the Murrumbidgee River Road entrance to the property.
c. Vehicular access to the site is to be provided at the applicant's expense and to the satisfaction of Council's Engineering Department. This will include the road network leading to the site with appropriate designs submitted to and approved by Council prior to the issue of a Construction Certificate.

***Reason:** To ensure driveway crossings meet Council requirements.*

d. Driveway Crossing maintenance: The driveway crossings are to be maintained to the satisfaction of the Council for the life of the development at no cost to Council.

***Reason:** To ensure access and egress is maintained to a high standard*

e. An application under Section 138, The Roads Act 1993 must be applied for all vehicular crossings and Council approval received prior to the issue of the Construction Certificate.
f. A finalised design for access, including the vehicle driveway and crossing specifications for the property shall be provided to Council prior to the issue of the Construction Certificate. The alignment of the access road needs to be agreed upon by a suitably qualified professional as well as a local First Nations representative, to ensure there is no harm to any Aboriginal items or sites.

(21) **Waste**
- All waste streams must be separated and paid as applicable as per Council's Revenue Policy.
- All extracted materials must be acceptable as general land fill and any contamination detected must be remediated on site or removed to an authorised disposal location. Evidence must be provided to Council of all excavated materials testing every 50m3.
- Before decommissioning the development, a Decommissioning Plan needs to be submitted to Council.

Reason: *To ensure the materials being disposed at the Hay Recycling and Waste Centre are within regulatory compliance*

(22) **Waste Containment**
Designated waste containment areas must be provided on site and maintained to prevent any windblown litter escaping from the site.

Reason: *To comply with the Protection of the Environment Operations Act 1997 and to preserve the environmental health and amenity of the adjoining area.*

(23) **No obstruction of road reserve permitted**
The road reserve must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. All activities including loading/unloading of vehicles associated with this development must be undertaken within the subject site.

Reason*: To protect the amenity of the area.*

(24) **Aboriginal Cultural Heritage**
- No Aboriginal objects may be harmed without an approval from Heritage NSW under the National Parks and Wildlife Act 1974.

-If any Aboriginal object(s) are discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the Proponent must:

- Not further harm the object(s);
- Immediately cease all work at the particular location;
- Secure the area to avoid further harm to the Aboriginal object(s);
- Notify Heritage NSW as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au, providing any details of the Aboriginal object(s) and its location;
- Not recommence any work at the particular location unless authorised in writing by Heritage NSW.

-If harm to Aboriginal objects cannot be avoided, an application for an Aboriginal Heritage Impact Permit (AHIP) must be prepared and submitted to Heritage NSW before work may continue.

-If skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.

It is the responsibility of the Proponent to ensure the development is consistent with the Due diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales. All reasonable precautions must be taken to prevent damage to Aboriginal objects.

Reason: *To protect Aboriginal heritage and to ensure compliance with the National Parks and Wildlife Act 1974.*

(25) **No pollution of waterways**

The Applicant must take all necessary precautions and implement measures to prevent pollution of waterways during construction and operation of the development. Section 120 of the Protection of the Environment Operations Act 1997 it is an offence to pollute waters.

Reason: *To comply with NSW EPA requirements.*

Compliance with Government Departments

Crown Lands

(26) **Lineal Infrastructure (e.g. Pipelines and/or Electricity Transmission lines) traversing Crown land/roads**

If lineal infrastructure (such as pipelines and/or electricity transmission lines) are expected to traverse Crown land, roads and/or waterways, a licence over said Crown land, roads and/or waterways will be required to authorise use and access for the infrastructure to traverse Crown roads and Crown land.
Details on how to apply for a licence are available at the below link:
https://www.industry.nsw.gov.au/lands/use/licences

(27) **Travelling Stock Reserves/ Reserves/Commons/Aboriginal Land Claims/Native Title**

It is noted that no Crown Reserve are within the project area but there is a Water Reserve to the east of Lot 1 DP1049829 which is managed by Riverina Local Land Services and is currently the subject of an undetermined Aboriginal Land Claim (ALC). As such, if any proposed infrastructure, such as Transmission lines, cabling, etc., impact on this reserve then concurrence with the Riverina LLS & NSW Aboriginal Land Council (NSWALC) would be required. Additionally, a tenure will be required to authorise any use of and/or access to this lot, which may be subject to Native Title. This will need to occur prior to the commencement of any works.
Further information regarding Aboriginal Land Claims can be found at the following link:
https://www.industry.nsw.gov.au/lands/what-we-do/our-work/aboriginal-land-claims

DPI (Agricultural Land Use Planning)

(28) **An Operational Management Plan** is required to detail how the site generally will be managed for groundcover, biosecurity and land use conflicts, before construction commences. A copy of the Plan is to be provided to Hay Shire Council and DPI-Ag, and to DPI-Ag's satisfaction.

EPA recommended conditions

(29) Waste generated during construction, operation, upgrading and decommissioning must be dealt with in accordance with the following priorities:

a) waste generation must be avoided and where avoidance is not reasonably practicable, waste generation must be reduced;
b) where avoiding or reducing waste is not possible, waste must be re-used, recycled, or recovered; and
c) where re-using, recycling or recovering waste is not possible, waste must be treated or disposed of.

(30) The importation of waste and storage, treatment, processing, reprocessing or disposal of such waste must comply with the POEO Act*, the Protection of the Environment Operations (Waste) Regulation 2014*, and orders or exemptions under the regulation.

(31) Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the *Protection of the Environment Operations (Waste) Regulation 2014*, or to any other place that can lawfully accept such waste.

(32) All waste that is removed from site must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal dockets retained for audit purposes.

(33) The Proponent shall prepare and implement a Waste and Resource Recovery Management Plan for the project to the satisfaction of Council, prior to the commencement of operation. This program must:

- be prepared in consultation with Hay Shire Council;
- be approved by Council prior to commencement of operation; and include in the plan: details of the quantity, type and source of waste received;
    - details of the quantity, type and quality of the waste produced and their intended fate;
    - details of the intended fates of all other waste and materials received/produced on site which are not suitable for re-use;
    - details of any materials produced which will require a specific Resource Recovery Order;
    - details of any materials produced under a Resource Recovery Order, and the controls/procedures in place for meeting the conditions of that order;
    - details of any testing/monitoring procedures;
    - details of how materials segregation will be achieved, particularly the segregation of contaminated soils and resource recovery materials;
    - The capability of the waste management facilities in Hay Shire Council to accept the volumes of waste predicted to be deposited and any associated approvals required to create and/or expand waste storage or disposal facilities;
    - Any infrastructure that may be required at any waste facilities that are proposed to be created and/or expanded to receive additional volumes of waste from the project.

Essential Energy

(34) If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.

(35) Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.

(36) In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity of the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.

(37) Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).

(38) Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

RFS

Asset Protection Zones

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities. To achieve this, the following conditions apply:

(39) From the commencement of building works, and in perpetuity, the land identified as '10m Recommended APZ' in Figure 7 of the bush fire assessment report prepared by Bushfire Consulting Services (dated: 18 March 2025, ref: J25/0157) must be managed as an inner protection area in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

When establishing and maintaining an IPA the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2 m above the ground;
- tree canopies should be separated by 2 to 5 m;
- preference should be given to smooth-barked and evergreen trees;
- large discontinuities or gaps in the shrubs layer should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover;
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
- grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed regularly.

Construction Standards

The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities. To achieve this, the following conditions apply:

(40) Essential equipment should be designed and housed in such a way as to minimise the impact of bush fires on the capabilities of the infrastructure during bush fire emergencies. It should also be designed and maintained so that it will not serve as a bush fire risk to surrounding bush.

(41) All new fences and gates are to be constructed from non-combustible material only.

Access – Property Access

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities. ***To achieve this, the following conditions apply:***

(42) Prior to the issue of occupation certificate, access roads from Murrumbidgee River Road to the site and internal roads must comply with the following requirements of Table 5.3b of *Planning for Bush Fire Protection 2019:*

- property access roads are two-wheel drive, all-weather roads;
- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges and causeways clearly, indicate load rating.
- there is suitable access for a Category 1 fire appliance to within 4m of the static water supply or static water supply outlet where no reticulated supply is available;
- minimum 4m carriageway width;
- in a forest, woodland and heath situations, rural property roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m, at the passing bay;
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- property access must provide a suitable turning area in accordance with Appendix 3;
- curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- the minimum distance between inner and outer curves is 6m;
- the cross fall is not more than 10 degrees; and,
- maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

Note: Some short constrictions in the access may be accepted where they are not less than 3.5m wide, extend for no more than 30m and where the obstruction cannot be reasonably avoided or removed. The gradients applicable to public roads also apply to community style development property access roads in addition to the above.

Water and Utility Services

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities. To achieve this, the following conditions apply:

(43) Prior to the issue of occupation certificate, the provision of water, electricity and gas must comply with the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019:*

- as per the recommendations of the bush fire assessment report, a 100,000 litre static water supply, tank, pool, dam or the like, must be provided on-site,
- an outlet for firefighting purposes is located within the IPA or non-hazard side and away from the structure,
- 65mm Storz connection with a ball valve is fitted to the outlet,

- the ball valve, pipes and tank penetration are adequate for the full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material,
- underground tanks have an access hole of 200mm to allow tankers to refill, direct from the tank,
- a hardened ground surface for truck access is supplied within 4m of the water outlet or access hole,
- above-ground tanks are manufactured from concrete or metal,
- raised tanks have their stands constructed from non combustible material or bush - fire-resisting timber. The bush fire-resisting timbers are Silvertop Ash, Blackbutt, Red or River Gum, Spotted Gum, Red Ironbark, Kwila (Merbau) or Turpentine,
- unobstructed access can be provided at all times,
- underground tanks are clearly marked,
- tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters,
- all exposed water pipes external to the building are metal, including any fittings,
- where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack,
- any hose and reel for firefighting connected to the pump must be 19mm internal diameter,
- fire hose reels are constructed in accordance with AS/NZS 1221:1997, and installed in accordance with the relevant clauses of AS 2441:2005,
- A Static Water Supply (SWS) sign must be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
    - Markers must be fixed in a suitable location to be highly visible, and
    - Markers should be positioned adjacent to the most appropriate access for the water supply.
- where practicable, electrical transmission lines are underground,
- where overhead, electrical transmission lines are proposed as follows:
    - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas, and
    - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used,
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side,
- connections to and from gas cylinders are metal,
- polymer sheathed flexible gas supply - lines are not used, and
- above-ground gas service pipes are metal, including and up to any outlets.

Landscaping Assessment

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities. To achieve this, the following conditions apply:

(44***)*** Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:

- A minimum 1-metre-wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do no touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

Emergency and Evacuation Planning Assessment

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities. To achieve this, the following conditions apply:

(44) A Bush Fire Emergency Management and Operations Plan must be prepared that addresses the following:

- detailed measures to prevent or mitigate fires igniting;
- availability of fire-suppression equipment, access and water;
- storage and maintenance of fuels and other flammable materials;
- notification of the local RFS Fire Control Centre for any works that have the potential to ignite surrounding vegetation, proposed to be carried out during a bush-fire fire danger period to ensure weather conditions are appropriate; and
- appropriate bush fire emergency management planning.

A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to the occupation of the development.

Biodiversity, Conservation & Science Group (DCCEEW)

(45) Prior to issue of a construction certificate, a Biodiversity Management Plan must be prepared to the satisfaction of the consent authority. The Biodiversity Management Plan may form part of a Construction Environmental Management Plan. The Biodiversity Management Plan must identify:

I. the development site as per the 'impact area' shown in Figure 1 of the 'Test of Significance' (Red Gum Environmental Consulting, 30/4/2024) and approved plans.
II. areas of vegetation that are to be retained as outlined in the Test of Significance.
III. all measures proposed in Sections 6.1 and 7.6 of the Test of Significance, and any other measures necessary, to mitigate and manage impacts on biodiversity. Each commitment must have a performance measure and nominated responsible party.
IV. procedures for managing native fauna prior to vegetation clearing and during construction.
V. any measures necessary to mitigate and manage impacts on biodiversity during the operational phase of the development.

(46) Construction impacts must be restricted to the development site and must not encroach into areas of retained native vegetation and habitat as per the 'Test of Significance' (Red Gum Environmental Consulting, 30/4/2024) and approved plans. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the Test of Significance.

For	*Against*
Cr G Chapman	
Cr L Garner	
Cr W Miller	
Cr C Oataway	
Cr P Porter	
Cr M Quinn	
Cr D Tapper	

(Tapper/Porter)

C3 Hay Alcohol Free Zones

25-89 **Resolved** that Council prepare a proposal for alcohol free zones and alcohol prohibited areas in accordance with Section 644 of the Local Government Act as outlined in the Council Report with an additional zone in Moppett St from Lachlan St to Pine St.

(Quinn/Tapper)

C4 Waste Management Update

25-90 **Resolved** that Council:

(a) Notes the information provided in the report;

(b) Authorises the six-month trial of new Hay Waste Facility hours as outlined in the report commencing Monday 4th August 2025; and

(c) A further report be brought back to Council in due course.

(Porter/Chapman)

C5 Hay Heavy Vehicle Rest Area and the Hay Aerodrome Heavy Vehicle Entrance Projects

That Council notes the information provided in the report.

C6 Kay Hull Centre – Meeting Room Refurbishment

25-91 **Resolved** that Council:

(a) Notes the information provided in the report;
(b) Endorses the progression of the design and documentation of the Kay Hull Centre Meeting Room Refurbishment; and
(c) Receives a further report once the design is completed.

(Miller/Tapper)

C7 Swimming Pool Management

25-92 **Resolved** that Council:

(a) Manages the swimming pool for the 2025/26 season internally (Council staff).
(b) Proceeds with an unsupervised pool entry system as outlined in the report, funded from the current pool operations budget; and
(c) Calls for an Expression of Interest (EOI) to lease the pool canteen for the 2025/2026 season.

(Porter/Quinn)

C8 Request to Lease Office Space

25-93 **Resolved** that Council:

(a) Notes the information provided in the report;
(b) Calls for Expressions of Interest (EOI) to lease office space in the Hay Goal Museum Governors Cottage building; and
(c) A further report is brought back to Council in due course.

(Chapman/Miller)

C9 Audit Office – Interim Management Letter

That Council notes the information provided in the report.

C10 Code of Conduct Reviewers Panel

25-94 **Resolved** that Council:

(a) Appoints the following as eligible Code of Conduct Reviewers in accordance with the expression of interest conducted by RAMJO:

(i) KPMG - Sydney NSW
(ii) O'Connor, Marsden and Associates- Sydney NSW
(iii) Centium – Sydney NSW

(b) The term is for four years commencing 1 July 2025.

(Porter/Tapper)

C11 JLT Public Sector Risk Report

That Council notes the information provided in the report.

C12 Roads Congress Report

That Council receives and notes the report provided.

C13 John Houston Memorial Swimming Pool Replacement Project

That Council notes the information provided and the actions being undertaken.

C14 Monthly Financial Report – June 2025

That Council receives and notes the report provided.

C15 Circulars and other Government Correspondence

That Council notes the information provided in the report.

C16 Tourism & Economic Development June/July 2025

25-95 Resolved that Council:

(a) Notes the information provided in the report and the actions being undertaken:
(b) Endorses the Hay Transitional Housing and Pathway, dated July 2025; and
(c) Engages The Next Economy (TNE) to deliver the implementation phase of the Regional Drought Resilience Plan for both Hay and Carrathool Shire Councils, as outlined in the report, due to the remoteness of our locality and the unavailability of competitive or reliable tenderers, it is felt that a satisfactory result would not be achieved by inviting tenders.

(Chapman/Miller)

C17 Library Report June 2025

That Council notes the information in the report.

C18 Major Projects Update

That Council notes the information provided in the report and the actions being undertaken.

C19 Operations Monthly Update Report

That Council notes the information provided in the report.

Reports of Council Committees

- Hay Showground Management Committee 19.5.2025

25-96 **Resolved** that Council notes the Committees meeting minutes, and any recommendations contained within be adopted.

(Porter/Tapper)

There being no further business the meeting was terminated at 3:11pm.

Confirmed_____
Cr Carol Oataway
Mayor

MINUTES OF THE EXTRAORDINARY MEETING OF THE HAY SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS LACHLAN STREET HAY AT 6.00PM ON 31st JULY 2025

PRESENT: Councillors: Mayor Cr C Oataway (Chair), Cr G Chapman, Cr L Garner, Cr W Miller, Cr P Porter, Cr M Quinn, Cr D Tapper, General Manager David Webb, Deputy General Manager – Mark Dowling, Executive Manager – People and Governance – Kirstyn Thronder and Executive Assistant Kerry McRae

Request to attend by Audio Visual Link: Nil

Apology: Cr J Perry

Council at the June 2025 Ordinary meeting granted leave of absence to Cr John Perry for the period 9th July to 31st August 2025.

This meeting was live streamed, and audio recorded.

Address to Council: Nil

Declaration of Interest

Nil

Mayoral Report

Nil

Delegate Report

Nil

General Manager's Reports

C1 Sheds and Shipping Containers in Residential Areas

25-97 Resolved that Council adopt the Sheds and Shipping Containers in Residential Areas Policy, Version 2, dated July 2025.

(Quinn/Chapman)

Closed Session

At this stage of the meeting the Mayor advised that it is proposed to move into Closed Session for consideration of the following items:

IC1 - Hay Sewage Treatment Plant

Reason for Confidentiality

IC.1(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Further, Council is considering a litigation matter in accordance with Section 10A(2)(g) of the *Local Government Act 1993*, which permits the exclusion of the public from a meeting to discuss legal matters that may involve actual or potential litigation. This is to allow Council to receive confidential legal advice and to consider its legal position without prejudicing its interests or compromising the integrity of any current or future proceedings. As such, the matter is appropriately considered in closed session under Section 10A(2)(d) of the Local Government Act 1993.

The Mayor invited representations or submissions from the public as to the reasons why the matters identified are moving into closed session.

Nil representations or submissions were received.

The Mayor advised that in accordance with Section 11(2)(a)(b) of the Local Government Act 1993, access to the correspondence and reports relating to the items considered during the course of the Closed Session will be withheld.

25-98 **Resolved** that the meeting be closed during the discussion of these matters.

(Miller/Porter)

Accordingly, members of the press and public were excluded from the closed session.

IC1 - Hay Sewage Treatment Plant

25-99 **Resolved** that Council

(a) Notes the information in the report and actions being undertaken; and

(b) Authorises expenditure as outlined in the report funded from the Sewer Fund Reserve.

(Quinn/Tapper)

25-100 **Resolved** that the meeting move out of closed session, and the resolutions closed session be made public.

(Chapman/Miller)

Open Meeting

The Mayor verbally advised the meeting of resolutions from the closed session and these resolutions are recorded without any alteration and amendment thereto.

There being no further business the meeting was terminated at 6.38pm.

Confirmed_____
Cr Carol Oataway
Mayor

Mayoral Minute

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M1. Mayoral Report

REPORTING OFFICER	Cr Carol Oataway – Mayor
ATTACHMENTS	Nil

July / August have been busy with official engagements, meetings and representation. The following is a summary of my mayoral activities for this period:

Representation / Engagements

- **NSW SES Riverina Plains Awards – 17th July 2025**
  The Southern Zone Riverine Plains Cluster of the State Emergency Services conducted an awards ceremony at the Hay Services Club. The presentation of the Awards and Certificates were in recognition of service to the NSW SES. The ceremony was conducted by Superintendent Shane Hargrave of Wagga. SES Members from Balranald, Hillston, Goolgowi and Hay received awards. The awards were presented by Assistant Commissioner Colin Malone, Balranald mayor – Louie Zaffina and myself. The General Manager was also in attendance. Congratulations to Sally Ware and Robert Marmont on receiving their service awards.



Members of Hay SES



Mayor Zaffina presenting a long service award

- **VP Day – 14th August 2025**
  The Hay RSL Sub Branch conducted a community commemorative service at the Hay Cenotaph to commemorate significant historical events. These included the Commemoration of the end of the Korean War, the 80th anniversary of Victory in the Pacific and Vietnam Veterans Day. All three Hay schools were involved in the commemoration with students providing the commemoration address. Community members were on hand to lay wreaths and I was proud to lay one on behalf of Hay Shire Council.

- **Hay Public School Book Launch – 15th August 20**

I was incredibly honoured to attend Hay Public School's Year 6 book launch to present students with a copy of their book, 'The Wandering Times of Hay.' The book produced, not only highlights the protection efforts for the Plains-Wanderer, but also captures students' experiences whilst researching. Students worked with the support of Hay Landcare, Riverina LLS, passionate local farmers and Taronga Western Plains Zoo in Dubbo.





Year 6 Students at Hay Public School being presented with their book: 'The Wandering Times of Hay'

Meetings

- **General Manager Performance Review – 30th July 2025**
  The General Manager's annual performance review was led by Steven Pinnuck and Terrey Kiss of LG Services Group. The panel participating in the review included Cr Quinn, Cr Garner, Cr Porter and myself. Documents pertaining to the outcome of this review will be presented in a closed session of Council at its August meeting. Thanks to all councillors for their input into this review.

- **Regional Health Meeting – 31st July 2025**
  The General Manager and I held a meeting with Luke Sloane, Deputy Secretary for Regional Health and Brendan Cutmore, Director Information and Performance Support – NSW Regional Health Division to discuss health issues and access to services for the Hay LGA. On the table were staffing challenges at Hay Hospital, patient transport, ambulance services, Hay Health Precinct and aged care. Regular meetings have been requested to keep the advocacy on the table.

- **Hospital Auxiliary AGM – 1st August 2025**
  The Hay Hospital Auxillary held their AGM and I was honoured to be issued with an invitation to attend. The hard working executive remains unchanged and the support provided to the hospital is very generous. The Auxillary is fortunate to be in a sound financial position due to generous local benefactors.

- **LHAC Meeting – 4th August 2025**
  The General Manager and I attended the monthly meeting of LHAC. The local group was nominated for the Riverina Volunteer Awards and representatives will be presented with a certificate in Wagga later in the month. Staffing vacancies remain unchanged at the hospital with Enrolled Nurses being the hardest to fill.

- **Sturt Highway Taskforce – 5th August 2025**
  The General Manager and I travelled to Darlington Point to attend the quarterly meeting of the Sturt Highway Taskforce. The Sturt Highway Strategic Directions have been discussed and presented to Minister Aitchison, with copies also provided to the Country Mayors for distribution to Minister King and Minister McBain. Planning for route selections along the

South West Renewable Energy Zone is still in its early stages, with preferred routes yet to be identified. Upgrades are being considered to ensure roads can safely manage over-mass and over-size vehicle movements. Pottinger currently holds a condition of consent for movements through Broken Hill and down the Cobb Highway, and road surveying will be undertaken in consultation with Council. A strong view was expressed that Local Government must have a seat at the table in discussions with proponents regarding preferred routes. The Taskforce also emphasised the importance of securing legacy projects through road upgrades that will benefit our communities into the future.

- **Youth Taskforce Meeting – 12th August 2025**
  Two local students and I attended a meeting led by the Youth Officer to discuss, prioritise, and allocate free driving lessons to young people who had applied. These lessons provide invaluable support in helping local youth prepare for their driving test and gain their licence. All applicants were successful, receiving between one and ten free lessons depending on their needs.

- **CRLG Meeting – Legal**
  I attended the third webinar hosted by the Centre for Rural Local Government, titled *'*Navigating the Legal Landscape: What Every Council Leader Needs to Know'. The session was presented by renowned barrister Peter King, who drew on his decades of legal experience to outline the key legal fundamentals relevant to councillors, general managers, and senior local government leaders. He also highlighted common pitfalls to avoid and emerging legal issues that councils may face. The webinar provided valuable insights to strengthen legal awareness and governance capability within local government.

Upcoming Engagements

- Bush Summit – 27th August 2025
- NSW Ambulance Town Hall Meeting (CERT) – 27th August 2025
- LHAC Meeting – 1st September 2025
- Pool Meeting – 4th September 2025
- Dunera Reunion - 6th September 2025
- CRLG Meeting -10th September 2025

RECOMMENDATION

That Council notes the information provided in the report.

M2. Mayoral Minute
Aged Care Reform – Registered Nurses

REPORTING OFFICER	Mayor Cr Carol Oataway
ATTACHMENTS	Nil

Introduction:

The Australian Government's aged care reform agenda, driven by the recommendations of the Royal Commission into Aged Care Quality and Safety, is reshaping the standards and expectations across the sector.

A key component of these reforms is the mandatory presence of a Registered nurse (RN) on-site and on duty 24 hours a day, 7 days a week, in all residential aged care facilities from 1 July 2023. This significant change aims to improve clinical care, enhance resident outcomes, and increase confidence in the aged care system.

In Hay, the introduction of the 24/7 registered nurse requirement has placed considerable strain on local aged care services. Like many rural communities, Hay faces ongoing challenges in attracting and retaining qualified nursing staff, making it difficult to meet the new staffing mandates. This has led to increased operational costs, heightened reliance on agency nurses, and concerns about long-term service sustainability.

In particular, the mandatory requirement for residential aged care facilities in rural and remote areas to have a Registered Nurse on duty 24/7 is intensifying the impact of:

1. The severe and persistent workforce shortages in these communities, making compliance with the requirement nearly unachievable; and
2. The closure of otherwise viable aged care services, leaving vulnerable older residents without access to local care.

While the reform aims to improve care quality, its implementation in remote settings like Hay highlights the need for flexible solutions and additional support for rural providers. I seek Council's support to submit the following motions to the upcoming LGNSW Annual Conference in November 2025, to advocate for policy reform to assist in the attracting and retaining registered nurses in aged care settings in rural and remote communities.

Motion Title 1:
Flexibility in 24/7 Registered Nurse Requirement in Rural and Remote Aged Care Facilities

Motion 1:
That Local Government NSW advocates to the Aged Care Quality and Safety Commission and the Federal Government to amend or introduce greater flexibility to the mandatory 24/7 Registered Nurse requirement for residential aged care facilities in rural and remote areas, acknowledging the need for a more flexible, risk-based or tiered approach that takes into account community size, workforce availability, and proximity to acute health services.

Background 1:
The Federal Government's aged care reforms include a mandatory requirement for residential aged care providers to have a Registered Nurse on site 24/7. While this may be achievable in metropolitan areas, it is often unworkable in rural and remote communities where Registered Nurses are in extremely short supply.

This one-size-fits-all approach risks the closure of already fragile aged care services in smaller communities, which are often the only facilities enabling elderly residents to remain in their hometowns near family and support networks.

This motion calls on LGNSW to advocate for policy reform that acknowledges workforce realities in regional Australia and ensures that quality care can continue to be delivered locally through realistic and flexible staffing models.

Motion Title 2:
Recognition of Overseas Nursing Qualifications and Fast-Tracking of Visa Applications for Aged Care Workforce

Motion 2:
That Local Government NSW advocates to the Australian Government to address the critical nationwide shortage of Registered Nurses, exacerbated by the mandatory 24/7 on-site requirement in residential aged care facilities, by:

1. Expediting the recognition and registration of overseas-qualified nurses whose credentials meet Australian standards; and
2. Prioritising and fast-tracking visa applications for internationally qualified nurses seeking to work in the aged care sector.

Background 2:
The introduction of the 24/7 registered nurse requirement under aged care reforms, while well-intentioned, has intensified workforce pressures across rural, regional, and remote communities. Many aged care providers, particularly in smaller rural councils like Hay Shire, are struggling to meet compliance due to the national shortage of Registered Nurses.

A practical and timely solution is to facilitate the employment of suitably qualified international nurses. However, current visa processing delays and the complex recognition of overseas qualifications present unnecessary barriers.

Local Government has a vested interest in the viability of aged care services in its communities, and through advocating for the immediate streamlining of these processes will help ensure that aged care services remain operational and compliant, and that the dignity and care of older Australians are not compromised.

Motion Title 3:
Fee-Free Education Pathways for Aged Care Workers

Motion 3:

That Local Government NSW advocates to the Australian and NSW Governments to implement fee-free education and training programs for individuals seeking to work in the aged care sector, including qualifications for Personal Care Workers, Enrolled Nurses, and Registered Nurses.

Background 3:
Australia is experiencing a critical and ongoing shortage of aged care workers, particularly in regional and rural communities. This shortage spans the entire workforce, from Personal Care Workers (PCWs) to Bachelor-qualified Registered Nurses (RNs).

Despite high demand, many potential workers are discouraged by the cost of training and the long-term financial barriers to entering the sector. Fee-free education would serve as a powerful incentive to attract and retain a skilled and compassionate workforce.

Removing financial barriers would not only support workforce growth but also ensure a pipeline of well-trained, qualified staff in a sector that cares for one of the most vulnerable populations. Given the growing ageing population and the increasing complexity of care needs, urgent action is required to support and expand the aged care workforce through accessible education and training opportunities.

Local councils have witnessed firsthand the decline in service capacity, particularly in smaller communities. Equitable access to training, regardless of postcode or background, is essential to support sustainable aged care services in all Australian communities.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Social** 1.1 Our community is skilled and supported 1.1.3 Improve access to health services 1.1.4 Support local health initiatives and programs 1.4 Our youth and aged are supported 1.4.2 Support youth and aged services and initiatives **Economic** 3.3 Our community is resilient and adaptive 3.3.3 Reimagined Care Economy **Civic Leadership** 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.1 Provide an advocacy role on behalf of the community
FINANCIAL IMPLICATION	N/A
LEGISLATIVE IMPLICATION	Aged Care Act 2024
POLICY IMPLICATION	N/A
ASSET IMPLICATION	N/A
RISK IMPLICATION	N/A

RECOMMENDATION

That Council submits the following motions to the upcoming LGNSW 2025 Annual Conference:

(a) Motion 1:
That Local Government NSW advocates to the Aged Care Quality and Safety Commission and the Federal Government to amend or introduce greater flexibility to the mandatory 24/7 Registered Nurse requirement for residential aged care facilities in rural and remote areas, acknowledging the need for a more flexible, risk-based or tiered approach that takes into account community size, workforce availability, and proximity to acute health services;

(b) Motion 2:
That Local Government NSW advocates to the Australian Government to address the critical nationwide shortage of Registered Nurses, exacerbated by the mandatory 24/7 on-site requirement in residential aged care facilities, by:

1. Expediting the recognition and registration of overseas-qualified nurses whose credentials meet Australian standards; and
2. Prioritising and fast-tracking visa applications for internationally qualified nurses seeking to work in the aged care sector;

(c) Motion 3:
That Local Government NSW advocates to the Australian and NSW Governments to implement fee-free education and training programs for individuals seeking to work in the aged care sector, including qualifications for Personal Care Workers, Enrolled Nurses, and Registered Nurses.

General Manager's Report

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Actions Required from Council & Committee Meeting

Month: July 2025

Extraordinary Meeting 31st July 2025

Res No	*Officer*	*Item*	*Resolution*	*Complete*
25- 97	EM P&C	**Sheds and Shipping Containers in Residential Areas**	Council adopts the Sheds and Shipping Containers in Residential Areas Policy, Version 2, dated July 2025. **Response:** Adopted	Yes
25-99	GM	**Hay Sewage Treatment Plant**	(b) Authorises expenditure as outlined in the report funded from the Sewer Fund Reserve. **Response:** Ongoing.	No

Ordinary Meeting 22nd July 2025

25-87	GM	**Mayoral Minute**	(b) Places a copy of the cost shifting report be placed on Council's website for our community to access. (c) Writes to the NSW Treasurer and the NSW Country Mayors seeking action to address cost shifting onto local government through a combination of regulatory reform and appropriate funding; and (d) Distributes a media release on the Cost Shifting report to the local media. **Response:** Completed	Yes
25-88	EM P&C	**DA2024-44 Green Gold Energy Murrumbidgee River Road Solar Farm**	DA2024-44 for a 5MW Electricity Generating Works (Solar Farm and Battery) at Murrumbidgee River Road, Hay be **approved** with the following conditions: **Response:** DA approved with conditions	Yes
25-89	GM	**Hay Alcohol Free Zones**	Council prepare a proposal for alcohol free zones and alcohol prohibited areas in accordance with Section 644 of the Local Government Act as outlined in the Council Report with an additional zone in Moppett St from Lachlan St to Pine St. **Response:** Public notice issued. Licenced premised advised. A further report to be brought to the September meeting.	No
25-90	GM	**Waste Management Update**	(b) Authorises the six-month trial of new Hay Waste Facility hours as outlined in the report commencing Monday 4th August 2025; and (c) A further report be brought back to Council in due course. **Response:** Trial hours have commenced.	No

25-91	GM	**Kay Hull Centre – Meeting Room Refurbishment**	(b) Endorses the progression of the design and documentation of the Kay Hull Centre Meeting Room Refurbishment; and (c) Receives a further report once the design is completed. **Response:** Project moving to full design and documentation stage.	No
25-92	GM	**Swimming Pool Management**	(a) Manages the swimming pool for the 2025/26 season internally (Council staff). (b) Proceeds with an unsupervised pool entry system as outlined in the report, funded from the current pool operations budget; and (c) Calls for an Expression of Interest (EOI) to lease the pool canteen for the 2025/2026 season. **Response:** Advertised for lifeguards. Unsupervised pool entry system being developed. EOI called for lease of canteen. See further report to Council this month.	No
25-93	GM	**Request to Lease Office Space**	(a) Calls for Expressions of Interest (EOI) to lease office space in the Hay Goal Museum Governors Cottage building; and (b) A further report is brought back to Council in due course. **Response:** EOI called. See further report to Council this month.	Yes
25-94	GM	**Code of Conduct Reviewers Panel**	(a) Appoints the following as eligible Code of Conduct Reviewers in accordance with the expression of interest conducted by RAMJO: (i) KPMG - Sydney NSW (ii) O'Connor, Marsden and Associates- Sydney NSW (iii) Centium – Sydney NSW (b) The term is for four years commencing 1 July 2025. **Response:** Panel in place.	Yes
25-95	GM /EM - TED	**Tourism & Economic Development June/July 2025**	(a) Endorses the Hay Transitional Housing and Pathway, dated July 2025; and (b) Engages The Next Economy (TNE) to deliver the implementation phase of the Regional Drought Resilience Plan for both Hay and Carrathool Shire Councils, as outlined in the report, due to the remoteness of our locality and the unavailability of competitive or reliable tenderers, it	Yes

			is felt that a satisfactory result would not be achieved by inviting tenders. **Response:** Projects continuing as outlined in the report.	

Month: June 2025
Ordinary Meeting: 19th June 2025

Res No	*Officer*	*Item*	*Resolution*	*Complete*
25-80	EM-E&O	**Tree Removal Requests**	(i) Council reroutes stormwater pipe away from the tree to gutter at 445 Macauley St and the tree is retained. (ii) Remove the tree in the cemetery and plant ten suitable species at the cemetery. **Response:** In progress	No
Month: May 2025 ***Ordinary Meeting: 27th May 2025***				
25-53		**GM Performance Review**	**(b)** The Performance Review Panel meets Wednesday, 30 July 2025, at 9.00am, to undertake review of the General Manager's performance and reports back to Council at a future meeting. **Response:** Review set for 30th July 2025. Review held. See separate report to Council this month.	Yes
25-55	EM-P&C	**Developer Contributions Plan**	a) Endorse the draft Hay Shire Council Developer Contributions Plan 2025 (Attachment B) for the purpose of public exhibition in accordance with the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021. b) Place the draft plan on public exhibition for a minimum of 28 days. c) Receive a further report following the public exhibition period outlining any submissions received and recommending any changes to the draft plan for final adoption. **Response:** Plan endorsed On public display Exhibition period completed. Further report to Council at the August 2025 meeting. See further report to Council this month.	Yes
25-56	EM-P&C	**Sheds and Shipping Containers in Residential Areas**	Publicly exhibits the Sheds and Shipping Containers in Residential Areas for a period of minimum 28 days and refer the policy back to Council.	Yes

			Response: On public display Exhibition period completed. Further report to Council at the August 2025 meeting. Completed.	
25-61	GM	**Showground Master Plan**	Council endorses the draft Showgrounds Master Plan V2, dated May 2025, be placed on public exhibition for a minimum 28 days and a further report be brought to Council in due course. **Response:** Master plan endorsed On public display Exhibition period completed. Further report to Council at the August 2025 meeting following consultation with the Showground Management Committee. See further report to Council this month.	Yes
25-65	EM-E&O	**Operations Monthly Update Report**	(a) Authorises the disposal of the tractor drawn padfoot roller. **Response:** To be auctioned. Passed in at first auction. To be re-auctioned. Roller sold at auction.	Yes
25-66	EM-E&O	**Tree Removal Requests**	(i)Removes tree at 325 Macauley Street and replace it with Crepe Myrtle. (ii) Removes tree at 393 Balaclava Street and replace it with Manchurian Pear. (iii) Removes tree at 255 Piper Street and replace it with Crepe Myrtle. (iv) Removes tree at 405 Church Street and replace it with a Crepe Myrtle. (v) Removes tree at 59 – 69 Lachlan Street and replace it with a Bottlebrush. (vi) Removes tree at 392 Murray Street and replace it with Manchurian Pear. (vii) Removes tree at the old goal, Church Street and replace it with a Manchurian Pear. **Response:** In progress	No
25-69	EM-P&C	**Cleaning Contract**	(a) Accepts the quotation from HACCP International Property Services Pty Ltd for the Cleaning Contract for period of two years, 1 July 2025 to 30 June 2027, in the amount of $201,891 (including GST); and (b) Authorises the General Manager and Executive Manager Planning	Yes

			and Compliance to execute the Contract for the works. (c) **Response:** Accept quote and execute Contract for the works. Contracts executed.	
Month: April 2025 ***Ordinary Meeting: 22nd April 2025***				
25-43		**Delegate Report**	That Council authorises attendance to the Murray Darling Association 81st National Conference will be held in Griffith, NSW, from 29th September until 2nd October 2025 by Crs Chapman and Porter. **Response** Registration & accommodation to be booked. Crs Chapman & Porter reviewing program to decide which events to attend. Cr Chapman booked & attending full conference Cr Porter booked & attending full conference.	Yes
25-44	GM	**RAMJO Update**	a) Does not accept or pay the $30,000 fee requested by RAMJO for the 2025/2026 financial year; and (b) Writes to the Minister for Local Government seeking a release from RAMJO. **Response** email sent to RAMJO EO advising decision; and letter sent to Minister Hoeing seeking release.	No
Month: March 2025 ***Ordinary Meeting: 25th March 2025***				
25-40	DGM	**Sale of Land for Overdue Rates**	a. Sell the nominated land for overdue rates pursuant to Division 5 of the Local Government Act, 1993; b. Fix the time for sale thereof by public auction on the 19th September 2025 and the place for the public auction as the Council Chambers, 134 Lachlan Street, c. Give notice of the proposed public auction by advertisement in the NSW Government Gazette and the Riverine Grazier newspaper in the prescribed form; d. Appoint an Auctioneer for the proposed sale; e. Where practicable after publication of the notice referred to in Clause (c) hereof, give notice to any person who, according to the relevant land title search, has an interest in any of the land; and f. An administration fee of $500 to be charged to each rate assessment.	No

			g. That the General Manager be authorised to set reasonable reserve prices for the respective properties. h. that the owners be advised that formal arrangements will commence if they do not immediately satisfy the debt or make satisfactory arrangement to pay their rates. **Response:** Process commenced. Advert placed Grazier 16/04 & NSW Gazette 02/05. Three properties have had rates paid in full. One property still outstanding. Auctioneer and solicitor engaged.	

Month: February 2025
Ordinary Meeting: 25th February 2025

25-11	EM-P&G	**Code of Meeting Practice**	That Council adopts the Model Code of Meeting Practice as presented: with the following inclusions: a. Questions without notice on the agenda with a limit of two questions per Councillor; and b. Ordinary Meeting time to remain at 1.00pm. **Response:** Staff working on how Questions with Notice can be included as the current Model Code does not permit. Suggest review when new Model Code is released later this year. Council to wait till new Code of Meeting Practice is released.	No
25-12	DGM	**Wheelchair accessible vehicle**	That Council a. Enters into a lease for a five-seater vehicle with wheelchair accessibility; b. Sells the existing bus and hire a bus if needed from an external provider; c. Conducts the service during normal business hours with the potential to service clients requiring wheelchair accessibility outside of normal house subject to driver availability. **Response:** Discussions ongoing. Credit approved by supplier. Details of lease still being finalised. Lease finalised. Waiting on delivery of vehicle.	No

Month: October 2024
Ordinary Meeting: 22nd October 2024

Res No.	Officer	Item	Resolution	Complete
24-109		Tree Removal Requests	**Resolved** That Council: **a)** Removes the Gum Tree at 238 Bourke Street and replace with a suitable species; Tree removed.	No

			b) Prunes the Christmas Bush at 133 Lachlan Street to reduce the height; Complete **c)** Removes three Claret Ash Trees at 422 Orson Street and replace with suitable species; Trees removed **d)** Prunes the Claret Ash tree in front of 190-192 Lachlan Street away from the awning. Complete **Response:** a) Tree removed and replacement tree has been ordered b) Completed c) Trees removed and replacements have been planted d) completed	

Month: August 2024
Extraordinary Meeting: 12th August 2024

Res No.	Officer	Item	Resolution	Complete
24-85	EM O&P	Tree Removal Requests	**Resolved** that Council **a)** Removes the Jacaranda tree at the Visitors Centre, Moppet Street and replaces with 10 roses planted in Ashwill Park as part of the VIC toilet refurbishment project **b)** Removes the 3 Peppercorn trees at the Duck Pond. **c)** Removes the 3 Claret Ash trees at 465 Cadell St and replaces with Bottlebrush or crepe myrtle trees; Trees Removed **d)** Retains the Silky Oak tree at 366 Cadell St. **Response:** a) & b) complete. C) trees removed, yet to be replaced. No action for d)	No
24-87	GM	Update on Housing Proposal & Childcare in Hay	**Resolved** that Council: **(a)** Notes the information in the report and the initiatives undertaken by staff to address the critical childcare and housing shortage in Hay. **(b)** Authorises the General Manager or his delegate to enter into a new Licence Application with Crown Lands for Lot 195 DP 756755 and part Lot 193 DP 756755; **(c)** Sets aside the staff house at 342 Church Street when it becomes vacant for childcare; and	No

			(d) Authorises the General Manager or his delegate to enter into negotiations with Homes NSW in regard to property for childcare as outlined in the report and execute Contracts of Sale of property, under Council Common Seal as required. **Response:** In progress and ongoing. Contracts in progress.	
24-88	GM	Purchase of Patching Truck	**Resolved** that Council **(a)** Accepts the tender for the supply of one (1) new Isuzu Jetmaster Patching Truck from Ausroad Manufacturing Pty Ltd, including accessories, in an amount of $635,481 (Incl GST); **(b)** Authorises the General Manager to sign the purchase order; and **(c)** Disposes of Caterpillar 428C Backhoe, Plant No 3111, at auction. **Response:** Patching truck ordered. Delivery expected June 2025. New patching truck delivered.	Yes

Month: June 2024
Ordinary Meeting: 25th June 2024

Res No.	***Officer***	***Item***	***Resolution***	***Complete***
24-059	EM-PC	Bishops Lodge Subdivision	**Resolved that:-** (a) Council endorses the transfer of title of Lots 13-17 DP747124 and Lots 24-27 DP747124 being the Bishops Lodge Subdivision to Argyle Housing Inc. for the purpose of construction and management Affordable Housing dwellings, with the dwellings layout to be development in consultation with Council and be used strictly in accordance with the NSW Affordable Housing Ministerial Guidelines 2023-24 and subsequent editions as published; (b) Council endorses the transfer of tile of Lot 11 DP868762 being Myers Lane Units to Argyle Housing Inc for the purpose of independent living, low income/social housing dwellings and be used strictly in accordance with the NSW Affordable Housing Ministerial Guidelines 2023-24 and subsequent editions as published;	No

			(c) That the land be gifted for the purpose as described in recommendations (a) and (b) and that covenant(s) be placed on the Certificate of Title as necessary to ensure this occurs; (d) That a covenant be placed on the Certificate of Title to ensure that should Argyle Housing Inc. dispose of the land at any time in the future that Council be reimbursed the value of the land at sale subject to the valuation and escalated by Annual CPI. Any changes to covenant(s) on Certificate of Title are subject to approval by Hay Shire Council; (e) That in the event that Argyle Housing Inc is unable to attract funding the develop the subdivision lots within 4-years from date of transfer, the land returns to the full ownership of Hay Shire Council; and (f) Two 4-bedroom dwellings are set aside for Council in the subdivision; and (g) That the Mayor and General Manager be authorised to sign appropriate legal documents under Council seal. **Response:** Ongoing. In discussions with Argyle Housing and Homes NSW. Contract conditions agreed on Bishops Lodge subdivision and expect execution to occur shortly. Waiting on updated land valuations. Land valuations received. Expect to exchange contracts very shortly.	

Month: April 2024
Ordinary Meeting: 23rd April 2024

Res No.	*Officer*	*Item*	*Resolution*	*Complete*
24-032		Hay Shire Housing Facilitation Project	**Resolved** **a)** That Council proceeds with the Planning Proposal for removal of the minimum lot size in the Hay Urban Area; and **b)** That Council proceed with the rezoning of RU1 Primary Production Land to R2 Low Density Residential as outlined in the report. **Response:**	No

			Gateway submitted to Department. Ongoing. Drafting clauses for LEP amendment.	

Month: March 2024
Ordinary Meeting: 26th March 2024

Res. No	Officer	Item	Resolution	Complete
24-022	EM-E&O	Tree Removal Requests	**Resolved** that Council **a.** Remove the two Claret Ash Trees at 453 Orson Street and replace with Crepe Myrtle Trees. **b.** Remove the three Silky Oak Trees at 420 Murray Street and replace with Crepe Myrtle Trees. **Response:** (a) Tree removed and replacement has been ordered (b) Complete	No

Month: February 2024
Ordinary Meeting: 27th February 2024

Res. No	Officer	Item	Resolution	Complete
24-009	EM-EO	Tree Removal Requests	Resolved that Council **a.** Removes two Gum trees in Pal Richards Park and replace with two Ornamental Pear Trees. **b.** Removes the Pine tree at 321 Macauley Street and replace with a crepe Myrtle Tree. **c.** Remove two Claret Ash trees at 471 Cadell Street and replace with two Crepe Myrtle Trees. **d.** Remove 2 x Claret Ash from 322 Church Street and replace with two Ornamental Pear Trees, and **e.** Removes Pepper Corn tree Corner of Cadell and Lachlan and replace with a Manchurian Pear. Tree removed **f.** Retain the California Ash at 348 Cadell Street. **g.** Removes three Claret Ash Trees in the Swimming Pool Carpark and replace with three Claret Ash Trees (to keep in theme with the existing tree corridor). **h.** Heavy prune 12 Claret Ash Trees at the John Houston Memorial Pool carpark. **i.** Additional to the replacement trees suggested, Council plant trees within Hay Parks to achieve ten trees planted for every removal. **Response:** (a), (b), (c), (d), (e) & (g) complete	No

			(f) & (h) trees removed and replacements ordered. (h) & (i) not yet completed.	

Month: November 2023
Ordinary Meeting: 28th November 2023

Res. No	Officer	Item	Resolution	Complete
23-132	EM E&O	Tree Removal Requests	**Resolved** that Council **a)** Removal of Pine tree at 242 Pine Street, remove and replacement with suitable species. Tree removed **b)** Removal of Melaleuca at 361 Leonard Street, remove and replacement with suitable species. Tree removed **c)** Removal of Gum Tree in 361 Leonard Street, remove and replacement with suitable species. Tree removed **d)** Removal of Gum Tree at 236 Pine Street, remove and replacement with suitable species. Complete **e)** Removal of 3 Oleanders at 236 Pine Street, remove and replacement with suitable species. Complete **f)** Removal of Gum Tree at 469 Cadell Street, remove and replacement with suitable species. Tree removed **g)** Retains Jacaranda Tree at 379 Alma Street. **h)** Removal of Gum Tree 2 Pimperia Street, Maude, remove and replacement with suitable species. Complete **Response:** Removals completed. New trees have been planted.	No

Month: September 2023
Ordinary Meeting: 26th September 2023

Res No.	Officer	Item	Resolution	Complete

Month: June 2023
Ordinary Meeting: 27th June 2023

Res No.	*Officer*	*Item*	*Resolution*	*Complete*
23-065	GM	Reconciliation Action Plan	**Resolved** that Council endorses the Draft Hay Shire Council Reconciliation Action Plan (RAP) for public exhibition and consultation. **Response:** RAP out on public exhibition. Public exhibition period complete – two submissions received. RAP to be updated to incorporate comments where possible and sent back to Reconciliation Australia for approval. Plan to be finalised.	No

Month: February 2023
Ordinary Meeting: 28th February 2023

Res No	*Officer*	*Item*	*Resolution*	*Complete*
23-011	GM	Request to Purchase Council Land	**Resolved** that Council **(a)** Approves the closure of Hay Street, Hay and undertakes the process in accordance with the Roads Act 1993 and subject to the applicant meeting all costs associated with the closure and sale of the land; and **(b)** Once the Street is closed and vested in Council as freehold pending sale, that Council advertises for public comment the options of a.) rename Back Street and b.) name an current unnamed laneway. **Response:** Council has completed its phase of part (a). Hay Street – Applicant has adjacent land for land for sale; would assume upon sale the application is closed.	No

Month: April 2022
Ordinary Meeting: 26th April 2022

Res No.	*Officer*	*Item*	*Resolution*	*Complete*
22-046	DIP	Agritourism Clauses for Hay LEP 2011	**Resolved** that Council recommends **(a)** Does not adopt the proposed Clause 5.23 Farm Stay Accommodation **(b)** Adopts Clause 5.24 Farm Gate Premises, with the following text: ***5.24 Farm gate premises*** (1) The objectives of this clause are— (a) to allow for small scale tourism and related commercial uses on land used for primary production without adversely impacting the principal use of the land for primary production, and (b) to balance the impact of tourism and related commercial uses with the use of land for primary production, the environment, scenic values, infrastructure and adjoining land uses. (2) Development consent must not be granted to development for the purposes of farm gate premises on a landholding unless the consent authority is satisfied that— (a) the gross floor area of a building used for farm gate premises will not be more than **200** square metres, and (b) the maximum number of persons that will be permitted on the landholding at	Yes

			any 1 time for the purposes of the farm gate premises will not be more **50** persons. (3) Development consent must not be granted to development for the purposes of farm gate premises on land unless the consent authority has considered— (a) whether the development will result in noise or pollution that will have significant adverse impact on the following on or near the land— (i) residential accommodation, (ii) primary production operations, (iii) other land uses, and (b) whether the development will have significant adverse impact on the following on or near the land— (i) the visual amenity, heritage or scenic values, (ii) native or significant flora or fauna, (iii) water quality, (iv) traffic, (v) the safety of persons, and (c) whether the development is on bush fire prone land or flood prone land, and (d) the suitability of the land for the proposed development, and (e) the compatibility of the development with nearby land uses. **Response:** Department notified of Council's resolution. Waiting on finalisation of amended LEP. Complete; now included in standard LEP.	

Month: April 2021
Ordinary Meeting 27th April 2021

Res. No.	***Officer***	***Item***	***Resolution***	***Complete***
21-052	DCCS	Potential Land Acquisition	**Resolved** that Council, **(a)** Notes the information provided in the report; and **(b)** Undertakes an independent valuation of Land at a cost of $2,000 **(c)** Participates in further discussions with Transport for NSW regarding the Railway Land. **Response:** (b)Valuation has been undertaken. Land purchased.	No

			(c) Discussions with TfNSW/JHR underway General Manager has been in recent discussions with TfNSW. Waiting on response from TfNSW. Discussions still ongoing.	

Month: December 2020
Ordinary Meeting 15th December 2020

Res. No.	***Officer***	***Item***	***Resolution***	***Complete***
20-170	DCCS	Realignment of the Suburb of One Tree	**Resolved** that Council: i.) Extend the suburb of Booligal south and the suburb of Hay north as in the attached diagram, which places land closest to the population's centres of Hay and Booligal ii.) Council advertises its decision for public comment; iii.)Seek comment from affected landowners; and iv.) Liaise with the NSW Geographical Names Board. **Response:** In progress Ongoing Next stage is to commence owner notification	No

Month: July 2020
Ordinary Meeting 28th July 2020

Res. No.	***Officer***	***Item***	***Resolution***	***Complete***
20-084	DCCS	Classification of Crown Reserve 150036	**Resolved** that Council classify the portion of Lot 222 DP 819305 under its management as operational land and advertises the intention of classification of operational land and allow a period of 28 days for public comment. **Response:** Council is waiting on Crown lands and the Aboriginal land claim determination.	No
20-090	GM	IC 1 – Railways Lands - IN COMMITTEE	**IC 1 Resolved that Council**: (a) Commences negotiation to terminate Agreement 206.2523 and enter into a new agreement which includes Lot 4 DP 812034; and **(b)** A further report be brought to Council in due course. **Response:** Letter written to JHR. Ongoing. Staff liaising with new railway land managers. Discussions still ongoing.	No

Month: March 2020
Ordinary Meeting 24th March 2020

Res. No.	***Officer***	***Item***	***Resolution***	***Complete***

20-038	DCCS	Road Name	**Resolve that Council:** **a.** Endorses the name of road as “Kiernan Lane”. **b.** Continues with naming the unnamed road in accordance with Geographical Names Board requirements; and **c.** Continues with the formalising of the road corridors for Yankee Crossing Road and unnamed road. **Response**: Continuing with process of naming and formalising road corridors. Recent discussions with Crown Lands indicate sticking point around Yankee Crossing Road going through a TSR. Still working with Crown Lands. Kiernan Lane is officially named. Still working on Yankee Crossing Road formulisation. Matter been delayed due to ALC on the travelling stock route.	No

C1 – Development Applications – 11th July 2025 to 14th August 2025

REPORTING OFFICER	Executive Assistant – Planning and Compliance
ATTACHMENTS	Nil

INTRODUCTION

Progress report on the current development applications with Council.

COMMENTARY

DA2024-42 Michael Hyde – 216 Piper St, Hay – Enclose verandah – Approved
DA 2024-44 Green Gold Energy Pty Ltd – Lot 33 DP 75678 &, Lot 1 DP 1049829 Murrumbidgee River Rd – Solar Farm & Battery - Approved
DA 2024-63 Ramps Ridge Pty Ltd & R.N Harris & S.P Harris - Stock and domestic pipeline to provide secure water access to farm from Ravensworth to Murrumbidgee River – In process (additional information requested)
DA 2025-10 C.I.D Electrics Pty Ltd – 33 Dunera Way, Hay – Extend office and showroom – In process (additional information requested)
DA 2025-14 Badaoui Group Pty Ltd – 164-170 Lachlan St, Hay - Service Station Refurbish – In process
DA 2025-19 Charlie Wythes – 413 Murray St, Hay – Two Bay Carport – In process (additional information requested)
DA 2025-25 Aidan Mullins – 332 Macauley St, Hay – Demolish existing house, construction of new house and carport – Approved
DA 2025-26 Aidan Mullins – 173 Bidgee Dr, Hay – Dwelling & Shed – Approved
DA 2025-27 Jonty Busch – 321 Moama St, Hay – 12 Storage Sheds – In process
DA 2025-30 Shaun Cunningham – 256 West St, Hay – Demolish Burnt Dwelling & Structures – Approved
DA 2025-34 Therese Perrignon – 184 Lindsay St, Hay – Shed – Approved
DA 2025-35 Shaun Cunningham – 256 West St, Hay – Transportable Dwelling – In process (additional information requested)
DA 2025-36 Craig & Toni Burns – 375 Russell St, Hay – Demolish Carport & Erect Shed – Approved
DA 2025-38 Craig & Kerynne Martin – 435 Church St, Hay – Enclose verandah – Approved

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Civic Leadership** 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.1 Provide an advocacy role on behalf of the community 4.2.2 Inform and empower community input into decision making 4.2.3 Our community has access to Council information, services and facilities
FINANCIAL IMPLICATION	N/A

LEGISLATIVE IMPLICATION	Environmental Planning & Assessment Act 1979 Hay Local Environmental Plan 2011
POLICY IMPLICATION	N/A
ASSET IMPLICATION	N/A
RISK IMPLICATION	N/A

RECOMMENDATION

That Council notes the list of Development Applications for 11th July 2025 to 14th August 2025.

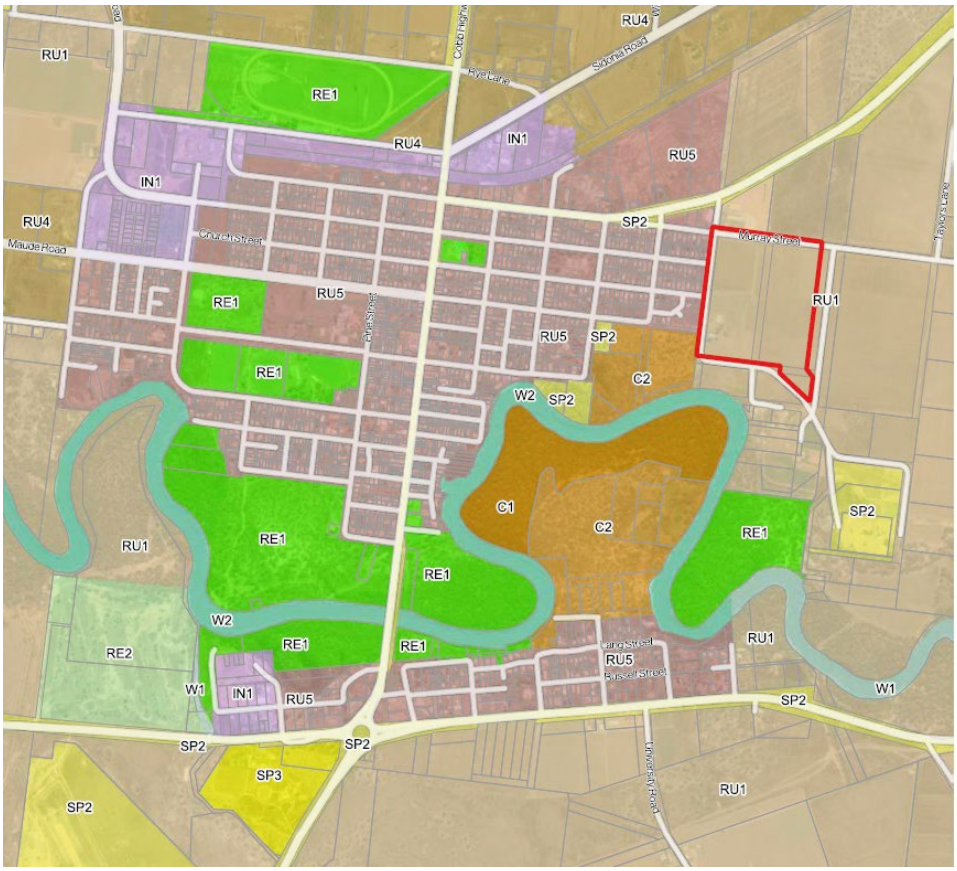
C2 – Hay Shire Housing Facilitation Project - Planning Proposal PP2024-1037

REPORTING OFFICER	Executive Manager Planning & Compliance
ATTACHMENTS	A – Comment from RFS B – Comment from Department of Climate Change, Energy the Environment and Water (DCCEEW) C – Comment from Department of Planning, Housing and Infrastructure: Crown Lands D – Comment from Transport for NSW E – Comment from Department of Primary Industries and Regional Development: Agricultural Land Use Planning

INTRODUCTION

Hay Shire Council received funding under the Regional Housing Strategic Planning Fund to undertake a Planning Proposal to change the Hay Local Environmental Plan (LEP), which governs the land uses and zoning of properties. The funding covered:

1. The removal of minimum lot sizes in the existing urban areas of Hay
2. The expansion of the Hay urban area, to the east of the town, as per the plan below.



The Planning Proposal have received Gateway Approval, with instructions for the notification of the Planning Proposal, which has closed on 30th July 2025.

COMMENTARY

1. Removal of minimum lot sizes

Clause 4.1 of the Hay LEP states the following:

4.1 Minimum subdivision lot size

(1) The objectives of this clause are as follows—

(a) to ensure development is undertaken on appropriately sized parcels of land, commensurate with available services, and responds to any topographic, physical or environmental constraints,

(b) to prevent the fragmentation of rural lands,

(c) to ensure areas of high ecological value and significant land sensitivity are enhanced for future generations,

(d) to allow for farm restructuring.

(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.

(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

(4) This clause does not apply in relation to the subdivision of any land—

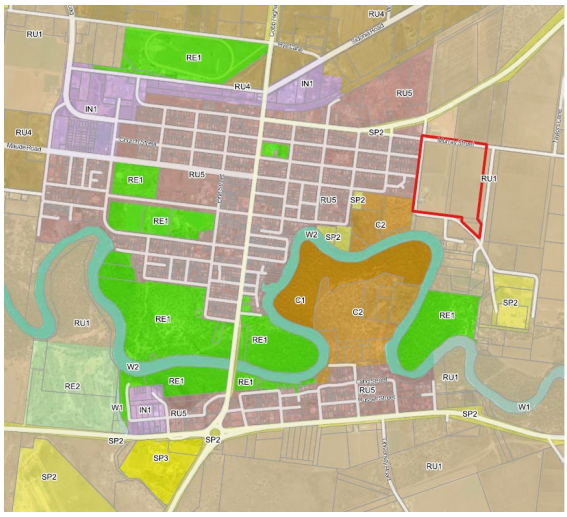
(a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or

(b) by any kind of subdivision under the Community Land Development Act 2021.

The minimum lot size for the Hay Urban Area is 550m2. This prevents the densifying of the urban area, which is the most economically and environmentally sustainable form of urban development. Removing the minimum lot size will facilitate the development of smaller houses on smaller lots, which can have a positive impact on the housing crisis. The removal of the minimum lot size of the urban area will be within the red marked area on the aerial photo to the right.



2. Expansion of East Hay



The current zoning for the land is RU1, which is an Agricultural zoning. The Hay LEP defines it as the following:

Zone RU1 Primary Production

1 Objectives of zone

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

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home-based child care; Home occupations; Roads; Water reticulation systems

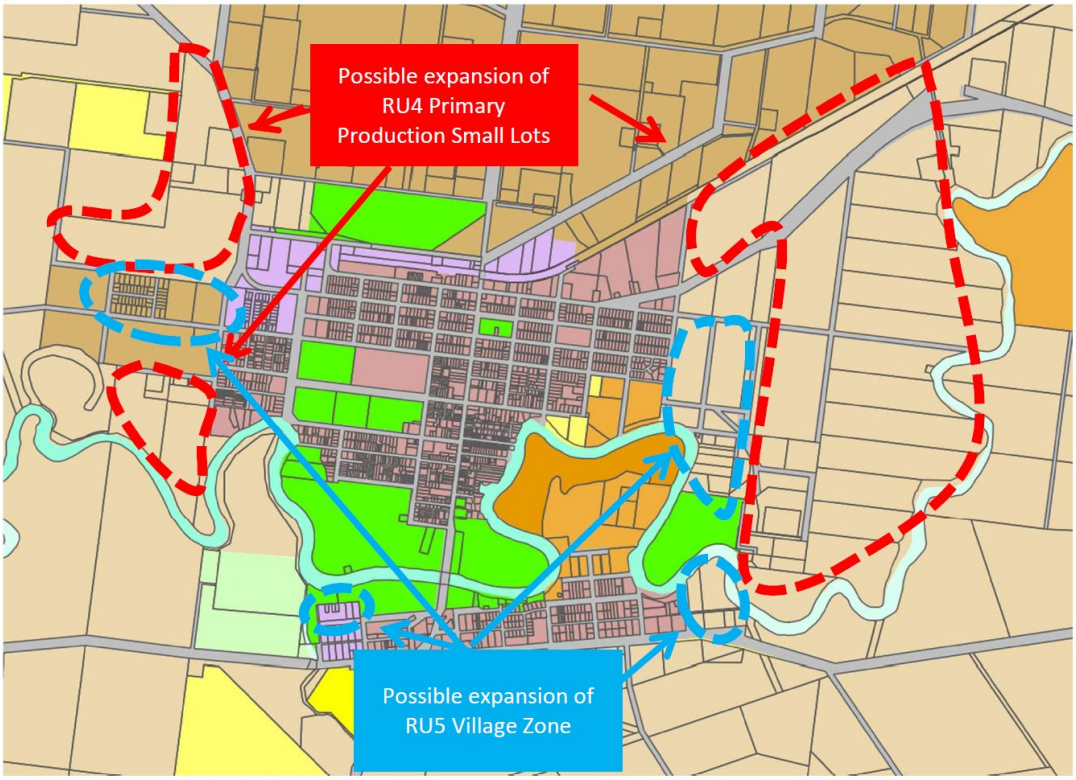
3 Permitted with consent

Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Depots; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Helipads; Home businesses; Home industries; Home occupations (sex services); Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Roadside stalls; Rural industries; Rural workers' dwellings; Veterinary hospitals; Water recreation structures; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Hay Shire Council also completed a Local Strategic Planning Statement (LSPS) in 2020 and a Structure Plan in 2022 that identified the land for urban expansion. The extracts from the Hay LSPS and the Hay Structure Plan are included below.



Potential Expansion of Village and Primary Production Small Lots Zones

Extract from Hay LSPS

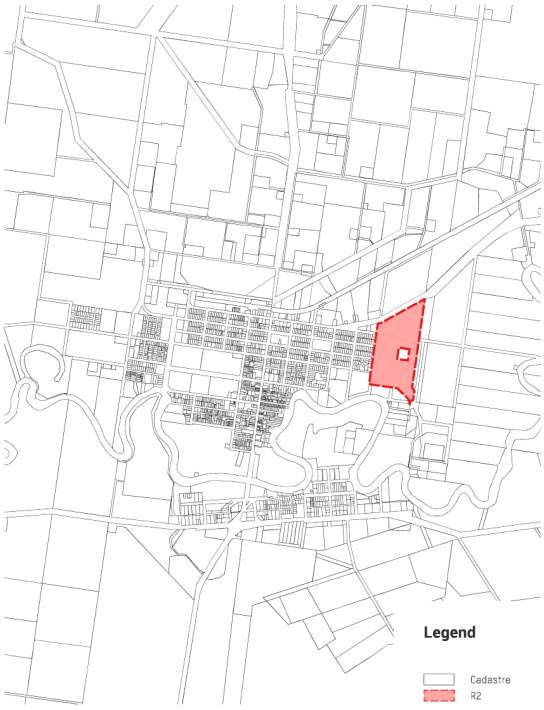


Figure 36: Proposed R2 Low Density Residential Zone

5.2 R2 Low Density Residential Zone

The Structure Plan recommends introducing a new R2 Low Density Residential zone on the north eastern side of town. In accordance with NSW Department of Planning Practice Note PN 11-002, the R2 zone is:

"intended to be applied to land where primarily low density housing is to be established or maintained... This is the lowest density urban residential zone and the most restrictive in terms of other permitted uses considered suitable".

Based on the existing development pattern and zoning of the area, environmental constraints and the logical extension of services, the Structure Plan recommends rezoning a number of parcels of land to the north east of the existing township to R2 Low Density Residential with a 1,500m2 minimum lot size as identified in Figure 36.

These parcels include the following:

- 229 Bourke Street (Lot 2, DP448476 and Lot 135, DP756755).
- 265 Bourke Street (Lot 10, DP823018).
- Mid-Western Highway (Lot 111, DP1187931).

The recommended rezoning of this land is consistent with previous strategic planning investigations and recommendations identified in Council's LSPS (Figure 5) and are consistent with the environmental constraints of the land.

The properties are currently zoned RU1 Primary Production with a minimum lot size of 90 hectares. Combined, the lots have a total area of approximately 33 hectares.

All properties are largely unconstrained and the topography of the land is generally flat. Vegetation on-site is largely non-native and comprises planted vegetation around an existing dwelling on Lot 2.

The land is not currently used for any large-scale productive farming land and is largely classified as Category 1 land under the provisions of the *Local Land Services Act 2013.*

Extract from Hay Structure Plan

The proposed zoning for the land is a Residential Zone -R2. This is defined as:

Zone R2 Low Density Residential

1 Objectives of zone

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

2 Permitted without consent

Home occupations

3 Permitted with consent

Centre-based child care facilities; Dwelling houses; Group homes; Oyster aquaculture; Pond-based aquaculture; Respite day care centres; Tank-based aquaculture

The proposed change of zoning does not mean that the existing agricultural land use cannot continue, existing use rights for agriculture are protected under Clause 4.65 of the Environmental Planning and Assessment Act 1979. It is the use of a building, work or land (previous development) that was lawfully commenced under previous planning instruments, such as a Local Environmental Plan. Existing use rights provide certain protections to landowners from changes to planning laws that apply to their land. They allow people to continue to live in their homes for example or operate their businesses as they did before the change, until they decide they no longer wish to do so.

In September 2023 a report was drafted to Council to exclude the rezoning of the subject land, as the owners were not interested. This has however changed, and after consultation with the owners, they wish to include these sections of land now. The Planning Proposal has been amended to now include these sections again.

3. Merit of the Planning Proposal

The Planning Proposal has strategic merit and is in the public interest for the following reasons:

- The proposal directly facilitates the recommendations outlined within Sections 5.1 & 5.2 of the Hay Structure Plan.
- The resultant development/redevelopment of the land will not create any unacceptable environmental or social impacts.
- The proposed amendment will encourage the development of existing urban areas to contribute to a diversity of housing types throughout the Municipality.
- Optimise the use of unconstrained land that is presently underutilised to further contribute to the provision of a diversity of housing options throughout the municipality through a variety of residential lot sizes (both small lot and residential lifestyle).
- The proposal will increase the diversity and type of residential housing that will cater for a range of housing needs and demands, particularly in response to an ageing population and increasing housing costs.
- There will be a net economic benefit for the Hay community in terms of growth and investment via the provision of additional residential allotments.
- To identify and establish the residential growth area of Hay.
- The subject land can be provided with all urban services.

In more detail, the Planning Proposal seeks to:

- Remove the current 550sqm minimum lot size applicable to land located within the RU5 Village Zone (both North and South Hay).

- Rezone land identified as 229 Bourke Street (Lot 2, DP448476 and Lot 135, DP756755) and 41 Cemetery Road (Lot 168, DP756755) from RU1 Primary Production to R2 Low Density Residential Zone.
- Reduce the minimum lot size of land identified as 229 Bourke Street (Lot 2, DP448476 and Lot 135, DP756755) and 41 Cemetery Road (Lot 168, DP756755) from 90ha to 1,500sqm.
- Introduce a new land use zone within the Land Use Table of the LEP, being the R2 Low Density Residential zone.

Details of the proposed changes are illustrated in the figures below.

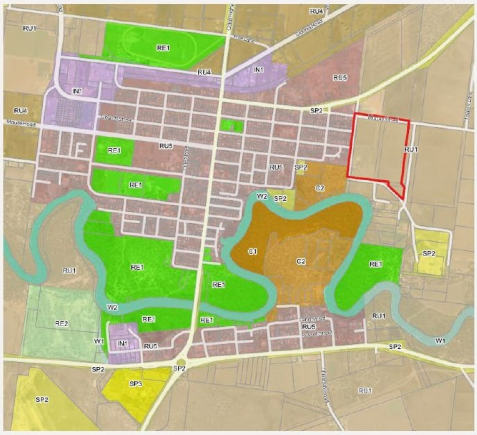


Figure 1 I Existing Land Zoning Map, subject land outlined

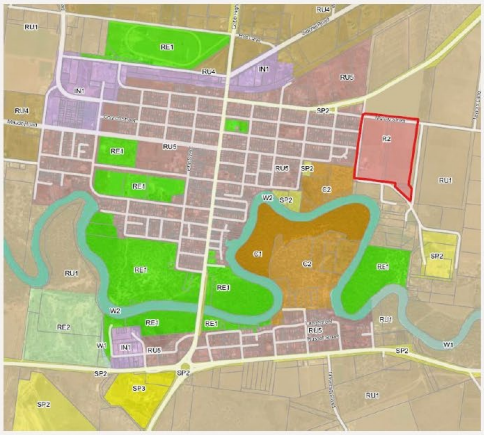


Figure 2 I Proposed Land Zoning Map, subject land outlined

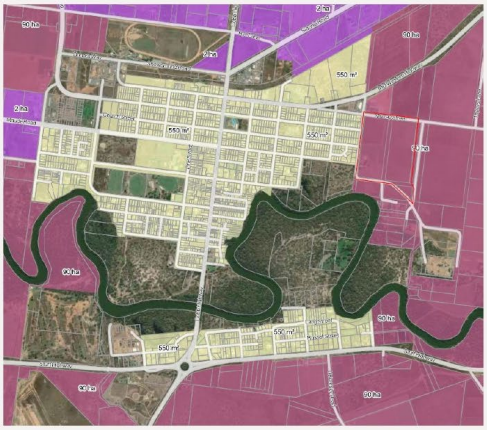


Figure 3 I Existing Lot Size Map, subject land outlined



Figure 4 I Proposed Lot Size Map, subject land outlined

The Planning Proposal was exhibited, and as per the Gateway Approval, the following State Government Department were notified and comments received (see Attachments A to E):

1. **Rural Fire Service (Attachment A)**

The RFS comments include the following:

- A plan of this nature will be required to address Chapter 4 of Planning for Bushfire Protection 2019, and would normally be accompanied by a Strategic Bush Fire Study.
- Asset Protection Zones (APZ's) may be required where there is an increase in residential density, and Council should consider removing the minimum lot size requirement where subsequent development may not be able to provide appropriate APZ distances.

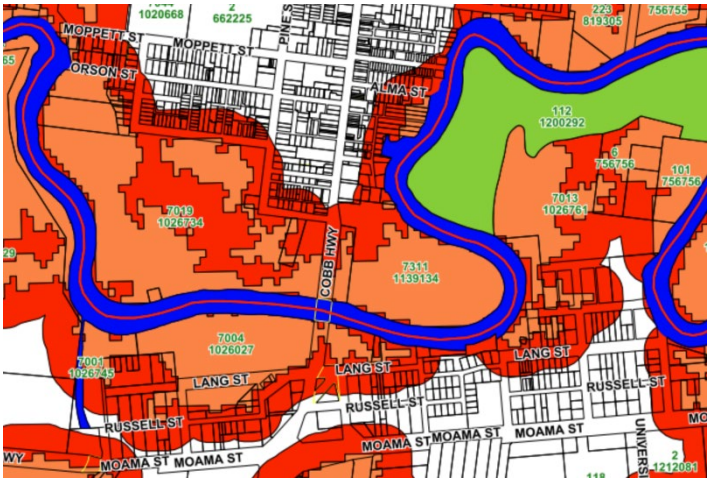
Council response:

Council acknowledges that bushfire does pose a risk to the land, but that it will be more suitable for a Strategic Bush Fire Study to be completed at the Master Plan and Development Control Plan (DCP) phase, for the following reasons:

1. The proposed area for Rezoning (marked in blue in the figure on the right is mostly located in a buffer zone, and consists of mostly agricultural production. Before any subdivision or DA can be lodged, the Master Planning and site-specific Development Control Plan needs to be compiled for the site. This is a more logical stage to address Bushfire issues, and can be conditioned in the specific clauses relevant to the proposed R2 Zone. In this phase issues such as APZ's can be addressed and formalised.



2. It should also be noted that the proposed R2 zone is not inconsistent with the risk of bushfire as for the rest of the urban area in Hay. In the excerpt of the bushfire mapping it can be seen that vast areas of the Hay urban area is bushfire prone. Currently the PBP 2019 is used for assessing DA's for these areas, and have proved sufficient.

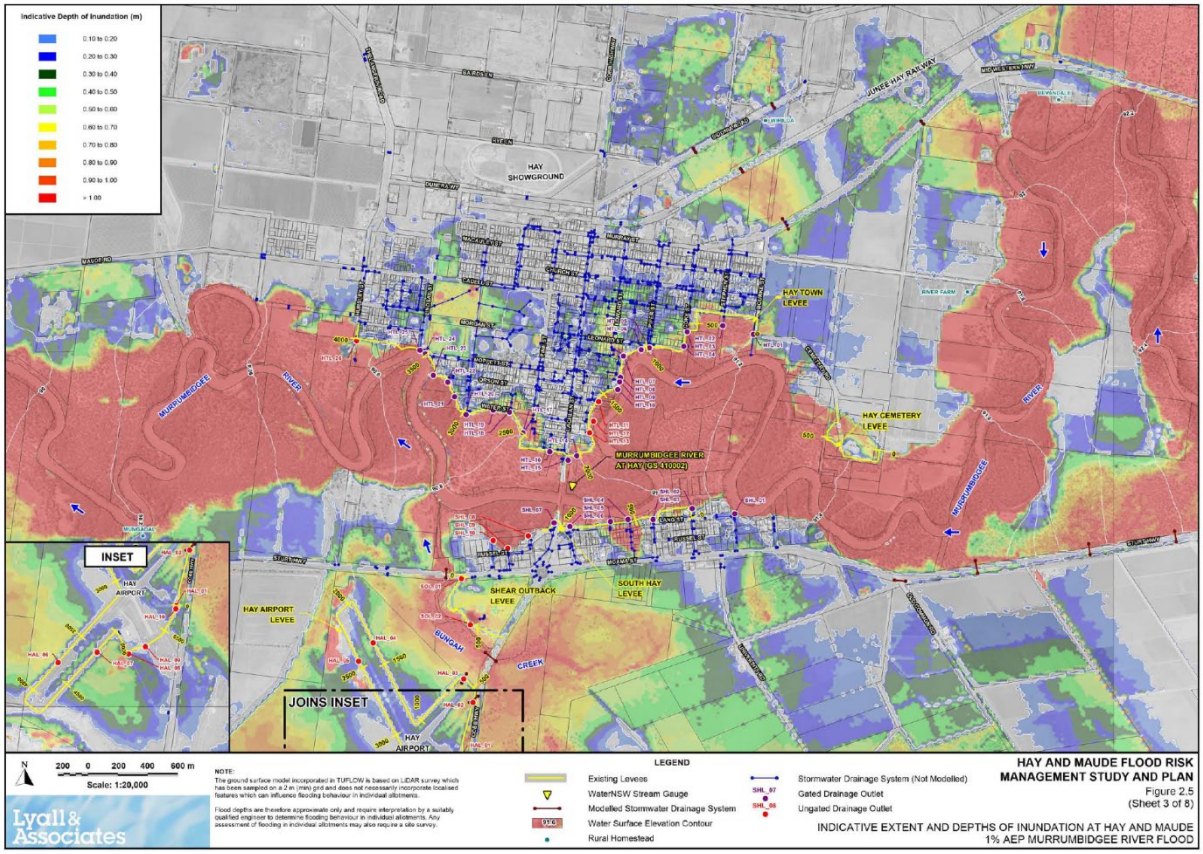


3. It is proposed that:
   a. For the R2 Zone: A Strategic Bush Fire Study be completed as part of the DCP and Master Planning, so that there can be finer grained measures such as APZ's incorporated. This can be included in the Zone description.
   b. For the removal of minimum lot sizes: Chapters 3, 4, and 7 of the PBP 2019 be given special consideration in the drafting of the DCP, as it reflects the concerns raised by the RFS.

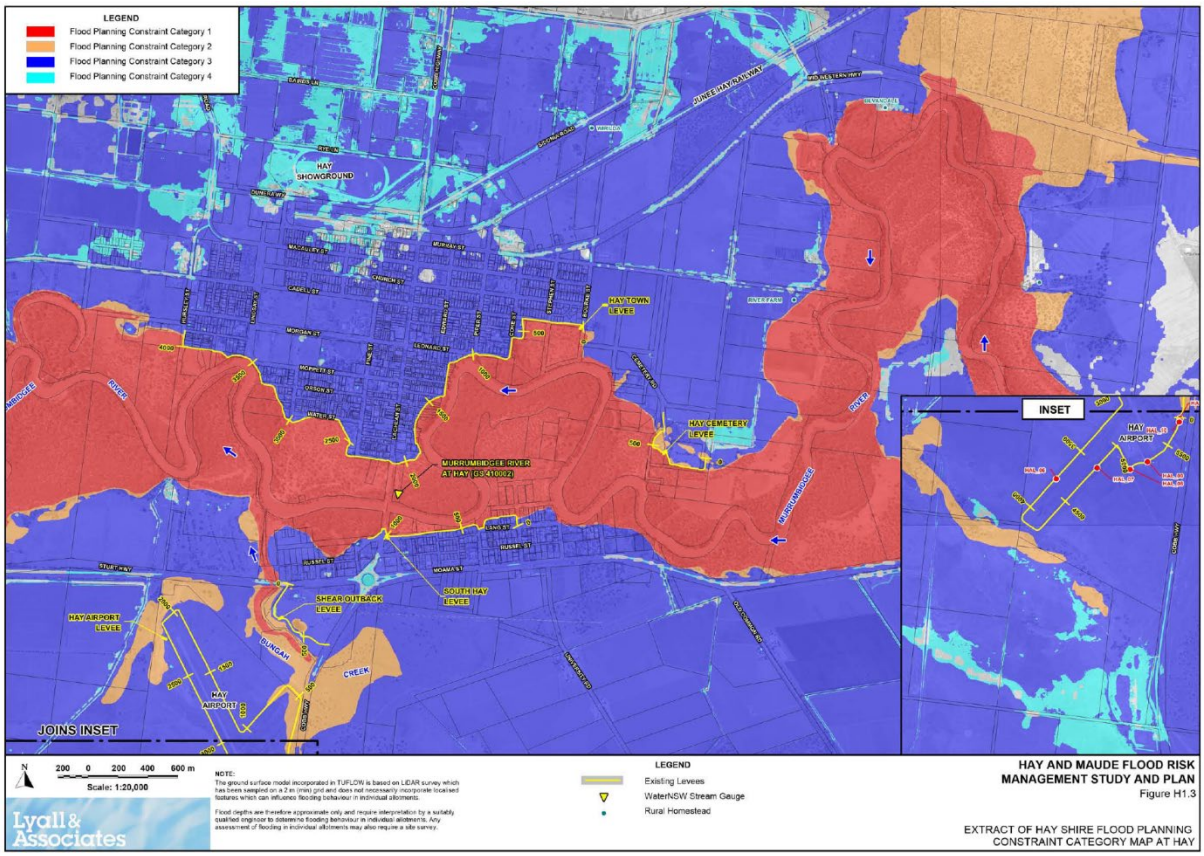
2. **Department of Climate Change, Energy the Environment and Water (DCCEEW) (Attachment B)**

Flood Risk Management
DCCEEW commented on inconsistency with the Hay and Maude Flood Risk Management Study and Plan (2025) for the proposed rezoning to R2:

Council Response:
The Hay & Maude Floodplain Risk Management Study & Plan in March 2025 provides indicative extent and depths of inundation at the 1% AEP Murrumbidgee River Flood of typically 0.1m to 0.3m, except for the very south west corner of the area, which shows an indicative inundation of 0.6m to 0.8m.



Council adopted the Hay & Maude Floodplain Risk Management Study & Plan in March 2025, it provides in Section 3.5.1.3 Proposed Planning Controls for Hay and Maude. The associated map shows that proposed R2 zoning area is predominately Flood Planning Constraint Category 3:



Flood Planning Constraint Category 3 (FPCC 3), which comprises areas which lie within the extent of the Flood Planning Area but outside areas designated FPCC1 and FPCC2. Areas designated FPCC3 are more suitable for new development and expansion of existing development provided it is carried out in accordance with the controls set out in this DCP. The area of proposed R2 zoning is classed in the flood fringe at the 1% AEP.
Accordingly the following can be specified in the Master Planning and DCP Stage:

- Flood Planning controls for the proposed R2 Zoning to have the minimum habitable floor level (MHFL) set at the level of the 1% AEP flood event plus 0.5 m freeboard;
- Except for the very south west corner of the area adjacent to Bourke Street and Cemetery Road, which is Flood Planning Constraint Category 2, in which the minimum habitable floor level (MHFL) be set at the level of the 1% AEP flood event plus 1.0 m freeboard.

The report also states:
While parts of Hay and Maude are subject to flooding conditions during very rare and extreme flood events that would be hazardous to children and the elderly, given the extended warning time that is available of this type of flooding, the incorporation of the optional Special flood considerations clause in the Hay Local Environmental Plan 2011 is not recommended.

3. Crown Lands (Attachment C)

Crown Lands mentioned that some of the lands rezoned would be unutilised Crown Lands. These concerns are noted and would be addressed in Master Planning phase.

4. Transport for NSW (Attachment D)

TfNSW noted that a Master Plan and Traffic Impact Assessment should be done prior to any subdivision of the proposed R2 land.

5. **Department of Primary Industries and Regional Development: Agriculture and Land Use Planning (Attachment E)**

The department has no objections to the Planning Proposal.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**B. Liveable and vibrant community** *B2 Our Community has available housing options* B2.1 Improve access to diverse range of housing opportunities
FINANCIAL IMPLICATION	Nil
LEGISLATIVE IMPLICATION	Environmental Planning and Assessment Act 1979 No 203,
POLICY IMPLICATION	Amendment of the Hay LEP
ASSET IMPLICATION	Nil
RISK IMPLICATION	Low

RECOMMENDATION

That Council:

1. Receives the post exhibition report and endorses Planning Proposal PP-2024-1037 to amend the Hay Local Environmental Plan 2011:
    a. Remove the current 550sqm minimum lot size applicable to land located within the RU5 Village Zone (both North and South Hay).
    b. Rezone land identified as 229 Bourke Street (Lot 2, DP448476 and Lot 135, DP756755) and 41 Cemetery Road (Lot 168, DP756755) from RU1 Primary Production to R2 Low Density Residential Zone.
    c. Reduce the minimum lot size of land identified as 229 Bourke Street (Lot 2, DP448476 and Lot 135, DP756755) and 41 Cemetery Road (Lot 168, DP756755) from 90ha to 1,500sqm.
    d. Introduce a new land use zone within the Land Use Table of the LEP, being the R2 Low Density Residential zone.
2. Requests the NSW Department of Planning, Housing and Infrastructure to draft and finalise the amendment to the Hay Local Environmental Plan 2011.

RFS

NSW GOVERNMENT

Hay Shire Council
PO Box 141
HAY NSW 2711

Your reference: (REF-3739) PP-2024-1037
Our reference: SPI20250607000128

ATTENTION: Jasmine Gregory

Date: Wednesday 2 July 2025

Dear Sir/Madam,

Strategic Planning Instrument
Rezoning – Planning Proposal
The council initiated proposal seeks to amend the LEP to facilitate increased residential density.

I refer to your correspondence dated 06/06/2025 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the proposal with regard to Section 4.3 of the directions issued in accordance with Section 9.1 of the *Environmental Planning and Assessment Act 1979*.

The objectives of the direction are:

- *to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and*
- *to encourage sound management of bush fire prone areas.*

The direction provides that a planning proposal must:

- *have regard to Planning for Bushfire Protection 2019,*
- *introduce controls that avoid placing inappropriate developments in hazardous areas, and*
- *ensure that bushfire hazard reduction is not prohibited within the APZ.*

The following comments are made in relation to the submitted proposal:

A strategic plan of this nature will be required to address Chapter 4 of Planning for Bush Fire Protection 2019 (PBP 2019) and would routinely be accompanied by a Strategic Bush Fire Study (SBFS).

The RFS notes that where future development proposes to increase residential density an APZ based on a radiant heat threshold of 29kW/m² will be required for new dwellings. Council should consider the merits of removing the minimum lot size requirement where subsequent development may not be able to provide appropriate APZ distances.

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

In addressing the requirements of Chapter 4 the SBFS should also consider;

- the potential for any environmental constraints in riparian areas to impact on the provision of appropriate Asset Protection Zones (APZs)
- the additional bush fire protection measures required for Special Fire Protection Purpose facilities including, but not limited to, residential care facilities, schools and tourist accommodation.

NB - It is noted that the Bush Fire Prone Land Map for the Hay Shire Council area does not appear to have been updated to incorporate grassland hazards. This is an important initial step in ensuring that the risk of bush and grassfires is captured and duly considered at all stages of development through the application of Planning for Bush Fire Protection 2019.

For any queries regarding this correspondence, please contact David Webster on 1300 NSW RFS.

Yours sincerely,

Martha Dotter
Manager Planning & Environment Services
Built & Natural Environment

Department of Climate Change, Energy, the Environment and Water

Your ref: PP-2024-1037
Our ref: DOC25/473039

Jack Terblanche
Executive Manager Planning and Compliance
Hay Shire Council
Via Planning Portal PP-2024-1037 REF-3738

Dear Jack

Subject: **Planning Proposal PP2024-1037 Hay Housing Facilitation Project**

Thank you for your referral received 6 June 2025 seeking advice from the Regional Delivery Division (RD) of the NSW Department of Climate Change, Energy, the Environment and Water. RD has statutory responsibilities relating to biodiversity and flood risk management.

The Gateway Determination requires Council to consult with RD. We have reviewed the documents supplied and provide the following advice, further detailed in **Attachment A**.

Flood Risk Management

This proposal does not sufficiently address inconsistencies with the NSW Local Planning Direction – 4.1 Flooding. We recommend that this proposal is revised to show how it accords with the Hay and Maude Flood Risk Management Study and Plan (2025), which will address the inconsistency with Direction 4.1.

Biodiversity

RD agrees that the potential for significant impacts to threatened species and communities from future land use is low, based on the intensity of the existing land uses. While further biodiversity assessment will be required, we agree it is reasonable to defer that assessment to the development application stage, or the preparation of development control and master plans as applicable.

It should not be assumed that biodiversity values are absent. Future development may need to be designed to avoid and minimise biodiversity impacts, including potential impacts to areas of high biodiversity value adjoining the subject land.

If you have any questions about this advice, please contact Claire Coulson, Senior Conservation Planning Officer, via planning.southwest@environment.nsw.gov.au or 02 6022 0636.

Yours sincerely

Andrew Fisher
11 July 2025
Senior Team Leader – Planning, South West
Regional Delivery Division
Conservation Programs, Heritage and Regulation Group
NSW Department of Climate Change, Energy, the Environment and Water

ATTACHMENT A – Detailed advice on PP 2024-1037 Hay Housing Facilitation Project

ATTACHMENT A Detailed advice on PP2024-1037 Hay Housing Facilitation Project

RD has reviewed the supplied information against the Local Environmental Plan Making Guideline (LEP Guideline), which provides guidance for determining the appropriate level of assessment for a planning proposal.

Flood Risk Management

The NSW Local Planning Direction – 4.1 Flooding (Direction 4.1) is applicable to any planning proposal that alters a zone or provision that affects flood prone land. Direction 4.1 requires planning proposals that concern flood prone land to be consistent with:

- the *NSW Flood Prone Land* Policy
- the principles of the *Flood Risk Management Manual (2023)*
- the *Considering flooding in land use planning guideline (2021)*
- any floodplain risk management study or plan that has been developed and adopted by Council for that land.

Hay Shire Council recently completed the Hay and Maude Flood Risk Management Study and Plan (2025) report (FRMS&P) under the NSW Floodplain Management Program. This report was prepared consistent with the NSW Flood Prone Land Policy and the Flood Risk Management Manual and adopted by Council at the ordinary meeting held on the 25 March 2025.

The FRMS&P report identifies that most of the Hay Township is located within the defined Flood Planning Area (FPA) including the land affected by this proposal. The proposal incorrectly suggests that the land proposed to be rezoned R2 Low Density Residential is generally located on flood free land. The flood mapping contained within the FRMS&P report shows that this site is virtually entirely inundated in the 1% Annual Exceedance Probability event. This site is flood prone.

As this proposal includes the rezoning of land within the FPA from a rural to a residential purpose it is inconsistent with Direction 4.1 - clause (2). It is also inconsistent with clause (3)(d) since it would permit an increase in the development and/or dwelling density of land within the FPA.

The proposal report does acknowledge that Direction 4.1 is applicable but does not sufficiently address the inconsistencies.

The FRMS&P report has specific recommendations regarding proposed flood planning and development controls which are relevant to this proposal. These have not been identified or incorporated into the proposal.

Recommendations

1. The proposal be revised to address inconsistencies with Direction 4.1 before being considered further. The revised proposal should detail how it accords with the adopted FRMS&P.

Biodiversity

RD supports Council's approach to increasing density in the existing urban area. This is a strategic approach that inherently minimises the potential for negative biodiversity impacts.

RD agrees that the potential for significant impacts to threatened species and communities from future land use is low, based on the intensity of the existing land uses.

However, as the proposal relies solely on a desktop assessment of biodiversity values, further biodiversity assessment will be required, in particular for the area to be rezoned. Desktop assessments have many limitations and should always be validated. It should not be assumed that biodiversity values are entirely absent.

Patches of native vegetation may be present within the subject land, even in areas that have been subject to historical clearing and agricultural activity. Roadside areas may support native vegetation and areas of high value are present adjoining the subject land, such as parkland along the river.

In this instance we agree it is reasonable to defer further assessment of biodiversity values to the development application stage. In some areas assessments to confirm the absence of native vegetation and habitat features may be quite simple.

The potential for impacts to adjoining areas of high value should be considered, for example impacts from new or upgraded infrastructure or indirect impacts such as increased demand for recreation access.

Recommendations

2. Any future planning or development applications should be supported by assessments of biodiversity values. Future development may need to be designed to avoid and minimise biodiversity impacts, including impacts to areas of high value adjoining the subject land.

Our ref: 25/01688#69 Your ref: PP-2024-1037

Hay Shire Housing Facilitation Project

12 June 2025

Subject: Hay Shire Housing Facilitation Project

Dear Sir/Madam,

The Department of Planning, Housing and Infrastructure – Crown Lands has reviewed the proposal. Crown land and Crown roads are included within the project footprint on this occasion. These areas are highlighted on the attached map accompanying this correspondence.

For the use and access of Crown land and/or Crown roads, within the project footprint, the following considerations apply:

- Any use or occupation of the Crown land during the assessment phase will require consultation with Crown Lands to obtain the necessary authority under the *Crown Land Management Act 2016* and/or the *Roads Act 1993*.
- Crown Lands notes that there are several Crown roads within the project area. These roads may provide legal access to the development but may not provide practical access.
- If Crown roads are required for access, they may need to be transferred to Council, or an application made to close and purchase the roads. Interim tenure may be required to avoid delays.
- Authority to use, traverse, access, or construct infrastructure on Crown land and roads is required under the *Crown Land Management Act 2016* and/or the *Roads Act 1993*. It is recommended that the proponent contact Crown Lands as early as possible to discuss and initiate the necessary processes to authorise the use of and/or access to Crown land and roads. If infrastructure is to be built on Crown land or roads, consent from the Minister for Water, Property and Housing (via Crown Lands) will be required. Constructed roads may also need to be transferred to Council.
- The Crown land adjoining the proposal includes Lots 200 & 201 DP 756755, as shown on the attached map. This land is reserved for the purpose of Future Public Requirements.

Further information and guidance can be found at the following links:

- Crown Roads and Enclosure Permits: Crown Roads Information
- Landowner's Consent for Crown Land and Roads: Landowner's Consent

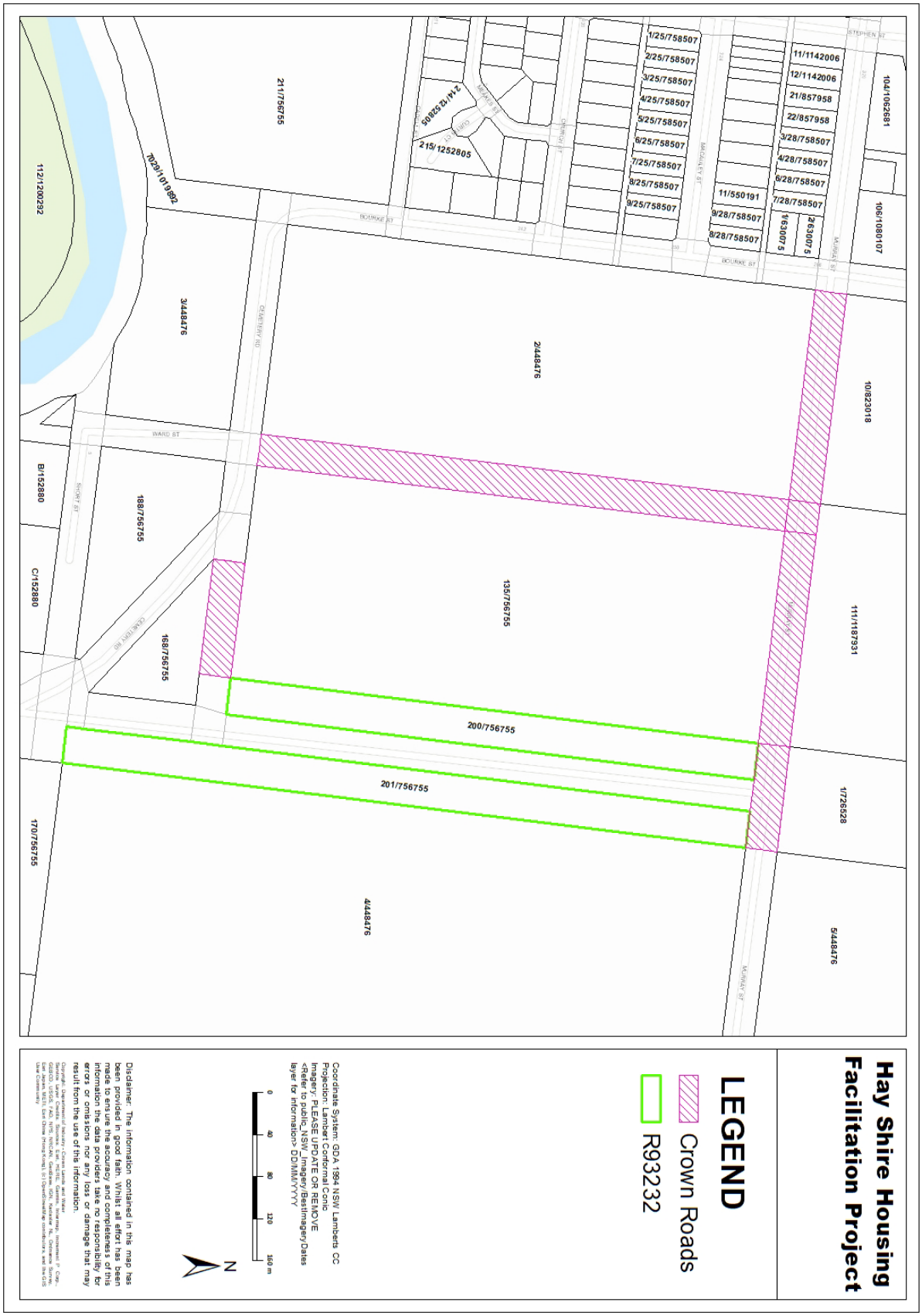
If the proponent requires further information, or has any questions, please contact Ryan Mattingly, Snr Property Management Officer in Crown Lands, on 0269372712 or at ryan.mattingly@crownland.nsw.gov.au.

Yours sincerely



Shaun Flood
Group Leader, Griffith/Hay

Crown Lands and Public Spaces


Hay Shire Housing
Facilitation Project
LEGEND
Crown Roads
R93232
Coordinate System: GDA 1994 NSW Lamberts CC
Projection: Lambert Conformal Conic
Imagery: PLEASE UPDATE OR REMOVE
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Disclaimer: The information contained in this map has been provided in good faith. Whilst all effort has been made to ens ure the accuracy and completeness of this information the data providers take no responsibility for errors or omissions nor any loss or damage that may result from the use of this information.
BOURKE ST
CHURCH ST
MURRAY ST
STEPHEN ST
CHEETHEM RD
WARD ST
SHORT ST
CEMETERY RD
211/756755
112/1200292
7029/1019892
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B/152880
C/152880
188/756755
168/756755
135/756755
200/756755
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12/1142006
21/857958
22/857958
3/28/758507
4/28/758507
6/28/758507
7/28/758507

Transport for NSW

4 July 2025

TfNSW reference: STH25/00220/001
Your reference: PP-2024-1037 (REF-3737)

Hay Shire Council
By Email: jgregory@hay.nsw.gov.au
CC: mail@hay.nsw.gov.au

Attention: Jasmine Gregory

PP-2024-1037 – Spot rezoning & change of minimum lot size - HAY TOWNSHIP

Dear Jasmine

Transport for NSW (TfNSW) is responding to the PP-2024-1037 referred on 6 June 2025.

TfNSW has reviewed the information and advises that it supports the proposed rezoning subject to the comments **in Attachment 1**.

If you have any questions, please contact Emma Nicoll, Development Services Case Officer, on 02 9983 3294 or email development.south@transport.nsw.gov.au.

Yours faithfully

Maurice Morgan

Team Leader, Development Services

Level 3, 103 Crown St (PO Box 477 2520) Wollongong NSW 2500
193-195 Morgan Street (PO Box 484) Wagga Wagga NSW 2650

ABN 18 804 239 602
transport.nsw.gov.au

Transport for NSW

Attachment 1

PP-2024-1037 – Spot rezoning & change of minimum lot size - HAY TOWNSHIP

Context

TfNSW notes:

- The key classified state roads within the subject site of the Hay township are the Mid Western Highway (also referred to as Murray Street), Cobb Highway (also referred to as Lachlan Street) and Sturt Highway (also referred to as Moama Street). The subject site has frontage to all abovementioned state roads which are approved Road-Train routes.
- The proposal includes the rezoning of land to R2 Low Density Residential Zone with a minimum lot size of 1500m2 and removal of the 550m2 minimum lot size applicable to land in RU5 Village as set out in **Attachment 2.**
- According to the submitted information, the proposed amendments would facilitate a maximum yield of approximately 362 allotments spread across the township of Hay.
- Consideration must be given to the impact of future development of the site on the classified road network and intersections. Residential development of the site would generate additional traffic using these intersections.
- Concurrence from TfNSW under Section 138 of the *Roads Act, 1993* would be required for any works identified within the road reserve of classified roads (e.g. Mid Western Highway, Cobb Highway and Sturt Highway).
- Noting the multiple land ownerships within the site to be zoned R2 a strategic Master Plan should be prepared which includes the staging of future development, proposed internal major road layout and access arrangements.
- A Traffic Impact Assessment (TIA) should be prepared for the entire proposed R2 site, consistent with the Master Plan, to be prepared by a suitably qualified consultant. The TIA shall assess the potential impacts of the full development on the road network and its intersections. This TIA should be prepared and submitted prior to any subdivision.
- Should any upgrades to the classified road network be required, an appropriate mechanism for the funding of these works needs to be identified. This also needs to include calculation of the level of future development at which upgrades would be triggered.

Transport for NSW

NSW GOVERNMENT

Attachment 2

PP-2024-1037 – Spot rezoning & change of minimum lot size - HAY TOWNSHIP

Details of the proposed changes are illustrated in the figures below.

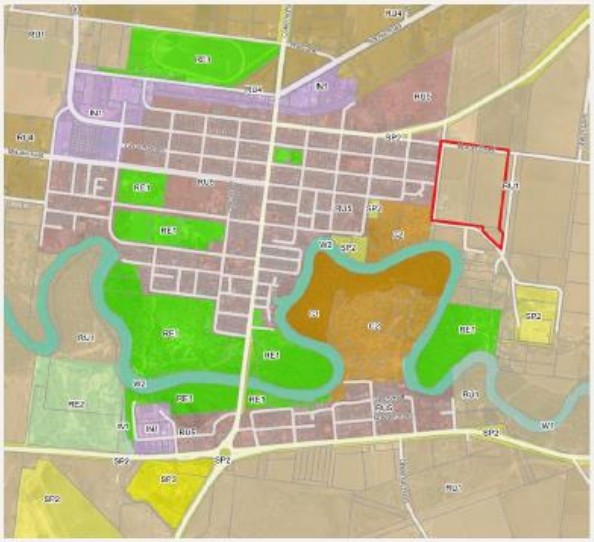


Figure 1 I Existing Land Zoning Map, subject land outlined

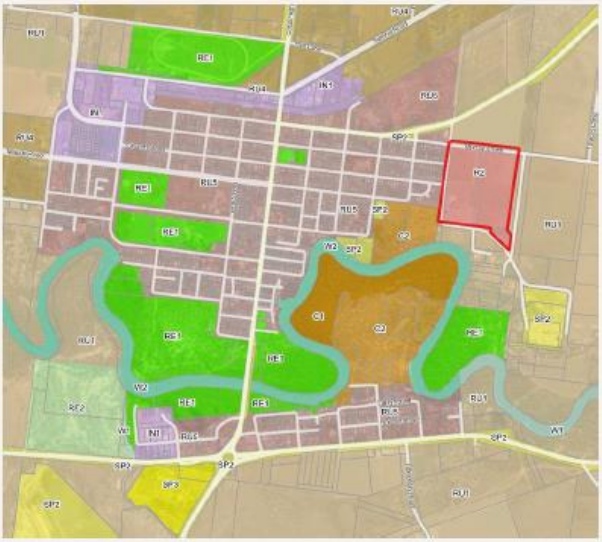


Figure 2 I Proposed Land Zoning Map, subject land outlined



Figure 3 I Existing Lot Size Map, subject land outlined

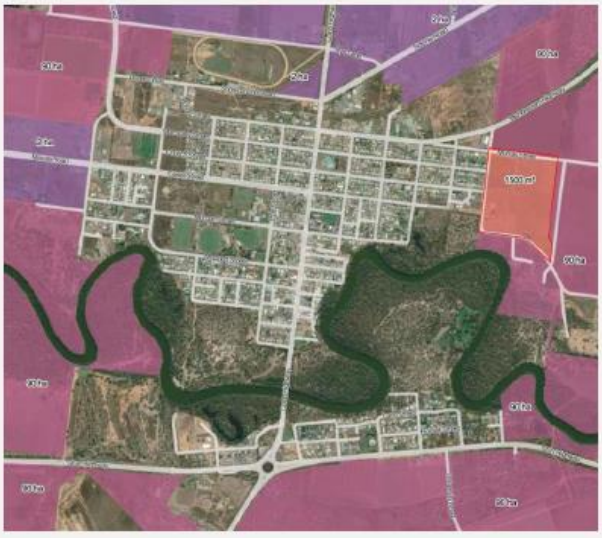


Figure 4 I Proposed Lot Size Map, subject land outlined

23059 Amendment to Hay Local Environmental Plan 2011

Department of Primary Industries and Regional Development

OUT25/8871

General Manager
Hay Shire Council
134 Lachlan St
Hay 2711
ATTENTION: Jasmine Gregory

Hay Shire Housing Facilitation Project – Planning Proposal

Dear Jasmine

Thank you for the opportunity to provide advice on the Planning Proposal for the Hay Shire Housing Facilitation Project

The NSW Department of Primary Industries and Regional Development – Agriculture and Biosecurity (the Department) collaborates and partners with our stakeholders to protect and enhance the productive and sustainable use and resilience of agricultural resources and the environment.

The Department has reviewed the Planning Proposal for the removal of minimum lot sizes in the existing urban areas of Hay zoned RU5 Village and for the expansion of the Hay urban area by rezoning 3 lots from RU1 Primary Production to R2 Low Density Residential Zone.

It is noted that these lots were initially identified in the Hay Shire Council Local Strategic Planning Statement (2020) for proposed rezoning as RU5 Village and IN1 General Industrial, and later identified in the Hay Structure Plan (2022) for rezoning to R2 Low Density Residential. It is also noted that, while agriculture would be prohibited under the new zoning, existing agricultural land use should be able to continue under existing use rights.

The Department considers that the proposed rezoning is consistent with Hay Shire Council strategic planning and that the zoning being sought is appropriate for minimising land use conflicts between the ongoing agricultural operations and new rural residential housing.

Should you require clarification on any of the information contained in this response, please do not hesitate to contact me at landuse.ag@dpird.nsw.gov.au

Sincerely

L Parker

Lilian Parker
Agricultural Land Use Planning
Esigned 14 July 2025

105 Prince Street | Locked Bag 21
Orange NSW 2800

E: landuse.ag@dpird.nsw.gov.au
dpird.nsw.gov.au

C3 – General Planning Matters

REPORTING OFFICER	Executive Manager Planning and Compliance
ATTACHMENTS	Nil

INTRODUCTION

The Hay Local Environmental Plan 2011, has seen some limited changes since it's inception in 2011. The most notable changes have been:

Date / Instrument	Type	Scope / Effect
2012–2023 – Various SI/SEPP Orders	State Instrument	Broad amendments: definitions, zoning, development standards, agritourism, etc. (NSW Legislation)
26 Apr 2023 – Land Use Zones SEPP effect	State SEPP	Standardized employment/land-use zones applied. (NSW Legislation)
26 Apr 2023 – Digital mapping	Technology Update	Zoning maps now digital; other maps still PDF. (Planning Portal)
6 Dec 2024 – Amendment No 1	Local Amendment	Applies to Lot 2, DP 1212081, 310 Moama St, Hay South. (NSW Legislation)
2024 Proposed – Housing Facilitation PP	Planning Proposal	Lot size removal, rezoning, new R2 zone—not yet enacted. (NSW Planning Portal)

Together with the change in legislation, Council has embarked on a range of strategic planning initiatives, in an effort to be as pro-active as possible. These include strategic frameworks for example on main street development, river frontage development, infrastructure upgrades, waste management, housing, health precinct planning, recreational planning, amongst other initiatives.

This proactive stance has stood Council in good stead for when funding becomes available, as the strategic work, and in many cases even the designs, were already consulted and approved by resolutions of Council. To continue this, it is thought that to be proactive in searching for funding will be the best outcome for the Hay Shire.

COMMENTARY

There are three precincts in Hay that would benefit from funding for planning:

- Aerodrome Precinct
- Waste Precinct (Resource Recovery and Eco Park)
- Health Precinct (Hay Health Precinct)

Aerodrome Precinct

The Hay Aerodrome Master Plan was adopted by Council in 2023 (see figure on the right).

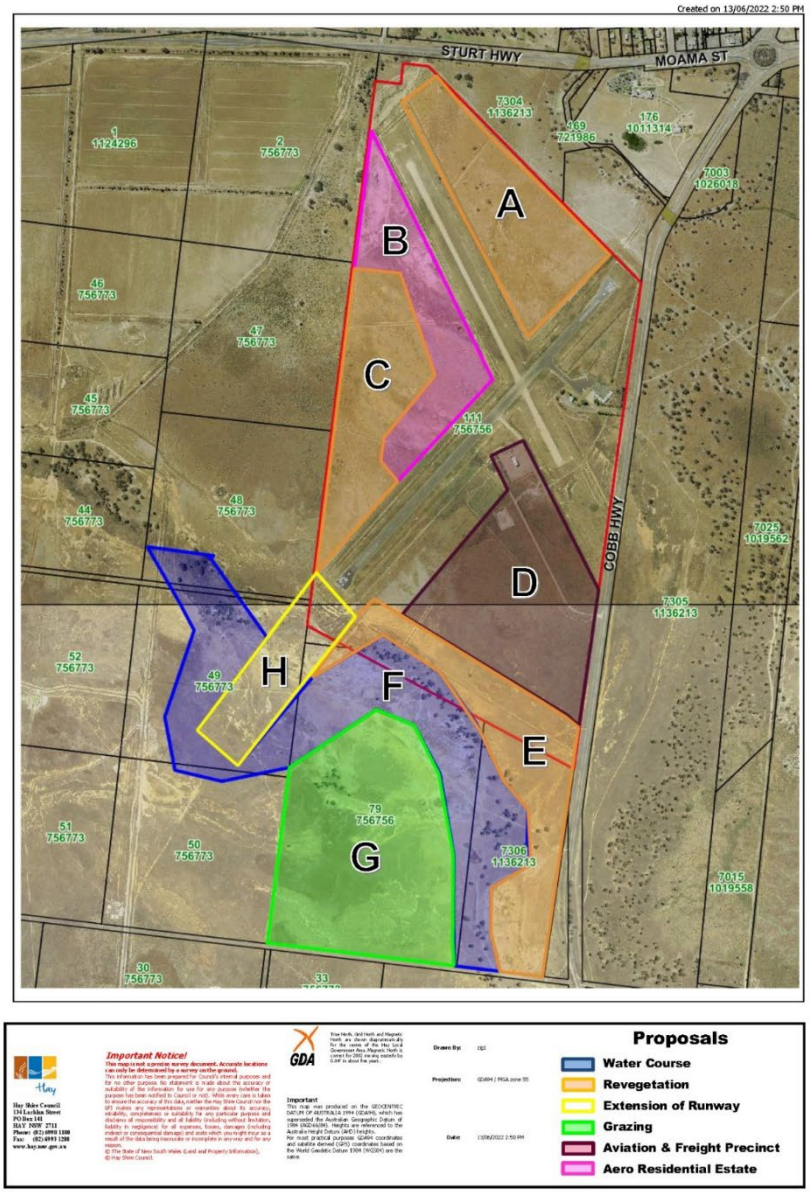
The proposals in the Master Plan flows from the Local Strategic Planning Statement (LSPS), which identified potential expansion of the facility.

It is envisaged that the facility could include:

- An extension of the runways.
- Housing (such as an aero residential estate)
- An aviation and freight precinct
- Some agriculture
- Some rehabilitation and revegetation.

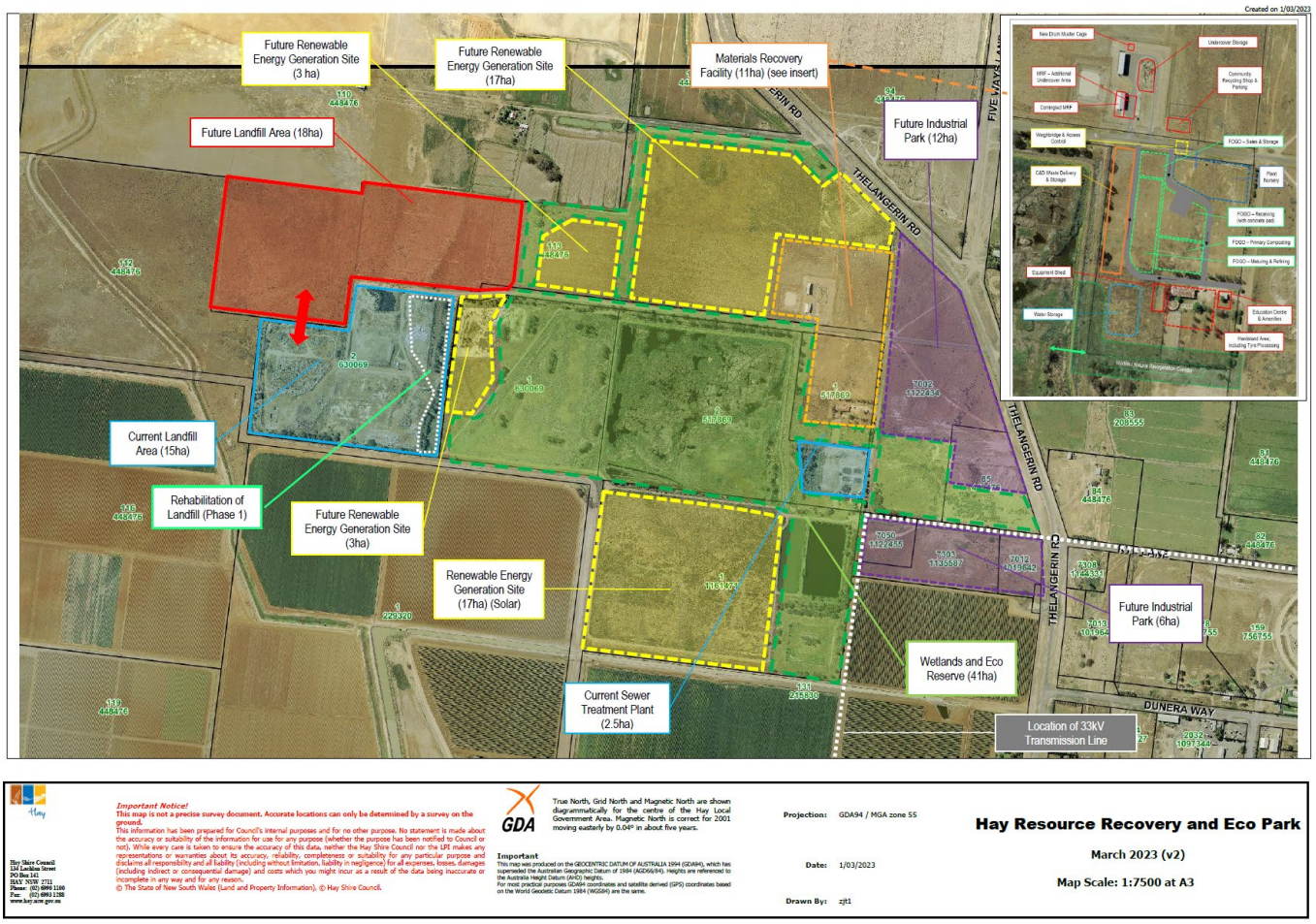
The current zone for the area is SP2 Infrastructure Zone, and there will be a Planning Proposal required to change the zoning to incorporate all the proposed uses. A Planning Proposal would also probably include specialist transport, biodiversity, aeronautical, heritage, and agricultural studies to be undertaken.

There are limited funding opportunities available for housing, aerodrome, and industrial development, which this project could leverage.



Waste Precinct

Hay Resource Recovery & Eco Park is a culmination of the vision for Hay to reduce, recycle and re-use most of its waste stream, as per Council's Waste Management Strategy and Circular Economy Strategy. The Hay Resource Recovery facility component includes expanding of waste processing areas, storage, secondary processing of plastics and tyres/rubber. It also includes a small Waste to Energy plant which will be able to provide sufficient renewable energy to power the resource recovery facility (including potentially battery storage), as well as having fly ash as a by-product which Council can use in its road making processes.



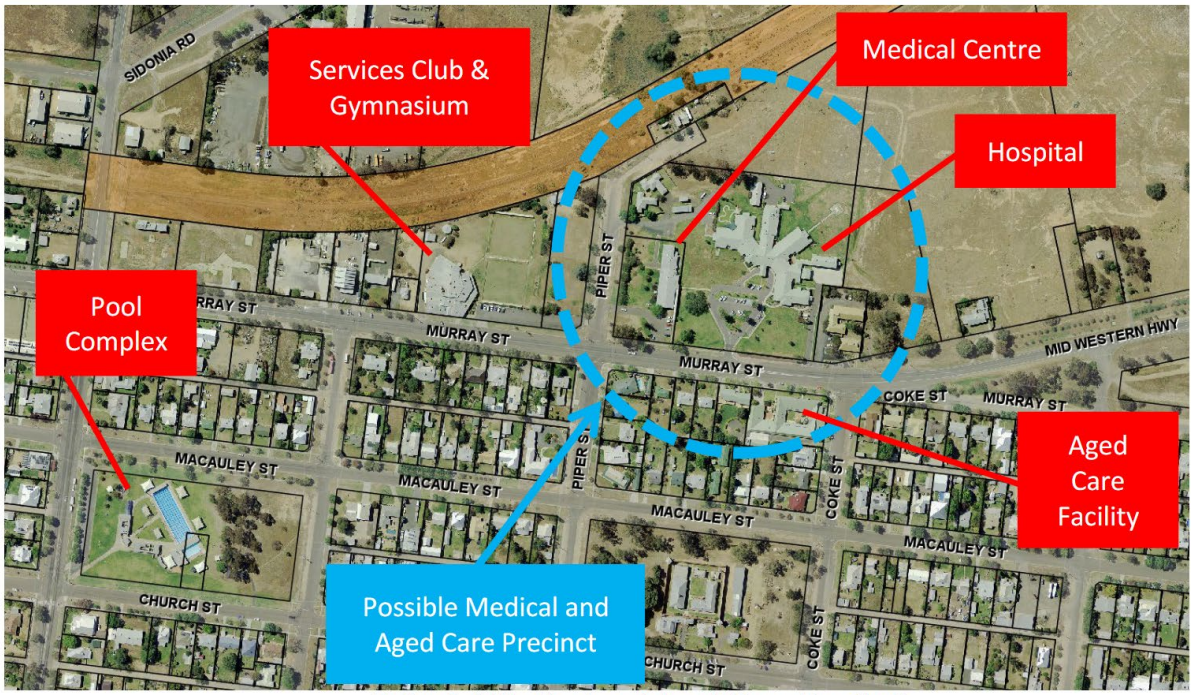
Hay Resource Recovery & Eco Park

In September 2023 Council resolved to apply for funding for the project, but this has yet come to fruition.

The proposed Resource Recovery and Eco Park would necessitate the current LEP to be reviewed to include Employment Zone E4 and SP2 zoned land at the Park to facilitate industrial land and renewable energy generation. As with the Aerodrome Precinct, there will be a range of specialist planning studies required for a Planning Proposal.

Health Precinct

The Hay Local Strategic Planning Statement (LSPS) was adopted in 2020. The plan included a Health Precinct, as can be seen from the extract from the LSPS below



Potential Medical and Aged Care Precinct

Progress continues on the planning of the Hay Health Precinct, with preliminary designs and stakeholder consultation underway. The development of the Hay Transitional Housing and Pathway was presented to Council at the July 2025 meeting, and staff are now advancing work on the Hay Legacy Housing – Design, Construct and Investment Pathway.

The development does not require a rezoning or Planning Proposal, as the existing zoning is adequate for the proposed use. However, further detailed planning will be necessary, including specialist studies and the preparation of layout plans.

Summary

- Aerodrome Precinct – Would require specialist studies and a Planning Proposal
- Waste Precinct - Would require specialist studies and a Planning Proposal
- Health Precinct – Would require limited specialist studies and design plans.

It is recommended that Council authorises the General Manager to apply for funding for these projects as opportunities may arise.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Economic** 3.1 Our community welcomes new and innovative industry to support our future 3.1.5 Identify opportunities to grow the agricultural sector **Civic Leadership**

	4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.2 Inform and empower community input into decision making
FINANCIAL IMPLICATION	Minor
LEGISLATIVE IMPLICATION	Environmental Planning and Assessment Act 1979
POLICY IMPLICATION	Potential Revision of the Hay LEP 2011
ASSET IMPLICATION	Minor
RISK IMPLICATION	Low

RECOMMENDATION

That Council:

(a) Notes the information provided in the report;

(b) Authorises the General Manager to apply for funding as the opportunity arises for the:

i. Aerodrome Precinct – For specialist studies and a Planning Proposal
ii. Waste Precinct - For specialist studies and a Planning Proposal
iii. Health Precinct – For specialist studies and design plans.

C4 – Developer Contributions Plan

REPORTING OFFICER	Executive Manager Planning and Compliance
ATTACHMENTS	- Hay Shire Developer Contributions Plan, dated August 2025 - Appendix A – Murrumbidgee River Master Plan (Under separate cover) - Appendix B – Lachlan Street Master Plan (Under separate cover)

INTRODUCTION

Local infrastructure contributions, also known as developer contributions, are charged by councils when new development occurs. They help fund infrastructure like parks, community facilities, local roads, footpaths, stormwater drainage and traffic management.

There are 2 forms of local infrastructure contributions:

- **Section 7.11 contributions:** Charged where there is a demonstrated link between the development and the infrastructure to be funded. Councils prepare contributions plans that specify what infrastructure will be provided and approximately how much it will cost. This is used to calculate a contribution rate, usually charged per dwelling or per square metre. Councils that want to charge a contributions rate above the threshold set by the Minister must submit their plans to IPART for independent review, amend per the minister's advice, and approve the plans. Section 7.11 was previously known as Section 94.
- **Section 7.12 levies:** An alternative to s7.11 contributions and charged as a percentage of the estimated cost of the development. The maximum percentage that can be charged in most areas is 1%. A small number of areas charge a higher percentage. Section 7.12 was previously known as Section 94A.

The most common Contributions are Section 7.12 Contribution Plans.

Council resolved in May 2025 to:

a) Endorse the draft Hay Shire Council Developer Contributions Plan 2025 (Attachment B) for the purpose of public exhibition in accordance with the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2021.
b) Place the draft plan on public exhibition for a minimum of 28 days.
c) Receive a further report following the public exhibition period outlining any submissions received and recommending any changes to the draft plan for final adoption.

COMMENTARY

Developer contributions are one of the few sources of alternative and supplementary funding available to Councils. When successfully implemented, developer contributions enhance Council's capacity to deliver public facilities and increases Council's ability to provide matching funding for the provisions of public amenities and services and reduces the risks associated with the reliance on external funding (i.e. grants) for the provision of public amenities and services.

While the local infrastructure contributions system is set-up and legislated by the NSW Government, the system is administered by Local Government as Councils are best placed to understand the needs of their communities. While Council's prepare and adopt contribution plans, the NSW Government provides strict policy framework under which Councils collect and administer contributions. This includes legislation, ministerial directions and practice notes.

The NSW Government sets the legislation and policy framework for how Council collects and administers contributions under the *Environmental Planning and Assessment Act 1979* and Regulation. The legislation authorises the consent authority (i.e. Council) or an accredited certifier to impose as a condition of development consent or complying development certificate, a requirement that the applicant pay a fixed levy based on the percentage of the proposed cost of the development.

The maximum contribution levies are applied on a sliding scale as follows:

Cost of Development	**Contribution levy rate%**
All development valued up to and including $100,000	Nil
All development valued between $101,000 to $200,000	0.5%
All development valued in excess of $200,000	1%

Hay Shire Council proposes the contributions to be:

Estimated Cost of Development ($AUD)	**Contribution Rate (%)**
$0 to $200,000	Nil
$200,001 to $500,000	0.50%
Over $500,000	1.00%

It is proposed that the following development is exempted from a levy under the draft development contributions plan:

- development where the proposed cost of carrying out the development is $200,000 or less; or
- development for the purposes of a single dwelling house; or
- development for the purposes of creating disabled access; or
- affordable housing as defined by the EP&A Act; or seniors housing as defined by State Environmental Planning Policy (Housing) 2021 (other than self-contained dwellings forming part of seniors housing development); or
- works undertaken for charitable purposes or by a registered charity; or
- places of public worship, public hospitals and emergency services; or
- recreational facilities, community, cultural or educational facilities provided by or on behalf of the Council or another public authority; or
- development for the sole purpose of adaptive reuse of an item identified in Council's Heritage Schedule in the LEP; or
- development exempted from Local Infrastructure Contributions by way of a Direction made by the Minister for Planning under section 7.17 of the EP&A Act; or
- development, apart from subdivision, where a condition of section 7.11 of the EP&A Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out; or
- Class 10b buildings except for renewable energy developments.

Staff have had several discussions with the Department regarding the s7.12 plan, with comments from the Department on the draft Hay Shire Council Local Infrastructure Contributions Plan 2025 included in the final version presented to Council for adoption. At the same time the Department released a template plan, and some of these clauses were adopted. These comments are included in the attached policy with ~~*red strikethrough*~~ text showing deletions, and yellow text showing additions to the policy.

The changes to the policy can be summarised as follows:

The changes to the policy can be summarised as follows:

- Changing the name from “Developer Contributions” to “Local Infrastructure Contributions”, in line with the template.
- Replacing sections 9 and 13 with the template provisions.
- Adding details on the projects to be funded as attachments.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**C Economic prosperity and sustainability** *C1 Our community welcomes new and innovative industry to support our future* C1.1 Create a better business environment C1.2 Boost demand for products and services from Hay C1.3 Facilitate growth industries C1.4 Nurture and support the development and expansion of local industries
FINANCIAL IMPLICATION	An additional income stream
LEGISLATIVE IMPLICATION	Environmental Planning and Assessment Act 1979 No 203
POLICY IMPLICATION	Creation of a Section 7.12 Contributions Plan
ASSET IMPLICATION	Increased funding for the maintenance and construction of assets.
RISK IMPLICATION	Medium

RECOMMENDATION

That Hay Shire Council adopts the Hay Shire Council Local Infrastructure Contributions Plan 2025, dated August 2025.

Hay Shire Council Policy

Title of Policy	**Hay Shire Council Local Infrastructure Contributions Plan 2025**		
This applies to	The whole of the LGA		
Author	Jack Terblanche	**Date Approved:**	26 August 2025
Position of Author	Executive Manager: Planning and Compliance	**Authorised by:**	Council
Legislation, Australian Standards, Code of Practice.	**Local Infrastructure Contributions Plan Under Section 7.12 of the Environmental Planning and Assessment Act 1979**		
Related Policies/Procedures	Hay Local Environmental Plan 2011		
Attachments	A: Extract from River Master Plan B: Extract from Lachlan Street Master Plan		
Aim	To fund the public amenities and public services (local infrastructure)		
Version	**Details**		**Date**
Version 1	Initial Issue		26 August 2025
To be reviewed	2030		
Superseded Policies			

The Policy

PART A: INTRODUCTION

1. Name of this Plan

This plan is titled the **Hay Shire Council Section 7.12 Local Infrastructure Contributions Plan 2025**.

2. Purpose of this Plan

The primary purpose of the local infrastructure contributions plan is:

- to authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a levy pursuant to section 7.12 of the Environmental Planning and Assessment Act 1979 (EP&A Act); and
- to assist Hay Shire Council ("Council") in providing the appropriate public facilities that are required to maintain and enhance amenity and service delivery within the Hay Shire local government area; and
- to publicly identify the purposes for which the levies are required; and
- to ensure Council's management of levies complies with relevant legislation, guidelines and practice notes.

The expected types of development in the area would include renewable energy developments, industrial development, and some commercial development. These development can lead to an increase in the demand for residences and business, with increased pressure on public facilities. As such there will be funds needed for flood protection of all the town, increased recreational facilities, and upgrades of the main street.

3. Land to Which this Plan Applies

This plan applies to all land within the boundaries of the **Hay Shire Local Government Area**, as identified in the **Local Environmental Plan (LEP)**.

4. Commencement Date

This plan comes into effect on **26 August 2025**

5. Application of this Plan

This plan applies to:

- Development applications (DAs) and complying development certificates (CDCs) lodged with the Council or an accredited certifier;
- Any type of development specified in this plan, excluding exempt development.

Council may also levy contributions towards the provision of water and sewerage infrastructure, which are not part of this local infrastructure contributions plan. Such contributions will be charged in accordance with the requirements of Section 64 of the Local Government Act 1993 and the Water Management Act 2000

It is foreseen that this plan will be referenced and applied in Regional and State Significant Development.

6. Legislative Framework

This plan is prepared under Section 7.12 of the **Environmental Planning and Assessment Act 1979** and the **Environmental Planning and Assessment Regulation 2021**.

PART B: OPERATION OF THE PLAN

7. How Contributions Are Calculated

A fixed levy is imposed on all applicable development based on the estimated cost of development. The contribution rates are as follows:

Estimated Cost of Development ($AUD)	Contribution Rate (%)
$0 to $200,000	Nil
$200,001 to $500,000	0.50%
Over $500,000	1.00%

The levy will be calculated as follows:
Levy payable = **L x $C**
Where:
L is 0.005 where the cost of development is between $200,001 and $500,000;
or 0.01 where the cost of development is more than $500,000

and

$C is the cost of carrying out the proposed development (calculated in accordance with Section 2.2 below).

8. How will the cost of carrying out the proposed development be calculated?

A development application or an application for complying development certificate must submit an estimated cost of development that has been calculated in accordance with clause 208 of the EP&A Regulation. That clause provides as follows:

> *"**208 Determination of proposed cost of development—the Act, s 7.12(5)(a)***
> *(1) The proposed cost of carrying out development must be determined by the consent authority by adding up all the costs and expenses that have been or will be incurred by the applicant in carrying out the development.*
> *(2) The costs of carrying out development include the costs of, and costs incidental to, the following-*
> *(a) if the development involves the erection of a building or the carrying out of engineering or construction work—*
> *(i) erecting the building or carrying out the work, and*
> *(ii) demolition, excavation and site preparation, decontamination or remediation,*
> *(b) if the development involves a change of use of land—doing anything necessary to enable the use of the land to be changed,*
> *(c) if the development involves the subdivision of land—preparing, executing and registering—*
> *(i) the plan of subdivision, and*
> *(ii) the related covenants, easements or other rights.*

(3) In determining the proposed cost, a consent authority may consider an estimate of the proposed cost that is prepared by a person, or a person of a class, approved by the consent authority to provide the estimate

(4) The following costs and expenses must not be included in an estimate or determination of the proposed cost—

(a) the cost of the land on which the development will be carried out,

(b) the costs of repairs to a building or works on the land that will be kept in connection with the development,

(c) the costs associated with marketing or financing the development, including interest on loans,

(d) the costs associated with legal work carried out, or to be carried out, in connection with the development,

(e) project management costs associated with the development,

(f) the cost of building insurance for the development,

(g) the costs of fittings and furnishings, including refitting or refurbishing, associated with the development, except if the development involves an enlargement, expansion or intensification of a current use of land,

(h) the costs of commercial stock inventory,

(i) the taxes, levies or charges, excluding GST, paid or payable in connection with the development by or under a law,

(j) the costs of enabling access by people with disability to the development,

(k) the costs of energy and water efficiency measures associated with the development,

(l) the costs of development that is provided as affordable housing,

(m) the costs of development that is the adaptive reuse of a heritage item.

(5) The proposed cost may be adjusted before payment of a development levy, as specified in a contributions plan, to reflect quarterly or annual variations to readily accessible index figures adopted by the plan between the day on which the proposed cost was determined by the consent authority and the day by which the development levy must be paid.

Example—

A contributions plan may adopt the Consumer Price Index.

(6) To avoid doubt, this section does not affect the determination of the fee payable for a development application

The genuine estimate of the cost of works must be supplied at the time an application is lodged. ~~When determining the estimated cost of works, applicants must have regard to *Planning Circular PS 21-022 Calculating the genuine estimated cost of development.* Consistent with this circular,~~ Development applications are to be estimated in accordance with the following:

- for development up to $100,000, the estimated cost be estimated by the applicant or a suitably qualified person, with the methodology used to calculate that cost submitted with the DA.
- for development between $100,000 and $3 million, a suitably qualified person should prepare the cost estimate and submit it, along with the methodology, with the DA.
- for development more than $3 million, a detailed cost report prepared by a registered quantity surveyor.

A suitably qualified person is a builder who is licensed to undertake the proposed works, a registered architect, a qualified and accredited building designer, a registered quantity surveyor or a

person who is licensed and has the relevant qualifications and proven experience in costing of development works at least to a similar scale and type as is proposed.

Without limitation to the above, Council may review the valuation of works and may seek the services of an independent person to verify the costs. In these cases, all costs associated with obtaining such advice will be at the expense of the applicant.

~~**How will the levy be adjusted?**~~

~~Levies required as a condition of consent under the provisions of the development contributions plan will be adjusted at the time of payment in accordance with the following formula:~~
~~Levy at time of payment = **$L + $A**~~

~~Where:~~

~~**$L** is the original levy as set out in the consent condition; and~~
~~**$A** is the adjustment amount which is:~~

$$\text{~~\$L x (Current Index – Base Index)~~} \quad \text{~~Base Index~~}$$

~~Where:~~
~~the **Current Index** is the most recent quarterly Consumer Price Index for Sydney as published by the Australian Bureau of Statistics (Ref:6401.0) at the time the levy is paid; and the **Base Index** is the quarterly Consumer Price Index for Sydney as published by the Australian Bureau of Statistics (Ref:6401.0) for the period immediately prior to the date of the development consent.~~

~~Note: In the event that the Current Index is less than the Base Index, the contribution payable shall be that stated in the consent condition.~~

9. Indexation

This Plan authorises the proposed cost of development to be indexed between the granting of consent and the date of payment in accordance with quarterly movements in the Australian Bureau of Statistics *Producer Price Index (Building Construction, NSW)*[1]. This is to account for increases in construction costs over time.

The cost of development, as required by conditions of consent, will be indexed at the time of payment in accordance with the below formula:

$$\textbf{\textit{indexed cost of development}} = \textbf{\textit{cost of development at consent}} \times \frac{\textbf{\textit{current index figure}}}{\textbf{\textit{base index figure}}}$$

[1] The series ID for this index is: A2333670K

- **Current index figure** is the last published *Producer Price Index (Building Construction, NSW)* figure as at the first day of the quarter in which the payment is made.
- **Base index figure** is the last published *Producer Price Index (Building Construction, NSW)* figure as at the first day of the quarter in which the consent was issued.

If the adjusted contributions amount at payment is less than the contributions amount in the condition of consent, then the contributions will not be amended.

10. Can deferred or periodic payments be made?

Council does not allow deferred or periodic payment of levies authorised by the development contributions plan.

11. Refunds of levies

Council's policy is that there are generally no refunds of section 7.12 levy payments made under the local infrastructure contributions plan.

Should someone seek a refund of levies, a formal request must be made in writing to Council outlining the reasons for the requested refund.

12. Timing for the Calculation and Making of Payments

Any S7.12 levy must be calculated and paid to Council:

a) Complying development – before any construction commences.
b) Development consent – one week prior to the issue of a CC.

As specified above, receipt of payment must be included with copies of the documents provided to Council in accordance with clause 142(2), 151(2) or 160(2) of the EP&A Regulation (whichever is applicable, depending on the certificate which is being issued).

~~**Alternative Payments (including Voluntary Planning Agreements (VPA))**~~

~~In accordance with Section 7.7 of the EP&A Act, developers may offer to enter into a VPA with the Council as an alternative to, or in conjunction with, the payment of Section 7.12 contributions under this Plan. A request to enter into a Planning Agreement must be made in writing to Council by the applicant. The Planning Agreement must be successfully completed between Council and the applicant in conjunction with the determination of a DA.~~

~~A developer may propose a VPA to provide infrastructure contributions in the form of:~~

- ~~Monetary contributions,~~
- ~~Dedication of land, or~~

- ~~Provision of material public benefits (e.g., works-in-kind).~~

~~The VPA must deliver outcomes that meet or exceed the value of the Section 7.12 contribution otherwise payable.~~

~~To prevent duplication of contributions, where a VPA is executed, the contributions required under this Plan may be adjusted or waived to the extent that the VPA provides equivalent or greater value for relevant public infrastructure or services.~~

13. Alternatives to monetary levies

Section 7.12 levies can only be made as monetary contributions. A section 7.12 condition cannot require the dedication of land.

Council may accept an offer, in connection with a development application, by an applicant to enter into a planning agreement to provide works-in-kind, dedication of land or other material public benefit but is not required to do so. A planning agreement must be entered into before the grant of a development consent that imposes section 7.12 levies in accordance with this Plan.

14. Savings and transitional provisions

A development application which has been submitted prior to the adoption of the development contributions plan but not yet determined shall be determined in accordance with the provisions of the plan which applied at the date of making the application.

15. Accountability and access to information

Council is required to comply with a range of financial accountability and public access to information requirements in relation to community infrastructure contributions. These are addressed in Divisions 4 of Part 9 of the EP&A Regulation and include:

- maintenance of, and public access to, a levies register;
- maintenance of, and public access to, accounting records for contributions receipts and expenditure;
- annual financial reporting of levies; and
- public access to contributions plans and supporting documents.

These records are available for inspection free of charge at the Council's administration office.

16. Exemptions and Variations

The following development is exempted from a levy under this local infrastructure contributions plan:

- development where the proposed cost of carrying out the development is $200,000 or less; or
- development for the purposes of a single dwelling house; or
- development for the purposes of creating disabled access; or
- affordable housing as defined by the EP&A Act; or seniors housing as defined by State Environmental Planning Policy (Housing) 2021 (other than self-contained dwellings forming part of seniors housing development); or
- housing development by a social housing provider for seniors or people with a disability (in line with Ministerial Direction "Revocation of Direction in force under section 94E and Direction under section 94E"; or
- works undertaken for charitable purposes or by a registered charity; or
- places of public worship, public hospitals and emergency services; or
- recreational facilities, community, cultural or educational facilities provided by or on behalf of the Council or another public authority; or
- development for the sole purpose of adaptive reuse of an item identified in Council's Heritage Schedule in the LEP; or
- development exempted from Local Infrastructure Contributions by way of a Direction made by the Minister for Planning under section 7.17 of the EP&A Act; or
- development, apart from subdivision, where a condition of section 7.11 of the EP&A Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out; or
- Class 10b buildings except for renewable energy developments.

*(**Note**: Farm buildings as specified in Subdivision 16 Farm buildings (other than stock holding yards, grain silos and grain bunkers) (clauses 2.31 and 2.32) in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 are Exempt Development and will not require Development Contributions).*

Council may consider exemptions or variations for the following:

- Development by non-profit organizations that provide a community benefit;
- Affordable housing projects;
- Minor additions or alterations to existing dwellings valued at less than $200,000.
- Development where a Voluntary Planning Agreement is being negotiated.

Requests for exemptions or variations must be made in writing to the Council at the time of lodging the DA or CDC application.

PART C: PUBLIC INFRASTRUCTURE PROJECTS

17. Purpose of Contributions

Clause 7.12 (3) and (4) states the following:

(3) Money required to be paid by a condition imposed under this section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.
(4) A condition imposed under this section is not invalid by reason only that there is no connection between the development the subject of the development consent and the object of expenditure of any money required to be paid by the condition.

Funds collected under this plan will be used to provide, upgrade, or maintain public infrastructure to meet the needs of the growing population. This includes, but is not limited to:

- Flood mitigation works
- Main Street upgrade
- Works on the river frontage.

These projects are referenced in the following Council Plans:

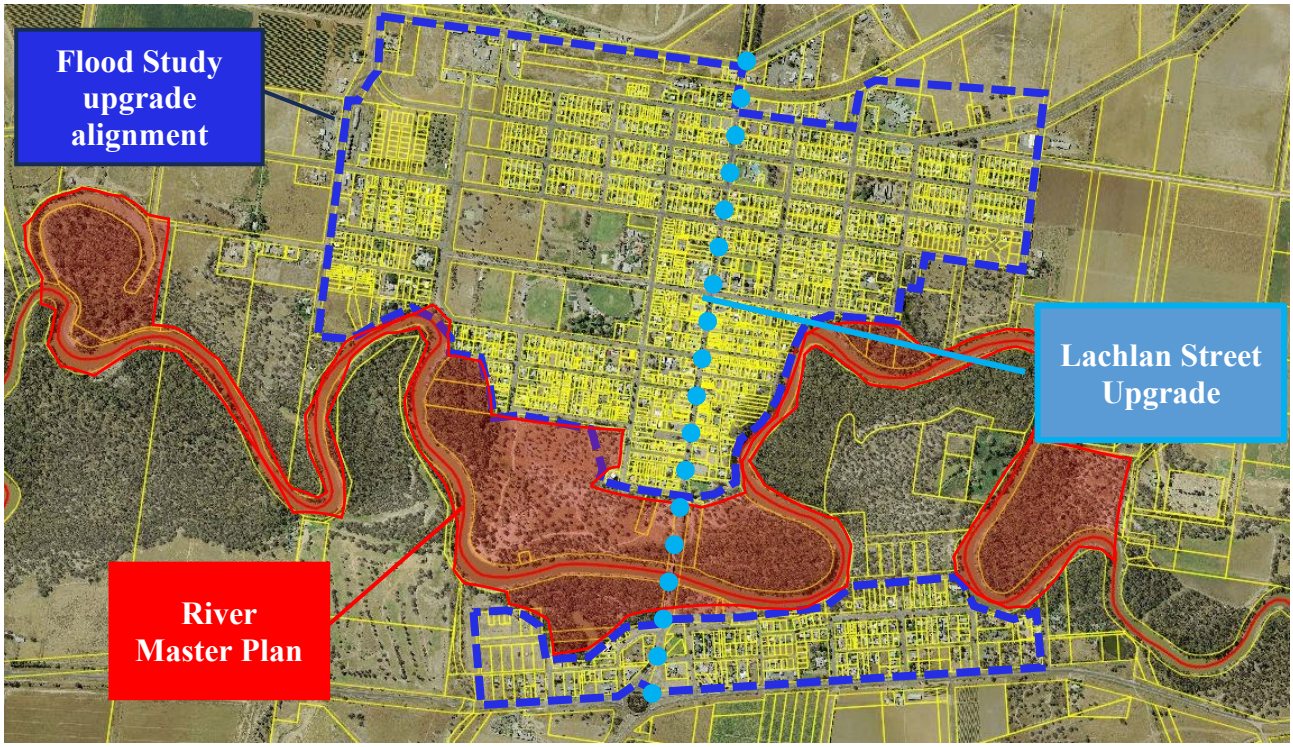
- Murrumbidgee River Master Plan
- Lachlan Street Master Plan
- Hay and Maude Flood Risk Management Study and Plan

18. Schedule of Works

The following projects are identified as priorities for funding:

Project Name	Description	Estimated Cost	Priority	Staging
Murrumbidgee River Master Plan	Actions include development of river reserves, footpaths on the river frontage, and the development of visitor facilities on the riverfront (See Appendix A).	$3,000,000	Low	Long Term
Lachlan Street Master Plan	Streetscape improvements including extensive street tree works, pavement repair, sidewalk enhancement, street furniture, and public art (See Appendix B).	$4,000,000	Medium	Long Term
Hay and Maude Flood Risk Management Study and Plan	Actions to protect Hay and Maude against inundation, including sheet piling,	$25,000,000	High	Long Term

	earthworks, levee upgrades and improved drainage.			



Map of Schedule of Works

19. Review of the Plan

This plan will be reviewed every **5 years**, or as required, to ensure its effectiveness in addressing the infrastructure needs of the community.

Appendices

C5 – Planning Agreements Policy

REPORTING OFFICER	General Manager
ATTACHMENTS	- Draft Planning Agreements Policy, V1.2 dated August 2025

INTRODUCTION

The emergence of the South West Renewable Energy Zone (SW REZ), with its significant scale of proposed infrastructure and development, has created a need for a Planning Agreements Policy to ensure that community benefits are negotiated consistently, transparently, and in line with local priorities.

A Planning Agreements Policy provides a clear framework for how a council will negotiate, assess, and manage voluntary planning agreements with developers in accordance with the Environmental Planning and Assessment Act 1979 (the Act). It sets out the principles, procedures, and expectations that ensure agreements deliver transparent, fair, and equitable public benefits that align with the council's strategic priorities and community needs. The policy also establishes safeguards to manage legal, financial, and operational risks, while promoting consistency, accountability, and trust in the development assessment process.

COMMENTARY

A Planning Agreement is a voluntary agreement or other arrangement between Council and a developer that allows developers to contribute towards a public purpose, including through the dedication of land, provision of monetary contributions, public infrastructure, community facilities or affordable housing, or any other material public benefit.

Planning agreements are separate from but complement the Council's Local Infrastructure Contributions Plans levied in accordance with section 7.12 of the Act.

While Section 7.12 plans must show a general connection between infrastructure and demand, Planning Agreements should generally support infrastructure that is at least partly related to the development.

Planning Agreements provide flexibility to deliver public benefits to manage the impacts of the development. Renewable energy projects (like solar or wind farms) generally have minimal infrastructure demands and do not generate a direct demand for local services like parks, roads, or community centres. In such cases, a PA is used in place of a section 7.12 contribution to secure community benefits.

A Planning Agreement can supplement a standard local infrastructure contribution plan when the standard contribution plan is not adequate to offset the full community impact, or the developer agrees to contribute additional funding, services, or infrastructure voluntarily.

This policy applies to all planning agreements entered into by Hay Shire Council under Part 7 Division 7.1 of the Environmental Planning and Assessment Act 1979 (the Act), including:

- Rezoning requests (planning proposals);
- Development applications (DAs); and
- Modifications to existing consents.

A Renewable Energy Planning Agreement (REPA) is an agreement under Section 7.4 of the Act between a developer and council, typically associated with large scale renewable energy developments like solar farms, wind farms, or battery storage projects, and connected with the South West Renewable Energy Zone.

REPA's are intended to deliver long term community benefits that arise from such developments, ensuring local communities share in the economic and social benefits of the renewable energy transition. A REPA may be included under Development Approval Conditions of Consent, and is to align with the Department of Planning, Housing and Infrastructure - Benefit-Sharing Guideline, November 2024, including not imposing any additional conditions requiring other contributions under section 7.12 of the Act unless they are specifically required to address direct impacts on services and infrastructure.

This Policy sets out the Council's policy and procedures relating to Planning Agreements (PAs) under section 7.4 of the Environmental Planning & Assessment Act (the Act).

The purpose of this Policy is to:

- establish a fair, transparent and accountable framework relating to the Council's use of PAs,
- support innovative and flexible approaches to the delivery of infrastructure and other public benefits consistent with Council's strategic and infrastructure plans,
- ensure participants in the negotiation of PAs understand their roles and responsibilities to maintain the highest standards of probity,
- set out Council's specific policy position and procedures relating to the use of PAs,
- promote public participation and to allow the community to gain understanding of the benefits of an appropriate PA

Planning Agreements typically involve a negotiated agreement between Council and the developer, encompassing the following steps:

1. Initial Offer: The proponent submits a Letter of Offer outlining the proposed public benefits.
2. Preliminary Assessment: Council staff review the proposal for alignment with this policy.
3. Negotiation: Terms are negotiated with the proponent, and legal, financial, or technical input may be sought (at the proponent's cost if necessary).
4. Drafting and Exhibition: A draft Planning Agreement and Explanatory Note are prepared and placed on public exhibition for at least 28 days.
5. Council Resolution: The agreement is referred to a Council Meeting for determination.
6. Execution and Registration: Once approved, the PA is signed and registered on title if required.
7. Monitoring: Delivery of contributions is monitored against agreed milestones.

For large scale renewable energy developments that are associated with the South West Renewable Energy Zone and that is either State significant development (SSD) or critical State significant infrastructure (CSSI), the Department of Planning, Housing and Infrastructure - Benefit-Sharing Guideline, November 2024, outlines the total funding for benefit-sharing that forms the basis of any REPA with Council.

Where a proposed Planning Agreement provides for a monetary contribution by the developer, Council may seek to include a provision permitting money paid under the PA to be pooled with money paid under other PA's and applied progressively for the different purposes under those agreements, subject to the specific requirements of the relevant agreements. Pooling may be appropriate to allow community benefits to be provided in a fair, more efficient and equitable way.

The Council will continuously monitor the performance of the Developer's obligations under a PA. Council may establish an infrastructure contributions governance committee to oversee all infrastructure contributions and planning agreements. The Committee, if established, is to comprise of senior council officers from each relevant section of the council and chaired by the General Manager or other appropriate person. All decisions by the committee should be formally documented and made publicly available when appropriate.

For State significant development (SSD) or critical State significant infrastructure (CSSI), such as large scale renewable energy projects, a Community Consultative Committee (CCC) or Community Benefit Fund Governance Committee in the case for a REPA, will be required to monitor the PA.

Council will have in place internal controls to manage risks associated with security of contributions data. Additionally, Council will undertake internal audits periodically to ensure contributions are being managed and spent appropriately, as well as include in its annual report particulars of compliance with and the effect of the planning agreements during the year to which the report relates.

The Council will have responsibility for preparation of a PA. Typically PA's will be prepared by a legal firm engaged by Council at the proponent's cost. However, Council may accept a draft PA prepared by a proponent at its discretion. Council may prepare templates for PAs and associated explanatory notes to assist proponents.

Depending on the nature of the public benefit proposed, some clauses in template PA's may not apply. For example, if the public benefit is solely a monetary contribution, clauses regarding developer works may not be necessary. Some provisions are standard for every PA to comply with the Act and Regulations.

Council may require a Planning Agreement to make provision for payment by the developer of part or all of the Councils' costs of and incidental to:

a) negotiating, preparing and entering into the Planning Agreement;
b) registering and removing the Planning Agreement on and from the title of any relevant land; and
c) enforcing the Planning Agreement.

The amount to be paid by the developer will be determined by negotiation in each case. In particular cases, the Council may require the Planning Agreement to make provision for a development contribution by the developer towards the on-going administration of the agreement.

All planning agreements will be:

- Publicly exhibited in accordance with legislative requirements (In accordance with the Act, all draft PAs will be publicly notified for a minimum period of 28 days)
- Reported in Council's business papers and minutes;
- Listed in Council's Planning Agreement Register, which is publicly accessible via Council's website;
- Reviewed for compliance on an annual basis.

Councillors will not be involved in the face to face negotiations of any PA, with the General Manager having delegated authority to negotiate draft agreements in accordance with this policy. However, all planning agreements must be endorsed by formal resolution of Council before execution.

The risk implications of a planning agreement to a local council include legal, financial, operational, and reputational considerations.

Legally, there is a risk of disputes or non-compliance if the agreement's terms are unclear, poorly drafted, or not properly enforced. Financially, while the agreement may deliver assets or contributions, the council could face unplanned long-term costs for maintenance, staffing, or asset replacement. Operationally, there is a risk that the delivered works or services do not meet community needs, are of poor quality, or place undue strain on council resources. Reputationally, poorly negotiated agreements or perceived inequities can lead to community dissatisfaction or allegations of preferential treatment for developers.

In summary, if not carefully structured and monitored, a planning agreement can expose a council to cost burdens, service delivery challenges, legal disputes, and damage to community trust. These risks have been carefully considered in the preparation of the policy and supporting frameworks to ensure they are managed appropriately.

Staff recommend the draft policy is placed on public exhibition for minimum of 28 days in accordance with the Act.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Economic** 3.1 Our community welcomes new and innovative industry to support our future 3.1.1 Future Ready Businesses 3.1.2 Strengthen Business Support Services 3.1.3 Business Attraction and Investment Growth 3.1.4 Facilitate growth industries including workforce development and skills 3.1.5 Identify opportunities to grow the agricultural sector 3.1.6 Identify opportunities to grow the renewable energy sector **Civic Leadership** 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance 4.1.2 Monitor and evaluate Council's strategic planning documents 4.1.3 Be environmentally responsible in decision making 4.1.4 Council will seek to continuously improve 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.1 Provide an advocacy role on behalf of the community 4.2.2 Inform and empower community input into decision making 4.2.3 Our community has access to Council information, services and facilities
FINANCIAL IMPLICATION	Major - a planning agreement can provide significant monetary contributions, land, or infrastructure works that reduce the need for council to fund these directly from its own budget, helping to deliver community facilities or services sooner.
LEGISLATIVE IMPLICATION	Environmental Planning & Assessment Act 1979 Environmental Planning & Assessment Regulation 2021 Local Government Act 1993 Real Property Act 1900
POLICY IMPLICATION	Moderate – the Planning Agreement Policy is very detailed and in accordance with legislation Community Strategic Plan

ASSET IMPLICATION	Moderate – contribution from Planning Agreements may allow Council to renew or provide new assets
RISK IMPLICATION	Moderate – there are strict protocols and requirements around the process and management of Planning Agreements that reduces the risk to Council

RECOMMENDATION

That Council:

(a) Places the draft Planning Agreements Policy, V1.2 dated August 2025 on public exhibition for a minimum of 28 days; and
(b) A further report be brought to Council in due course.

Hay Shire Council Policy

Title of Policy	Planning Agreements		
This applies to	Hay Shire Local Government Area		
Author	David Webb	**Date Approved:**	
Position of Author	General Manager	**Authorised by:**	Council
Legislation, Australian Standards, Code of Practice.	Local Government Act 1993 Part 7 Subdivision 2 of the Environmental Planning & Assessment Act 1979 Part 9 Division 1 of the Environmental Planning & Assessment Regulation 2021 NSW Department of Planning, Industry and Environment Planning Agreements Practice Note 2021 and the draft 2023 Practice Note Department of Planning, Housing and Infrastructure - Benefit-Sharing Guideline, November 2024 Real Property Act 1900		
Related Policies/Procedures	Hay Shire Council Community Strategic Plan Hay Shire Council Delivery Program and Operational Plan Hay Shire Council Developer Contributions Plan 2025 Fundamental Principles for Successful Renewable Development in Hay LGA, December 2023 Renewable Energy Community Benefit Framework		
Attachments	Nil		
Aim	This policy establishes Hay Shire Council's framework for the negotiation, assessment, execution, and implementation of Planning Agreements under the Environmental Planning and Assessment Act 1979 (NSW). It ensures that planning agreements are used effectively to deliver public benefit, support sustainable rural development, and enhance community infrastructure in line with Hay Shire's strategic goals.		
Version	**Details**		**Date**
Version 1.2	Initial Issue		August 2025
To be reviewed	This policy will be reviewed every four years or sooner in response to legislative changes, shifts in local strategic planning, or emerging infrastructure priorities.		
Superseded Policies	Nil		

The Policy

Purpose

This Policy sets out the Council's policy and procedures relating to Planning Agreements (PAs) under section 7.4 of the Environmental Planning & Assessment Act (the Act).

The purpose of this Policy is to:

- establish a fair, transparent and accountable framework relating to the Council's use of PAs,
- support innovative and flexible approaches to the delivery of infrastructure and other public benefits consistent with Council's strategic and infrastructure plans,
- ensure participants in the negotiation of PAs understand their roles and responsibilities to maintain the highest standards of probity,
- set out Council's specific policy position and procedures relating to the use of PAs,
- promote public participation and to allow the community to gain understanding of the benefits of an appropriate PA

Overview

A Planning Agreement is a voluntary agreement or other arrangement between Council and a developer that allows developers to contribute towards a public purpose, including through the dedication of land, provision of monetary contributions, public infrastructure, community facilities or affordable housing, or any other material public benefit.

Planning agreements are separate from but complement the Council's Contributions Plans levied in accordance with section 7.12 of the Act.

While Section 7.12 plans must show a general connection between infrastructure and demand, Planning Agreements should generally support infrastructure that is at least partly related to the development.

Planning Agreements provide flexibility to deliver public benefits to manage the impacts of the development. Renewable energy projects (like solar or wind farms) generally have minimal infrastructure demands and do not generate a direct demand for local services like parks, roads, or community centres. In such cases, a PA is used in place of a section 7.12 contribution to secure community benefits.

A Planning Agreement can supplement a standard contribution plan when the standard contribution plan is not adequate to offset the full community impact, or the developer agrees to contribute additional funding, services, or infrastructure voluntarily.

Scope

This policy applies to all planning agreements entered into by Hay Shire Council under Part 7 Division 7.1 of the Environmental Planning and Assessment Act 1979 (the Act), including:

- Rezoning requests (planning proposals);
- Development applications (DAs); and
- Modifications to existing consents.

A Renewable Energy Planning Agreement (REPA) is an agreement under Section 7.4 of the Act between a developer and council, typically associated with large scale renewable energy developments like solar farms, wind farms, or battery storage projects, and connected with the South West Renewable Energy Zone.

REPA's are intended to deliver long term community benefits that arise from such developments, ensuring local communities share in the economic and social benefits of the renewable energy transition. A REPA may be included under Development Approval Conditions of Consent, and is to align with the Department of Planning, Housing and Infrastructure - Benefit-Sharing Guideline, November 2024, including not imposing any additional conditions requiring other contributions under section 7.12 of the Act unless they are specifically required to address direct impacts on services and infrastructure.

Policy Statement
Hay Shire Council may enter into a planning agreement where a proponent offers to provide public benefits—monetary or in-kind—either in addition to or in place of standard Section 7.11 or Section 7.12 contributions.

Planning agreements are not mandatory, but Council encourages proponents of larger or strategically significant developments to consider offering public benefits that respond to local infrastructure needs and community aspirations.

The statutory scheme for PAs
Division 7.1 of Part 7 of the Act establishes a statutory scheme for contributions by developers to planning authorities, including local councils in connection with development. The scheme has compulsory and voluntary elements.

Clause 203 of the Regulation contains further requirements related to the making of voluntary planning agreements. These requirements are not reproduced in this Policy.

Departmental Practice Notes and Directions
This Policy is generally consistent with the NSW Department of Planning, Industry and Environment Planning Agreements Practice Note 2021 and the draft 2023 Practice Note.

The practice note recognises that planning agreements can be complex and there is no standard approach. The practice note may assist parties to prepare planning agreements and must be considered by Council when negotiating or entering into a planning agreement. (cl 203(7) of the Regulation).

When negotiating a planning agreement which provides for affordable housing Council must consider the Environmental Planning and Assessment (Planning Agreements) Direction 2019.

Corporate strategic planning context
PAs have an important strategic role supporting the implementation of a Council's Community Strategic Plan through provision of funding and works for key projects.

Prepared in accordance with the Local Government Act 1993, Council's corporate strategic planning documents include the Community Strategic Plan (CSP) and Delivery Program / Operational Plan. These documents set out Council's strategic priorities for the Shire supported by financial planning and asset management planning, and the main activities it proposes to undertake to implement the priorities.

The four key directions in Council's CSP are:

- Social

- Environmental
- Economic
- Civic Leadership

When preparing a PA, Council will endeavour to achieve outcomes consistent with these key directions.

Land use planning context
PAs also have a strategic role in achieving specific land use planning outcomes envisaged by the adopted CSP and Local Strategic Planning Statement (LSPS). In some circumstances, PAs can provide the mechanism to deliver the following outcomes:

- Enduring – delivering long-term legacies for future generations.
- Strategic – aligned with the community's shared priorities.
- Coordinated – complementary across multiple projects.
- Inclusive – geographically and socioeconomically fair.

Council's objectives for the use of PA's
This policy aims to:

- Promote transparency and consistency in the use of planning agreements.
- Ensure planning agreements deliver genuine public benefits that reflect community needs.
- Provide flexibility in addressing infrastructure and service requirements beyond standard development contributions.
- Align planning agreements with Council's strategic plans, particularly the Community Strategic Plan, Delivery Program, and Operational Plan

Guiding principles for use of PAs
All planning agreements must:

- Deliver Public Benefit: Provide infrastructure, facilities, or services that benefit the Hay community.
- Be Transparent and Accountable: Be subject to public exhibition and resolved by Council.
- Be Fair and Reasonable: Reflect the scale and impact of the proposed development.
- Be Voluntary: Not be used as a condition or incentive to gain planning approval.
- Be Consistent with Strategic Planning: Align with the Council's land use, infrastructure, and community plans.
- Ensure No Improper Influence: Planning decisions must not be influenced by the prospect of a PA.

Acceptability test
Planning Agreements are to be assessed against the following acceptability test for determining the acceptability of a Planning Agreement. The acceptability test requires that Planning Agreements:

- are directed towards legitimate planning purposes, which can be identified in the statutory planning controls and other adopted planning strategies and policies applying to development;
- provide for the delivery of infrastructure or public benefits not wholly unrelated to the development;
- produce outcomes that meet the general values and expectations of the public and protect the overall public interest;

- provide for a reasonable means of achieving the desired outcomes and securing the benefits; and
- protect the community against adverse planning decisions.

Types of Contributions
Planning agreements may include the provision of:

- Monetary contributions;
- Dedication of land;
- Construction of public infrastructure (e.g., roads, footpaths, water/sewer upgrades);
- Community facilities (e.g., halls, sporting fields);
- Environmental protection or enhancement (e.g., landscaping, biodiversity offsetting);
- Affordable or aged housing;
- Childcare or health infrastructure;
- Other agreed public benefits

Purpose of contributions
The Act allows development contributions made under PAs to be used for or applied towards a public purpose.

Public purposes include, without limitation,

- the provision of (or the recoupment of the cost of providing) public amenities or public services,
- the provision of (or the recoupment of the cost of providing) affordable housing,
- the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land,
- the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure,
- the monitoring of the planning impacts of development,
- the conservation or enhancement of the natural environment.

Without limiting the types of public benefits that the Council may seek through PAs, the Council may seek public benefits that:

- compensate for the loss of, or damage to, a public amenity, service, resource or asset caused by the development through its replacement, substitution, repair or regeneration,
- meet the demands created by the development for new public infrastructure, amenities and services,
- address a particular deficiency or deficiencies in the existing provision of public facilities in the Council's area,
- achieve recurrent funding in respect of public facilities,
- prescribe inclusions in the development that meet specific planning objectives of the Council,
- monitor the implementation of development,
- secure planning benefits for the wider community.

Negotiation Process
Planning Agreements typically involve a negotiated agreement between Council and the developer, encompassing the following steps:

1. Initial Offer: The proponent submits a Letter of Offer outlining the proposed public benefits.

2. Preliminary Assessment: Council staff review the proposal for alignment with this policy.
3. Negotiation: Terms are negotiated with the proponent, and legal, financial, or technical input may be sought (at the proponent's cost if necessary).
4. Drafting and Exhibition: A draft Planning Agreement and Explanatory Note are prepared and placed on public exhibition for at least 28 days.
5. Council Resolution: The agreement is referred to a Council Meeting for determination.
6. Execution and Registration: Once approved, the PA is signed and registered on title if required.
7. Monitoring: Delivery of contributions is monitored against agreed milestones.

For large scale renewable energy developments that are associated with the South West Renewable Energy Zone and that is either State significant development (SSD) or critical State significant infrastructure (CSSI), the Department of Planning, Housing and Infrastructure - Benefit-Sharing Guideline, November 2024, outlines the total funding for benefit-sharing that forms the basis of any REPA with Council.

Assessment Criteria

Council will consider the following in evaluating a proposed planning agreement:

- Value for money and community need;
- Timing, delivery, and enforceability of the contributions;
- Alignment with Council's strategic priorities;
- Any recurrent cost implications to Council.

Commencement of PA

A PA commences when:

- it is signed by all the parties, or
- each separate executed counterparts are exchanged.

Council will generally require a Planning Agreement to provide that the developer's obligations under the agreement take effect when the first development consent operates in respect of development that is the subject of the agreement.

Contributions will usually be required to be made prior to the issuing of a construction certificate, subdivision works certificate, occupation certificate or subdivision certificate in respect of the development.

Indexation

All monetary amounts to which development contributions under a PA applies are to be adjusted or indexed in accordance with the method of adjustment or indexation provided for in the Contributions Plan.

If a Contributions Plan does not apply to development contributions under a PA, monetary amounts relating to the contributions will be adjusted or indexed in accordance with the method agreed by negotiation between the Council and the Developer.

Pooling of Development Contributions

Where a proposed Planning Agreement provides for a monetary contribution by the developer, Council may seek to include a provision permitting money paid under the PA to be pooled with

money paid under other PA's and applied progressively for the different purposes under those agreements, subject to the specific requirements of the relevant agreements. Pooling may be appropriate to allow community benefits to be provided in a fair, more efficient and equitable way.

Land dedication
Ordinarily, any land which is required to be dedicated or transferred to the Council under a PA must be dedicated or transferred free of encumbrances.

In respect of any dedication or transfer of land to the Council, or the creation of any interest in land in the Council's favour under a PA, the Developer will be responsible for preparing all documents and meeting all costs relating to the following:

- removing an encumbrance on the title,
- creating an interest in land in the Council's favour,
- subdividing land,
- preparing and lodging documents for registration,
- obtaining the consent of any to registration,
- dealing with any requisition from Land and Property Information NSW Land Registry Services relating to any dealing lodged for registration.

Security for performance
Council generally will require a Planning Agreement to make provision for security by the developer of the developer's obligations under the agreement.

Unless otherwise agreed by the parties in a particular case, the form of security will usually, but not necessarily, be an unconditional bank guarantee from an Australian Bank in favour of the Council to the full value of the developer's provision under the Planning Agreement and on terms otherwise acceptable to Council.

Other forms of security that Council may require include the following:

- Where the Planning Agreement provides for benefits to be paid in the form of a monetary contribution, that the contribution be made prior to the issue of a construction certificate, subdivision works certificate, occupation certificate or a subdivision certificate.
- Where the Planning Agreement provides for works to be carried out, a bond or bank guarantee from an Australian bank in favour of Council should be provided for at least the agreed estimated value of the works, and on terms otherwise acceptable to Council.
- Where the Planning Agreement provides for the dedication of land to Council, a Planning Agreement must include a provision that enables the Council to compulsorily acquire the land for A$1.00 in the event of a breach of the agreement by the developer.
- Council may require the Planning Agreement to be registered on the title of the land to which it applies.
- Council may also require any financial security that is provided to be indexed according to the same index as the contributions to which it relates.

Registration
Section 7.6 of the Act provides that a PA can be registered under the Real Property Act 1900. Registration requires the agreement of all persons having a registered interest in the land, including mortgagees, charges, lessees and the like.

Indemnity
The Developer will be required to indemnify the Council from and against all claims that may be sustained, suffered, recovered or made against the Council arising in connection with the carrying out of works under the PA except if, and to the extent that, the claim arises because of the Council's negligence or default.

Notations on section 10.7 Planning Certificate
The Council will generally require a PA to contain an acknowledgement that the Council may, at its absolute discretion, make a notation under s10.7(5) of the Act to the effect that the land is subject to the PA on any certificate issued under s10.7 of the Act relating to the land the subject of the agreement.

Monitoring and review
The Council will continuously monitor the performance of the Developer's obligations under a PA. The Council will require a PA to contain provisions requiring the Developer at its cost to report periodically to the Council on its compliance with obligations under the PA. The Council may require a PA to contain provisions establishing a mechanism under which the PA is periodically reviewed by the parties. For the purposes of addressing any matter arising from a review of a PA the parties may agree on and implement appropriate amendments to the PA.

Council may establish an infrastructure contributions governance committee to oversee all infrastructure contributions and planning agreements. The Committee, if established, is to comprise of senior council officers from each relevant section of the council and chaired by the General Manager or other appropriate person. All decisions by the committee should be formally documented and made publicly available when appropriate.

For State significant development (SSD) or critical State significant infrastructure (CSSI), such as large scale renewable energy projects, a Community Consultative Committee (CCC) or Community Benefit Fund Governance Committee in the case for a REPA, will be required to monitor the PA.

Council will include infrastructure contributions considerations in its Fraud and Corruption Control Framework. The framework will identify and manage the specific risk of fraud and corruption present within the infrastructure contributions system and include prevention and monitoring strategies.

Council will have in place internal controls to manage risks associated with security of contributions data. Additionally, Council will undertake internal audits periodically to ensure contributions are being managed and spent appropriately, as well as include in its annual report particulars of compliance with and the effect of the planning agreements during the year to which the report relates.

Amendment
PAs can be amended by agreement between the parties. Either party can initiate an amendment. The parties will be required to act co-operatively, reasonably and in good faith in considering any request to amend a PA. Amendment will generally occur by means of a deed of variation to the PA in a form acceptable to Council. The party proposing the amendment must bear the other party's costs of the modification.

Discharge of PA
The Developer must ensure that the public benefits are provided by the date or milestone identified in the planning agreement. For works in kind, the Council will inspect and provide confirmation in writing that the works have reached completion.

A Developer may be discharged from its obligations under a PA in certain circumstances. These include:

- the Developer's obligations have been fully carried out in accordance with the PA,
- the Development Consent to which the PA relates has lapsed, or it has been modified to such an extent that the Developer's obligations may no longer apply,
- the performance of the PA by the Developer has been frustrated by an event or events beyond the reasonable control of the parties, such as a change in planning controls,
- the Developer has transferred the land to which the PA relates or assigned its interest under the PA or novated the PA on terms agreed to by the Council,
- other material changes affecting the operation of the PA have occurred, and
- the parties have entered into a new PA or other suitable arrangement,
- the Council and the Developer otherwise agree to the discharge of the PA

Preparation and form of PA
The Council will have responsibility for preparation of a PA. Typically PA's will be prepared by a legal firm engaged by Council at the proponent's cost. However, Council may accept a draft PA prepared by a proponent at its discretion.

Council may prepare templates for PAs and associated explanatory notes to assist proponents.

Depending on the nature of the public benefit proposed, some clauses in template PA's may not apply. For example, if the public benefit is solely a monetary contribution, clauses regarding developer works may not be necessary.

Some provisions are standard for every PA to comply with the Act and Regulations.

Council's costs of negotiating, entering into, monitoring and enforcing a PA
Council may require a Planning Agreement to make provision for payment by the developer of part or all of the Councils' costs of and incidental to:

a) negotiating, preparing and entering into the Planning Agreement;
b) registering and removing the Planning Agreement on and from the title of any relevant land; and
c) enforcing the Planning Agreement.

The amount to be paid by the developer will be determined by negotiation in each case. In particular cases, the Council may require the Planning Agreement to make provision for a development contribution by the developer towards the on-going administration of the agreement.

Dispute resolution
Council will require a Planning Agreement to provide for mediation of disputes between the parties to the agreement, at their own costs, before the parties may exercise any other legal rights in relation to the dispute. Unless the parties agree otherwise, the Planning Agreement will provide that such mediation will be conducted pursuant to the Mediation Rules publishes by the Law Society of New South Wales current at the time the agreement is entered.

Hand-Over of Works
Council will generally not accept the hand-over of a public work carried out under a Planning Agreement unless the developer furnishes to the Council a certificate to the effect that the work has been carried out and completed in accordance with the agreement and any applicable development consents (which certificate may, at the Council's discretion, be a final occupation certificate, compliance certificate or a subdivision certificate) and, following the issue of such a certificate to the Council, the work is also certified as complete by a Council building surveyor or engineer. Council will also require the Planning Agreement to provide for a defects liability period during which any defects must be rectified at the developer's expense and for security to be held by Council on account of defects.

Developer not the owner
Where the developer is not the owner of the land to which a Planning Agreement applies, Council will usually require the owners of that land be party to the Planning Agreement.

Public Disclosure and Register
All planning agreements will be:

- Publicly exhibited in accordance with legislative requirements (In accordance with the Act, all draft PAs will be publicly notified for a minimum period of 28 days)
- Reported in Council's business papers and minutes;
- Listed in Council's Planning Agreement Register, which is publicly accessible via Council's website;
- Reviewed for compliance on an annual basis.

Council will publicly re-notify and make available for public inspection a proposed Planning Agreement and the application to which it relates if, in the Council's opinion, a material change is made to the terms of the agreement or the application after it has been previously publicly notified and inspected. Such a change may arise as a consequence of public submissions made, or the formal consideration by the Council, or for any other reason.

Explanatory Notes
The Regulation requires that an Explanatory Note is provided with the public notice of a Planning Agreement. The Explanatory Note can be prepared by one of the parties but should be reviewed and agreed on by any other party to the agreement. The Explanatory Note must help the broader community to simply and clearly understand what a Planning Agreement is proposing, how it delivers public benefit, and why it is acceptable and in the public interest. It should be easy to understand, written in plain English and address all considerations outlined the Practice Notes.

The Explanatory Note must:

- be written in plain English and address all considerations outlined in the Practice Notes and this Policy;
- summarise the objectives, nature and effect of the proposed Planning Agreement and contain an assessment of the merits of the proposed agreement, including the impact on the public or relevant section of the public;
- identify how the Planning Agreement promotes the public interest;
- identify whether the Planning Agreement conforms with Council's capital works program, if any;

- state whether the Planning Agreement specifies that certain requirements of the agreement must be complied with before a construction certificate, occupation certificate, subdivision works certificate or subdivision certificate is issued; and
- indicate timing of delivery and include maps, diagrams and other material to help explain what is proposed.

Probity Matters

Public probity is important to Council and consideration of an Offer/proposed Planning Agreement will be undertaken in a manner that is fair, transparent and directed at achieving public benefits in free of corruption or perception of bias.

To this end, the following practices will apply:

a) Roles and responsibilities within the processes for a Planning Agreement, a planning proposal and a development application will be managed to ensure transparency, impartiality and accountability and to avoid conflicts of interest. This will generally include separation of roles and responsibilities.
b) Commercial and financial information will be treated as confidential material.
c) Not allowing the interests of individuals or interest groups to outweigh the wider public interest when decided whether to enter into Planning Agreements.
d) Allowing the public to access and download this Policy and all executed Planning Agreements from Council's website.
e) Where Council has a commercial interest in a development the subject of a Planning Agreement, that appropriate steps are taken to ensure conflicts or interests are avoided or managed.
f) Working with proponents to establish clear timeframes to progress Planning Agreements efficiently and actively communicate the status of the Planning Agreement.
g) Publicly notify proposed Planning Agreements in accordance with the EPA Act and the Regulation.
h) Not approving development that is unacceptable on planning grounds because of public benefits offered by developers through the Planning Agreement process.

Separation of staff responsibilities within the Council

If the Council has a commercial interest in the subject matter of a PA as a landowner, developer or financier, the Council will ensure that the person assessing the application to which a PA relates is not the same person or a subordinate of the person who negotiated the terms of the PA on behalf of the Council in its capacity as landowner, developer or financier.

Involvement of Councillors in PA negotiation process

Councillors will not be involved in the face to face negotiations of any PA.

Delegations

The General Manager has delegated authority to negotiate draft agreements in accordance with this policy. However, all planning agreements must be endorsed by formal resolution of Council before execution.

Review

This policy will be reviewed every four years or sooner in response to legislative changes, shifts in local strategic planning, or emerging infrastructure priorities.

C6 – Showground Master Plan

REPORTING OFFICER	General Manager
ATTACHMENTS	- Draft Showgrounds Master Plan V2, dated May 2025

INTRODUCTION

Staff, in conjunction with the Showgrounds Management Committee, have finalised the Showgrounds Master Plan.

COMMENTARY

As reported to the May 2025 meeting, Staff, in conjunction with the Showgrounds Management Committee, developed a draft Showgrounds Master Plan for Council's information. The Hay Showgrounds is a vital community asset, serving as a hub for agricultural events, equestrian activities, exhibitions, and social gatherings.

The Hay Showgrounds Master Plan provides a structured approach to the management, maintenance, and future development of the Hay Showgrounds. It outlines strategies to ensure that the site remains a valuable community asset, supports various activities and events, and is managed in an environmentally and financially sustainable manner, in accordance with the gazetted purpose of the area.

The Strategic Vision for the Hay Showgrounds Master Plan is to create a safe, accessible, and sustainable multi-purpose venue that meets the evolving needs of the community while preserving the site's heritage and rural character. This vision aims to ensure the Showgrounds remain a high-quality facility for local, regional, and state-wide events, fostering economic growth, tourism, and community engagement. The Showgrounds is Crown Land, gazetted for Recreation and Community Use.

By implementing a structured approach to development, the Master Plan will enhance the functionality, sustainability, and appeal of the Showgrounds, making it a welcoming and inclusive venue for all users, including exhibitors, spectators, and recreational visitors.



The Hay Showgrounds have been a key community asset for over a century, hosting agricultural shows, rodeos, and local events that celebrate regional culture and traditions. The Hay Showground and Racecourse (D550006) is categorised as Sportsground and General Community Use.

The Hay Show, first held in 1868, has been a cornerstone of the local community, celebrating agricultural practices and fostering community spirit. Despite interruptions due to adverse conditions, such as the cancellation in 1883 owing to drought, the event has persisted, marking its 150th show recently. In 1936 the Hay Jockey Club and the Hay Pastoral Association were merged to form the Hay Showground and Racecourse Trust, with the joining of the 25 acres of Showground with 50 acres of Hay PP Board controlled TSR (for the racecourse), to form what is now the Hay Showgrounds.

During World War II, the Hay Showgrounds and adjacent areas, including the racecourse and recreation reserve, were repurposed to establish high-security internment and prisoner-of-war camps. In July 1940, three compounds—Camps 6, 7, and 8—were constructed. The first internees, arriving in September 1940, were over 2,000 refugees from Nazi Germany and Austria, many of them Jewish, transported aboard the HMT Dunera. These individuals, later known as the "Dunera Boys," were housed in Camps 7 and 8 near the showgrounds.

In November 1940, Italian civilian internees occupied Camp 6, located near the Hay Hospital. After the departure of the Dunera internees in May 1941, Italian prisoners of war were placed in Camps 7 and 8. December 1941 saw the arrival of Japanese internees, some from Broome and islands north of Australia, who were accommodated in Camp 6. Following the Cowra POW breakout in August 1944, approximately 600 Japanese POWs were transferred to Hay and placed in the high-security compounds.



Key facilities of the Showgrounds site include:

- Pavilion and exhibition spaces
- Livestock yards
- Grandstands and seating areas
- Toilets and shower facilities
- Parking areas
- Equestrian arenas
- Racetrack (including running rail)
- Secretaries Offices (Jockey Club and Showground committees)
- Bars and catering facilities (racecourse and rodeo)
- Horse Racing Track
- Gun Club

In conjunction with the Showgrounds Management Committee, a list of actions has been developed to further enhance the community asset. The Showgrounds Management Committee provided initial input at a workshop session late 2024 and then on the draft master plan at its meeting 28th April 2025.

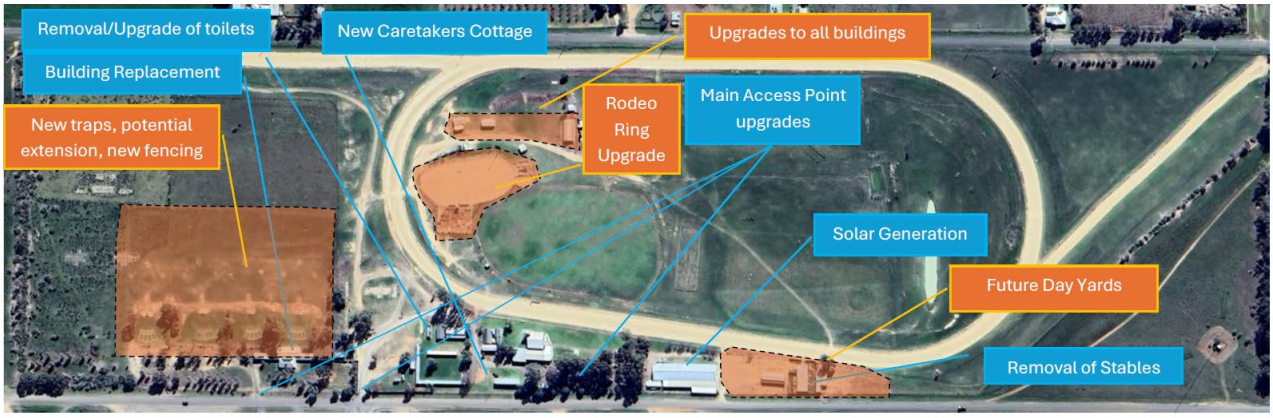


Figure 4: Key Actions

The above actions add up to a total of $2,348,000. It is envisaged that these projects will be completed over a significant period of time, with largely external funding, with the Showgrounds income as a secondary source.

The draft Master Plan lists two key projects:

1. *Heritage Project*
   The Hay Showgrounds has a long history, but what sets it apart from other showgrounds is its Second World War history. The Hay Showgrounds' World War II heritage as a former internment and POW site is a unique historical asset that can be leveraged to enhance tourism, education, and community engagement.



Figure 9: Heritage Projects

In particular, the project would entail the following:

- Heritage Centre or Museum: Establish a small exhibition space dedicated to the site's wartime history.
- Signposted Walking Paths: Create a heritage trail around the Showgrounds with key locations marked, and link this with the Railway Station and the Dunera Museum.
- Restoration of WWII Relics: If any structures from the period remain, restore and preserve them for public viewing.
- Restoration of all existing monuments and plaques: Both monuments are looking in bad repair, and both need to be restored and repaired.

2. *Environmental Sustainability Project*

To ensure the Hay Showground's long-term viability and reduce its environmental impact, a comprehensive Environmental Sustainability Project is proposed. This initiative aims to implement eco-friendly infrastructure, resource conservation, and land management strategies while preserving the Showgrounds' natural heritage. This approach will link into Hay Shire Council's Circular Economy Strategy, which is based on three principles:

- Design out waste and pollution.
- Keep products and materials in use.
- Regenerate natural systems

The key objectives of the Environmental Sustainability Project would include:

- Water Conservation: Implementing efficient water management strategies to reduce consumption and improve sustainability.
- Energy Efficiency: Reducing reliance on non-renewable energy sources through sustainable alternatives.
- Waste Reduction & Recycling: Establishing a structured waste management program to minimise landfill waste.
- Biodiversity & Land Management: Enhancing green spaces and reducing environmental degradation.



Figure 10: Environmental Projects

Implementation of the Master Plan will require ongoing collaboration between Council, user groups, and the broader community, supported by strategic investment and adaptive management.

With a shared commitment to the long-term sustainability and success of the site, the Hay Showgrounds can continue to thrive as a key regional destination for generations to come.

Following endorsement by the Showground Management Committee, the draft Showgrounds Master Plan V2, dated May 2025, was placed on public exhibition for a minimum 28 days with nil submissions received. Anecdotally, comments we received that more stables were needed at the facility. This has been addressed in the Plan.

Staff have now finalised the Master Plan, with the Showground Management Committee endorsing the Plan at its meeting 21st July 2025.

It is now presented to Council for adoption.

In addition, staff have submitted a grant application under the Federal Government's 'Saluting Their Service' Program to undertake one of the key projects identified – Heritage Project.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**A - Environmental Sustainability** *A1 Celebrate and promote our unique local environment* 1.3 Implement sustainable and eco friendly tourism initiatives. 1.4 People of all abilities have access to built environments, cycleways and passive areas *A4 Our community is inclusive and sustainable* 4.1 Facilitate access to public spaces for cultural and community events. **B. Liveable and vibrant community** *B1 Maintain and beautify the town centres* B1.1 Enhance the atmosphere of the main street and public areas B1.2 Support and promote public art initiatives **C Economic prosperity and sustainability** *C2 Our community values its history and tourism* C2.1 Actively identify promote and enhance tourism initiatives C2.2 Promote accommodation and camping facilities C2.3 Showcase our open space, recreation and cultural facilities *C3 We have the capacity to hold numerous events and activities* C3.2 Promote our capacity to stage events **D Governance and Organisational Performance** *D1 Our community is supported by a strong and resilient Council that is responsive to its needs* D1.2 Council effectively manages its resources D1.4 Council decision making is based on a sound appreciation of community issues and needs, supporting by reliable information and asset management systems.

	D1.6 Council will seek to continuously improve *D2 Our Community is connected and informed* D2.1 Enable all residents and groups to participate in local decision making **E Our Infrastructure** *E1 Our community can rely on well-maintained infrastructure that is responsive to our service needs* E1.1 Deliver infrastructure and assets that are responsive to community need E1.2 Ensure Council efficiently manages its infrastructure and assets within available resources. E1.3 Provision of sustainable infrastructure that is adaptive to changing needs, suitable/betterment and funding levels
FINANCIAL IMPLICATION	Major – while the listed actions are expect to cost in excess of $2.3M, this is expected to be largely funded externally. Council is responsible for the ongoing maintenance and operation of the precinct.
LEGISLATIVE IMPLICATION	Local Government Act 1993 Crown Lands Management Act 2016 Environmental Planning and Assessment Act 1979
POLICY IMPLICATION	Assets Management Policy
ASSET IMPLICATION	Major – Council, as the Crown Land Manager is responsible for the management of the Showgrounds and its facilities/buildings
RISK IMPLICATION	Moderate – both financial and reputational

RECOMMENDATION

That Council adopts the Showgrounds Master Plan V3, dated July 2025, as presented.



HAY SHOWGROUNDS MASTER PLAN

Version 3 (Final)

July 2025

Cover Photo Credit: Margie McClelland

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1. Introduction

1.1 Purpose of the Plan

The Hay Showgrounds Master Plan provides a structured approach to the management, maintenance, and future development of the Hay Showgrounds. It outlines strategies to ensure that the site remains a valuable community asset, supports various activities and events, and is managed in an environmentally and financially sustainable manner, in accordance with the gazetted purpose of the area.

1.2 Scope and Objectives

The scope of this plan includes all aspects of showground operations, from governance and maintenance to community engagement and environmental sustainability.

1.3 Strategic Vision

The Hay Showgrounds is a vital community asset, serving as a hub for agricultural events, equestrian activities, exhibitions, and social gatherings. The Strategic Vision for the Hay Showgrounds Master Plan is to create a safe, accessible, and sustainable multi-purpose venue that meets the evolving needs of the community while preserving the site's heritage and rural character. This vision aims to ensure the Showgrounds remain a high-quality facility for local, regional, and state-wide events, fostering economic growth, tourism, and community engagement. The Showgrounds is Crown Land, gazetted for Recreation and Community Use.

By implementing a structured approach to development, the Master Plan will enhance the functionality, sustainability, and appeal of the Showgrounds, making it a welcoming and inclusive venue for all users, including exhibitors, spectators, and recreational visitors.

1.4 Legislative Framework

The management of the Hay Showgrounds must align with:

- The Local Government Act 1993 (NSW).
- The Crown Land Management Act 2016 (NSW).
- Work Health and Safety Act 2011 (NSW).
- Environmental Protection Regulations.

1.5 Stakeholders and Consultation

Key stakeholders include:

- Hay Shire Council
- Showground user groups (e.g., agricultural societies, sports clubs, event organizers)
- Local businesses and residents
- Emergency services

Consultation will be done as per the following:

- The draft Showground Master Plan will be presented to the Showgrounds Management Committee (completed).
- The plan will then be amended and then taken to Council for preliminary comments (completed).
- The plan will be amended and taken to the Showgrounds Management Committee (completed).
- Last amendments will follow, and then it will be taken to Council for adoption.

2. Site Description

Location and Land Tenure

The Hay Showgrounds are located between Rye Lane and Showground Way in Hay, comprising the following land parcels:

- Lot 184 DP 756755
- Lot 128 DP 756755
- Lot 159 DP 756755
- Lot 7042 DP 1019896



2.1 Historical Context

The Hay Showgrounds have been a key community asset for over a century, hosting agricultural shows, rodeos, and local events that celebrate regional culture and traditions. The Hay Showground and Racecourse (D550006) is categorised as Sportsground and General Community Use.

Establishment and Agricultural Significance

The Hay Show, first held in 1868, has been a cornerstone of the local community, celebrating agricultural practices and fostering community spirit. Despite interruptions due to adverse conditions, such as the cancellation in 1883 owing to drought, the event has persisted, marking its 150th show recently.In 1936 the Hay Jockey Club and the Hay Pastoral Association were merged to form the Hay Showground and Racecourse Trust, with the joining of the 25 acres of Showground with 50 acres of Hay PP Board controlled TSR (for the racecourse), to form what is now the Hay Showgrounds

World War II: Internment and POW Camps

During World War II, the Hay Showgrounds and adjacent areas, including the racecourse and recreation reserve, were repurposed to establish high-security internment and prisoner-of-war camps. In July 1940, three compounds—Camps 6, 7, and 8—were constructed. The first internees, arriving in

September 1940, were over 2,000 refugees from Nazi Germany and Austria, many of them Jewish, transported aboard the HMT Dunera. These individuals, later known as the "Dunera Boys," were housed in Camps 7 and 8 near the showgrounds.



Dunera Boys (Australian War Memorial Museum)



Italian POWs at Hay 1941 (Australian War Memorial Museum)

In November 1940, Italian civilian internees occupied Camp 6, located near the Hay Hospital. After the departure of the Dunera internees in May 1941, Italian prisoners of war were placed in Camps 7 and 8. December 1941 saw the arrival of Japanese internees, some from Broome and islands north of Australia, who were accommodated in Camp 6. Following the Cowra POW breakout in August 1944, approximately 600 Japanese POWs were transferred to Hay and placed in the high-security compounds.



Camp 7 (Australian War Memorial Museum)



Camp 8 (Australian War Memorial Museum)

Post-War Period and Legacy

The internment camps were dismantled in 1946, and the materials were sold off by June 1947. The Hay Showgrounds reverted to their original purpose, continuing to serve as a venue for agricultural shows and community events. The legacy of the wartime period remains significant, with annual commemorations like 'Dunera Day' honouring the internees and their contributions to Australia's cultural and intellectual life.



Figure 1: Post Second World War aerial photo, showing footprint of camps still visible to the left of the racetrack

2.2 Existing Infrastructure and Facilities

Key facilities include:

- Pavilion and exhibition spaces
- Livestock yards
- Grandstands and seating areas
- Toilets and shower facilities
- Parking areas
- Equestrian arenas
- Racetrack (including running rail)
- Secretaries Offices (Jockey Club and Showground committees)
- Bars and catering facilities (racecourse and rodeo)
- Horse Racing Track
- Gun Club

Camping and Accommodation Facilities

- Powered Sites: Approximately 40 powered sites are available, suitable for tents, caravans, motorhomes, and larger rigs.
- Unpowered Sites: An unlimited number of unpowered sites cater to various camping preferences.
- Amenities:
    - Toilets and Showers: The showground boasts both new and refurbished restroom facilities, ensuring cleanliness and accessibility.
    - Hot Showers: Hot shower facilities are available for campers.
- Water Access:
    - Drinking Water: Town water taps are available for drinking and general use.
    - Non-Potable Water: Some taps provide river water, suitable for non-drinking purposes; it's advisable to verify water sources before use.
- Waste Management:
    - Dump Point: A nearby dump point is available for waste disposal.
    - Rubbish Bins: A three-bin system is implemented for waste segregation—red lids for general waste, yellow for recyclables, and green for organic waste.
- Picnic Facilities: Picnic tables are available for visitor use.
- Pet-Friendly: Dogs are permitted on the grounds, making it convenient for pet owners.
- Horse Yards: Facilities are available for stabling horses, accommodating travellers with equine companions.

Event and Community Facilities

- Garry May Canteen: Located at the Rodeo arena, this canteen recently received a new awning, enhancing its functionality for events.
- Rodeo Arena: A dedicated space for rodeo events, equipped with necessary facilities to host such activities.
- Showground Pavilion: A multi-purpose building used for various events, exhibitions, and community gatherings.
- Equestrian Facilities: In addition to horse yards, the showground offers arenas and tracks suitable for equestrian events and training.
- Livestock Facilities: Designated areas and pens to accommodate livestock during agricultural shows and related events.
- Exhibition Spaces: Indoor and outdoor areas suitable for trade shows, exhibitions, and local markets.
- Bar and Catering facilities
- Horse racetrack including grandstand and mounting yard.

Additional Amenities

- Caretaker Services: An on-site caretaker is available for assistance; contact can be made via phone.
- Fee Collection: An honesty box system is in place for fee collection, located opposite the middle gate.

2.3 Natural Features and Environmental Considerations

The Hay Showgrounds are located in a flat, semi-arid landscape characteristic of the western Riverina region. Below are the natural features and environmental considerations relevant to the site:

Natural Features

- Topography & Soil
  - The showgrounds sit on flat terrain, typical of the Hay Plains.
  - The soil is primarily clay-loam, which can become compacted and prone to dust during dry periods or muddy in wet conditions.
- Climate & Weather
  - Hot summers, mild winters (semi-arid climate).
  - Low annual rainfall (~350mm per year), with irregular heavy downpours.

    - Strong westerly winds can increase dust issues.
- Hydrology & Drainage
    - Close to the Murrumbidgee River, but the showgrounds themselves are not flood-prone due to distance from major waterways.
    - Drainage considerations are important due to occasional heavy rains leading to temporary water pooling.
- Flora & Fauna
    - Native vegetation is limited but includes River Red Gums (Eucalyptus camaldulensis) along waterways.
    - Local fauna may access the sites, and will mostly be bird species such as galahs and cockatoos.
    - There are areas with native vegetation on site, located to the west of the site.

Environmental Considerations

- Dust & Erosion Control
    - The dry climate and high winds can cause dust issues, especially in unpaved areas.
    - Mitigation: Use of gravel surfaces, tree planting, and watering during events.
- Water Use & Management
    - Limited local water supply means efficient use is necessary.
    - Rainwater harvesting or bore water may be options for non-potable use (e.g., irrigation, dust suppression).
- Waste Management
    - Event-related waste (food, plastics) needs proper disposal and recycling facilities.
    - Manure management from horse and livestock events is important to avoid contamination and odours.
- Wildlife & Pest Management
    - Native wildlife such as kangaroos can enter the grounds, requiring fencing considerations.
    - Pests (flies, mosquitoes, rodents) need management, especially during warmer months.
- Vegetation & Shade
    - Limited natural tree cover, so planting shade trees could improve visitor comfort.
    - Native species should be prioritised for low water use.
- Biosecurity
    - Bio Security issues as a result of stock movements (cross contamination)

2.4 Zoning and Planning

The Hay Showgrounds is zoned largely as RE1 Public Recreation, with the shooting range being zoned RU1 Primary Production.

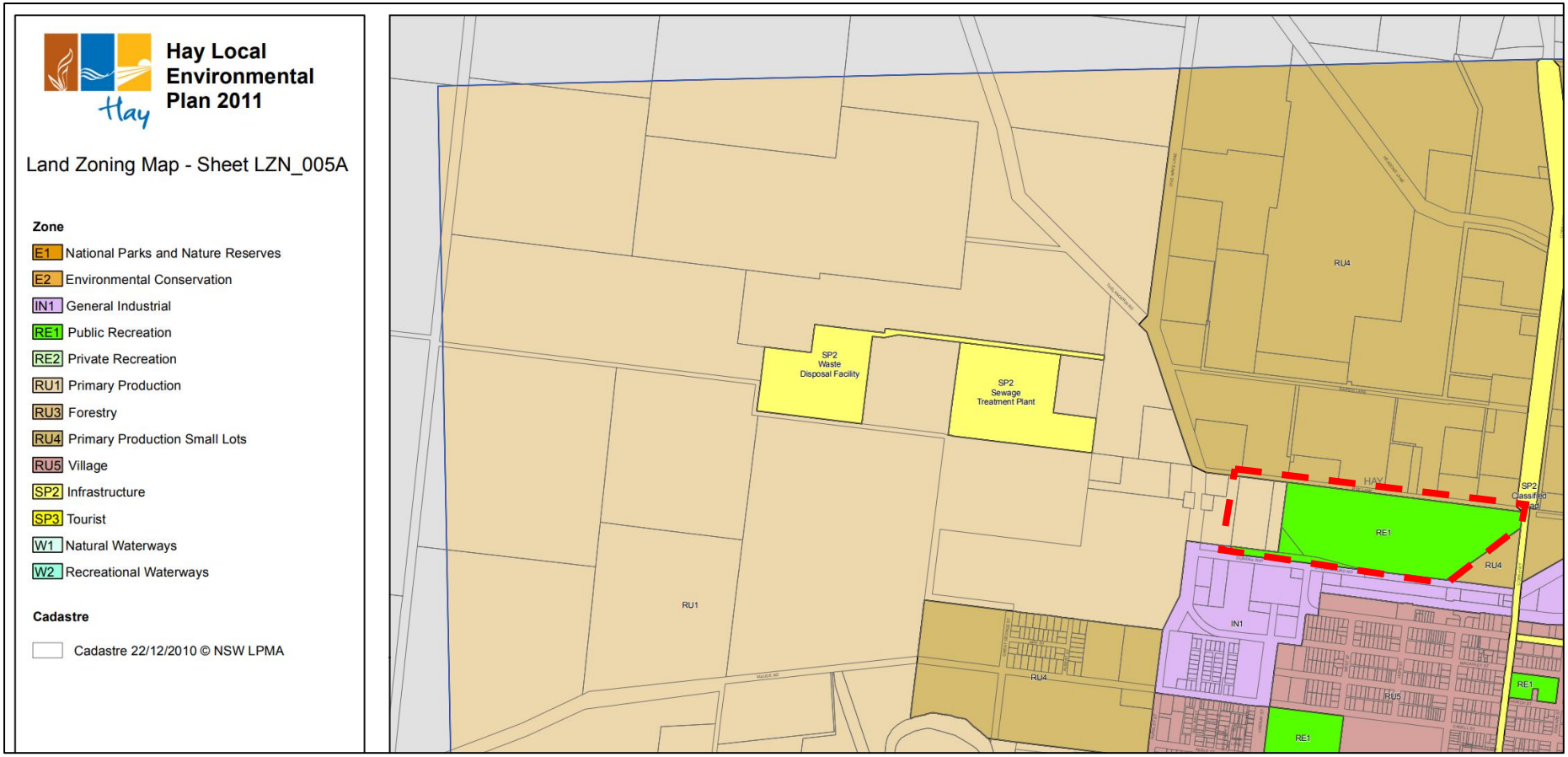


Figure 2: Extract of Hay LEP, with showgrounds marked in red

Zone RE1 Public Recreation is described as follows in the Hay LEP:

1 Objectives of zone

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

2 Permitted without consent

Environmental protection works; Water reticulation systems

3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Community facilities; Environmental facilities; Heliports; Information and education facilities; Jetties; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Roads; Water recreation structures; Water recycling facilities; Water storage facilities

4 Prohibited

Any development not specified in item 2 or 3

The RE1 – Public Recreation under the Hay Local Environmental Plan (LEP) is suitable for the Showground use, as it allows for community events, agricultural shows, sporting and recreational activities, camping, and ancillary facilities. Permitted developments typically include pavilions, animal enclosures, stables, parking areas, and amenities buildings for this zoning.

The shooting club area is zoned Zone RU1 Primary Production, which is described as follows in the Hay LEP as the following:

1 Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*

- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home-based child care; Home occupations; Roads; Water reticulation systems

3 Permitted with consent

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

4 Prohibited

Any development not specified in item 2 or 3

This zoning is not an accurate description of the current use of the site, and it is recommended that the Zoning be changed to RE1 – Public Recreation.

Any significant upgrades (e.g., new buildings, major renovations) may require a Development Application (DA) to Hay Shire Council. Some minor works (e.g., maintenance, minor refurbishments) may be considered Exempt or Complying Development under the NSW State Environmental Planning Policy (SEPP) – Exempt & Complying Development Codes. All new structures must comply with the National Construction Code (NCC). Apart from the above, fire safety upgrades may be needed for existing buildings, including:

- Fire extinguishers, hydrants, and exit signage.
- Emergency lighting and safe egress routes.

There are no Heritage listed items on site, although there is heritage significance to some buildings and specific sites.

The Hay Showground is listed as the “Hay Showground and Racecourse (D550006)” in Council’s Plan of Management (PoM) for Crown Reserves. The plan makes the following relevant statements:

- The Crown land was reserved in 1937 as the Hay Showground for the purposes of public recreation, a racecourse and showground.
- The development and use of land shall be consistent with the purpose of the reserve.
- This PoM expressly authorises the issue of leases, licences and other estates over this reserve provided it complies with the requirements of Section 3.4 of the PoM.

The detailed provisions are attached in Appendix A.

2.5 Access

Access to the Hay Showground is from Showgrounds Road / Dunera Way to the south and Rye Lane from the north. Although these accessways are currently functional but has several limitations affecting efficiency, safety, and inclusivity.

The main vehicle entrances are suitable for general use but can become congested during large events, especially for trucks, trailers, and livestock transport. Internal roads and parking areas are mostly unsealed, which can lead to dust issues in dry weather and muddy conditions after rain. Signage and wayfinding are limited, making navigation difficult for visitors unfamiliar with the site. Pedestrian access is also a concern, with inconsistent pathways and limited lighting, which poses safety risks, especially during evening events.

Additionally, disability access is limited, with few designated accessible parking spaces and pathways that may not meet full accessibility standards.



Figure 3: Hay Showground Access

3. Strategic Objectives

3.1 Objectives

To achieve this vision, the following key objectives have been identified:

Infrastructure and Facility Improvements

- Upgrade and expand pavilions, amenities, and exhibition spaces to cater to a broader range of events.
- Improve livestock and equestrian facilities, including stables, wash bays, and secure fencing.
- Modernise public amenities (toilets, showers, and seating areas) to ensure accessibility and comfort.
- Enhance event infrastructure, such as power supply, lighting, and spectator seating.

Accessibility and Safety Enhancements

- Upgrade entry and exit points to improve traffic flow for vehicles, livestock transport, and pedestrians.
- Seal and improve internal roads and parking areas to reduce dust and ensure all-weather usability.
- Develop clear signage and wayfinding systems for improved navigation.
- Improve pedestrian pathways and disability access to make the site inclusive for all visitors.
- Strengthen emergency preparedness and response plans, including fire safety measures and first aid stations.

Environmental Sustainability and Land Management

- Implement water conservation measures, including rainwater harvesting and improved irrigation.
- Introduce dust and erosion control measures, such as tree planting and soil stabilisation.
- Increase shaded areas and landscaping with native vegetation to improve visitor comfort.
- Develop a waste management and recycling program to reduce environmental impact.
- Landscape under-utilised spaces.

Community Engagement and Economic Development

- Foster partnerships with local businesses, schools, and community groups to maximize the use of the Showgrounds.
- Attract regional and state-level events to boost local tourism and economic activity.

- Support multi-use functionality by enabling diverse activities, including markets, concerts, and sporting events.
- Develop a brand to promote the Showgrounds as a destination.
- Include income generating facilities in the site.

Financial Sustainability and Governance

- Secure funding through grants, sponsorships, and partnerships to support infrastructure upgrades.
- Establish a long-term asset management and maintenance plan to ensure ongoing upkeep.
- Implement transparent governance structures to oversee operations and strategic planning.

The Strategic Vision and Objectives outlined in this chapter will guide the staged development of the Hay Showgrounds, ensuring it remains a modern, sustainable, and community-focused venue.

4. Actions

The above Objectives, are broken up into detailed actions below:

Infrastructure and Facility Improvements				
Action	**Description**	**Estimated Cost ($)**	**Importance (High, Med, Low)**	**Implementation (Short Term – 0-2 years: Medium Term – 3-5 years; Long Term – 6+ years)**
Gun Club enhancements	New traps; replacement of building extension; replacement of fencing between gun club and racetrack, adding seating. 	500,000	Med	LT
New Caretakers Cottage	Small Caretakers cottage/tiny house	180,000	High	ST

Rodeo Club enhancements	Bar area upgrade, veranda upgrade, rodeo ring upgrade 	150,000	Med	MT
Jockey Rooms	Refurbishments	50,000	Med	LT
Secretary Rooms	Refurbishments	50,000	Med	LT
Grandstand	Seating refurbishment and more seating	100,000	Low	LT
Pavillion enhancements	Movable dividers for smaller functions, and internal and external painting	100,000	Med	MT
Pony Club rooms	Refurbishment needed 	70,000	Med	LT
Access points	Upgrade main access points with signage and a gateway statement for heritage access points. Signpost other access points with suitable	70,000	Med	MT

	information and risk signage and incorporate into the wayfinding system. 			
Main bar and function area	Addition of cool room to support functions, such as races, sheep show, BnS, rodeo and show. It would also allow for use of the area for private functions	150,000	High	ST
Concrete floor of Poultry Shed	Allows building to be used for multiple purposes	18,000	Med	ST

Accessibility and Safety Enhancements				
Action	**Description**	**Estimated Cost ($)**	**Importance (High, Med, Low)**	**Implementation (Short Term – 0-2 years: Medium Term – 3-5 years; Long Term – 6+ years)**
Toilet refurbishment at pigeon club	Install fully accessible unisex showers and toilets. Alternatively, it must be demolished. 	150,000	High	ST
More seating around grounds	Install more fully accessible seating around grounds	75,000	High	ST
Screen off tanks	Screen off tanks at pavilion side 	20,000	Med	MT

Day yards	Upgrade day yards to current safety standards	100,000	Low	LT
Arena fence	Replace wire mesh	60,000	High	MT
Signage and Wayfinding system	Install clear signage and wayfinding systems across the Showgrounds, using heritage branding.	20,000	High	ST
Audit all pedestrian pathways	Improve pedestrian pathways and safety measures, including accessibility, lighting and surfaces. Also investigate pedestrian connections to town.	10,000	High	ST
Audit vehicular paths	Investigate the sealing of internal roads and parking areas to enhance accessibility.	5,000	High	ST

Environmental Sustainability and Land Management				
Action	**Description**	**Estimated Cost ($)**	**Importance (High, Med, Low)**	**Implementation (Short Term – 0-2 years: Medium Term – 3-5 years; Long Term – 6+ years)**
Extensive Tree Planting	Tree planting in camping areas and perimeter, and watering systems	50,000	Med	MT
Automatic Water Troughs	Add more automatic water troughs throughout the site	15,000	Med	MT
Conduct Energy Audit	Investigate options for solar generation, batteries, and LED lighting upgrades throughout the whole site, with additional ad better lighting in the Pavillion	15,000	Med	ST
Rehabilitation and native plantings at area west of Gun Club	There can be limited revegetation done around the vacant paddock to the west of the Gun Club, with potential collaboration with Landcare.	10,000	High	MT
Waste Management	Collaborate with Hay Shire Council Waste team to investigate moving to carbon neutral waste handling	0	High	ST
Event Parking	Extensive tree planting to south of Showground Road, to provide shade for event parking, with potential collaboration with Landcare.	10,000	Med	MT

Community Engagement and Economic Development				
Action	**Description**	**Estimated Cost ($)**	**Importance (High, Med, Low)**	**Implementation (Short Term – 0-2 years: Medium Term – 3-5 years; Long Term – 6+ years)**
Camping Area upgrade	Install coin operated laundry	150,000	Med	MT
Camping Area upgrade	Communal camp kitchen and fire pit	100,000	Med	ST
Add murals	Add murals to site in conjunction with First Nations and School groups.	30,000	Low	MT
Electronic Payment System	Receipt system required	5,000	High	ST
Furniture Hire	Purchase tables and chairs for hire for events and functions	20,000	Med	ST
Incorporate Heritage branding into the site	Create new heritage brand for the site, with heritage signage, upgrading of the existing two monuments, connecting the showgrounds to the Dunera Museum. 	30,000	Med	MT

Emergency preparedness audit	Strengthen emergency preparedness plans, including fire safety improvements. This should include the coordination with emergency services, flood and fire response procedures, evacuation plans for large events, and backup power connection points.	35,000	Med	MT
Cultural Heritage	Recognition and preservation of the historical significance of the site. Integration of indigenous heritage and storytelling into site usage.	0	Med	MT

Financial Sustainability and Governance				
Action	**Description**	**Estimated Cost ($)**	**Importance (High, Med, Low)**	**Implementation (Short Term – 0-2 years: Medium Term – 3-5 years; Long Term – 6+ years)**
Event & Noise Management Guideline development	Large events can generate noise, waste, and increased traffic, which must be managed to comply with council and EPA guidelines. Consider operating hours, noise mitigation, and waste disposal plans.	0	High	ST
Long Term Financial Strategy	Drafting a Long Term Financial Strategy for the Showgrounds, including all future developments and funding streams (Council budget allocations, Grants and sponsorships, Venue hire fees, Community fundraising initiatives). Investigate alternative funding streams, such as opportunities for technology-driven events, such as drone races and virtual reality expos.	10,000	High	ST
Annual Inspections	Annual inspections to be done for buildings, weeds, pests.	0	High	Ongoing

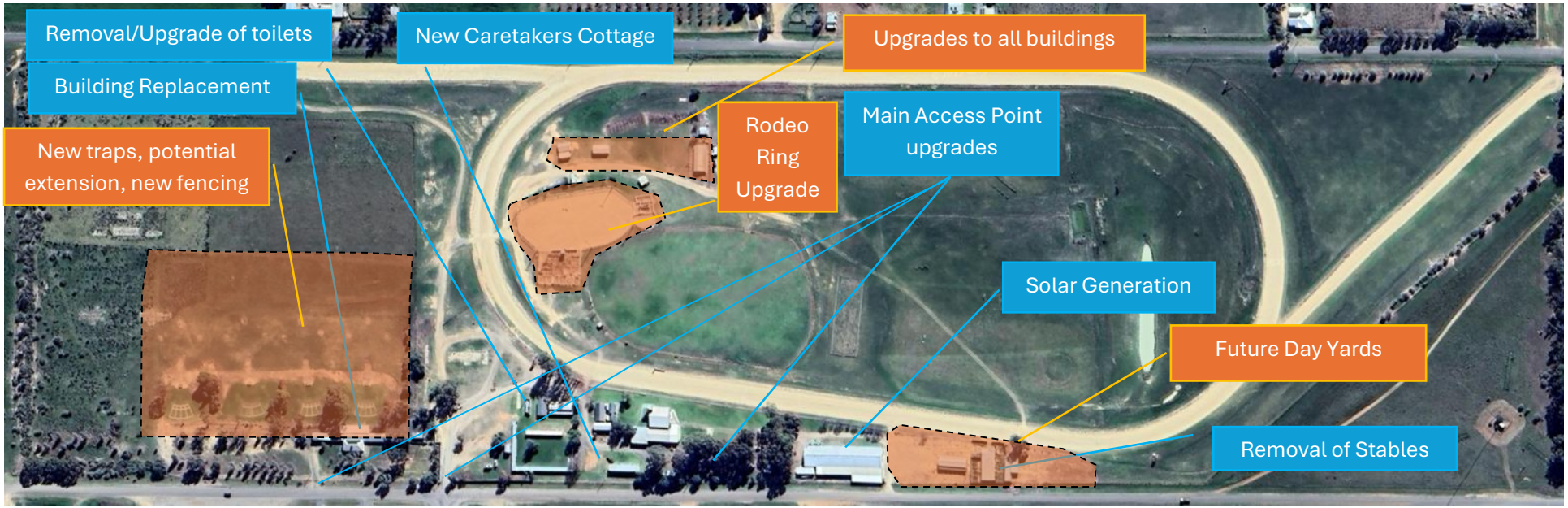


Figure 4: Key Actions

The above actions add up to a total of $2,348,000. It is envisaged that these projects will be completed over a significant period of time, with largely external funding, with the Showgrounds income as a secondary source.

5. Key Projects

There are two key projects that stand out for the Hay Showgrounds, which can have a long-lasting impact on the facility, capitalising on the heritage of the site, and enhancing the natural resources of the site.

5.1 Heritage Project

The Hay Shogrounds has a long histroy, but what sets it apart from other showgrounds is it's Second World War history. The Hay Showgrounds' World War II heritage as a former internment and POW site is a unique historical asset that can be leveraged to enhance tourism, education, and community engagement.

The following strategies are proposed to capitalise on this heritage:

Heritage Interpretation & Storytelling

- Permanent Historical Display: Install interpretive panels with photos, maps, and stories about the Dunera Boys and POWs who were held at the site.
- Guided Tours: Develop walking tours with guides explaining the history of the internment camps. QR codes can link to online resources.
- Virtual & Augmented Reality: Create an interactive digital experience, allowing visitors to "see" how the site looked during WWII.
- Create a heritage branding for the Showgrounds camping area, and carry this branding through all signage in the Showgrounds. Audit and limit signage, as there is an litany of signs, as can be seen in the picture on the right.

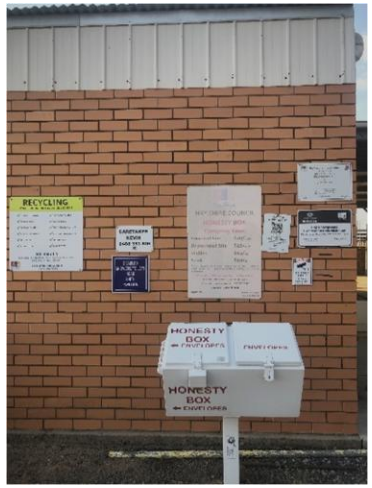




Figure 5: Examples of branding for the Hay Showgrounds, incorparating the heritage aspects of the site.

Events & Commemorations

- Dunera Commemoration: Work with descendants of the Dunera Boys and historical societies to mark significant anniversaries, and incorporate the Showgrounds in the celebrations.
- School & Community Programs: Develop educational workshops in collaboration with local schools.

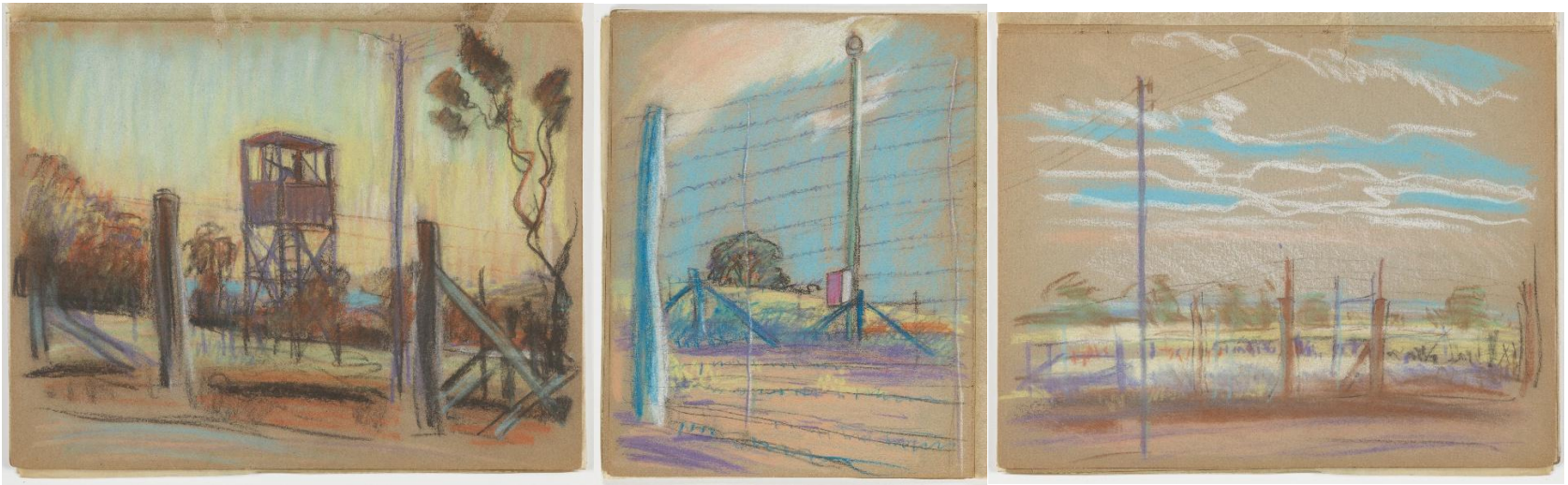


Figure 6: Internment camp art at Hay / Robert Hofmann (Mitchell Library, State Library of New South Wales)

Partnerships & Promotion

- Collaboration with Museums & Universities: Partner with institutions like the Australian War Memorial or historians researching WWII internment in Australia.
- Heritage Trail Connection: Integrate the Showgrounds into the heritage trail in Hay.
- Tourism Marketing: Promote the Showgrounds' history in travel brochures and online platforms targeting heritage tourism.

Infrastructure & Development

- Heritage Centre or Museum: Establish a small exhibition space dedicated to the site's wartime history.
- Signposted Walking Paths: Create a heritage trail around the Showgrounds with key locations marked, and link this with the Railway Station and the Dunera Museum. .
- Restoration of WWII Relics: If any structures from the period remain, restore and preserve them for public viewing.
- Restoration of all existing monuments and plaques: Both monuments are looking in bad repair, and both needs to be restored and repaired.



Figure 7 : Monument in the Hay Showgrounds



Figure 8 : Monument in the Showgrounds Road / Dunera Way frontage

By integrating these elements, the Hay Showgrounds can create a compelling and respectful heritage attraction that enriches the community while drawing in history enthusiasts and tourists



Figure 9: Heritage Projects

5.2 Environmental Sustainability Project

To ensure the Hay Showground's long-term viability and reduce its environmental impact, a comprehensive Environmental Sustainability Project is proposed. This initiative aims to implement eco-friendly infrastructure, resource conservation, and land management strategies while preserving the Showgrounds' natural heritage. This approach will link into Hay Shire Council's Circular Economy Strategy, which is based on three principles:

1. Design out waste and pollution.
2. Keep products and materials in use.
3. Regenerate natural systems

Hay Shire's Circular Economy Strategy notes the following principles for recreational facilities in the Hay Shire:

- Creating recreational spaces that is more attractive to use, that feels safe and communal in the use thereof, and will have longer periods/seasons to use.
- Create Third Places in the recreational sphere. Ray Oldenburg's Third Places refers to the social surroundings that are separate from the two usual social environments of home ("first place") and the workplace ("second place"). Examples of Third Places include churches, cafes, clubs, public libraries, bookstores or parks. Third Places, then, are "anchors" of community life and facilitate and foster broader, more creative interaction. In other words, "your third place is where you relax in public, where you encounter familiar faces and make new acquaintances.".
- Reuse materials and repair equipment where feasible, rather than replacing equipment.
- Have items locally manufactured where possible.
- Create as much green cover as possible.
- Use renewable energy as much as possible.

The key objectives of the Environmental Sustainability Project would include:

- Water Conservation: Implementing efficient water management strategies to reduce consumption and improve sustainability.

- Energy Efficiency: Reducing reliance on non-renewable energy sources through sustainable alternatives.
- Waste Reduction & Recycling: Establishing a structured waste management program to minimize landfill waste.
- Biodiversity & Land Management: Enhancing green spaces and reducing environmental degradation.

The expected benefits could include:

- Lower operational costs through energy and water savings.
- Improved environmental impact by reducing waste, conserving resources, and promoting biodiversity.
- Enhanced visitor experience through better shade, cleaner spaces, and improved amenities. In the photo on the right it can be seen that there are ample opportunity for landscaping around the camping area.
- Stronger community engagement in sustainability initiatives.



Key initiatives are expanded on below.

Water Conservation & Management

- Install rainwater harvesting systems on pavilions and sheds for irrigation and non-potable uses.
- Upgrade to water-efficient fixtures in public amenities, including toilets and showers.
- Implement drip irrigation and mulching techniques to reduce water wastage in landscaped areas.
- Explore opportunities for stormwater management solutions to mitigate erosion and flooding.
- Investigate the reuse of water from the neighbouring Sewer Treatment Plant.

Energy Efficiency & Renewable Energy

- Install solar panels on key buildings to reduce reliance on grid electricity.
- Upgrade lighting systems to LED fixtures to improve energy efficiency and reduce costs.
- Implement timers and motion sensors in facilities to minimize unnecessary power consumption.
- Investigate feasibility for solar-powered water heating for public showers and amenities.
- Install solar lights for all footpaths and include it into the proposed wayfinding system. This has already been started in a limited scale, as can be seen in the picture on the right.



Waste Management & Recycling

- Establish waste separation stations across the Showgrounds for general, recyclable, and organic waste.

- Partner with the Hay Shire recycling initiatives to ensure responsible disposal of materials, including recycling at events.
- Develop an education campaign for users and visitors to promote sustainable waste practices.

Biodiversity & Land Management

- Increase tree planting and green spaces using native species to provide shade and improve air quality.
- Develop a sustainable grazing and land use policy for the areas north of the gun club. If grazing is not a long term use of these parcels of land, work with Landcare to establish a Revegetation Zone.



Figure 10: Environmental Projects

6. Conclusion

The Hay Showgrounds Master Plan presents a clear and achievable vision for the future of this important community asset. Rooted in local values and informed by stakeholder input, the plan balances heritage preservation with the need for modern, flexible infrastructure that meets the evolving needs of the Hay community and its visitors. By guiding staged improvements to accessibility, amenities, safety, and event functionality, the plan ensures the Showgrounds remain a vibrant space for recreation, celebration, and connection.

Implementation of the Master Plan will require ongoing collaboration between Council, user groups, and the broader community, supported by strategic investment and adaptive management. With a shared commitment to the long-term sustainability and success of the site, the Hay Showgrounds can continue to thrive as a key regional destination for generations to come.



(Picture Credit: Margie McClelland)

Appendix A: Extract - Hay Shire Council Plan of Management for Crown Lands (2022)

5.8 Hay Showground (D550006)

The Hay Showground and Racecourse (D550006) is located on the northern fringe of the town between Rye Lane and Showground Road on the western side of the Cobb Highway. The principal vehicle access to the showground and racecourse is from Showground Road.

The area to which this PoM relates covers an area of 36.7 hectares and includes a racecourse and showground with a number of buildings associated with these activities. There are also facilities for camping, including a 'dump point' nearby in Dunera Way. The site and improvements are well maintained and in good condition.

The Hay Show is held at the showground on the second week in September of each year. Horse racing is undertaken in November and the Hay Rodeo in February.

The 2017 *Hay Shire Council Open Spaces Strategy* recommends that the current amenities at the showground be upgraded. This action has largely now been achieved.

For the purposes of the PoM, the showground and racecourse are categorised as *Sportsground* and *General Community Use*. The areas to which these categories apply is shown in **Figure 11**.

The Crown land was reserved in 1937 as the Hay Showground for the purposes of public recreation, a racecourse and showground.

Further details relating to Hay Park are available in the Land Inventory at **Appendix A**.



Figure 11: Hay Showground
General Community Use (Red) and Sportsground (Blue)

5.8.1 Development & Use

The development and use of land shall be consistent with the purpose of the reserve.

Any further development of this land shall comply with the Land Use Table of the LEP, which outlines those activities that are permissible or prohibited within each zone.

The land is zoned part RU1 Primary Production (western end) and part RE1 Public Recreation under the LEP. *Recreation facilities (major)*, which includes showgrounds and racecourses, are permissible with consent in both zones. There are other controls applicable to the land within the LEP that relate to terrestrial biodiversity.

Other permissible uses/ future uses of those portions of the site categorised as a Sportsground and General Community Use and Park are expressed in **Table 1** of the generic PoM for Sportsgrounds and **Table 7** of the generic PoM for General Community Uses.

5.8.2 Express authorisation of leases, licences and other estates

This PoM **expressly authorises** the issue of leases, licences and other estates over this reserve provided it complies with the requirements of Section 3.4 of this Plan.

Table 2 of the generic PoM for Sportsgrounds and **Table 8** of the generic PoM for General Community Uses further identifies the purposes for which leases and licences may be issued over this reserve.

5.8.3 Management framework

The management framework for the reserve is detailed in **Table 23** below. The objectives, implementation and performance measures in the table are in addition to those expressed in **Table 3** of the generic PoM for Sportsgrounds and **Table 9** of the generic PoM for General Community Uses.

Table 23: Management framework for Hay Showground (D550006)

Objectives & performance targets	Implementation	Performance measuring
Provision		
To maintain the presence of the showground and racecourse for the benefit of Hay residents and visitors. To continue usage of the showground and racecourse as much as possible. To encourage usage of the showground and racecourse for other compatible activities.	Prevent any reduction in area of the showground and racecourse. Prevent any reduction in area available for shows and racing. Prioritise usage of the showground and racecourse for the purposes in which it was intended. Support the continuation of current uses undertaken within the showground and racecourse. Respond to changing community needs if necessary, in relation to the provision of activities within the showground and racecourse.	Ongoing presence of the showground and racecourse in Hay. Usage of the various facilities within the showground and racecourse.

Objectives & performance targets	Implementation	Performance measuring
Access		
To ensure all vehicular and pedestrian access points to the showground and racecourse are fit for purpose. To ensure the public have access to the showground and racecourse.	Maintain existing access points to the showground and racecourse. Embellish access points to the showground and racecourse as required. Provide for separation of vehicles and pedestrians at the Showground Road entrance, driveway and parking areas. Manage vehicle movement within the showground and racecourse for the safety of users.	Incident reports relating to access at the showground and racecourse.
Environmental impact		
To retain as much mature vegetation as possible within the showground and racecourse. To avoid any detrimental environmental impacts within the showground and racecourse,. To enhance the natural environment within the showground and racecourse. To be efficient with water usage. To be efficient with energy consumption.	Avoid activities at the showground and racecourse that may have a detrimental impact on the environment. Assess trees within the site for health and public safety risk. Maintain vegetation within the site both for aesthetic and practical reasons, such as shade. Remove and replace unhealthy or dead vegetation. Provide protection for vegetation where required. Utilise drought resistant native vegetation in landscaping. Implement watering systems that make efficient use of water. Implement operational systems that reduce current electricity consumption. Seek funding for undertaking environmental works at the showground and racecourse.	Achieve funding for improvement and maintenance of the showground and racecourse. Monitor water usage. Monitor electricity consumption.

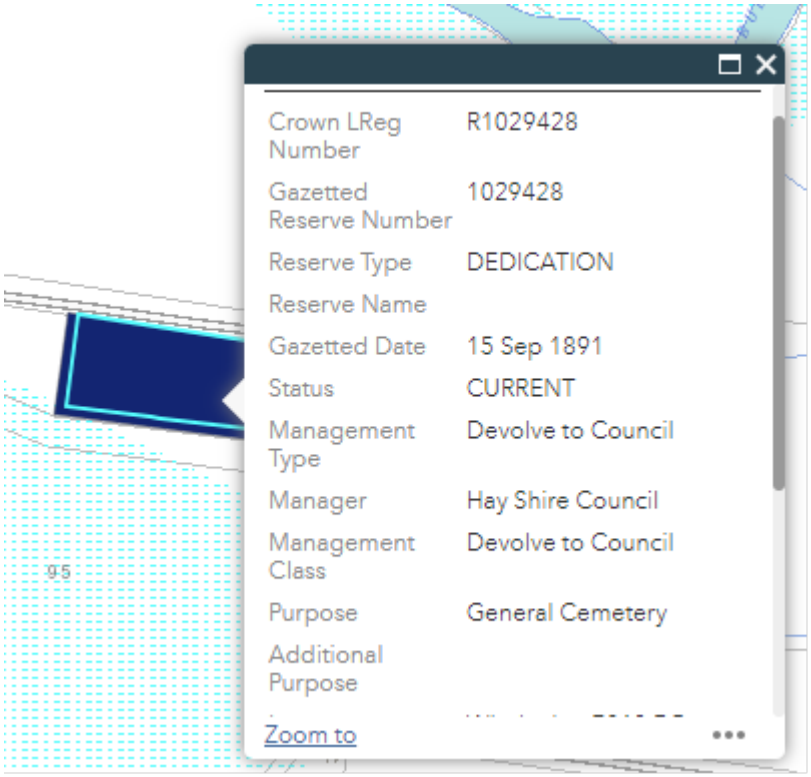
Objectives & performance targets	Implementation	Performance measuring
Management		
To ensure the showground and racecourse is responsive to the needs of the local community. To avoid conflicts between users of the showground and racecourse. To be efficient and effective in the usage of facilities. To maintain the showground and racecourse to a standard that is fit-for-purpose.	Encourage and facilitate common usage of facilities at the showground and racecourse. Work with the management committees for the common good of the showground and racecourse. Maintain the facilities at the showground and racecourse with the resources available. Resolve any conflicts relating to management of the showground and racecourse.	Agreements relating to the use of the showground and racecourse. Record of works undertaken at the showground and racecourse.
Community involvement		
For the local community to be actively involved in the management of the showground and racecourse. To encourage members of the community to get involved with activities at the showground and racecourse. To encourage the local community to take pride in its showground and racecourse.	Promote the activities at the showground and racecourse to the local community and further afield. Engage the community in major decisions or expenditure at the showground and racecourse. Council to support as they can, all groups using the showground and racecourse.	Usage of facilities at the showground and racecourse. Effectiveness of management committees.
Agreements		
To ensure all agreements relating to usage of the showground and racecourse by the local community are fair and reasonable.	Review agreements on a regular basis. Arbitrate any disputes relating to agreements. Consider agreements without prejudice.	Maintain a register of agreements and make available for public viewing. A record of disputes and their outcome relating to agreements.

C7 – Lease of Land adjacent to the Maude Cemetery

REPORTING OFFICER	Executive Manager Planning and Compliance
ATTACHMENTS	Nil

INTRODUCTION

The Maude Cemetery was dedicated as a cemetery in 1891 under the Crown Lands Act 1884. It is devolved to Council under the Local Government Act section 48.



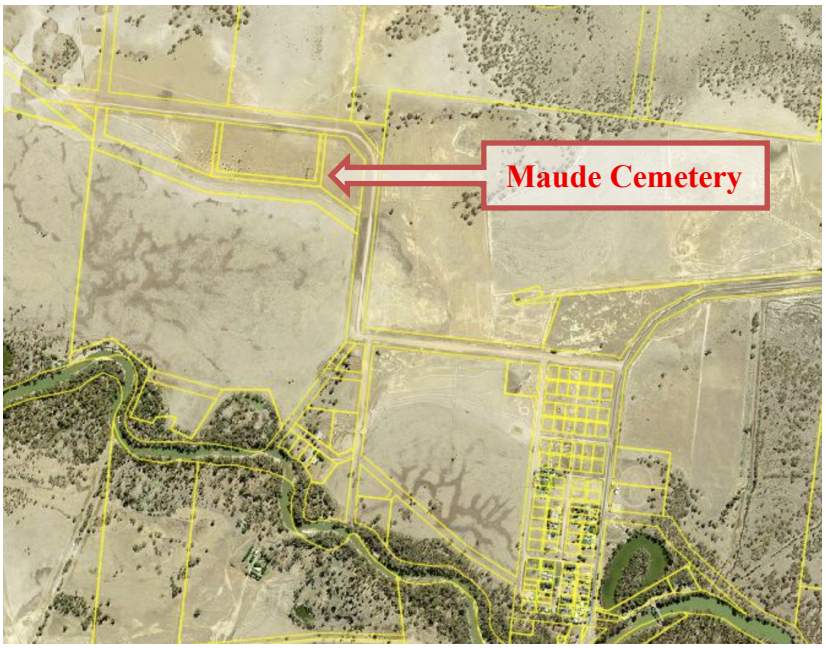
What is devolved land?
Councils manage more than 2,000 Crown reserves in NSW as a devolved manager. Crown reserves dedicated or reserved for public recreation or for a public cemetery devolve to council when they are not under control or vested in any other body or person, or under any lease. These public reserves are managed under section 48 of the *Local Government Act 1993* (LG Act).

It is also possible for a Crown reserve to be devolved under section 48 of the LG Act if the Governor, by proclamation, places the land under the control of the council, or if the Minister administering the *Crown Land Management Act 2016* (CLM Act) declares it by an order published in the Gazette. Control under section 48 can be removed by declaration made under section 2.22 of the CLM Act.

Councils are not the appointed Crown land manager under the CLM Act for devolved land and must manage it differently to reserves where they are the appointed Crown land manager. Councils are not required to prepare a plan of management for Crown reserves devolved to them.

Councils need to manage devolved reserves consistent with the reserve purpose and can undertake minor improvements, restoration work, maintenance, or works for public safety. Councils are unable to grant any tenures over this land.

Maude Cemetery is located on Pibrock Road, to the northwest of Maude township.



Location of Maude Cemetery



Maude Cemetery (marked in red)

As can be seen from the aerial photograph above, Maude Cemetery takes up a fraction of the total Council reserve.



Council owned land (marked in red) with Maude Cemetery outline (marked in blue)

In the past there used to be an informal agreement with Council and a neighbouring landowner for the utilisation of Lot 7018 DP 1019632 and Lot 7003 DP 1019633. The land was grazed to keep growth down and fences maintained on the property. The land has now changed ownership, and there has been a query on the potential use for the land as grazing.

COMMENTARY

The current state of the land has shown neglect of the past year, with an increase in boxthorn, and the fencing being dilapidated. It is the opinion of staff that Council is unlikely to use the land in the short to medium term, and the best possible use is an agricultural use (in line with it's RU1 Primary Production zoning), where there will be weed control and fencing maintenance.

As part of any negotiation, the Maude Cemetery must keep on functioning as a cemetery, and it is thought that limited vehicular access (for funerals) and full pedestrian access to the site will suffice. This access will however go through the reserve area.

The Hay Cemeteries Master Plan has identified issues with Maude Cemetery, as per the excerpt below. These include access issues, boxthorn growth, and no defined entrance.

2.3.3 Maude Cemetery

There are a number of issues with the Maude Cemetery:

- No access, with entrance gates being inaccessible.
- Boxthorn growth.
- No interpretation, and no defined entrance signage and planting.
- Damages gravestones.
- Overgrown areas that causes damage to graves.







Excerpt of Hay Cemetery Master Plan

Proposals for the Maude Cemetery included the following (see except below):

- Defining and entrance and ensuring public access
- Lease the wider area for weed control and hazard reduction
- Improve the landscaping to the area
- Provide a stillborn and columbarium area
- Improve the fencing

4.3 MAUDE CEMETERY

4.3.1 Entrance
The area where Maude Cemetery is located has two accesses off Pibrock Road, with the southernmost entrance being the cemetery entrance. The entrance gate is wired shut, and not defined. The entrance would need signage, a gate that can make access possible to the public, and some native trees to delineate the entrance.

4.3.2 Cemetery Site
The Maude Cemetery takes up a small area in the total allotment. The unused area has extensive boxthorn growth. The allotment (excluding the fenced cemetery) can be leased to minimise weed growth and reduce bushfire hazards.

4.3.3 Landscaping
Areas of the cemetery is overgrown, and some growth are damaging graves. It is proposed that native trees be planted at intervals around the perimeter of the cemetery, and damaging vegetation be removed.

4.3.4 Stillborn Area and Columbarium
Although there are limited internments in the Maude Cemetery, a stillborn area and columbarium of suitable size could be provided.

4.3.5 Fencing
Suitable fencing and gates are required for the cemetery and wider allotment.



Hay Cemetery Master Plan *Page 25*

Excerpt of Hay Cemetery Master Plan

Staff recommend that, in accordance with the Local Government Act, an Expression of Interest (EOI) is called for land management of Lot 7018 DP 1019632 and Lot 7003 DP 1019633 at the Maude Cemetery, with the following conditions attached:

- Period of land management – up to 5 years
- Maintenance of land to mitigate bushfire risk and keeping land weed free.
- Maintenance of fencing around the site.
- Keeping limited vehicular access (for funerals and maintenance) and 24/7 pedestrian access to the cemetery component.

Upon closure of the EOI process a further report will be brought to Council for its determination.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Economic** 3.1 Our community welcomes new and innovative industry to support our future 3.1.5 Identify opportunities to grow the agricultural sector **Civic Leadership** 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.2 Inform and empower community input into decision making
FINANCIAL IMPLICATION	Minor
LEGISLATIVE IMPLICATION	Local Government Act 1993 Crown Land Management Act 2016
POLICY IMPLICATION	Nil. The proposed lease does not conflict with the Public Cemeteries Policy or the Hay Cemetery Master Plan
ASSET IMPLICATION	Minor – would improve the asset
RISK IMPLICATION	Minor – would lower risk to Council

RECOMMENDATION

That Council:

(a) Notes the information provided in the report;
(b) Calls for Expressions of Interest (EOI) for land management of Lot 7018 DP 1019632 and Lot 7003 DP 1019633 at the Maude Cemetery
(c) A further report is brought back to Council in due course.

C8 – Customer Service Charter

REPORTING OFFICER	General Manager
ATTACHMENTS	- Hay Shire Council Customer Service Charter, V1 dated August 2025

INTRODUCTION

As way of Council seeking to continuously improve, staff have developed a Customer Service Charter.

COMMENTARY

A customer service charter is a formal statement that sets out the council's commitment to providing quality services and a positive experience for its community. It explains the standards residents, businesses, and visitors can expect when interacting with the council, such as timeliness, professionalism, accessibility, and fairness.

The charter also outlines the responsibilities of customers in engaging with the council, promotes transparency and accountability, and serves as a guide for staff to deliver consistent, responsive, and respectful service.

While it is not mandatory, Staff have developed the 'Hay Shire Council Customer Service Charter', which is presented to Council for adoption.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Civic Leadership** 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance 4.1.2 Monitor and evaluate Council's strategic planning documents 4.1.4 Council will seek to continuously improve
FINANCIAL IMPLICATION	Nil
LEGISLATIVE IMPLICATION	Local Government Act 1993
POLICY IMPLICATION	Minor – the Charter outlines the responsibilities of customers in engaging with the council, promotes transparency and accountability, and serves as a guide for staff to deliver consistent, responsive, and respectful service
ASSET IMPLICATION	Nil
RISK IMPLICATION	Nil

RECOMMENDATION

That Council adopts the Hay Shire Council Customer Service Charter, V1 dated August 2025.

Hay Shire Council Customer Service Charter

Our Commitment to You

At Hay Shire Council, we are committed to providing professional, courteous, and responsive customer service to our residents, businesses, and visitors. Our Customer Service Charter outlines the standards you can expect from us, and how you can help us deliver the best possible service.

Our Service Principles

We are guided by the following principles:

- **Respect**: We treat all customers with courtesy, dignity, and respect.
- **Integrity**: We are honest, ethical, and accountable in all our dealings.
- **Responsiveness**: We aim to respond to your enquiries and requests in a timely and helpful manner.
- **Transparency**: We provide clear, accurate, and accessible information.
- **Continuous Improvement**: We actively seek feedback and use it to improve our services.

Our Service Standards

When you contact or visit us, we will:

- Greet you in a friendly and professional manner.
- Listen to you carefully and treat your enquiry seriously.
- Provide accurate information or direct you to someone who can assist.
- Respond to all correspondence (letters, emails, web forms) within **15 working days**.
- Answer phone calls within **5 rings** and return voicemail messages within **2 working days**.
- Acknowledge receipt of complaints and provide a response or update within **10 working days**.
- For complex enquiries, requests will be acknowledged with the responsible officer, and regular updates will be provided along with a timeframe for completion

- Social media allows us to share accurate and timely information directly with our community; however, we cannot guarantee a response to all posts made on our social media sites. We will repost responses when considered necessary and/or appropriate.

When You Visit Our Offices

We will:

- Ensure our facilities are clean, welcoming, and safe.
- Display relevant information and resources.
- Attend to you within **3 minutes** of arrival at the Customer Service Counter.

Please note that in some instances, customers may be required to make an appointment to speak with a specific staff member, as they may have prior commitments or be unavailable at the time of your visit. We appreciate your understanding and will do our best to accommodate your needs as promptly as possible.

What We Ask of You

To help us serve you effectively, we ask that you:

- Treat our staff with courtesy and respect.
- Provide accurate and complete information when making enquiries or requests.
- Provide a daytime telephone number or email address in your correspondence.
- Let us know if your contact details or circumstances change.
- Acknowledge that Council is subject to strict governance and legislation that may result in decisions you do not agree with.
- Provide feedback to help us improve.

Feedback and Complaints

Your feedback is important to us. It helps us improve our services and resolve any issues. You can provide feedback by:

- Visiting our website: www.hay.nsw.gov.au
- Emailing us at: mail@hay.nsw.gov.au
- Calling: (02) 6990 1100

- Visiting Council offices at 134 Lachlan Street, Hay
- Writing to: General Manager, Hay Shire Council, PO Box 141, Hay NSW 2711

We treat all complaints seriously and confidentially and follow a structured process for investigation and resolution.

Privacy and Information

Requests for access to Council documents are handled in accordance with the Local Government Act, Government Information (Public Access) Act and Council's Privacy Policy. In addition, the Privacy and Personal Information Protection Act sets requirements in relation to disclosure of personal information.

Further information is available by viewing Council's Privacy Policy on our website, or by contacting the Public Officer.

Review and Updates

This Customer Service Charter will be reviewed every **four years** to ensure it remains relevant and continues to reflect community expectations.

C9 - Transport's Authorisation and Delegation to Councils

REPORTING OFFICER	General Manager
ATTACHMENTS	- Cover Letter - 2025 Authorisation and Delegation Instrument for councils - Authorisation and Delegation to Councils, dated 21st July 2025 - Guide for councils using the Authorisation and Delegation Instrument - Briefing Pack - Authorisation and Delegation to Councils - Fact Sheet - The Authorisation & Delegation Instrument (i) What is it? - Fact Sheet - The Authorisation & Delegation Instrument (ii) What has changed? - Fact Sheet - Local Transport Forum (LTF) (i) Function and responsibilities - Fact Sheet - Local Transport Forum (LTF) (ii) Referrals and review - Fact sheet - Using the Instrument - Events & trials on local streets - Fact Sheet - Understanding key terms - Regulation of traffic and PTCD - Fact Sheet - Implementing the 2025 Instrument

INTRODUCTION

Councils manage the majority of the roads and streets on which the people of NSW live, work, and play. These streets perform many functions. They may be the quiet streets of a residential neighbourhood, busy corridors for the movement of goods and people, or the venues for events, commemorations, and celebrations.

Transport's (2025) Authorisation and Delegation Instrument authorises councils to use prescribed traffic control devices under s122 of the Road Transport Act 2013 and delegates Transport's power under s115 of the Roads Act 1993 to regulate traffic for any purpose.

COMMENTARY

Councils in NSW are well-placed to manage local roads, responding to the needs and aspirations of their community. By extending some of its own powers to councils, Transport enables councils to manage streets more efficiently.

Councils have existing powers to carry out road work (s71) and traffic control work (s87) on unclassified roads and regional roads without approvals from Transport

Prescribed traffic control devices are the kinds of signs, markings, and devices that are enforceable through the Road Rules 2014. Councils use them in traffic control work done under s87(3) of the Roads Act 1993. Councils can already regulate traffic to do this work (as well as for a number of other purposes as specified in s115), but Transport's delegation enables councils to also regulate traffic for events and activities such as markets and parades. Where council is regulating traffic for purposes listed in s115 (such as regular maintenance and road work), they are doing so using their

own power to regulate traffic and do not need to use the (2025) Authorisation and Delegation Instrument or follow its conditions and processes.

The (2025) Authorisation and Delegation Instrument revokes and replaces both the (2011) Delegation to Councils and the (2023) Temporary Delegation to Councils No.2.

Key changes from the 2011 Delegation to Councils:

- Local Traffic Committee (LTC) is renamed Local Transport Forum (LTF)
- Councils may sub-delegate functions to staff
- Fewer matters now need to be referred to the LTF
- Greater scope for councils to use roadwork speed limit signs
- Council can decide which proposals to send to the LTF, noting referral is only mandatory where:
  - regulating traffic for >6 months
  - public transport is negatively affected for >24 hours
- Council can determine the frequency of LTF meetings, and invite any additional participants

The new 2025 Authorisation-Delegation provides councils with:

- Transport's power (under s115 of the Roads Act 1993) to 'regulate traffic' (i.e. restrict or prohibit passage) for any purpose
- Authorisation (under s122 of the Road Transport Act 2013) for the use of prescribed traffic control devices (PTCD)

The 2025 Instrument further extends the scope for Councils to independently manage local streets. The LTF better reflects the function of advice & coordination across all transport modes (and avoid confusion with 'committee' as defined in the LGA 1993). This means the Hay Local Traffic Committee is no longer required nor functional under the new authorisation and delegation.

The LTF provides advice, technical review, and coordination of works and events. It does not vote, issue approvals, or make decisions.

The four formal members of LTF are representatives from each of Council, Transport, NSW Police, and the relevant State Member(s) of Parliament. Councils are welcome to invite others.

Some works must be referred to the LTF for advice prior to implementation, such as those which restrict or prohibit passage for longer than 6 months and those which prevent or hinder safe public transport operations for more than 24 hours.

For most works, referral to the LTF is optional at the discretion of council, provided the Forum is later given a record of any use of prescribed traffic control devices.

Proposals of less than 24 hours are not required to be referred at all, but some will require notification of Transport, Police, and/or bus operators.

This means that Council is able to approve temporary road closures, such as for events, on local or regional roads, providing it proves 7 days' notice to Transport and NSW Police. Any road closures on a state highway (i.e. Lachlan Street) will still require approval from Transport through the application of a Road Occupancy Licence (ROL).

It is envisaged that it would be rare that the Hay Local Traffic Forum would be required to be utilised.

This Instrument commenced on 1 August 2025 and continues in force until revoked. In addition, the Instrument does not affect Transport's (nor council's) rights and powers under legislation.

In addition, the Transport is currently reviewing the Roads Act 1993, with a discussion paper released on 15th August 2025. Staff are reviewing the proposed models of change to the Act and it is expected a report will be brought to Council in due course.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Social** 1.3 Our community is connected 1.3.1 Enhance public and community transport options **Economic** 3.2 Our community values its history and tourism 3.2.2 Promote events and activities **Civic Leadership** 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance 4.1.2 Monitor and evaluate Council's strategic planning documents 4.1.4 Council will seek to continuously improve
FINANCIAL IMPLICATION	Nil
LEGISLATIVE IMPLICATION	Road Rules 2014 Transport Administration Act 1988 Roads Act 1993 Road Transport Act 2013 Road Transport (General) Regulation 2021 Local government Act 1993
POLICY IMPLICATION	Nil
ASSET IMPLICATION	Nil
RISK IMPLICATION	Nil

RECOMMENDATION

That Council:

(a) Notes the information provided in the report;
(b) Dissolves the Hay Local Traffic Committee;
(c) Determines if it wishes to nominate any councillor to be on the Hay Local Traffic Forum in addition to the General Manager or his delegate; and
(d) Delegates to the General Manager functions under the Transport Administration Act 1988, Roads Act 1993, Roads Transport Act 2013 and Road Transport (General) Regulation 2021 as outlined in the report and the Transport for NSW Authorisation and Delegation dated 21st July 2025.

Transport for NSW

23 July 2025

RE: 2025 Authorisation and Delegation Instrument for councils

Dear General Manager,

I am pleased to enclose a copy of Transport's 2025 Authorisation and Delegation Instrument for Councils. Commencing on August 1, this will replace the existing 2011 Delegation to Councils and 2023 Temporary Delegation to Councils.

For several years now Transport has trialled increased devolution to local government to expedite the management and improvement of our streets. The potential for further devolution is a major theme of Local Government input into the current review of the Roads Act.

Many NSW Councils have used the Temporary Delegation to streamline delivery of routine works such as parking management and pedestrian safety improvements. Councils have also taken advantage of the ability to sub-delegate approval responsibilities to staff.

Following careful monitoring of the Temporary Delegation, Transport has developed the 2025 Authorisation and Delegation Instrument.

The 2025 Instrument further extends the scope for Councils to independently manage local streets. It implements a number of recommendations of the NSW Bus Industry Taskforce, including renaming Local Traffic Committees. These will become 'Local Transport Forums' to reflect the need to focus on all transport modes, especially bus services. Councils will have discretion to refer matters to their Local Transport Forum for advice, but this will be mandatory only for more significant proposals.

Transport recognises the diversity of NSW Councils. Those who wish to take advantage of the streamlined processes are welcome to do so, but this is not obligatory. Transport representatives will continue to attend Local Transport Forums and can provide advice on any matter. Please note, however, that Transport will no longer vote on proposals because Council is ultimately responsible for decisions taken on its network.

The 2025 Instrument is a significant reform, and Transport will support Councils in its implementation. Detailed Guides and online resources will be regularly updated, and we will continue to offer expertise and skills development for Council officers through forums such as the Active Transport Community of Practice.

For more information, please visit the Delegations and traffic committees web page. If you have any further questions, please contact delegated_works@transport.nsw.gov.au.

Sincerely,

Josh Murray
Secretary

231 Elizabeth Street, Sydney, NSW, 2000
PO Box K659, Haymarket, NSW 1240
(02) 8202 2200
transport.nsw.gov.au

AUTHORISATION AND DELEGATION

PRESCRIBED TRAFFIC CONTROL DEVICES AND REGULATION OF TRAFFIC

Roads Act 1993
Road Transport Act 2013

On behalf of Transport for NSW, I, Josh Murray, Secretary of the Department of Transport:

a) **REVOKE** the instrument of 31 October 2011 titled "*Roads and Maritime Services – Delegation to Councils*"; and

b) **REVOKE** the instrument of 12 December 2023 titled "*Instrument of Delegation and Authorisation – Traffic Management and Pedestrian Works – Temporary Delegation to Councils No.2"*; and

c) **DELEGATE** under section 3I(1) of the *Transport Administration Act 1988* and all other enabling powers, the functions set out in **Schedule 1** to the delegates set out in **Schedule 2**, subject to the conditions and limitations set out in **Schedule 4**; and

d) **AUTHORISE** those delegates, under section 3I(2) of the *Transport Administration Act 1988*, to sub-delegate the functions set out in **Schedule 1** to the persons set out in **Schedule 3**; and

e) **AUTHORISE** the delegates set out in **Schedule 2**, under section 122(b) of the *Road Transport Act 2013***,** to install or display (or interfere with, alter, or remove) any prescribed traffic control device required to give effect to the carrying out of traffic control work except where indicated as restricted in the Transport for NSW *"Traffic Signs Register"*, subject to the conditions and limitations set out in **Schedule 4**; and

f) **CONSENT**, under s.87(4) of the *Roads Act 1993,* to the construction, installation, maintenance, repair, removal, or replacement of a portable traffic control light used temporarily by a delegate in the context of carrying out road work or traffic control work, subject to the conditions and limitations set out in **Schedule 4**; and

g) **DIRECT** that failure to comply with the conditions and limitations set out in **Schedule 4** renders the prescribed traffic control device authorisation and delegation inoperative with respect to the functions exercised.

Note: the authorisation at (e) above is referred to in this Instrument as "the prescribed traffic control device authorisation".

This Instrument commences on 1 August 2025 and continues in force until revoked.

Josh Murray
Secretary
Department of Transport

Date: 21/07/2025

SCHEDULE 1 – FUNCTIONS

(a) The functions and powers of Transport for NSW under section 115(2) of the *Roads Act 1993* to regulate traffic on a public road for purposes other than those set out in in that section.

(b) The power to establish and operate a special event parking scheme for a road under Part 8, Division 3 of the *Road Transport (General) Regulation 2021.*

SCHEDULE 2 – DELEGATES

A council constituted under the *Local Government Act 1993*.

SCHEDULE 3 – SUB-DELEGATES

The general manager of a council, or an employee of the council.

SCHEDULE 4 – CONDITIONS AND LIMITATIONS

Note: Reference to a delegate in this Schedule includes reference to a sub-delegate.

1. Scope of Authorisation and Delegation

A delegate must not exercise a function listed in Schedule 1 of this Instrument and may not use the prescribed traffic control device authorisation:

(a) outside its local government area as constituted under the *Local Government Act 1993*;

(b) on a road or part of a road classified as a Freeway, Controlled Access Road, Tollway, or Transitway; or

(c) on any road identified with the 'Administrative Category' of 'State' in the '*Schedule of Classified Roads and Unclassified Regional Roads*' (as published and amended from time to time by Transport for NSW), except with the written consent of Transport for NSW

Note: The prescribed traffic control device authorisation allows delegates to install, display, etc. those devices and extends to the engagement of third parties (such as developers, road construction contractors, etc.) to install and display any such devices as a consequence of a delegate's decision and approval under this Instrument.

2. Local Transport Forum

(a) A delegate must convene a Local Transport Forum to which a representative from each of the following is invited to attend:

(i) the delegate

(ii) Transport for NSW

(iii) NSW Police Force

(iv) The local Member(s) of NSW Parliament

(v) The operator of any public passenger service likely to be affected by traffic control work proposed by the delegate

(b) A delegate may invite any other person to attend the Local Transport Forum.

(c) A delegate may seek technical advice from the Local Transport Forum regardless of whether this Instrument is being used.

(d) The Local Transport Forum is to provide advice to the delegate on any matter put before it for advice.

(e) A delegate must consider any advice provided by the Local Transport Forum.

3. Mandatory prior referral of some proposals

(a) A delegate must refer to the Local Transport Forum any proposal to exercise a function listed in Schedule 1 of this Instrument or to use the prescribed traffic control device authorisation where that proposal would:

for a period exceeding **6 months**:

(i) restrict or prohibit passage along a road of any persons, vehicles, or animals; or

(ii) compel or prevent a turn from one public road to another public road;

or

for a period exceeding **24 hours**:

(iii) prevent, impede, or hinder the safe or efficient operation of a public passenger service; or

(iv) prevent access to a public transport station, stop, wharf, or service; or

(v) remove or render less effective any bus priority measure.

(b) Following consideration of advice provided by the Local Transport Forum, the delegate may proceed with the proposal unless the Transport for NSW representative advises the meeting of the Local Transport Forum that Transport for NSW will be submitting a Statement of Concern within seven (7) days.

(c) If a Statement of Concern has been provided to the delegate in accordance with clause (b) above, the delegate may not exercise the relevant function until a further seven (7) days after it has circulated to the members of the Local Transport Forum, a written response addressing the Statement of Concern and setting out the delegate's reasons for proceeding to exercise the function.

4. Keeping of records

(a) The proceedings of the Local Transport Forum must be recorded and made public as soon as practicable.

(b) A post facto record of any use of the prescribed traffic control device authorisation (excluding any instance that has already been the subject of prior referral per condition 3) must be tabled at the Local Transport Forum as soon as practicable and no later than three (3) months after the fact.

5. Coordination

(a) A delegate must consult any public passenger service operator – either directly or via the Local Transport Forum – before exercising any function listed in Schedule 1 of this Instrument or using the prescribed traffic control device authorisation where it is likely to affect the operation of a public passenger service provided by that operator.

(b) Details of such consultation undertaken outside of the Local Transport Forum must be tabled at the Local Transport Forum as soon as practicable.

(c) A delegate must give not less than seven (7) days' notice to NSW Police Force and Transport for NSW – either directly or via the Local Transport Forum – before regulating traffic under this Instrument for the purposes of a public event.

6. References

(a) A delegate must use the NSW Design of Roads and Streets Manual (TS 00066, as amended from time to time) as a primary reference when exercising a function listed in Schedule 1 of this Instrument or using the prescribed traffic control device authorisation.

(b) Use of a portable traffic control light or R4-212n roadwork speed limit sign under this Instrument must be in accordance with the Transport for NSW Traffic Control at Work Sites Manual (TS 05492, as amended from time to time).

7. Preservation of head of power

Notwithstanding this Instrument, Transport for NSW reserves all and any rights and powers, including to:

(a) Direct a public authority under clause 8I of Schedule 1 of the *Transport Administration Act 1988*, or alter or remove, or direct the alteration or removal of any prescribed traffic control device, under Part 5.3, Division 2 of the *Road Transport Act 2013*; and

(b) Carry out road work in accordance with Part 6 of the *Roads Act 1993;* and

(c) Carry out traffic control work on any public road, including exclusive power to carry out or consent to the construction, erection, installation, maintenance, repair, removal or replacement of a traffic control light under section 87 of the *Roads Act 1993*; and

(d) Regulate traffic under Part 8 of the *Roads Act 1993.*

(e) Revoke or withdraw this delegation, authorisation, or any component of it at any time with respect to any or all delegates.

Transport for NSW

A guide for councils using the Authorisation and Delegation Instrument

Prescribed Traffic Control Devices and Regulation of Traffic

July 2025

transport.nsw.gov.au

NSW GOVERNMENT

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Introduction

This guide is a reference for councils and others who use the 2025 Authorisation and Delegation Instrument. It is intended to promote a consistent understanding of what can be a complicated mix of legislation, regulation, and practice.

For simplicity, the *Authorisation and Delegation – Prescribed Traffic Control Devices and Regulation of Traffic* is referred to as 'the Instrument'.

This guide addresses the following questions:

- Why does Transport authorise and delegate?
- What powers are being authorised and delegated?
- Why would council use the Instrument?
- What are Local Transport Forums and how should they operate?
- What kinds of works need to be coordinated with Transport and others?

For the most up-to-date information and references, please refer to Transport's website.

Why does Transport authorise and delegate?

Councils manage most of the roads and streets on which the people of NSW live, work, and play. These streets perform many functions. They may be the quiet streets of a residential neighbourhood, busy corridors for the movement of goods and people, or the venues for events, commemorations, and celebrations.

Councils in NSW are well-placed to manage local roads, responding to the needs and aspirations of their community. By extending some of its own powers to councils, Transport enables councils to manage streets more efficiently.

The Instrument itself serves two purposes: It authorises councils to use the signs, markings, and devices that appear in the *Road Rules 2014* and are known as 'prescribed traffic control devices'; and it allows council to 'regulate traffic' on an unclassified road for purposes that go beyond roadwork, such as closing a road to allow an Anzac Day march.

It is important to note that councils already have powers to carry out road work and traffic control work, and to regulate traffic while doing so. The Instrument provides powers to use the most common 'prescribed' devices, but in many cases, council will not need to use it.

This version of the Instrument reinforces the principle that the functions of Transport delegated to councils by the Instrument may be exercised with wide discretion. It does not seek to limit council's powers under the *Roads Act 1993* on unclassified roads (for instance the ability to carry out traffic control work under s87), nor to second-guess decisions made by councils under authority or delegation. The focus of the Instrument is to facilitate coordination and knowledge sharing, while taking a risk-based approach to proposals and works that might affect road safety, public transport, or the operation of the classified road network.

Legal context

Please note that this section is not to be taken as legal advice. Users should seek their own legal advice.

The legal framework for the Instrument is found across the *Transport Administration Act 1988*, the *Roads Act 1993*, and the *Road Transport Act 2013*.

The ***Transport Administration Act 1988*** establishes Transport and sets out its broad functions across all legislation relating to the management of roads and traffic across NSW. It authorises Transport to delegate some of its functions to councils (and for councils to further sub-delegate).

This Act defines the term '*traffic control facility*' to includes all signs, markings, structures or devices that advise or warn a driver; all signs, markings, structures, or devices that compel a road user to do (or not do) something; and any bridge or underpass for pedestrian use. Refer to the

Glossary for a full definition.

The ***Roads Act 1993*** sets out and divides responsibilities and road management functions between Transport and other roads authorities such as councils.

Part 6 of the Act provides that "*traffic control work*" – which is work involving a "*traffic control facility*" – may be carried out by Transport on any public road, transitway, and any road or road related area used by motor vehicles, cyclists, pedestrians, or animals, and including road shoulders, nature strips, and other road adjacent areas (whether a public road or not).

An appropriate roads authority (usually council) may carry out those works on unclassified roads and all the other road related areas mentioned above, unless Transport has notified the roads authority that it intends to carry out works on that road or road related area (s87).

Part 8 of the Act provides Transport with a broad power to regulate traffic (i.e. restrict or prohibit passage along a road) for any purpose. Roads authorities may regulate traffic in a more limited set of defined circumstances – such as to give effect to traffic control work under Part 6 – or to give effect to some other function authorised or required by any legislation.

While councils have powers under s87 to carry out traffic control work, there are circumstances which arise commonly outside of that scope, and where the delegation to *regulate traffic* in the Instrument can assist councils.

Street markets or marches, for example, are not '*traffic control work*' or road work for which the *Roads Act 1993* ordinarily allows councils to regulate traffic. To regulate traffic for a purpose that isn't permitted by the defined circumstances in the Act (such as to open a road for a street parade, market, or similar), a council would need to apply to Transport for approval, advertise the proposal for 28 days, and forward any submissions to Transport before it may do so. By using the Instrument – and in doing so exercising Transport's power to regulate traffic for any purpose – no advertising or approval is necessary and only the conditions of use of the Instrument need to be followed.

The ***Road Transport Act 2013*** establishes and governs road transport law in NSW. While the *Roads Act 1993* allows for the building of traffic control facilities, signs, lines, structures etc., Part 5.3 of the *Road Transport Act 2013* requires that a person hold appropriate authority from Transport to install, display, interfere with, alter, or remove a '*prescribed traffic control device*'. Unauthorised use of a device is subject to penalties, and Transport may order the unauthorised device to be removed and recover any expenses in doing so.

Some traffic control facilities are not 'prescribed' and do not require the authorisation provided by the Instrument. Speed cushions are one example. However, many other works, such as installing a roundabout, will involve installing a '*prescribed traffic control device*' - which is a device that a road user must obey under the road rules – or they may be liable for a fine. All regulatory signage, and some markings, devices, and structures are '*prescribed traffic control devices*'. Refer to the Glossary for a full definition.

This Instrument provides councils with Transport's authorisation to use prescribed traffic control devices, subject to the stated conditions in Schedule 4.

Finally, the power to establish and operate special event parking schemes delegated through provision (c) of the Instrument arises from the *Road Transport (General) Regulation 2021*, which sits under the *Road Transport Act 2013*.

Understanding the Instrument

The Instrument is a single consolidated document that replaces the Delegation to Councils (issued in 2011) and Temporary Delegation to Councils No.2 (issued in 2023), which are now no longer in force. The Instrument can be summarised as follows.

Clause **(c)** delegates Transport's power to regulate traffic for any purpose, subject to Schedule 4.

Clause **(c**) also delegates the power to establish and operate a special event parking scheme, subject to Schedule 4.

Clause **(e)** provides authorisation in writing for the use of prescribed traffic control devices (regulatory signs, lines, markings, etc.), subject to Schedule 4.

Note: The authorisation given under clause (e) of the Instrument is referred to throughout Schedule

4 as the 'prescribed traffic control device authorisation'. For clarity, the authorisation allows delegates to install, display, etc. those devices and extends to the engagement of third parties (such as developers, road construction contractors, etc.) to install and display any such devices as a consequence of a delegate's decision and approval under the Instrument.

Clause **(d)** enables councils to sub-delegate the functions and powers of the Instrument to their general manager or staff. Councils should set up their own instruments for this purpose to ensure the appropriate staff are carrying out functions lawfully.

Clause **(f)** provides consent for the temporary use of portable traffic control lights in accordance with Transport's Traffic Control at Work Sites Manual.

Clause **(g)** clarifies that non-compliance with any of the conditions and limitations in Schedule 4 means that the Instrument does not apply. In such a situation, any authority or delegation under the Instrument to exercise the function is taken not to have been given, and councils may be liable to the consequences of acting without authority or delegation.

The following subsections are structured and numbered in accordance with the conditions and limitations set out in Schedule 4 of the Instrument.

Where can council use the Instrument? *(Condition 1)*

Condition 1: Scope of Authorisation and Delegation

A delegate must not exercise a function listed in Schedule 1 of this Instrument and may not use the prescribed traffic control device authorisation:

(a) outside its local government area as constituted under the *Local Government Act 1993*;

(b) on a road or part of a road classified under the *Roads Act 1993* as a Freeway, Controlled Access Road, Tollway, or Transitway; or

(c) on any road identified with the 'Administrative Category' of 'State' in the '*Schedule of Classified Roads and Unclassified Regional Roads*' (as published and amended from time to time by Transport for NSW), except with the consent of Transport for NSW.

Councils may only perform functions under the Instrument in their own local government area and generally on unclassified roads (often referred to as 'local' roads). Note that in some cases (e.g. some light rail or bus corridors) classification may vary across the road or across different levels of the road.

Further, the roads listed in (b) above aside, the classified roads on which councils are not permitted to use the Instrument are those that have been administratively classified as 'State Roads' – which may not necessarily be all classified roads. Road classification may be confusing due to the use of both statutory classifications (under the *Roads Act 1993*) and administrative classifications. Statutory classifications define the status of roads for the purposes of the *Roads Act 1993*, while administrative classifications set out "who is responsible for the road" for the purpose of operational management, including where the NSW Government takes over the responsibility and funding of more significant roads (i.e. 'State Roads').

The Schedule of Classified Roads and Unclassified Regional Roads is available online, as is a comprehensive map of NSW road network classification.

The Instrument may only be used by councils on State Roads if *written consent* from Transport has been obtained. The Local Transport Forum may be the appropriate starting point for such consent to be obtained – the Transport representative on the Local Transport Forum may act as a point of contact for consent to be sought. It must be noted however that Transport consent in this situation is required from Transport itself – not from Local Transport Forum. The Local Transport Forum may still review the proposal, but formal Transport consent is a prerequisite before council can use this Instrument on State Roads.

Traffic signals

Under section 87 of the *Roads Act 1993*, the construction, erection, installation, maintenance, repair, removal, or replacement of a traffic control light may not be carried out otherwise than by or

with the consent of Transport. The Instrument does not provide that consent except in relation to portable traffic control lights (see clause [f]).

When using the Instrument, councils should engage with Transport – either directly or via the Local Transport Forum – in advance of undertaking any works that are likely to affect the operation of a traffic signal.

Prior engagement with Transport will ensure that unintended negative consequences for traffic signal operations are avoided.

How does the Local Transport Forum work? *(Condition 2)*

Condition 2: Local Transport Forum

(a) A delegate must convene a Local Transport Forum to which a representative from each of the following is invited to attend:

  (i) the delegate

  (ii) Transport for NSW

  (iii) NSW Police Force

  (iv) The local Member(s) of Parliament

  (v) The operator of any public passenger service likely to be affected by traffic control work proposed by the delegate

(b) A delegate may invite any other person to attend the Local Transport Forum.

(c) A delegate may seek technical advice from the Local Transport Forum regardless of whether this Instrument is being used.

(d) The Local Transport Forum is to provide advice to the delegate on any matter put before it for advice.

(e) A delegate must consider any advice provided by the Local Transport Forum.

One of the longstanding conditions of Transport's delegation of powers is that local roads authorities convene a body where proposals can be discussed, reviewed, and coordinated. This guide explains how Local Transport Forums (previously known as Local Traffic Committees) should operate and sets out the proposals they may or must consider.

The Local Transport Forum replaces the Local Traffic Committee. The change of name reflects its function and focus as an advisory body dedicated to technical advice, information sharing, and coordination on matters related to transportation, movement, and accessibility. It is not an approval body, nor does it make decisions.

The Local Transport Forum is not a committee as defined and understood in the *Local Government Act 1993*.

Function and responsibilities

Functions of the Local Transport Forum include:

- collaboration between agencies involved in transport management
- advice on street design, infrastructure, and traffic control facilities
- coordination of planned events and activities
- advice and information sharing on transport plans, policy, and management
- ensuring a public record of decisions relating to roads and streets

There is no voting at the Local Transport Forum, as councils are exclusively responsible for decisions they take on their roads. Members and attendees are to provide advice in good faith, share information, and coordinate activities and plans. Council is obliged to consider any advice provided by the Local Transport Forum, but any decisions – and the exercise of an authorised or

delegated function itself – are the sole responsibility of council regardless of the advice of the Local Transport Forum.

Membership

The Local Transport Forum is convened by council. Council's role is that of both *proponent* and *decision-maker.* Council is the representative for all community interests (residents, businesses, etc.) and responsible for all road users – including public transport – and road safety.

There are three further mandatory invitees to every meeting of the Local Transport Forum:

- Transport for NSW

  responsible for collaborative coordination and provision of advice regarding state-level interests (public transport, operation of state road network operation and safety, guidance and standards, etc.)

- NSW Police Force

  responsible for provision of advice related to Police expertise, such as public safety, event management, highway patrol, enforcement, etc.

- the local Member(s) of NSW Parliament

  responsible for provision of advice regarding community interests (residents, businesses, etc.)

It is also mandatory to invite the operator of any public passenger service likely to be affected by a proposal to carry out traffic control work to any meeting where that proposal is being reviewed. Most commonly, this will be local bus operators. Depending on local context and service density, it may be beneficial for councils to issue a standing invitation to public passenger service operators in their area. It is the responsibility of the relevant operator to attend and/or to return feedback to council if otherwise unable to attend. Failure to do so when appropriately invited does not prevent council from proceeding with a proposal.

Multiple representatives may be invited where proposals affect more than one state electorate or Police Area Command. Council is also encouraged to invite any other person who may add technical expertise and value to the Local Transport Forum. Examples include – but are not limited to – road safety practitioners, urban designers, planners, local advocacy groups (such as those for mobility-impaired residents, cyclists, pedestrians, etc.), representatives from Local Health Districts or schools, and other subject matter experts as relevant.

A quorum for a meeting of the Local Transport Forum is one representative in attendance from each of council and Transport.

Administration

The Local Transport Forum is administered by council, which may decide the frequency and format of meetings.

Attendees must be:

- provided with the meeting agenda at least seven (7) calendar days in advance of the meeting (unless otherwise agreed by members)
- afforded the opportunity to review meeting minutes prior to finalisation
- be provided with a copy of the finalised meeting minutes

The meeting agenda must:

- include sufficient information to review any proposals or items submitted for advice
- clearly distinguish between items referred for advice, tabled for-information-only, and raised for general discussion

The meeting minutes must clearly record:

- invitees and attendance
- items discussed
- key advice provided

- any for-information-only records or reports tabled

Referring proposals for advice *(Condition 3)*

Condition 3: Mandatory prior referral of some proposals

(a) A delegate must refer to the Local Transport Forum any proposal to exercise a function listed in Schedule 1 of this Instrument or to use the prescribed traffic control device authorisation where that proposal would:

for a period exceeding **6 months**:

(i) restrict or prohibit passage along a road of any persons, vehicles, or animals; or

(ii) compel or prevent a turn from one public road to another public road;

or

for a period exceeding **24 hours**:

(iii) prevent, impede, or hinder the safe or efficient operation of a public passenger service; or

(iv) prevent access to a public transport station, stop, wharf, or service; or

(v) remove or render less effective any bus priority measure.

(b) Following consideration of advice provided by the Local Transport Forum, the delegate may proceed with the proposal unless the Transport for NSW representative advises the meeting of the Local Transport Forum that Transport for NSW will be submitting a Statement of Concern within seven (7) days.

(c) If a Statement of Concern has been provided to the delegate in accordance with clause (b) above, the delegate may not exercise the relevant function until a further seven (7) days after it has circulated to the members of the Local Transport Forum a written response addressing the Statement of Concern and the delegate's reasons for proceeding to exercise the function.

Conditions 3(a)(i-ii) of the Instrument are intended to capture proposals that '*regulate traffic*' as defined in the *Roads Act 1993*. Aside from interfering with the common law right of passage on a public road, proposals that regulate traffic may create challenging outcomes – both positive and negative – and must be referred to the Local Transport Forum for coordination, input, and advice.

NOTE

'***Regulate traffic***' is a technical term that is formally defined in the *Roads Act 1993*. It means "*restrict or prohibit the passage along a road of persons, vehicles, or animals*". If a proposal does not prohibit or restrict passage, it is not regulation of traffic.

For the purposes of the Instrument, 'restrict passage' should be understood to mean a partial constraint that does not constitute prohibition or prevention of passage (such as passage only during particular times or for particular purposes). Most commonly, this is by way of compelling or preventing a turn by road users from one public road to another public road (where passage along the road is retained but can only be undertaken if approached/accessed in a specific way, or at a specific time).

For clarity, works that may affect vehicle speed or road capacity (e.g. speed cushions, roundabouts, reductions in road lanes, changes to parking controls, etc.) do not constitute restrictions or prohibitions on passage and are not regulation of traffic.

Given the critical importance of public transport in NSW, conditions 3(a)(iii-v) apply the same obligation of mandatory prior referral to the Local Transport Forum to any proposals that have the potential to negatively affect the operations of public passenger services. Please note that there are some existing legislative protections (such as s144B of the *Roads Act 1993*) for other parts of the broader rail and transport network which also must be complied with.

The following table provides examples of different types of common works and proposals to aid practitioners in understanding what must be referred to the Local Transport Forum in advance of implementation. Further information can be found on Transport's website.

Examples
1. Council develops a traffic calming proposal for a residential neighbourhood that would prevent left turns into some side streets. The proposal uses physical changes and No Left Turn signs. This is a restriction on passage along those roads. It **must be referred** to the LTF prior to implementation.
2. Council proposes to install a roundabout at a four-way intersection with speed cushions on approach to improve road safety. All turn movements are maintained and reducing vehicle speed does not constitute a restriction on passage, so prior referral to the LTF is **optional** at the discretion of council.
3. Council proposes to trial preventing motor vehicle access along a side street every weekday during lunch hours to provide space for tables and chairs for local restaurants. The proposal prohibits passage of vehicles along the road and thus 'regulates traffic', but the trial is only for 6 months, so prior referral to the LTF is **optional** at the discretion of council.
4. Council proposes to install a series of kerb islands with street trees in the kerbside lane to beautify a local shopping area. Changes to parking arrangements – including adjustments to permissive parking times and No Stopping zones – are also implemented. Parking is reduced but the changes do not restrict or prohibit passage along the road. Prior referral to the LTF is **optional** at the discretion of council.
5. Council is working with a private event organiser planning an on-street charity running event. The event will require preventing motor vehicle access along a number of different roads through town – including the main street on which a bus service operates. Prohibiting passage of vehicles along the roads is regulation of traffic, and there is a direct negative effect on operations of the bus service, but traffic controls are in place for less than 24 hours, so prior referral to the LTF is **optional** at the discretion of council. Council is, however, obliged to consult with the operator of the bus service at least 7 days' prior.
6. Council is hosting a food & drink festival along the main street of town that will involve preventing motor vehicle access for 3 days. The proposal prohibits passage of vehicles along the roads and thus 'regulates traffic'. It will also prevent access to bus stops and efficient operation of bus services. The traffic regulation is in place for less than 6 months, but the effects on public transport operations last for more than 24 hours. As a result, it **must be referred** to the LTF prior to implementation.
7. Council proposes to ban trucks and buses from using a side street to reach an industrial estate. This is a prohibition of passage. It **must be referred** to the LTF prior to implementation.
8. Council proposes to enable contra-flow movement for bicycles on an existing one-way road. The proposal includes narrowing of the carriageway and shifting of kerbside parking to enable installation of concrete kerbing to create a separated bicycle lane and improve safety. The proposal does not restrict or prohibit passage along the road. Prior referral to the LTF is **optional** at the discretion of council.
9. Council proposes to install a central median that compels left turns when entering from side streets. This is a restriction on passage. It **must be referred** to the LTF prior to implementation.
10. Council proposes a safety and amenity-focused revitalisation of a local high street. The design involves footpath widening and the installation of kerb blisters and raised pedestrian crossings. There will be some loss of parking and a reduction in the road carriageway width from 4 lanes to 2-3. None of these changes – including the reduction in lanes/road capacity for motor vehicles – constitute 'regulation of traffic' because they do not restrict or prohibit

passage along the road. Prior referral to the LTF is **optional** at the discretion of council.

Temporary regulation of traffic and events

The Instrument now allows some temporary 'regulation of traffic' to be undertaken without prior referral to the Local Transport Forum. This could be a brief closure for a street party or small event, or longer duration changes such as making a street one-way or 'closing' it at one end.

Council may use the Instrument to hold events on the public road that require the 'regulation of traffic', such as an Anzac Day event or a local market. Where public events or activities are held, it is a condition of the Instrument that NSW Police and Transport are given seven days' notice. (This is consistent with the notification requirement in s166 of the *Liquor Act 2007*).

Councils may wish to trial changes to the roads in their community – reducing the need for expensive modelling, allowing solutions to be trialled and modified, and ensuring the community and road users understand proposed permanent changes. The Instrument authorises councils to regulate traffic for up to six months without mandatory prior referral to the Local Transport Forum. (Should such a change be successful, it must be referred to the LTF if the intention is to continue beyond six months).

To safeguard public transport, the six-month period is reduced to 24 hours where a proposal prevents or hinders safe or efficient operation of a bus service, prevents access to a public transport stop, or removes or renders less effective any bus priority measure (refer to condition 3[a][iii-v]).

Alternatively, for select events or activities, councils can forgo the Instrument and the Local Transport Forum and use their existing legal powers under s115(2)(f) of the *Roads Act 1993* where a permit has been issued under s144 for a 'road event', including:

- Filming projects (as set out in the *Local Government Act 1993)*
- Neighbourhood activities (as defined in the *Roads Regulation 2018*)
- Speed contests (such as a race – Police approvals under other legislation will be required)

Section 166 of the *Liquor Act 2007* also allows regulation of traffic for events, performance space, and dining without using the Instrument and without referral to the Local Transport Forum.

NOTE

The *Roads Act 1993* uses the term 'regulation of traffic' to refer to restrictions or prohibitions on passage – what most people call a 'road closure'. This is *not* the same thing as 'closing a road' under Part 4 of the *Roads Act 1993*, which is the process of *extinguishing* a road to allow it to be sold or amalgamated. Councils don't need to use the lengthy Part 4 process for everyday changes to their local roads, such as closures to keep through-traffic of quieter streets.

Assessing the impacts of proposals

Members of the Local Transport Forum must have sufficient information to reasonably assess proposals and provide informed advice.

Councils should consider the potential effects of any change on amenity, safety, and access across the broader network for all road users and should make the assessment available to the Local Transport Forum. Professional judgement or other appropriate methods may be used to do this – taking into account considerations such as local conditions, scale, and whether the proposal is temporary, permanent, or a trial. A formal traffic model or plan may be used where appropriate but is not required.

Testing and trialling temporary changes is an increasingly common method to assess both network impacts and community sentiment and has proven effective in local area traffic management schemes, active transport projects, placemaking, and urban revitalisation initiatives. It may be preferable to take this approach in many situations. Guidance is contained in Appendix A.5 of the NSW Design of Roads and Streets Manual.

For proposals to regulate traffic, councils must provide the Local Transport Forum with:

- Sufficient detail to allow members to understand and assess the proposal

- If applicable (as required by condition 5), details of consultation with affected public passenger service operators undertaken outside of the Local Transport Forum

Statements of Concern

When a proposal is discussed at the Local Transport Forum, any attendee may provide feedback and suggestions on design, technical aspects, general policy, or planning considerations. Members should seek to resolve any concerns or uncertainties during this discussion.

For proposals for which prior referral to the Local Transport Forum is mandatory and where Transport continues to hold concerns following discussion, Transport may indicate that it intends to file, within seven days, a formal Statement of Concern. Other members may express views and raise issues, which Transport will consider, but the Statement of Concern itself may only be filed by Transport.

A Statement of Concern details Transport's concerns, reasoning, and any request(s) for mitigation(s) or alternative action(s). It might relate to an entire proposal or to a specific aspect of its design or location. It must be submitted within seven (7) calendar days, during which time council is not delegated or authorised to implement the proposal. If no Statement of Concern is issued during this time– perhaps due to further discussion and resolution by the parties – council may proceed.

Once received, council must consider the issue(s) raised in a Statement and circulate a written response to all Forum members. It must address the issue(s) raised and either (a) detail the amendments proposed in response or (b) set out council's reasons for proceeding without amendment. Seven (7) calendar days after issuing its response, council may proceed with the proposal.

A Statement of Concern does not oblige council to change or withdraw a proposal, but it does place both Transport's comments and council's response on the public record, which is particularly important where safety concerns are noted. It also provides a time window for further discussion and escalation of significant issues.

Refer to the Appendix for a flowchart that includes the steps associated with a Statement of Concern.

The Statement of Concern process only applies to those proposals for which prior referral to the Local Transport Forum is mandatory. Records tabled for-information-only and proposals referred to the Local Transport Forum at the discretion of council are not subject to the Statement of Concern process. Concerns relating to those matters may be resolved through discussion.

Keeping records *(Condition 4)*

Condition 4: Keeping of records

(a) The proceedings of the Local Transport Forum must be recorded and made public as soon as practicable.

(b) A post facto record of any use of the prescribed traffic control device authorisation (excluding any instance that has already been the subject of prior referral per condition 3) must be tabled at the Local Transport Forum as soon as practicable and no later than three (3) months after the fact.

Proceedings of the Local Transport Forum must be made publicly available online in an easily accessible manner as soon as practicable and must include:

- meeting agenda
- meeting minutes
- any formal records of use of the prescribed traffic control device authorisation (including those circulated to members out-of-session)
- the entirety of any Statements of Concern submitted by Transport for NSW under condition 3 of Schedule 4 of the Instrument
- the entirety of any council response to a Statement of Concern under condition 3 of Schedule 4 of the Instrument

Additional information may be included at the discretion of council.

For the purposes of condition 4(b) of Schedule 4 of the Instrument, a post facto record of any use of the prescribed traffic control device authorisation must include:

- type
- specific location
- date

Additional information may be included at the discretion of council.

Where a meeting of the Local Transport Forum is not scheduled to be held within three (3) months, a record of use of the prescribed traffic control device authorisation must be circulated directly to all members of the Local Transport Forum. The record must be made publicly available online and forms part of the records of the Forum, even if it has not met.

Coordination with Transport, public transport operators, and Police *(Condition 5)*

Condition 5: Coordination

(a) A delegate must consult any public passenger service operator – either directly or via the Local Transport Forum – before exercising any function listed in Schedule 1 of this Instrument or using the prescribed traffic control device authorisation where it is likely to affect the operation of a public passenger service provided by that operator.

(b) Details of such consultation undertaken outside of the Local Transport Forum must be tabled at the Local Transport Forum as soon as practicable.

(c) A delegate must give not less than seven (7) days' notice to NSW Police and Transport for NSW – either directly or via the Local Transport Forum – before regulating traffic under this Instrument for the purposes of a public event.

The requirement for consultation in condition 5(a) applies to any function listed in Schedule 1 of this Instrument or use of the prescribed traffic control device authorisation likely to affect the operation of a public passenger service (note: while this may commonly be buses, it applies to any public passenger service, including rail, light rail, metro, and ferry). Practitioners must use professional judgement and take advice as to whether a proposal is likely to affect a public passenger service.

At bus stops, considerations may include whether adequate draw-in and pull-out length is preserved, or whether the design of the kerbside environment ensures ramps can be fully deployed for mobility impaired passengers. On-street designs should ensure turning paths are clear, hazardous merges are not required by drivers, bus priority is maintained or improved, and traffic calming devices are appropriately designed for bus operation.

Engagement with operators may be undertaken directly or through the Local Transport Forum. When undertaken directly, sufficient detail must be given to the operator to allow reasonable assessment of any proposal, and at least seven (7) calendar days should be allowed for feedback before council proceeds. Details of any direct consultation undertaken outside of the Local Transport Forum must be tabled as a record at the Local Transport Forum as soon as practicable.

It is the responsibility of the operator to return feedback to council. Failure to comment when invited to do so does not prevent council from proceeding.

Regular bus services may be identified through Transport's online Bus Route Map or on advice of Transport. Design references such as the Bus Priority Toolbox are available through the NSW Design of Roads and Streets Manual.

References *(Condition 6)*

Condition 6: References

(a) A delegate must use the NSW Design of Roads and Streets Manual (TS 00066, as amended from time to time) as a primary reference when exercising a function listed in Schedule 1 of this Instrument or using the prescribed traffic control device authorisation.

(b) Use of a portable traffic control light or R4-212n roadwork speed limit sign under this Instrument must be in accordance with the Transport for NSW Traffic Control at Work Sites Manual (TS 05492, as amended from time to time).

The NSW Design of Roads and Streets Manual (DORAS) is a valuable reference for design, engineering, and planning practitioners. It offers guidance on network planning, understanding street and road environments, identifying issues and design solutions, typical design parameters, and application of the Safe Systems approach.

DORAS provides extensive and convenient references to applicable guidance, manuals, technical standards, and policy documents. It recognises that that no two contexts and street environments are the same and offers guidance for councils that may wish to adopt local street design guides to reflect local aspirations and conditions.

DORAS provides references and links to many other adopted Transport Standards where relevant, such as the NSW Supplement to AS 1742 Manual of Uniform Traffic Control Devices, the NSW Supplement to Austroads Guide to Road Design, Delineation and Pavement Marking, the Cycleway Design Toolbox, and the Pedestrian Crossing Guideline. The Transport Standards Portal can be used to access these tools. DORAS also provides references to scores of other resources available to practitioners from legislation to examples of international best practice.

DORAS must be used as a primary reference for practitioners using the Instrument.

Transport's reserve powers *(Condition 7)*

Condition 7: Preservation of head of power

Notwithstanding this Instrument, Transport for NSW reserves all and any rights and powers, including to:

(a) Direct a public authority under clause 8I of Schedule 1 of the *Transport Administration Act 1988*, or alter or remove, or direct the alteration or removal of any prescribed traffic control device, under Part 5.3, Division 2 of the *Road Transport Act 2013;* and

(b) Carry out road work in accordance with Part 6 of the *Roads Act 1993;* and

(c) Carry out traffic control work on any public road, including exclusive power to carry out or consent to the construction, erection, installation, maintenance, repair, removal or replacement of a traffic control light in accordance with section 87 of the *Roads Act 1993;* and

(d) Regulate traffic under Part 8 of the *Roads Act 1993.*

(e) Revoke or withdraw this delegation, authorisation, or any component of it at any time with respect to any or all delegates.

The Instrument does not affect Transport's (nor council's) rights and powers under legislation.

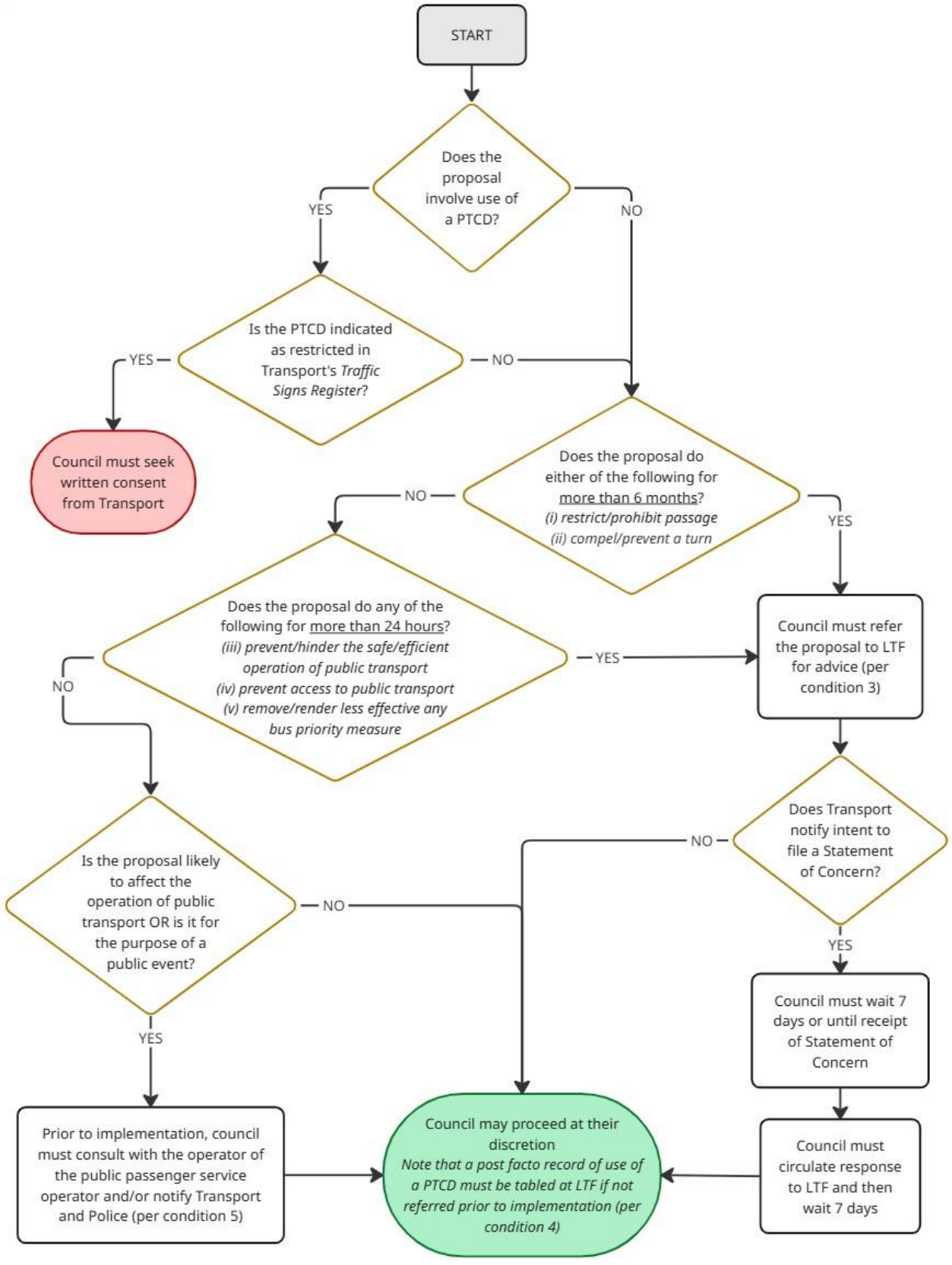
Council continues to have powers to undertake road work under s71 of the *Roads Act 1993,* to undertake traffic control work on unclassified roads under s87 of the *Roads Act 1993*, and to regulate traffic under s115 to complete those works. Transport retains the power to carry out traffic control work on any road, and to regulate traffic for any purpose.

In cases where, despite best efforts, Transport and council cannot agree on a proposed course of action, options for Transport or the Minister for Roads to issue a direction to a roads authority or public authority under legislation are not affected by this Instrument.

Appendix

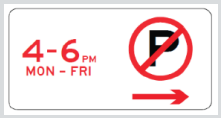
Exercising an authorised or delegated function

The following process applies to any function exercised using the Instrument. It assumes that the proposed function is otherwise eligible and compliant with Schedule 4.



Glossary

'Authorisation and Delegation Instrument' or 'Instrument'	Abbreviated reference to '*Authorisation and Delegation – Prescribed Traffic Control Devices and Regulation of Traffic*'; the instrument that is the subject of this guide.
the/this guide	Abbreviated reference to this document; 'Guide to Authorisation and Delegation – Prescribed Traffic Control Devices and Regulation of Traffic'.
DORAS	Abbreviated reference to the NSW Design of Roads and Streets Manual (TS 00066).
local road	Abbreviated reference to the portion of NSW's road network that is: • within the local government area of the relevant council; and • not classified as a Freeway, Controlled Access Road, Tollway, or Transitway; and • not identified with the 'Administrative Category' of 'State' in the 'Schedule of Classified Roads and Unclassified Regional Roads' (as published and amended from time to time by Transport for NSW)
LTF	Abbreviated reference to the Local Transport Forum.
'meeting' of the Local Transport Forum	Reference to a session of the Local Transport Forum. Meetings can be held physically, digitally, or via correspondence.
portable traffic control light	Approved traffic signals that are transportable and not permanently installed. For the purposes of the Authorisation and Delegation Instrument, 'portable traffic control light' is understood and used as per 'portable traffic signal' in Transport's Traffic Control at Work Sites Technical Manual (TS 05492, as amended from time to time).
prescribed traffic control device	A sign, signal, marking, structure, or other device to direct or warn traffic on a road (or part of a road) that is prescribed by the statutory rules of the *Road Transport Act 2013* for the purposes of this definition. Refer to the *Road Transport Act 2013*. For the purposes of this definition, the *Road Transport (General) Regulation 2021* prescribes traffic control devices of a kind mentioned in the *Road Rules 2014*. Examples of a prescribed traffic control device:

	  *NOTE: 'Prescribed traffic control device' is commonly confused with 'traffic control device' or 'traffic control facility'.* *'Prescribed traffic control device' is the term which relates to the regulatory signs, signals, markings, etc. of which contravention is an offence. It is 'prescribed traffic control devices' that are the subject of provision (e) of the Instrument (the 'prescribed traffic control device authorisation').*
prescribed traffic control device authorisation	Abbreviated reference to the authorisation issued through provision (e) of the Authorisation and Delegation Instrument.
proposal	Abbreviated reference to the intended exercise by council of a function enabled by the Authorisation and Delegation Instrument.
PTCD	Abbreviated reference to 'prescribed traffic control device'.
public event	For the purposes of the Authorisation and Delegation Instrument, 'public event' means any market, gathering, performance, festival, march, celebration, commemoration, or similar held on a road, whether organised by a delegate or another party, and open to the public to attend.
public passenger service	The transport, by a motor vehicle, vessel, aircraft, train, or other vehicle prescribed by the regulations of the *Passenger Transport Act 2014* for the purposes of this definition, of passengers within, or partly within, New South Wales for a fare. Refer to the *Passenger Transport Act 2014*. For the purposes of the Authorisation and Delegation Instrument; • A passenger service under the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* is excluded • A passenger service that operates without collection of a fare is included
regular bus service	As identified on Transport's online Bus Route Map or on advice of Transport.
regulate traffic	To restrict or prohibit the passage along a road of persons, vehicles, or animals. Refer to the *Roads Act 1993.*
restrict or prohibit passage	For the purposes of the Authorisation and Delegation Instrument: • '*Restrict*' means a partial constraint, such as passage only during particular times or for particular purposes (e.g. 'local access only') • '*Prohibit*' means to bar or prevent passage, such as a mid-block

	traffic filter For clarity, compelling or preventing a turn from one public road to another is a restriction on passage. A reduction in vehicle speed or road capacity does not constitute a restriction on passage.
road and road related area	A road is an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles. Refer to the *Road Rules 2014.* A road related area is any of the following: • an area that divides a road • a footpath or nature strip adjacent to a road • an area that is not a road and that is open to the public and designated for use by cyclists or animals • an area that is not a road and that is open to or used by the public for driving, riding, or parking vehicles Refer to the *Road Rules 2014.*
road event	Means a speed contest or such other activity as may be prescribed by the regulations for the purposes of this definition. Refer to the *Roads Act 1993*. For the purposes of this definition, the *Roads Regulation 2018* also prescribes filming projects within the meaning of the *Local Government Act 1993* and neighbourhood activities as defined in s79.
road work	Includes any kind of work, building or structure (such as a roadway, footway, bridge, tunnel, road-ferry, rest area, transitway station or service centre or rail infrastructure) that is constructed, installed or relocated on or in the vicinity of a road for the purpose of facilitating the use of the road as a road, the regulation of traffic on the road or the carriage of utility services across the road, but does not include a traffic control facility. Refer to the *Roads Act 1993*. To ***carry out road work*** includes to carry out any activity in connection with the construction, erection, installation, maintenance, repair, removal or replacement of a road work. Refer to the *Roads Act 1993*.
roads authority	A person or body that is, by or under the *Roads Act 1993*, declared to be a roads authority and, in relation to a particular public road, means the roads authority for that road. Refer to the *Roads Act 1993*.
special event parking scheme	Where the whole, or a part of, a road has been set aside as a special event parking area. Refer to the *Road Transport (General) Regulation 2021*. A special event parking area is the network of roads in an area with — (a) a special event parking area sign on each road into the area, and (b) an end special event parking area sign on each road out of the area. Refer to the *Road Rules 2014.*
traffic control device	A traffic sign, road marking, traffic signals, or other device, to direct or warn traffic on, entering, or leaving a road. Refer to the *Road Rules 2014*.

	Examples of a traffic control device:   *NOTE: 'Traffic control device' is commonly confused with 'traffic control facility' or 'prescribed traffic control device'.* *'Prescribed traffic control device' is the term which relates to the regulatory signs, signals, markings, etc. of which contravention is an offence. It is 'prescribed traffic control devices' that are the subject of provision (e) of the Instrument (the 'prescribed traffic control device authorisation). 'Traffic control devices' may already be installed and used by councils without relying on the Instrument.*
traffic control facility	Means — (a) traffic control lights on roads or road related areas, and equipment used in connection with traffic control lights, or (b) any sign, marking, structure or device containing or relating to a requirement or direction, contravention of which is an offence arising under — (i) this Act or the regulations, or (ii) any other Act, regulation or by-law prescribed for the purposes of this subparagraph, or (c) any other sign, marking, structure or device that is intended to promote safe or orderly traffic movement on roads or road related areas or to warn, advise or inform the drivers of vehicles, or pedestrians, of any matter or thing in relation to vehicular or pedestrian traffic or road conditions or hazards, or (d) any bridge or subway or other facility for use by pedestrians over, across, under or alongside a road or road related area, or (e) any other thing prescribed as a traffic control facility by the regulations. Refer to the *Transport Administration Act 1988*. For the purposes of (b)(ii) above, the *Transport Administration (General) Regulation 2018* prescribes the road transport legislation within the meaning of the *Road Transport Act 2013,* which includes the *Road Rules 2014*. *NOTE: 'Traffic control facility' is commonly confused with 'traffic control device' or 'prescribed traffic control device'.* *'Prescribed traffic control device' is the term which relates to the regulatory signs, signals, markings, etc. of which contravention is an offence. It is 'prescribed traffic control devices' that are the subject of provision (e) of the Instrument (the 'prescribed traffic control device authorisation).*
traffic control light	For the purposes of the Authorisation and Delegation Instrument, 'traffic control light' is understood and used as per 'traffic signal' in the *Road Rules 2014*.

traffic control work	Includes any activity in connection with the construction, erection, installation, maintenance, repair, removal or replacement of a traffic control facility. Refer to the *Roads Act 1993*.
traffic signal	Bicycle crossing lights, B lights, overhead lane control signals, pedestrian lights, T lights, traffic arrows, traffic lights, or twin red or yellow lights. Refer to the *Road Rules 2014*.
Transport	Abbreviated reference to 'Transport for New South Wales'.

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2025 Authorisation and Delegation to Councils

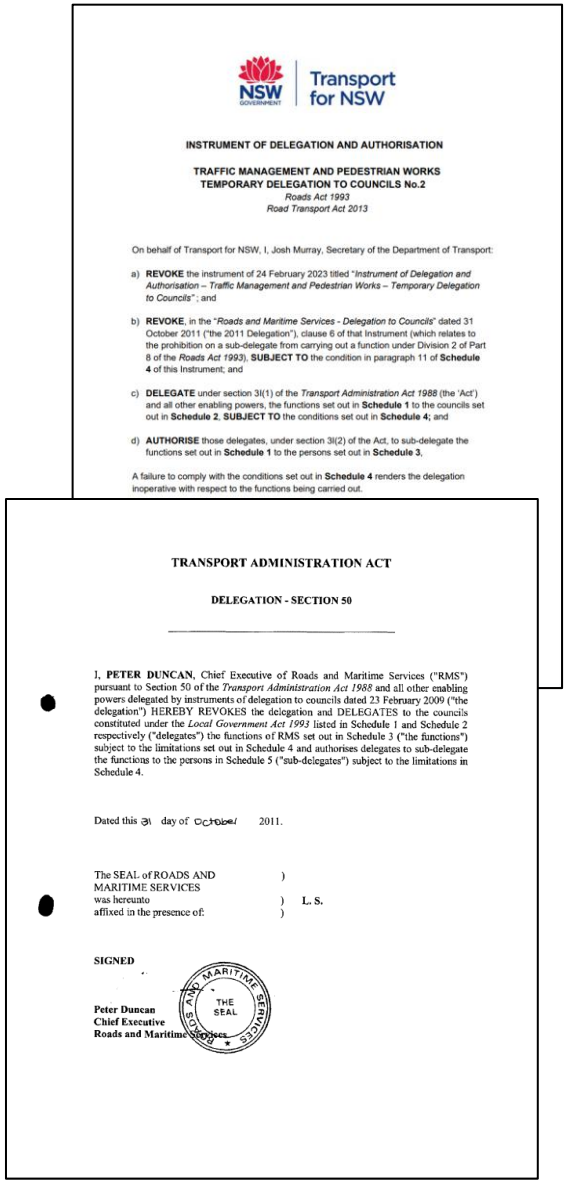
Additional flexibility for councils and changes to Local Traffic Committees

transport.nsw.gov.au

NSW GOVERNMENT

Updated Authorisation and Delegation Instrument

- In effect from 1 August 2025; revokes the *2011 Delegation to Councils* and *2023 Temporary Delegation*
- Focuses on increasing discretion for councils, improving speed of decisions/action, and reducing administrative burden
- Councils have existing powers to carry out road work *(s71)* and traffic control work *(s87)* on unclassified roads and regional roads *without* approvals from Transport
- The new 2025 Authorisation-Delegation provides councils with:
  - Transport's power *(under s115 of the Roads Act 1993)* to 'regulate traffic' *(i.e. restrict or prohibit passage)* for any purpose
  - Authorisation *(under s122 of the Road Transport Act 2013)* for the use of prescribed traffic control devices *(PTCD)*
- Some conditions remain focused on public transport, significant network-style changes, and ensuring coordination amongst key stakeholders



NSW GOVERNMENT | Transport for NSW

INSTRUMENT OF DELEGATION AND AUTHORISATION

TRAFFIC MANAGEMENT AND PEDESTRIAN WORKS TEMPORARY DELEGATION TO COUNCILS No.2

Roads Act 1993
Road Transport Act 2013

On behalf of Transport for NSW, I, Josh Murray, Secretary of the Department of Transport:

a) **REVOKE** the instrument of 24 February 2023 titled "*Instrument of Delegation and Authorisation – Traffic Management and Pedestrian Works – Temporary Delegation to Councils*"; and

b) **REVOKE**, in the "*Roads and Maritime Services - Delegation to Councils*" dated 31 October 2011 ("the 2011 Delegation"), clause 6 of that Instrument (which relates to the prohibition on a sub-delegate from carrying out a function under Division 2 of Part 8 of the *Roads Act 1993*), **SUBJECT TO** the condition in paragraph 11 of **Schedule 4** of this Instrument; and

c) **DELEGATE** under section 3I(1) of the *Transport Administration Act 1988* (the 'Act') and all other enabling powers, the functions set out in **Schedule 1** to the councils set out in **Schedule 2**, **SUBJECT TO** the conditions set out in **Schedule 4**; and

d) **AUTHORISE** those delegates, under section 3I(2) of the Act, to sub-delegate the functions set out in **Schedule 1** to the persons set out in **Schedule 3**,

A failure to comply with the conditions set out in **Schedule 4** renders the delegation inoperative with respect to the functions being carried out.

TRANSPORT ADMINISTRATION ACT

DELEGATION - SECTION 50

I, **PETER DUNCAN**, Chief Executive of Roads and Maritime Services ("RMS") pursuant to Section 50 of the *Transport Administration Act 1988* and all other enabling powers delegated by instruments of delegation to councils dated 23 February 2009 ("the delegation") HEREBY REVOKES the delegation and DELEGATES to the councils constituted under the *Local Government Act 1993* listed in Schedule 1 and Schedule 2 respectively ("delegates") the functions of RMS set out in Schedule 3 ("the functions") subject to the limitations set out in Schedule 4 and authorises delegates to sub-delegate the functions to the persons in Schedule 5 ("sub-delegates") subject to the limitations in Schedule 4.

Dated this 31 day of October 2011.

The SEAL of ROADS AND MARITIME SERVICES was hereunto affixed in the presence of:) L. S.

SIGNED

Peter Duncan
Chief Executive
Roads and Maritime Services

ROADS AND MARITIME SERVICES THE SEAL

OFFICIAL

Modernising LTC as LTF

- Local Traffic Committee is **renamed as Local Transport Forum** to better reflect function of advice & coordination across all transport modes *(and avoid confusion with 'committee' as defined in the LGA 1993)*
- **Same core members, plus bus operator(s)** where affected
- There is **no voting.** The LTF does not issue approvals or make decisions.
- LTF provides advice to *support* council. Council is the final decision-maker.
- For most proposals, referral to LTF is at council's discretion
- The following **must** be referred to the LTF for advice:
  - Proposals which, **for longer than 6 months,** restrict/prohibit passage *OR* compel/prevent a turn
  - Proposals which, **for longer than 24 hrs**,
    - hinder the safe/efficient operation of a public passenger service; or
    - prevent access to a public transport station, stop, etc.; or
    - remove/render less effective any bus priority measure
- **BUT** consultation with bus operators is required where any proposal is likely to affect operations **AND** min. 7 days' notice must be given to Police and Transport for public events



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Other changes and updates

- **Sub-delegation** to council staff is permitted
- Use of **portable traffic control lights** and **roadwork speed limits** is authorised subject to compliance with the TCAWS
- **Traffic Management Plans** are no longer mandatory at LTF – councils are obliged to provide sufficient information to enable reasonable assessment
- Out-of-date controls relating to Sydney Olympic Park and parking near Nominated Train Stations have been **removed**
- Councils are obliged to use **Design of Roads and Streets Manual** as a primary reference
- **Regional Traffic Committee**, last used mid-2019, has been eliminated
- Where Transport holds serious, unresolved concerns regarding a proposal, it may lodge a formal '**Statement of Concern**' (SoC)
    - A SoC must be issued to council within 7 days of a LTF meeting, during which a proposal must not be implemented. It clearly documents Transport's view and council is obliged to consider it and respond in writing to the LTF. After a further 7 days, council may proceed.



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Implementation

- Collaboration is the priority
- A detailed Guide and factsheets are available online
- An online **training course** is being produced and will be available for council practitioners
- Councils are free to continue operating broadly as they have, and to take advantage of the increased flexibility as they wish
- Key changes **to institute from now** are:
    - No voting at LTF
    - Consult with public transport operators on any proposals likely to affect their operations
    - Use DORAS as a primary reference
- Questions? Speak to your Transport rep. or email delegated_works@transport.nsw.gov.au



The Authorisation & Delegation Instrument

(i) What is it?

transport.nsw.gov.au | *August 2025*

- The 2025 Authorisation and Delegation Instrument **replaces** the 2011 Delegation to Councils and the 2023 Temporary Delegation
- Authorises councils to use **prescribed traffic control devices**
- Delegates Transport's powers to **regulate traffic** for any purpose
- Allows councils to **sub-delegate** these functions to staff

How does it work?

- Under s122 of the *Road Transport Act 2013*, Transport's authorisation is required to use a 'prescribed traffic control device'. The 2025 Instrument grants this authorisation.
- Under Part 8 of the *Roads Act 1993*, Transport may regulate traffic for any purpose. The 2025 Instrument provides councils with this power on unclassified roads and all regional roads.

Don't councils have their own powers?

Yes. The 2025 Instrument is **additional** to powers already available to councils by law:

- Council has powers under the *Roads Act 1993* to do **road work** (s71) and **traffic control work** (s87)
- Council can 'regulate traffic' around works and for other specified reasons that cover things like regular maintenance operations or protecting the public from hazards (refer to s115 in Part 8)

What extra can councils do with the Instrument?

- Regulate traffic for reasons unrelated to road work, such as holding a market or an Anzac Day march
- Avoid 28-day notification requirements that otherwise apply under s116 of the *Roads Act 1993*
- Use prescribed traffic control devices without applying for Transport consent every time

Are there conditions?

Yes. Schedule 4 sets out conditions and limitations, including:

- *Scope* – the Instrument may be used on unclassified roads and all regional roads but may not be used on 'State' roads unless provided with written consent from Transport
- *Consultation and coordination* – Council must convene a 'Local Transport Forum' for some proposals, and may need to consult with public transport operators and/or notify NSW Police
- *Types of traffic control devices* – some devices, such as speed signs, cannot be used
- *Design* – Council must use NSW Design of Roads and Streets Manual (DORAS) as a primary reference
- *Record-keeping* – the Local Transport Forum must be informed of uses of prescribed traffic control devices, and proceedings must be publicly recorded

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Additional related references for practitioners

NSW Design of Roads and Streets Manual (DORAS) *Guides* *More resources* *Cycleway Design Toolbox*
Bus Route Map *Road classifications* *Transport Standards Portal* *Traffic Signs Register*

NSW GOVERNMENT

This note is intended to aid practitioners using the Authorisation and Delegation Instrument. To ensure legal and technical compliance, please refer to the Instrument itself, the associated Guide, and Transport's website.

The Authorisation & Delegation Instrument

(ii) What has changed?

transport.nsw.gov.au | *August 2025*

- The 2025 Instrument **replaces** the 2011 Delegation to Councils and the 2023 Temporary Delegation
- Councils have **more options** when regulating traffic and using prescribed traffic control devices
- Councils can simplify their practices if (and when) they choose
- *'Local Traffic Committee'* is **replaced** by *'Local Transport Forum'*

Key changes from the *2011 Delegation to Councils*

- *Local Traffic Committee* is renamed *Local Transport Forum* (LTF) to better reflect its purpose/function
- In many cases, councils can manage their network (unclassified roads and all regional roads), including for events, without prior LTF review
- Councils can sub-delegate functions to staff
- Traffic Management Plans are no longer required at LTF
- Regional Traffic Committee has been discontinued
- Restrictions relating to 'nominated' train stations have been discontinued
- Simplified rules for use of portable traffic control lights and roadwork speed limit signs
- Pre-approvals or advance expressions of support are not required from council in order to refer to LTF

Consultation and referral of proposals

- Generally, council may decide which proposals to send to the LTF for advice or coordination.
- Prior referral to the LTF is only required where:
  - regulation of traffic exceeds 6 months in duration
  - public transport is negatively affected for more than 24 hours
- For proposals affecting buses, consultation with bus operators is required
- Transport and NSW Police must be given 7 days' notice of on-road public events

Local Transport Forum (LTF)

- Core membership is unchanged: Council, Transport, Police, local Member(s) of NSW Parliament
- Bus operators may be given a standing invite or invited where relevant proposals are on agenda
- Council has discretion to invite any others as observers or participants
- There is no voting and no requirement for unanimity

Resolving disagreement

- Councils are responsible for decisions on their network
- Transport may issue a 'Statement of Concern' following discussion at the LTF; this will document risks and make time (up to 14 days) for further discussion
- In rare cases, serious disagreements can be managed under existing legislation

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Additional related references for practitioners

NSW Design of Roads and Streets Manual (DORAS) *Guides* *More resources* *Cycleway Design Toolbox*
Bus Route Map *Road classifications* *Transport Standards Portal* *Traffic Signs Register*

NSW GOVERNMENT

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Local Transport Forum (LTF)

(i) Function and responsibilities

transport.nsw.gov.au | *August 2025*

- Local Transport Forum (LTF) **replaces** Local Traffic Committee
- It is an **advisory body** to support council as decision-maker for unclassified roads & regional roads
- Offers technical advice, coordination, and expertise
- **Not** an approval body and does **not** make decisions

Membership

- Council, plus three mandatory invitees: Transport, Police, local Member(s) of NSW Parliament
- Council must invite the operator of any public passenger service likely to be affected by a proposal
- Council is welcome to invite others to participate or observe
- There are no voting members

Focus

- Collaboration between agencies involved in transport management
- Advice on street design, infrastructure, and traffic control facilities
- Coordination of planned events and activities
- Advice and information sharing on transport plans, policy, and management
- Ensuring a public record of decisions relating to roads and streets

Roles and responsibilities

- **Council**: decision-maker; proponent; representative of local community interests (residents, businesses, etc.); responsible for safety of users on their network
- **Transport**: advice regarding state-level interests such as public transport planning and operation, road safety, general standards, 'State' network planning and operation
- **Police**: event safety and management advice, law enforcement, highway patrol, public safety, etc.
- **Local Member(s) of NSW Parliament**: representations on community interests and concerns

How it works

- Members provide advice, but do not vote
- LTF advice does not need to be unanimous
- Council must consider advice given by members
- If significant concerns cannot be resolved, Transport (only) may file a Statement of Concern within 7 days; council must then respond in writing to all members and wait 7 days before proceeding

Administration

- Convened and managed by council, with frequency and format at the discretion of council
- Must operate formally with an agenda and minutes to be made public
- Refer to the Guide for details regarding public record-keeping and accessibility obligations

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Additional related references for practitioners

NSW Design of Roads and Streets Manual (DORAS) *Guides* *More resources* *Cycleway Design Toolbox*
Bus Route Map *Road classifications* *Transport Standards Portal* *Traffic Signs Register*

NSW GOVERNMENT

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Local Transport Forum (LTF)

(ii) Referrals and review

transport.nsw.gov.au | *July 2025*

- The Local Transport Forum (LTF) provides **advice** and **coordination**
- Some proposals must be referred to the LTF before they are implemented
- Most proposals may be referred at council's discretion
- Notification and consultation requirements apply to some proposals

What must be referred to the LTF?

- Proposals which, for **longer than 6 months**:
  - restrict or prohibit passage on a road of any persons, vehicles, or animals; or
  - compel or prevent a turn from one public road to another public road
- Proposals which, for **longer than 24 hours**:
  - prevent or hinder the safe or efficient operation of a public passenger service; or
  - prevent access to a public transport station, stop, wharf, or service; or
  - remove or render less effective any bus priority measure
- Proposals of **less than 24 hours** are not required to be referred

How?

- Council issues agenda, with enough detail on proposals to allow members to understand and provide informed advice (e.g, concept design and traffic arrangements)
- Traffic Management Plans not mandatory, but proposals should identify potential effects
- Members advise on design, safety, network issues, & coordination with other projects or events
- Council must consider any advice provided by the LTF
- Council must table at the LTF a record of any use of prescribed traffic control devices not previously referred for advice

Statement of Concern (SoC)

- Where Transport for NSW has concerns about a proposal for which prior referral is mandatory, and these are not resolved in discussion, it may inform the LTF that it intends to issue, within 7 days, a SoC. A proposal **must not** be implemented during this time.
- A SoC outlines Transport's concerns and suggests mitigations or alternatives. It can relate to an entire proposal or to a specific detail.
- Provided it is received within 7 days, council must consider the SoC and issue a **written response** to all LTF members. After a *further* 7 days, council may proceed with the proposal at its discretion.
- A SoC does not oblige a proposal to be altered or withdrawn. It supports transparency by ensuring significant risks or issues are placed on the public record and openly discussed and considered. It also allows time for discussion and collaborative risk mitigation.

Additional related references for practitioners

NSW Design of Roads and Streets Manual (DORAS) *Guides* *More resources* *Cycleway Design Toolbox*
Bus Route Map *Road classifications* *Transport Standards Portal* *Traffic Signs Register*

NSW GOVERNMENT

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Using the Instrument

Events & trials on local streets

transport.nsw.gov.au | *July 2025*

- Transport has simplified rules for holding on-street events and trialling changes to local roads:
  - Referral to the LTF is **not required** for events of **less than 24 hours**
  - Referral to the LTF is **not required** for trial changes to roads of **less than 6 months**
- Some commonsense conditions apply

How can councils manage events and activities?

- The 2025 Instrument allows councils to regulate traffic 'for any purpose', inc. events, markets, etc.
- Councils must consult with bus operators if an event is likely to affect operations, but events do not need to be referred to the LTF unless they hinder public transport for >24 hours.
- Notify Transport and Police at least 7 days before a public event.

What about trial road changes?

- Trialling is a low-cost way to test and refine proposals with real community input.
- Examples include street 'closures' to calm neighbourhood traffic, modal filters to create low-traffic cycle routes, medians that prevent turns, or kerbside reallocation to expand footpaths.



Examples of trial and permanent treatments from NSW Design of Roads and Streets Manual (DORAS)

- Trials of up to 6 months don't require referral to the LTF.
- To make permanent after 6 months, council must refer a proposal to the LTF.

What existing powers do councils have?

- Council can use s166 of the *Liquor Act 2007* to regulate traffic for outdoor dining and performance space. No other approvals are required, except 7 days' notice to the public, Transport, and Police.
- Council can use issue a permit (under s144 of the *Roads Act 1993*) for a 'neighbourhood activity' such as a Christmas party. No other approvals are required.

Resources and support

- Councils can bring any event or proposal to the LTF for coordination or advice at their discretion.
- Refer to Transport's event management guidelines for additional support.

NSW GOVERNMENT

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Understanding key terms

Regulation of traffic and PTCD

transport.nsw.gov.au | *July 2025*

What is 'regulation of traffic'?

'Regulate traffic' is defined in the Dictionary of the Roads Act 1993 to mean "restrict or prohibit the passage along a road of persons, vehicles, or animals"

- Regulation of traffic can be permanent or temporary.
- Temporary regulation happens at worksites every day – usually for safety reasons.
- Permanent regulation includes network changes – such as a mid-block road 'closure' for vehicles that is permeable to people walking or riding bicycles.
- Examples of 'restrict(ing) passage' include one-way controls, peak hour turn bans, or mandatory turns.
- Road features such as roundabouts, raised thresholds, speed humps, or narrower lanes are **not** regulation of traffic because they do not restrict or prohibit passage.

What is a 'prescribed traffic control device' (PTCD) and what is a 'traffic control device'?

A 'prescribed traffic control device' (PTCD) is a sign, signal, marking, structure, or other device that is subject to a Road Rule (meaning penalties apply if ignored).

- Stop signs, traffic signals, dividing lines, and speed limits are all examples of PTCD.
- A 'traffic control device' directs or warns traffic but is not associated with a penalty. An example is a 'curve ahead' sign.
- PTCD are defined in s121 and use requires Transport's authorisation under s122 of the *Road Transport Act 2013*. (See also s26 of the *Road Transport (General) Regulation 2021*.)
- The *Authorisation and Delegation Instrument* provides this authorisation, subject to conditions and exclusions.



What is a 'traffic control facility' and what is 'traffic control work'?

'Traffic control facilities' include both ordinary and prescribed traffic control devices, as well as some other facilities, such as pedestrian bridges and underpasses.

- For a full definition, refer to s8A in Schedule 1 the *Transport Administration Act 1988* and s9 of the *Transport Administration (General) Regulation 2018*.
- *'Traffic control work'* is any activity in connection with the installation, maintenance, or removal of a traffic control facility (refer to the Dictionary).

Council's powers

- s71 of the *Roads Act 1993* grants councils the power to do *road work* (defined in the Dictionary)
- s87 of the *Roads Act 1993* grants councils the power to carry out *traffic control work*
- s115 of the *Roads Act 1993* grants councils the power to *regulate traffic* to undertake road work, other work, and for other prescribed purposes such as preventing damage to a road

Transport's powers

- ss71, 87 of the *Roads Act 1993* allow Transport to do *road work* and *traffic control work* on any road
- s115 of the *Roads Act 1993* grants Transport the power to *regulate traffic* 'for any purpose'
- The *Authorisation and Delegation Instrument* delegates Transport's s115 power to councils (subject to conditions), which means councils can also regulate traffic for any purpose – inc. a parade or event

NSW GOVERNMENT

This note is intended to aid practitioners using the Authorisation and Delegation Instrument. To ensure legal and technical compliance, please refer to the Instrument itself, the associated Guide, and Transport's website.

Implementing the 2025 Instrument

What do councils need to do?

transport.nsw.gov.au | *July 2025*

- The new 2025 Authorisation and Delegation Instrument **replaces previous delegations**
- The Instrument gives councils **streamlined options** for the management of unclassified roads
- It is **up to councils** whether to **choose** to use the new streamlined options

Key changes from the *2011 Delegation to Councils*

- *Local Traffic Committee* (LTC) is renamed *Local Transport Forum* (LTF)
- Councils may sub-delegate functions to staff
- Fewer matters now need to be referred to the LTF
- Greater scope for councils to use roadwork speed limit signs

What choices does Council now have?

- Council can decide which proposals to send to the LTF, noting referral is only mandatory where:
  - regulating traffic for >6 months
  - public transport is negatively affected for >24 hours
- Council can determine the frequency of LTF meetings, and invite any additional participants

First steps

- Officers should familiarise themselves with the 2025 Instrument, Guide, and supporting materials
- Advise LTF members and any other interested parties of the changes
- Update LTF meeting materials (e.g. templates, meeting agenda, etc.) as needed
- Update Council meeting materials and procedures (e.g. templates, meeting agendas, etc.) as needed
- Develop procedures (e.g. checklists) to ensure compliance with conditions of the 2025 instrument

Making it work

- Focus the LTF on advice and collaboration, not voting
- Ensure proposals not sent to the LTF in advance are:
  - where relevant, sent to bus operators for consultation
  - where prescribed traffic control devices are used, subsequently recorded at the LTF
- Give NSW Police and Transport 7 days' notice of on-road public events

Managing disagreement

- Where LTF discussion is unable to resolve concerns, the Statement of Concern process documents issues and makes time for further discussion. Council should:
  - wait 7 days if Transport informs the LTF meeting of its intent to file a Statement of Concern
  - respond in writing (to all LTF members) to any Transport-issued Statement of Concern
  - wait a further 7 days after responding before proceeding

Additional related references for practitioners

NSW Design of Roads and Streets Manual (DORAS) *Guides* *More resources* *Cycleway Design Toolbox*
Bus Route Map *Road classifications* *Transport Standards Portal* *Traffic Signs Register*

NSW GOVERNMENT

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C10 – Swimming Pool Management

REPORTING OFFICER	General Manager
ATTACHMENTS	- Nil

INTRODUCTION

Update on the management of the swimming pool for the upcoming season.

COMMENTARY

As reported to the June 2025 meeting, the construction of the new John Houston Memorial Swimming Pool is progressing well and is due for completion in December 2025. Council is required to determine how it wishes to manage the swimming pool for the upcoming season, as Council's contract to manage the swimming pool has expired.

As reported in 2022, Council has, for quite some time, managed the pool with its own staff. The last time this was reviewed prior to 2022 was in 2012 where Council resolved to continue managing the pool with its own staff. Experience has shown that this may not be the most cost-effective solution. In addition, Council has had difficulty in obtaining casual pool staff. This is a common problem across rural LGA's with many councils' reporting difficulty in attracting staff or contractors to manage their local pools.

The John Houston Memorial Swimming Pool is free of charge and has operated the following hours:

Tuesday - 3pm to 6pm
Other Weekdays - 3pm to 7pm
Saturday and Sunday - 12pm to 7pm
Morning swimming – Monday to Friday – 6am to 8am

There is no plan to reduce the opening hours or implement an entry fee.

Council has engaged Lifeguarding Services Australia (Lane Cove, NSW) for the past three seasons to manage the pool on Council's behalf. Other than the issue around swimming lessons, the contractor performed satisfactorily. In addition, Council set the management fee of $40,000 per season (20 weeks).

With the new pool build to have heating, it is proposed that the pools be open for six months (26 weeks). Accordingly, any retainer for a contractor is recommended to be set at $60,000 for the season. This has been included in the 2025/26 pool budget.

In regard to swimming lessons, the Pool Management Contract can be strengthened to ensure there is no repeat issues.

If Council wishes to bring the lifeguarding and management of the pools back in-house, other than employing pool lifeguards, there are other activities that would need to be managed that the contractor undertook as part of their contract:

- Cleaning of the pools
- Testing/monitoring/backwashing of the pool water

- Cleaning of the amenities and site
- Mowing of the site

Bringing the management and lifeguarding back in house would require a minimum of 55 hours/week of staff time. Allowing for casual lifeguards, supervision and mowing, its is estimated that it would cost Council $119,000 for the season, in lieu of $60,000 for a contractor.

Any cost either for a contractor or internal staff would be pro-rata based on the length of the 2025/26 season, which most likely will be four months due to the construction of the new pools.

Staff have investigated the potential to have the pool operated unsupervised, as is becoming increasingly common in rural areas due to resourcing constraints. Cabonne Shire Council appears to have a sound arrangement where their pools are unsupervised 6am to 7pm every day and have lifeguards on duty during the busier times.

It should be noted that you must have another person present with you at the facility when you swim, and only people 18 years of age or older are able to obtain the pass to enter unsupervised, however patrons are able bring children along provided the person is an unsupervised pool entry pass holder.

For the John Houston Memorial Swimming Pool, it could be operated unsupervised 7am to 7pm seven days a week, with lifeguards on duty (supervision) as follows:

3pm to 7pm – Monday to Friday; except Tuesdays being 3pm to 6pm

12pm to 7pm – Saturday and Sunday, school holidays and public holidays (except Christmas Day and Boxing Day)

Staff would be on site 6am to 8am, as well as 7pm to 8pm each day for cleaning and water monitoring, as well managing the splash park facility. The mowing and other activities would occur during the day during the unsupervised periods. It would be proposed that the pools would be available to morning swimmers from 7am unsupervised.

Like Cabonne, unsupervised access would not be available during groups use such as school and swimming club bookings. In the event of staff being unavailable, then access to the pool would only be available to unsupervised pool entry pass holders.

For unsupervised entry, a FOB system and App would need to be implemented, with a budget of $10,000 being required for the set up and purchase of the FOB's. It would be proposed that the FOB's are issued free, however a fee be set for a replacement FOB.

Options for the swimming pool management to consider are:

1. Employ staff to manage the pool complex as it has in the past, where a minimum of three casuals is typically required to service the season.
2. Advertise an Expression of Interest (EOI) for a contractor to manage the complex during the season.
3. Have the pool unsupervised. This would be at a high risk, and Council would still need to undertake the cleaning of the pools & amenities, water testing and control, and mowing.
4. Combination of Options 1 or 2 above with Option 3. Staff feel this would be the preferred option and provide an increased availability of the new pools to the public.

It should also be noted that failure to attract either a contractor or staff could result in the pool not opening at the commencement of the upcoming season.

Additionally, Council may wish to consider leasing the pool canteen as a potential revenue source. An Expression of Interest (EOI) could be called to gauge interest and likely lease fee that could be paid to Council.

Council at its July 2025 meeting, resolved that Council:

(a) Manages the swimming pool for the 2025/26 season internally (Council staff).
(b) Proceeds with an unsupervised pool entry system as outlined in the report, funded from the current pool operations budget; and
(c) Calls for an Expression of Interest (EOI) to lease the pool canteen for the 2025/2026 season.

Since the July meeting, staff have:

- Notified the community via the Council Snippets of the proposed change to the pool management for the 2025/26 season;
- Advertised for lifeguards for the upcoming season;
- Prepared rules and a user agreement around the unsupervised pool entry system;
- Commenced engagement of a security company to supply and install an unsupervised pool entry system; and
- Called for EOI for the lease of the pool canteen The EOI closed 18th August 2025 will no submissions received.

Staff are continuing to work on establishing its pool management systems and processes in readiness for the opening of the refurbished complex in mid-December 2025.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Social** 1.2 Recreational, Civic Spaces, and Infrastructure that meet community needs 1.2.1 Enhance public recreation areas and facilities 1.2.2 Placemaking with purpose 1.2.3 Deliver infrastructure that are responsive to the community's needs 1.2.4 Create a safe, inclusive, and resilient community where all members feel secure, supported, and empowered to thrive **Environmental** 2.1 Council is resilient and adaptive 2.1.1 Council considers climate change resilience in our services, and the maintenance and management of our buildings, public spaces and infrastructure. 2.1.2 Foster sustainable energy solutions and practices to reduce Council's footprint. 2.1.3 Climate change risks and opportunities are embedded in our decision making process. 2.3 Celebrate and Promote our unique natural environment 2.2.3 Implement sustainable and eco friendly tourism initiatives 2.4 Enhance the built environment 2.4.1 Maintain and beautify urban areas. 2.4.3 Provision of sustainable infrastructure that is adaptive to changing needs, suitability, betterment and funding levels.

	Economic 3.2 Our community values its history and tourism 3.2.1 Increase tourism and visitor spend 3.2.4 Showcase our open space, recreation and cultural facilities **Civic Leadership** 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance 4.1.2 Monitor and evaluate Council's strategic planning documents 4.1.3 Be environmentally responsible in decision making 4.1.4 Council will seek to continuously improve 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.1 Provide an advocacy role on behalf of the community 4.2.2 Inform and empower community input into decision making 4.2.3 Our community has access to Council information, services and facilities 4.3 Our Council is inclusive and sustainable 4.3.1 Enable an engaged workforce with suitable skills, available in the right place at the right time 4.3.2 Build a strong, collaborative, and supportive team culture 4.3.3 Ensure a financially sound Council that is responsible and sustainable
FINANCIAL IMPLICATION	Moderate – Council's pool operations and maintenance budget for 2025/26 is $319,000, which includes Contractor budget of $60,000 for the upcoming season.
LEGISLATIVE IMPLICATION	Local Government Act 1993
POLICY IMPLICATION	Asset Management Policy and Strategy John Houston Memorial Swimming Pool Master Plan Risk Management Policy Signs as Remote Supervision Policy
ASSET IMPLICATION	Major – the new swimming pool complex will be one of Council's largest single assets
RISK IMPLICATION	Moderate – reputational and safety

RECOMMENDATION

That Council:

(a) Notes the information provided in the report and actions being undertaken; and
(b) Readvertises the Expression of Interest (EOI) to lease the pool canteen for the 2025/2026 season.

C11 – Request to Lease Office Space

REPORTING OFFICER	General Manager
ATTACHMENTS	- EOI from Hay Children Services dated 4th August 2025

INTRODUCTION

Council has called for Expression of Interest (EOI) to lease office space at the Hay Gaol Museum.

COMMENTARY

As reported to the July 2025 meeting, Hay Children Services (HCS) had written to Council seeking office space at the Hay Gaol Museum. Staff at the time met with both the Gaol volunteer and HCS staff to verify if a suitable space is available. It was determined that a room in the old Governors Cottage, approx. 5m x 4m in size, could be made available.

The Hay Gaol site is crown land under the management of Council. Research has confirmed:

- The site is covered by our Plan of Management (POM)
- Gazetted Purpose: Preservation of Historical Sites and Buildings
- PoM Category: General Community Use
- Unable to allow any activity that would dimmish the heritage value of the site
- General community use land is defined in clause 106 of the LG (General) Regulation as land that may be made available for use for any purpose for which community land may be used, and does not satisfy the definition of natural area, sportsground, park or area of cultural significance. The core objectives for management of land categorised as a 'general community use' are in Section 36I of the LG Act as:
  - to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:
    - in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
    - in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).
- Council is able to enter into a lease by tender (EOI) of which childcare/kindergarten is permissible. A lease is not permitted to be longer than 30 years.
- Council issues a lease under section 46(1)(b) of the LG Act, leases, licences and other estates formalise the use of community land. A lease, licence or other estate may be granted to organisations and persons, community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities. The lease or licence must be for uses consistent with the reserve purpose(s), the assigned categorisation and zoning of the land, be in the best interests of the community as a whole, and enable, wherever possible, shared use of community land.

Staff recommended that, in accordance with the LG Act, an Expression of Interest (EOI) is called for the lease of the room in the Governors Cottage building for the purpose of office space with the following conditions:

- Fit out by lessee
- Cleaning of office space and hallways by lessee

- Proportion of electricity account to be paid by lessee, based on a 50/50 split of account
- Lessee to provide Public Liability Insurance to cover the site
- Internet/telephone by lessee
- No kitchen or toilet facilities are available for use by lessee
- Initial lease 12 months with option of 2 x 12-month extensions
- Annual lease amount to be confirmed

EOI were called which closed on 18th August 2025. A submission was received from the HCS (see attached).

Accordingly, staff recommend accepting the offer from HCS and enter into a lease for the office space at the Hay Gaol Museum.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Social** 1.4 Our youth and aged are supported 1.4.1 Advocate for greater capacity for local based childcare services 1.4.2 Support youth and aged services and initiatives 1.5 Our community is inclusive and sustainable 1.5.1 Residents of all abilities and cultures have access to public facilities **Economic** 3.1 Our community welcomes new and innovative industry to support our future 3.1.1 Future Ready Businesses 3.1.2 Strengthen Business Support Services 3.1.5 Identify opportunities to grow the agricultural sector 3.3 Our community is resilient and adaptive 3.3.3 Reimagined Care Economy **Civic Leadership** 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.2 Inform and empower community input into decision making
FINANCIAL IMPLICATION	Minor
LEGISLATIVE IMPLICATION	Local Government Act 1993 Crown Land Management Act 2016
POLICY IMPLICATION	N/A
ASSET IMPLICATION	Minor – would allow for the use of an underutilised space
RISK IMPLICATION	Minor

RECOMMENDATION

That Council:

(a) Accepts the Expressions of Interest (EOI) offer from the Hay Children Services to lease office space in the Hay Goal Museum Governors Cottage building; and

(b) Authorises the General Manager to enter into the lease with the Hay Children Services for 12 months, with options to extend 2 x 12 months, commencing 15th September 2025, in the amount of $2,600 per annum (excluding GST).

348 Church Street, Hay NSW 2711
02 6993 1757 | admin@haycs.com.au
ABN: 26 553 005 269 | Provider CCS ID: 190030893L

04/08/2025

General Manager
Hay Shire Council
134 Lachlan Street
Hay NSW 2711
mail@hay.nsw.gov.au

To the Hay Shire Council General Manager,

Re: Expression of Interest – Lease of Office Space at Governor's Cottage, Hay Gaol Museum

Hay Children's Services Inc. is pleased to submit our Expression of Interest in relation to the office space available at the Governor's Cottage, Hay Gaol Museum, as advertised by Hay Shire Council.

As the largest provider of Early Childhood Education and Care Services in Hay, we are seeking to expand our operational capacity through the lease of suitable office premises. The Governor's Cottage presents a highly suitable and practical location, situated directly across from our existing Hay services.

Our EOI submission is as follows:

- **Name and Contact Details:**
  Emily Perkins – General Manager Hay Children's Services Inc.
  Phone: 0400 750 801
  Email: emily.perkins@haycs.com.au
- **Proposed Use of the Space:**
  The leased space will be used solely for administrative purposes. It will be regularly occupied by one full-time office-based employee, Monday to Friday, between 7:00am and 6:00pm, with occasional use by part-time staff. No childcare will be facilitated on site and no children will be present at any time. The office will be used for confidential meetings, staff workstations, and administrative tasks.
- **Proposed Annual Lease Fee:**
  $2,600.00 per annum (excluding GST)

We understand and accept the conditions outlined in the EOI, including fit-out, cleaning, shared electricity costs (50/50), provision of public liability insurance, and installation of internet/telephone at our own cost.

We are committed to working cooperatively with Council and any other Gaol users and maintaining the space respectfully.

Thank you for considering our submission.

Kind regards,

Emily Perkins
General Manager
Hay Children's Services Inc.

C12 - John Houston Memorial Swimming Pool Replacement Project

REPORTING OFFICER	General Manager
ATTACHMENTS	Nil

INTRODUCTION

An update on the John Houston Memorial Swimming Pool Replacement Project. The swimming pool is now closed for the 2024/2025 season and construction works have commenced.

COMMENTARY

Noting the predicted decline of the complex Council undertook community codesign process in 2020/21 to develop the JHMS Pool Masterplan. The Masterplan outlines a full refurbishment of the complex to create community focused infrastructure with a regional focus. There was overwhelming community support for the plan, and it was adopted by Council in 2021.

The JHMS Pool replacement project is a fully scoped and planned replacement of three swimming pools that will deliver a regional aquatic precinct located in Hay in southwestern NSW. The $7.9 million project constitutes Phase 4 of the 2021 JHMS Pool Masterplan. The proposed project compliments the recently completed amenities block (Phase 3, 2023) and the adjacent Hay Splash Park (Phase 1, 2022). Phase 2 and 5 of the Masterplan are not yet commenced and are out of scope for this project.

The objective of the project is to ensure the community of Hay has access to a public swimming facility through the development of a new energy efficient pool complex. This will ensure that the JHMS Pool complex continues to be a major social hub and a regional facility.

The project includes 3 x new pools, filtration equipment, solar heating, renewable energy supply, recreational facilities and landscaping.
The outcomes of the project include:

- Provision of a high-quality accessible community focused infrastructure that improves social inclusion and community cohesion for all.
- A fit for purpose aquatic precinct that enhances the amenity and liveability of Hay, with corresponding health outcomes.
- A facility that is compliant to latest Standards and guidelines, particularly around inclusion, access, gender equity, First Nations and energy efficiency
- Increased economic activity through the provision of a regional visitor economy attraction.

Council at its meeting 26th November 2024 resolved to award a design and construct contract to ELM Aquatics to undertake the replacement of the John Houston Memorial Swimming Pools. The Hay community will be able to enjoy brand new, state of the art, swimming pools for the 2025-26 swimming season.

Works have commenced on site early March and plan is to be completed by early December 2025, weather permitting. This will mean the community will have shorter pool opening season next year.

Council was advised at the December 2024 Ordinary meeting that the Contractor has commenced design works as required, including investigating heating options for the pools.

The proposed timeline of the project is as follows:

Milestone	Start	Finish
Commence Project	16/09/2024	
Tender Documentation	16/09/2024	20/09/2024
Tendering	23/09/2024	22/11/2024
Award Contracts	25/11/2024	6/12/2024
Pools Detailed Design	9/12/2024	28/03/2025
Pool Closes – End of Season		2/03/2025
Construction Early Works	10/03/2025	16/05/2025
Construction	19/05/2025	5/12/2025
Pool Opens – Start of Season	5/12/2025	
Project Completion	6/12/2025	20/12/2025

At the December 2024 Ordinary Council meeting resolved to support the use of the community raised funds ($320,397) for the purpose of heating the new pools; as well as form the PCG as follows:

NAME	TITLE
David Webb	HSC – General Manager
Jack Terblanche	HSC – Exec Manager Planning & Compliance
Greg Stewart	HSC – Exec Manager Engineering & Operations
Ali McLean (Alternate to GM)	HSC – Exec Manager Economic Development & Tourism
Cr Carol Oataway	Mayor
Cr Martyn Quinn	Deputy Mayor
Cr John Perry	Councillor
Mark McLean	ELM Aquatics – Pool Construction Contractor
Serena Wall	Community & Swimming Club Representative
Sarah Houston	Houston Family Representative
Ray Woods	First Nations Representative

Since the December 2024 Ordinary meeting, Council has been successful with its Growing Regions Program (GRP) grant application of $4,191,173. This now means that Council does not to draw down on the loan with TCORP and the pool can be replaced debt free. Council's cash contribution towards the project is $100,000. TCORP has since advised that it has cancelled the loan on learning we did not require the funding.

The project budget, following the success of the GRP grant application, is $8,099,275 (including the community raised funds)

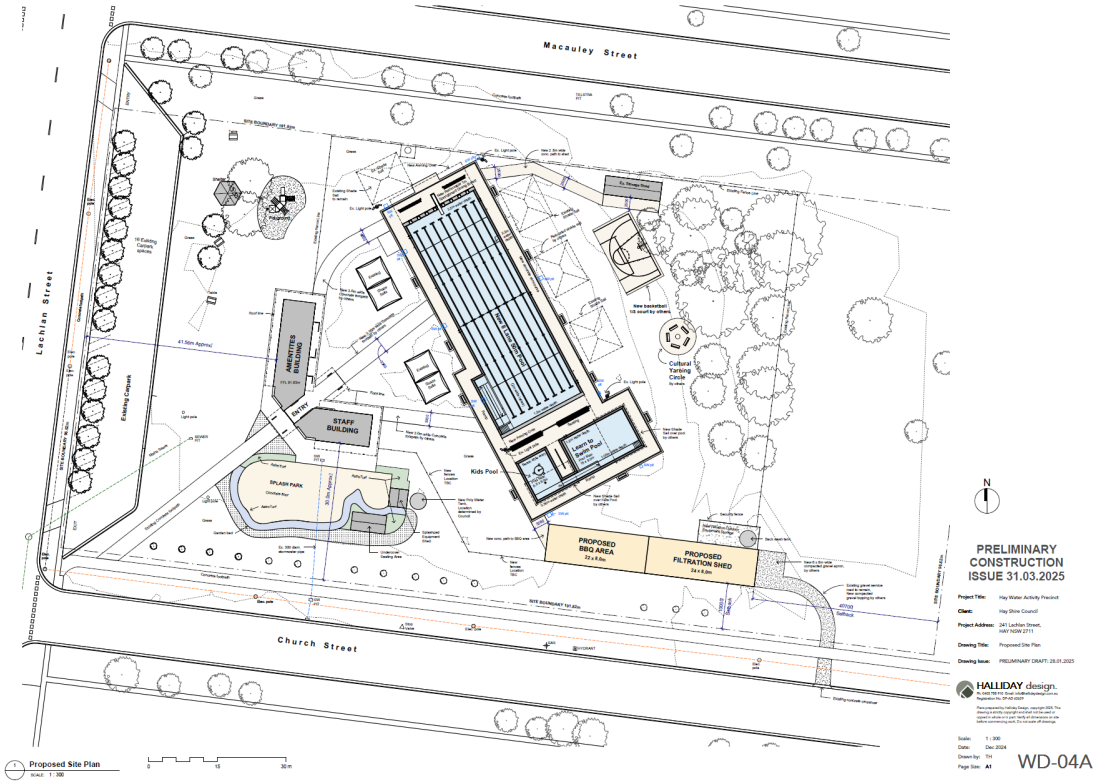
The project still has some risks that Council should be aware:
- A second power supply for the site is required to run the pool heating system and filtration shed. As this requires dealing and gaining approval from Essential Energy (EE) there is a risk this may take longer than planned.
- Asbestos removal – this is now complete, and the risk is mitigated.
- Unsuitable ground under the old pools – this is now known, and the risk is mitigated.
- Project construction timelines proposed by the contractor has the pool open to the public early December 2025, weather permitting. This has now been reviewed with an anticipated completion of mid-December 2025.

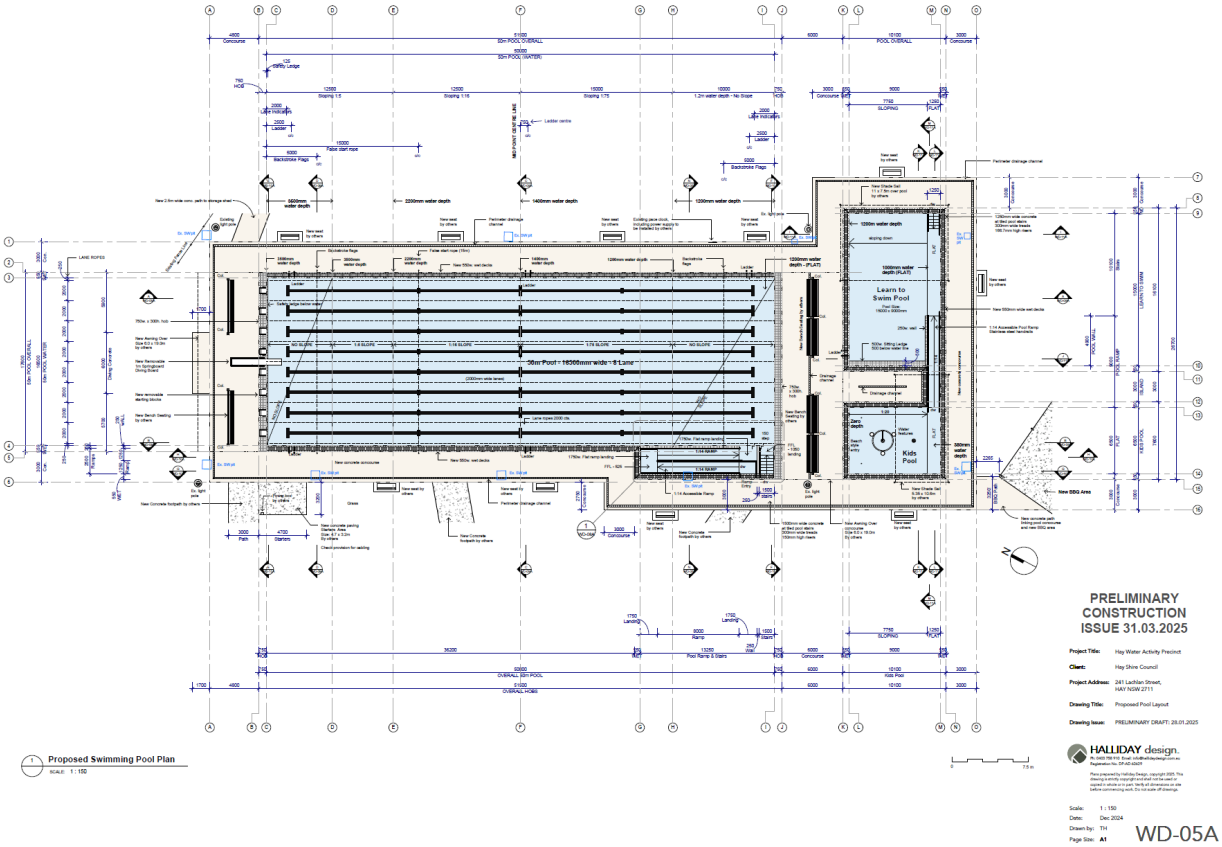
To accommodate the installation of a heating system for the pool(s) the roof area of the plant room shed will be required for the evacuated tubes. The plant room shed will require to be shade free to have an effective heating system.

At the January 2025 Extra Ordinary meeting, Council resolved to:
(a) Note the information provided in the report and actions being undertaking;
(b) Endorse the removal of the four trees and planting of ten new trees on site; and
(c) A further report is brought to Council once the design of the heating system is completed.

The first of the PCG meetings was held on Thursday 6th February 2025. Mr Ray Woods has come onto the PCG as the local First Nations representative. The seventh PCG meeting was held on the Thursday 7th August 2025. The next PCG meeting is scheduled for 4th September 2025.

Detailed design of the pools is now fully completed.





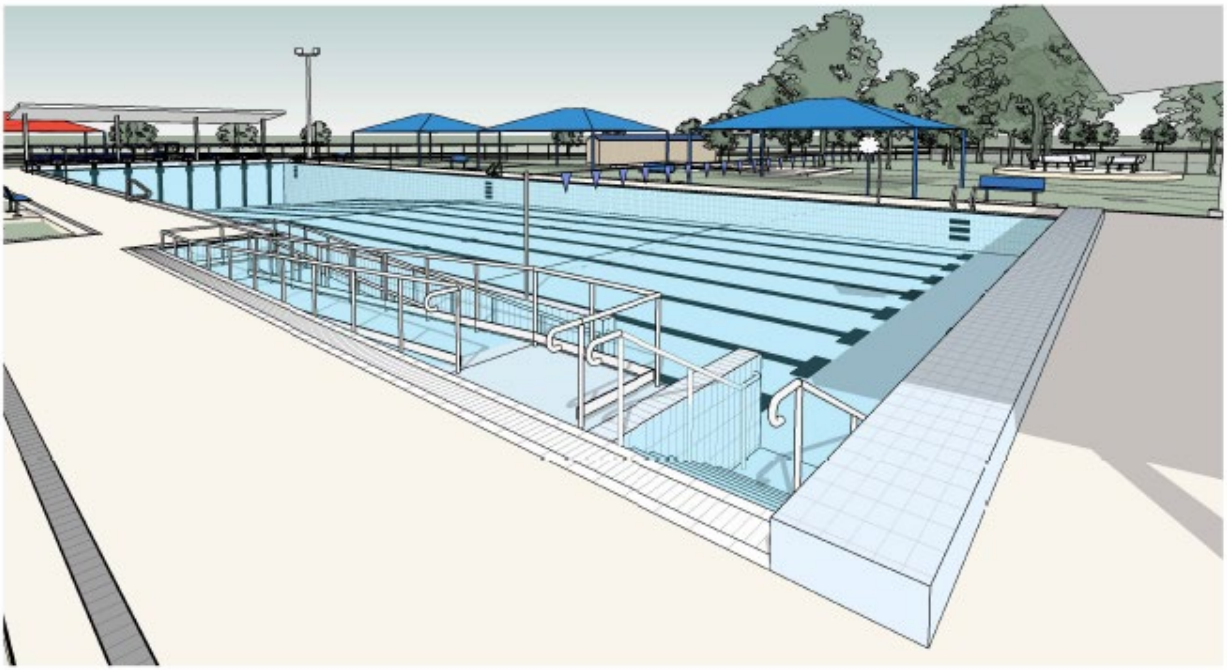
1 Proposed Swimming Pool Plan
SCALE: 1 : 150



PROPOSED 3D VIEW - KIDS POOL & LTS

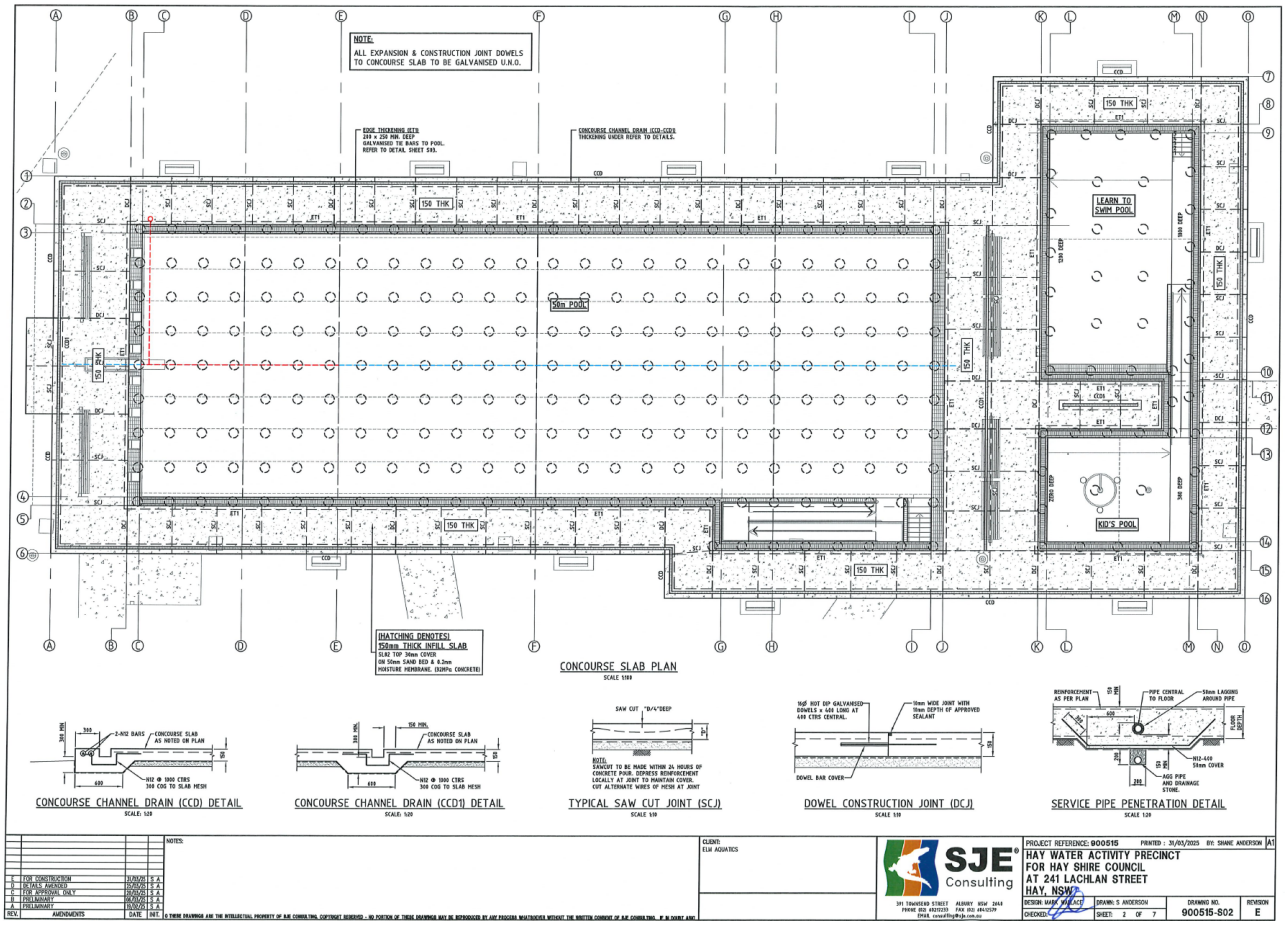


PROPOSED 3D VIEW - KIDS POOL & LTS

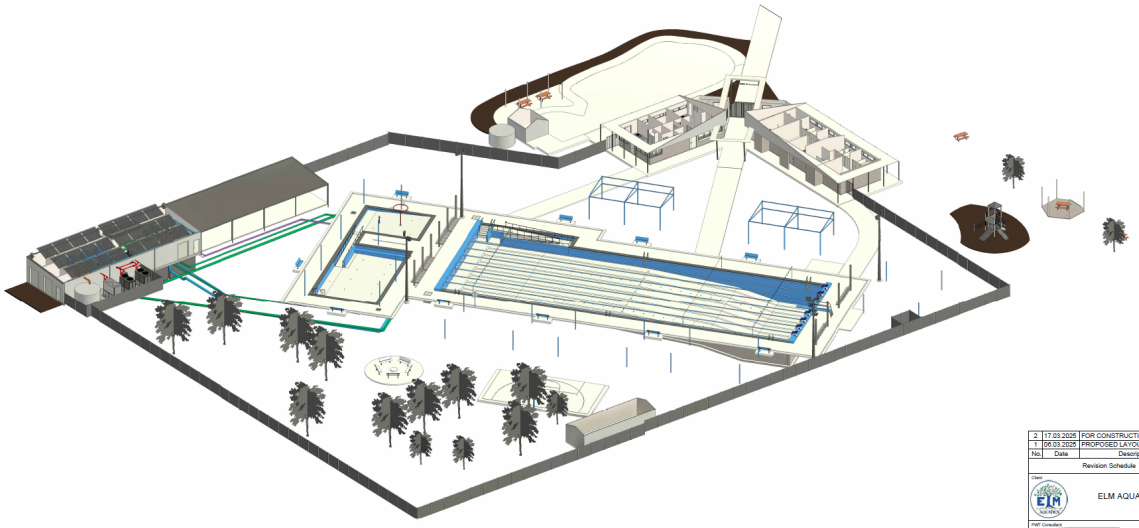







NOTE:
ALL EXPANSION & CONSTRUCTION JOINT DOWELS TO CONCOURSE SLAB TO BE GALVANISED U.N.O.
50m POOL
LEARN TO SWIM POOL
KID'S POOL
150 THK
CONCOURSE SLAB PLAN
CONCOURSE CHANNEL DRAIN (CCD) DETAIL
CONCOURSE CHANNEL DRAIN (CCD1) DETAIL
TYPICAL SAW CUT JOINT (SCJ)
DOWEL CONSTRUCTION JOINT (DCJ)
SERVICE PIPE PENETRATION DETAIL
SJE Consulting
HAY WATER ACTIVITY PRECINCT
FOR HAY SHIRE COUNCIL
AT 241 LACHLAN STREET
HAY, NSW
900515-S02

A1



1 3D-01

No.	Date	Description
2	17.03.2025	FOR CONSTRUCTION
1	06.03.2025	PROPOSED LAYOUT

Revision Schedule

Client: ELM AQUATICS

PWT Consultant: BAO

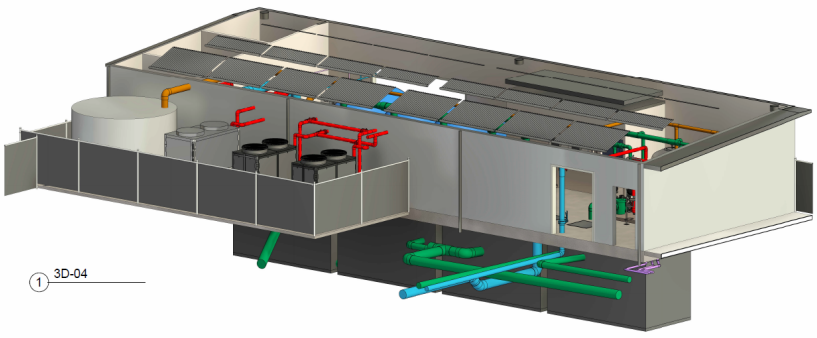
BAO DESIGN Pty Ltd
52 Golden Grove
Beacon Hill NSW 2100
nick@baodesign.com.au

Job Title: JOHN HOUSTON MEMORIAL SWIMMING POOL

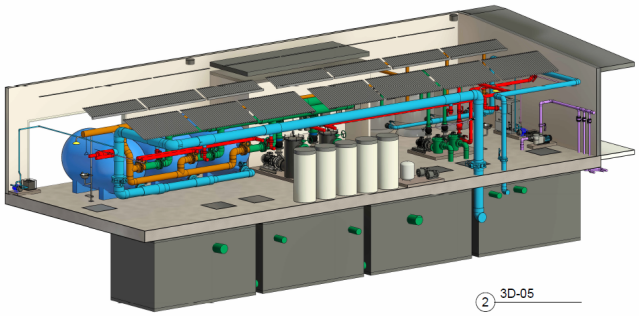
Drawing Title: 3D

Scale	Project No.
As Shown	1519
Drawn: NB / Approved: NB	Date: 19.04.24
Drawing No.: PWT-44	Revision: 2

A1



1 3D-04



2 3D-05

No.	Date	Description
2	17.03.2025	FOR CONSTRUCTION
1	06.03.2025	PROPOSED LAYOUT

Revision Schedule

Client: ELM AQUATICS

PWT Consultant: BAO

BAO DESIGN Pty Ltd
52 Golden Grove
Beacon Hill NSW 2100
nick@baodesign.com.au

Job Title: JOHN HOUSTON MEMORIAL SWIMMING POOL

Drawing Title: 3D PLANT

Scale	Project No.
As Shown	1519
Drawn: NB / Approved: NB	Date: 19.04.24
Drawing No.: PWT-46	Revision: 2

A pool heating specialist consultant has prepared calculations for heating of the LTS and 50m pools, with the system now designed and costed. The attached design heating calculations show for a 6-month season (October to April); 30 degrees for the LTS pool and 27 degrees for the 50m pool can be achieved.

A system of evacuated tubes and heat pumps is proposed as this provides the best heating over the 6-month season:

- Evacuated tube pool heating is a type of solar pool heating system that uses evacuated tubes to heat the pool water. The system circulates the pool water through the solar collector tubes, and the heat is then sent directly to the swimming pool, with no heat exchanger required. The evacuated tube comprises of a smaller glass tube suspended within a larger glass tube, and the air is then pumped out of the space between the small inner tube and the larger outer tube creating a vacuum thermal insulation layer.
- A pool heat pump is a simple and energy-efficient way to keep pool water warm all year round. Unlike a gas or electric pool heater, it doesn't actually generate heat. Instead, it pulls warmth from the air outside and uses it to heat your pool water. When your heat pump is on, a fan draws warm air into the heat pump's evaporator coil. The air heats up the liquid refrigerant inside, turning it into a gas. The gas then passes through a compressor that heats it further. Once it reaches a certain temperature, it moves into the heat exchanger (a tube within a tube) and heats up the pool water. When this is done, the water returns to the pool and the gas goes back to liquid form and starts the process all over again.

A solar and battery system has been designed to reduce energy consumption and operating costs for Council, based on the design loads. A separate system is proposed for the amenities building/splash park and the filtration shed/pool heating. This has now been finalised and ordered.

To accommodate the solar panels the filtration shed is required to be extended (almost doubling in length) which will create additional undercover area for BBQ, picnic settings and a social gathering space. Additionally, an outside area/enclosure for the heat pumps and backwash water tank. Furthermore, the filtration shed, due to the heat generated by the heating system and pumps, requires a cool room for the electrical equipment.

These additional works have all now been ordered.

Following the March 2025 Council meeting, the pool AI Safety System has ordered, as well as the new shade sails, furniture and ½ basketball court.

Following initial feedback from Essential Energy (EE), the design of the secondary power source resulted in additional works and the undergrounding of the mains supply, which was an unplanned additional cost. This has been ordered and costed into the project budget. The final detailed design has been submitted to EE for approval. It is expected that construction works will now commence late September 2025.

Royal Life Saving has developed a final signage layout plan for the site.

Allowing for major elements the current project budget is as follows:

- Total Budget: $8,099,275
- Allocated expenditure: $7,988,536
- Unallocated/contingency: $110,739 (1.37%)

There are no outstanding larger unknown components cost for the project.

Works are progressing well on site. The structure to the 50m pool is complete, with waterproofing and tiling commenced. Earthworks and piering have been completed for the Learn to Swim (LTS) and toddler's pools, with formwork and reinforcement in place in readiness for pouring of concrete. Project planning of the finishing activities such as miscellaneous electrical, plumbing, shade sails, irrigation and landscaping, fencing and site security is now well advanced.



Photo Taken: 15th August 2025

While the project remains on budget, the project program has been reviewed and updated. The project is now due for completion mid-December 2025. A grand opening date of Friday 19th December 2025 has been set.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Social** 1.2 Recreational, Civic Spaces, and Infrastructure that meet community needs 1.2.1 Enhance public recreation areas and facilities 1.2.2 Placemaking with purpose 1.2.3 Deliver infrastructure that are responsive to the community's needs **Environmental** 2.4 Enhance the built environment 2.4.1 Maintain and beautify urban areas. 2.4.2 Support and promote public art initiatives 2.4.3 Provision of sustainable infrastructure that is adaptive to changing needs, suitability, betterment and funding levels. **Economic** 3.2 Our community values its history and tourism 3.2.1 Increase tourism and visitor spend

	3.2.4 Showcase our open space, recreation and cultural facilities **Civic Leadership** 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.2 Inform and empower community input into decision making 4.2.3 Our community has access to Council information, services and facilities
FINANCIAL IMPLICATION	- Significant – project budget is $8.1M - Council has secured $2.99 million in funding from the State Government - Council has secured $4.191 million in funding from the Federal Government Community raised funds for a heated swimming pool in Hay - $320,397
LEGISLATIVE IMPLICATION	Local Government Act 1993
POLICY IMPLICATION	Asset Management Strategy and Policy
ASSET IMPLICATION	Major – the swimming pools are at the end of their useful life
RISK IMPLICATION	Major – Financial and Reputational

RECOMMENDATION

That Council notes the information provided and the actions being undertaken.

C13 - Monthly Financial Report – July 2025

REPORTING OFFICER	General Manager
ATTACHMENTS	Nil

INTRODUCTION

This report provides Council with relevant monthly financial data.

COMMENTARY

1. STATEMENT OF BANK RECONCILIATION

I hereby certify that the various funds of Council have been reconciled with the respective Bank Statements as at 31st July 2025 and the Reconciliation Statement has been entered in the Cash Book.

2. STATEMENT OF CASH BOOK BALANCES

Listed hereunder is the Statement of Cash Book Balances for all funds and accounts for the period ending 31st July 2025.

Fund	April	May	June	July
General	1,789,483.43	4,418,064.14	7,154,545.56	4,282,816.93
Water	2,368,017.12	2,169,103.32	2,372,311.16	2,289,249.65
Sewer	1,262,419.59	1,426,606.38	1,324,395.48	1,060,711.54
Pool Community Funds	320,519.33	320,519.33	320,519.33	320,519.33
Dunera	54,299.16	54,801.86	55,645.21	56,048.01
Total	**5,794,738.63**	**8,389,095.03**	**11,227,416.74**	**8,009,345.46**

3 RATE COLLECTIONS

Net Rates levied on 31/7/2025 $4,781,383.63

4 RESERVES

Council's Reserve funds are listed below: -

	31/07/2025
GENERAL FUND	
Computer Replacement Reserve	31,919.75
Leave Reserve	670,474.44
Aerodrome Reserve	52,274.20
HACC	459,188.23
Financial Assistance Grant	2,402,202.00
Swimming Pool	6,000.00
Carry over Works	-
Capital Works	1,113,352.58
Land Development Reserve	61,168.49
Waste Services	100,000.00
Youth Services	3,014.29
Levee Bank Reserve	624,931.85
Library reserve	13,927.28
LEP reserve	3,677.22
Plant Reserve	284,147.07
Hay Gaol Museum	93,475.91
Bishops Lodge Museum	98,177.70
Long Paddock	7,260.00
Duval Scholarship	20,266.20
Total General Fund	6,045,457.21
WATER FUND	
Renewals Reserve	813,765.77
Total Water Fund	813,765.77
SEWER FUND	
Renewals Reserve	212,906.34
Future Requirements Reserve	1,622,241.80
Total Sewer Fund	1,835,148.14
TOTAL RESERVES	8,694,371.12
Funds Invested other than Reserves	
General Working Funds	1,620,440.15
TOTAL FUNDS INVESTED	10,314,811.27

5. RECORD OF INVESTMENTS

Council's Current Investments are listed below:-

Financial Institution	Date Invested	Date Due	Interest Rate per Annum	No. of Days	Amount of Interest $	Amount Invested $
CBA	29-07-2025	27-10-2025	4.21	90	18,519.92	1,784,051.15
CBA	26-05-2025	25-08-2025	4.15	91	28,698.69	2,773,738.28
NAB - 164525911	02-06-2025	31-08-2025	4.30	90	9,109.96	859,206.94
NAB - 171325926	02-06-2025	31-08-2025	4.30	90	3,576.97	337,361.75
NAB - 808501318	06-06-2025	04-09-2025	4.30	90	27,352.12	2,579,720.66
I.M.B. - 48169	10-07-2025	10-10-2025	4.20	92	8,263.61	780,594.79
Bendigo - 2619308	11-06-2025	11-09-2025	4.20	92	3,964.23	374,467.64
Westpac - 146449	13-06-2025	13-09-2025	4.12	92	8,574.30	825,670.06
Total Investments						**10,314,811.27**

CERTIFICATION

I hereby certify that all investments as of 31st July 2025 have been made in accordance with the Local Government Act 1993, the Local Government Regulations and Council's Investment Policy.

Mark Dowling
Deputy General Manager

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**D Governance and Organisational Performance** *D.1 Our community is supported by a strong and resilient Council that is responsive to its needs* D1.1 Communicate organisational performance to the community D1.2 Council effectively manages its resources D1.3 Council put in place the necessary systems to ensure good governance and to also ensure they are implemented.
FINANCIAL IMPLICATION	High Importance
LEGISLATIVE IMPLICATION	Local Government General Regulation 2005 Local Government Act 1993
POLICY IMPLICATION	Investment Policy
ASSET IMPLICATION	The level of cash reserves needs to be considered in Councils asset management activities
RISK IMPLICATION	The risk is insignificant in relation to reporting of Cash and Investments

RECOMMENDATION

That Council receives and notes the report provided.

C14 - Circulars and other Government Correspondence

REPORTING OFFICER	General Manager
ATTACHMENTS	*(i) OLG Circular 25-15 – Annual Reporting of Labour Statistics– 17th July 2025* *(ii) LGNSW – Advocacy Priorities 2025-2026– August 2025* *(iii) Minister McBain – Letter – Financial Assistance Grants – August 2025* *(iv) OLG – Quarterly Budget Review Guidelines – August 2025* *(v) OLG Circular 25-18 – Updated ministerial guidelines on alcohol free zones – 14th August 2025* *(vi) Local Government Grants Commission – 2025/26 Financial Assistance Grants Allocation –20th August 2025*

INTRODUCTION

Update on various Office of Local Government (OLG) Circulars and other NSW Government advice.

COMMENTARY

Various Office of Local Government (OLG) Circulars and other NSW Government advice have been recently provided to Council:

(i) OLG Circular 25-15 – Annual Reporting of Labour Statistics– 17th July 2025

The OLG has released a circular advising Wednesday, 4 December 2024 has been chosen as the "relevant day" for councils to report on their labour statistics in their annual reports under section 217 of the Local Government (General) Regulation 2021 (the Regulation).

(ii) LGNSW – Advocacy Priorities 2025-2026– August 2025

LGNSW has released its advocacy priorities for 2025-26. While not all their priorities align with our priorities in the Hay Shire, there is no doubt financial sustainability is at the top of the list.

(iii) Minister McBain – Letter – Financial Assistance Grants – August 2025

Minister McBain has responded to our letter in regard to the Financial Assistance Grants, and in particular advocacy around redistribution to those councils with the greatest need, including the Hay Shire. I can confirm that the Mayor and I had a positive meeting with Minister McBain's office while in Canberra recently and it would appear the call for more equitable distribution of the grant funding is gaining some traction.

(iv) OLG – Quarterly Budget Review Guidelines – August 20255

As reported to the March 2025 meeting, the OLG released updated guidelines on the quarterly budget reviews (QBRs), to ensure councillors have effective oversight and are in control of the financial performance of their council. The draft Guidelines outlined the purpose and value of effective financial reporting, highlight roles and responsibilities, and establish standardised Quarterly Budget Review Statement (QBRS) reporting templates.

The OLG has now finalised the guidelines following feedback from the industry. They have watered down some of the proposed changes, with probably the biggest one is that they have not gone down the path of requiring extra assurance from the RAO (Audit Office). The

certification is pretty similar to only prescribe that the officer must make recommendations if position is unsatisfactory.
The proposed framework is mandatory, and all NSW councils will be required to comply with the Guidelines including the standardised QBRS reporting to be presented to councillors, the community and to the OLG. The new requirements are realistic and warranted, however there is a significant amount of additional work for staff to produce the reports. The new QBR requirements are fixed and require Councils to produce the same number of reports as for the LTFP.
Openly available financial information ensure effective oversight, builds trust and confidence and minimises risk. The Guidelines highlight the importance of financial reporting and clarify that councillors have a primary role in determining the financial direction and health of a council.
The major change is the requirement of what could be called a mini QBR to Council each month. This occurs internally at present as part of staff budget management practices, therefore, with some additional work by staff to have this presented to Council each month. The monthly requirements are not unreasonable and comply with section 202 of the General Regulation.
Staff support the new guidelines with the robust and transparent financial reporting.
The new reporting is to commence from November 2025, in line with the first QBR report to Council.

(iv) *OLG Circular 25-18 – Updated ministerial guidelines on alcohol free zones – 14th August 2025*

The OLG has released updated ministerial guidelines on alcohol free zones. The changes appear minor in nature. Council resolved at the July 2025 meeting to prepare a proposal for AFZ and APA in Hay. A public notice has been published, however consultation with the Police, liquor licensees is still in progress, as required under the guidelines. A further report will be brought to Council in due course. The Fact Sheet notes a key point that AFZs and APAs should be used where there is demonstrable community need.

(v) *Local Government Grants Commission – 2025/26 Financial Assistance Grants Allocation – 20th August 2025*

Council has received confirmation of its financial assistance grants allocation for 2025/26 year, with an increase of 5.3%. This aligns with the adopted budgeted increase of 5%.

More importantly, the NSW Local Government Grants Commission has stated it is reviewing its methodology on distribution, including horizontal fiscal equalisation principles, to allocate funding to councils with the greatest need, like Hay. Although the devil will be in the detail, this is positive news.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Civic Leadership** 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance 4.1.2 Monitor and evaluate Council's strategic planning documents 4.1.3 Be environmentally responsible in decision making 4.1.4 Council will seek to continuously improve 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.1 Provide an advocacy role on behalf of the community 4.2.2 Inform and empower community input into decision making 4.2.3 Our community has access to Council information, services and facilities 4.3 Our Council is inclusive and sustainable

	4.3.1 Enable an engaged workforce with suitable skills, available in the right place at the right time 4.3.2 Build a strong, collaborative, and supportive team culture 4.3.3 Ensure a financially sound Council that is responsible and sustainable
FINANCIAL IMPLICATION	Major – majority of risk identified Council is unable to have insurance cover.
LEGISLATIVE IMPLICATION	Local Government act 1993 Local Government (General) Regulation 2005 Environmental Planning & Assessment Act 1979 Companion Animals Act 1998
POLICY IMPLICATION	Nil
ASSET IMPLICATION	Nil
RISK IMPLICATION	Minimal

RECOMMENDATION

That Council notes the information provided in the report.

Circular to Councils

Subject/title	Annual Reporting of Labour Statistics
Circular Details	25-15/ 17 July 2025 / A968418
Previous Circular	24-13 Annual Reporting of Labour Statistics
Who should read this	Councillors / General Managers / Human Resources
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

What's new or changing?

- **Wednesday, 4 December 2024** has been chosen as the "relevant day" for councils to report on their labour statistics in their annual reports under section 217 of the Local Government (General) Regulation 2021 (the Regulation).

What will this mean for council?

- In their 2024/25 annual reports, councils must publish a statement of the total number of persons who performed paid work for them on **Wednesday, 4 December 2024** including, in separate statements, the total number of the following:
    - the number of persons directly employed by the council:
        - on a permanent full-time basis
        - on a permanent part-time basis
        - on a casual basis
        - under a fixed-term contract
    - the number of persons employed by the council who are "senior staff" for the purposes of the *Local Government Act 1993*
    - the number of persons engaged by the council, under a contract or other arrangement with the person's employer, that is wholly or principally for the labour of the person

- the number of persons supplied to the council, under a contract or other arrangement with the person's employer, as an apprentice or trainee.

Key points

- The “relevant day” for the purpose of reporting labour statistics under section 217 of the Regulation is required to be fixed, under delegation, by the Deputy Secretary, Office of Local Government after the end of each financial year. This date is to be a different day to the one fixed by the Deputy Secretary for the previous year.
- This information assists in the compilation of labour force data across the sector, including understanding the numbers of apprentices and trainees.
- The data will also assist in developing and evaluating programs to deliver on the Government’s election commitment of increasing the numbers of apprentices and trainees.

Where to go for further information

- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.



Brett Whitworth
Deputy Secretary, Office of Local Government

LOCAL GOVERNMENT NSW







Advocacy Priorities

2025-2026

ONE VOICE FOR COUNCILS



OVERVIEW OF THE LOCAL GOVERNMENT SECTOR

Employ nearly **50,000 people**

Maintain more than **168,000km of roads & bridges**

Recycle **1.75 million tonnes of waste**

Operate more than **380 libraries that attract tens of millions of visits each year**

Manage an estimated **4 million tonnes of waste each year**

Manage more than **1,800 community & public centres**

Manage more than **$220 billion of community assets**

Spend more than **$2.5 billion each year on caring for the environment**

Make kerbside waste collections for more than **3.1 million households**

Spend more than **$2.4 billion on culture and recreation**

Local Government NSW acknowledges and pays respect to the past, present and future Traditional Custodians and Elders of this nation.

We celebrate the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples, and their rich contribution to Australia.

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PRESIDENT'S FOREWORD

The 2025–26 financial year offers the opportunity for the NSW and Australian Governments to build on recent momentum and partner with councils to deliver real outcomes for communities. Adopting the priorities set out in this document would reflect a commitment from all spheres of government to address some of the greatest challenges our communities face.

For local government, financial sustainability remains the most urgent concern. The 2025 LGNSW cost shifting report revealed NSW councils are now absorbing a staggering $1.5 billion in cost shifting from the NSW and Australian Governments each year – on average $497.40 per ratepayer – a 10 per cent increase in just two years.

Cost shifting, rate pegging, and inadequate funding have pushed many councils to a tipping point, undermining our ability to deliver essential services and infrastructure.

Both state and federal parliamentary inquiries confirmed the severity of this situation. The committee report handed down by the NSW Parliamentary inquiry included excellent recommendations, yet disappointingly, we still await clear commitments or actions to implement these.

The federal inquiry lapsed due to the election and while we are hopeful it will be reinstated in the new Parliament, what councils and communities really need is outcomes. Crucially, this must include the Federal Government restoring Financial Assistance Grants to at least 1 per cent of total Commonwealth taxation revenue.

Opportunities to achieve good outcomes are within reach. The NSW Government is reviewing the Emergency Services Levy (ESL) and the Waste Levy, and councils are eager to see reform of these inefficient and inequitable arrangements.

Councils want to be able to support the NSW Government in its ESL reform, which must include the full removal of the ESL from councils and the NSW Government being responsible for collecting any replacement levy.

Similarly, councils strongly urge the NSW Government to expedite addressing the 'Red Fleet' issue. The 2025 report of the Parliamentary Inquiry into Rural Fire Service assets recommended a clear path forward in line with councils' longstanding positions.

The housing crisis continues to impact communities across NSW, and as our population grows, all governments must ensure growth and density is strategically planned for, in the right places, and supported by the infrastructure that makes our communities livable. This must include greater investment in public, social and affordable housing.

As we grapple with more frequent disasters and a changing climate, communities' ability to prepare for, withstand, and recover from disasters is being constrained by at-risk infrastructure, outdated and inadequate funding arrangements, and limited resourcing.

Local government is committed to working in partnership with state and federal governments. The advocacy priorities over the following pages provide a clear path forward to ensure the best outcomes for councils and communities right across NSW.

Phyllis

Mayor Phyllis Miller OAM
President



FINANCIALLY SUSTAINABLE COUNCILS

The financial sustainability of councils continues to deteriorate under the relentless pressures of inadequate Financial Assistance Grants, rate pegging, increased cost shifting and other state and federal funding arrangements that fall far short of council and community needs.

This has been recently recognised in both state and federal parliamentary inquiries into local government financial sustainability.

There is an urgent need now for action to implement key recommendations of the NSW inquiry in particular to ensure councils can deliver the services and infrastructure NSW communities need, expect and deserve.

Financially sustainable councils means communities can plan for the future, better prepare for disasters and invest in and maintain critical community infrastructure, accommodate growth and support greater density.

▶ **Financial Assistance Grants -** Restore Financial Assistance Grants to 1% of Commonwealth taxation revenue.

▶ **Cost shifting -** Reduce existing cost shifting and prevent any new cost shifts.

▶ **Rating system -** Reform the NSW local government rating system, including:
- Removal of unjustified and inequitable rating exemptions
- Legislating to enable Build to Rent properties to be fairly rated
- Providing greater flexibility in rating structure and practices
- Streamlining the Special Variation process.

▶ **Fees and charges -** Update fixed statutory fees and charges to be more cost reflective and index these costs with inflation.

▶ **Red Fleet -** Legislate to make clear RFS mobile assets are vested in the NSW Government.

▶ **Emergency Services Levy -** Remove the ESL from councils and replace with a transparent, equitable and sustainable funding model, with any new levy collected by the NSW Government.

This is page number 241 of the Business Paper presented to the Ordinary Meeting of the Council 26th August 2025



WELL-PLANNED COMMUNITIES WITH HOMES FOR ALL

Effective planning and housing solutions require genuine collaboration between federal, state and local governments. A strategic, evidence-based approach to planning ensures decisions balance development with environmental and social sustainability, and that infrastructure is delivered in a timely and efficient manner.

Sidelining councils and communities risks harming the social licence for growth and greater density, particularly if development occurs in an ad hoc way, unsupported by necessary infrastructure and in a way that worsens quality of life and productivity. Councils are democratically elected to represent their communities and are best placed to guide local planning decisions.

▶ **Strategic planning -** Re-assert the importance of council-led strategic planning, and democratically elected councils making decisions about local development. The NSW Government to urgently work with councils to finalise the region plan for Sydney and commit to provide direction on all regional plans, to ensure growth and infrastructure investment align.

▶ **Public, social and affordable housing -** Set minimum targets of 10 per cent social and affordable housing across NSW and continue the commitment for at least 30 per cent on government-owned land. Build 5,000 additional units of public and social housing each year for the next 10 years.

▶ **Short-term rentals -** Finalise the overdue review of short-term rental accommodation (STRA) to give everyone greater certainty. Give councils stronger powers to manage non-hosted STRA so they can balance housing needs and the local visitor economy.

▶ **Planning Portal -** Continue the positive work with councils to address issues with the Planning Portal that are affecting approval timeframes. Commit to ongoing funding to councils for implementation.

▶ **State Significant Development -** Reimburse councils for their role in reviewing and contributing to State Significant Development assessment and other state-led planning processes, and improve State Government transparency and accountability requirements.

ROADS AND INFRASTRUCTURE TO SUPPORT COMMUNITIES NOW AND INTO THE FUTURE



Local governments in NSW own and manage physical assets approaching $200 billion in value.

This infrastructure is critical to the effective functioning of local communities. The infrastructure includes roads, footpaths, drainage, water and sewerage, community halls, libraries, recreation and sporting facilities. Our infrastructure enhances liveability, improves productivity and supports population and economic growth. It is crucial that councils have sufficient funding to deliver and maintain this infrastructure.

▶ **Enabling infrastructure -** Urgently provide funding for enabling infrastructure necessary for more housing in metropolitan, regional and rural areas.

▶ **Infrastructure contributions -** Review caps on local infrastructure contributions to make them more reflective of current costs and update the Essential Works List to allow for construction of community infrastructure.

▶ **Roads -** Boost needs-based road funding significantly to improve resilience to extreme weather, reduce renewal backlogs and meet the demands of population growth and the rapidly expanding freight task. This must also include the provision of public and active transport infrastructure.

▶ **Local Water Utilities -** Protect local government ownership and management of Local Water Utilities (LWUs). Introduce a new funding program to support LWUs with the finalisation of the Safe and Secure Water Program, to strengthen water security, resilience and health standards.

▶ **Forever chemicals -** Support councils responsible for Local Water Utilities to remediate PFAS contaminated or vulnerable water supplies. This size and cost of the problem will escalate with the introduction of more rigorous Australian Drinking Water Guidelines.

▶ **Renewable energy development -** Ensure the local and cumulative impacts of renewable energy projects are managed through inclusive consultative processes, funding for councils to update land use strategies, and fair compensation to councils to fund necessary infrastructure and programs.

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CLEANER, GREENER, SUSTAINABLE COMMUNITIES



Local governments remain committed to environmental improvement and building sustainable communities, with a strong emphasis on accelerating the transition to net zero emissions and embracing circular economy principles. This work is crucial not only for mitigating the impacts of climate change and preserving natural ecosystems, but also for ensuring long-term economic resilience, public health, and social equity for current and future generations.

To support these efforts, policy reform and funding are needed to address critical gaps in waste infrastructure and to support the safe disposal of hazardous materials like asbestos. Stronger legislation and support is also required in areas such as companion animal management, biodiversity and illegal tree clearing.

▶ **Waste levy -** Finalise the review of the Waste Levy and reinvest 100% of it to fund the delivery of priority infrastructure and programs as outlined in the Waste and Sustainable Materials Strategy, including actions that support development of a circular economy.

▶ **FOGO -** Provide funding (over and above current funding) to offset council costs of implementing the Food Organics Garden Organics mandate, and work with councils to optimise implementation.

▶ **Climate change mitigation -** Provide dedicated funding and increased capability for councils to support emissions reduction within their own operations and their communities.

▶ **Trees -** Legislate to increase protection of trees, with increased penalties for illegal destruction and vandalism, and provide support to increase urban canopy across NSW.

▶ **Biodiversity -** Build on reforms to biodiversity protections to ensure laws are fit for purpose and address issues of over- and under-regulation.

▶ **Regulatory functions -** Streamline arrangements and provide longer-term funding for councils to better undertake existing and evolving environmental regulatory functions (such as for weeds, companion animals, unattended property and waste)

▶ **Companion animals -** Legislate and provide funding to enable councils to enforce the containment of pet cats.

▶ **Asbestos -** Invest in initiatives to make asbestos disposal simpler, cheaper and safer.



RESILIENT COMMUNITIES
PREPARED FOR A CHANGING CLIMATE

Local communities across NSW are increasingly exposed to the impacts of climate change, including more frequent and severe natural disasters. Councils are at the forefront of this challenge, yet their ability to prepare for, withstand, and recover from disasters is often constrained by at risk infrastructure, outdated funding arrangements, and limited capacity.

Recent ALGA research demonstrated that councils' climate resilient investments are estimated to provide up to $4.7 billion in avoided costs and benefits to communities by 2030. Yet the need is vast and current insufficient funding for betterment and resilience ends up costing communities and all levels of government more in escalated recovery costs.

Investing to bolster the ability of local governments to protect their communities from disasters will bear significant dividends for the NSW economy and more importantly, for the safety and wellbeing of people right across our state.

- **Infrastructure betterment and resilience -** Increase financial support for restoration, remediation and betterment of local community infrastructure, including water and sewerage assets, in advance of disasters where the risks are identified and in the recovery stage.
- **Streamlined recovery funding -** Streamline payment of disaster recovery funding to councils and ease unnecessary administrative burdens.
- **Emergency management capability -** Develop and fund a plan to support emergency management capability in councils in line with Action 25 of the State Disaster Mitigation Plan. This must include funding to develop and implement disaster adaptation plans.
- **Investing in expertise -** Commit to funding of executive-level Local Emergency Management Officers in all councils, along with longer-term funding for Community Recovery Officers post-disaster.

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INCLUSIVE, SAFE AND ENGAGED COMMUNITIES

Councils are central to creating inclusive, safe and engaged communities across NSW. Every day, they deliver services that foster connection, wellbeing and belonging, including through libraries, early childhood education and youth programs, community outreach, arts and cultural programs, and local events. As the level of government closest to the community, councils are uniquely placed to respond to local needs and deliver place-based initiatives that support all members of the community, especially those who may be vulnerable.

With the right investment and policy support, councils can expand their impact and unlock new opportunities to strengthen social cohesion, improve safety, promote equitable access to services and build community resilience.

▶ **Library funding -** Increase the per capita component of NSW Government funding for public libraries in line with inflation, with a longer-term plan to achieve 50/50 funding of public libraries by the state and local governments.

▶ **Arts and culture -** Provide increased resourcing for councils' arts and cultural programs, creative infrastructure and place-based initiatives that support vibrant, inclusive and resilient communities.

▶ **Early childhood education and care -** Provide funding streams that support the viability of councils' significant role in the early childhood sector as a trusted provider of quality early childhood education and care services.

▶ **Rural and regional health -** Improve cooperation between all spheres of government and invest in addressing gaps in health services in rural and regional NSW. Reimburse councils when they fund what should be state and federal health obligations.

▶ **Ageing -** Ensure collaboration across all levels of government to deliver essential aged care services and support aging in place strategies, particularly in areas with thin markets. Provide incentives to attract and retain allied health professionals and home care providers.

▶ **Aboriginal and Torres Strait Islander communities -** Support and resource councils to strengthen their ability to contribute to Closing the Gap outcomes by funding a capacity building and implementation program around the Closing the Gap Toolkit for NSW Councils.

▶ **Community safety and crime -** Implement measures to holistically respond to crime and community safety concerns in areas most at need. Fund community-based early intervention initiatives that improve social cohesion, address neighbourhood disadvantage and prevent crime.

▶ **Primary prevention -** Support and resource councils to work within their communities to address the drivers of gendered and family violence.

This is page number 246 of the Business Paper presented to the Ordinary Meeting of the Council 26th August 2025

INVESTING IN OUR PEOPLE

Local governments are facing increasing pressure to deliver complex services with limited resources. There is a shortage of skilled workers, especially in regional and rural areas, and limited access to training programs for apprentices, trainees, and cadets.

Rapid technological change and innovative service approaches are outpacing many local government employees' current skillsets. There are critical shortages in engineering, planning, technical, and IT skills within local governments. These gaps hinder infrastructure development, digital transformation, and cybersecurity readiness.

Expanded state and federal funding can support partnerships with training providers, create sector-specific training programs, and create a network of skilled professionals. This investment strengthens local capacity and ensures councils can meet future demands.

Funding future rounds of the Fresh start program will ensure a steady flow of apprentices, trainees, and cadets into the local government sector and function as a skills incubator for communities right across NSW.



▶ **Workforce capacity -** Provide expanded state and federal funding for training, education partnerships and skills development initiatives to support apprentices, trainees, cadets and continuous professional development tailored to the local government sector.

▶ **Upskilling and reskilling initiatives -** Fund the promotion and support of programs to upskill and reskill current employees to adapt to changing technologies and service delivery models ensuring access to flexible learning pathways.

▶ **Skill gaps -** Advocate for targeted programs to address shortages in engineering and technical skills crucial for infrastructure, as well as initiatives to enhance digital literacy and IT skills within local governments to support digital transformation and address cybersecurity gaps.

▶ **Fresh Start program -** Provide funding for future rounds of the local government apprentice, trainee and cadets program, to create a sustainable skills development pathway for local government and for NSW more broadly.

LOCAL GOVERNMENT NSW

Photo contributions from a selection of LGNSW members:

Ballina Shire Council
Bathurst Regional Council
Lake Macquarie City Council
Lismore City Council
Maitland City Council
Woollahra Municipal Council

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ONE VOICE FOR COUNCILS



The Hon Kristy McBain MP

Minister for Emergency Management
Minister for Regional Development, Local Government and Territories
Member for Eden-Monaro

Ref: MC25-014209

Mr David Webb
General Manager
Hay Shire Council
134 Lachlan Street
HAY NSW 2711

via: DWebb@hay.nsw.gov.au

Dear Mr Webb David,

Thank you for your letter of 20 June 2025 requesting an increase to the funding pool for Financial Assistance Grant, and a stronger emphasis on Horizontal Fiscal Equalisation in the application of the distribution principles. I am pleased you were able to meet with my office at the recent National General Assembly.

The Australian Government is committed to optimising our support for a strong and sustainable local government sector. This is why, during the last Parliament, we referred the matter of local government sustainability to the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport. The resulting inquiry has ensured that the views of the widest possible range of stakeholders can contribute to a robust, evidence-based examination of the contemporary factors affecting local government sustainability, and options to address these issues.

The committee's interim report of 14 February 2025 reflects concerns shared by more than 280 stakeholders in their written submissions, along with matters raised in 16 public hearings. This is important work, and when the final report and its recommendations are made available in the future we will carefully consider each in turn as part of the Government's response to determine how we can better support local councils.

Thank you for taking the time to write to me on this matter.

Yours sincerely

Kristy McBain MP

7 / 8 /2025

Parliament House, Canberra ACT 2600 Tel: 02 6277 7060 | Email: minister.mcbain@mo.regional.gov.au
Electorate Office: Suite 2, 249 Queanbeyan NSW 2620 Tel: 02 6230 1442 | PO Box 213 Bega NSW 2550 Tel: 02 6492 2242

Department of Planning, Housing and Infrastructure

dphi.nsw.gov.au

NSW GOVERNMENT

Quarterly Budget Review Statement Guidelines

for Local Government

August 2025





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work and seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Quarterly Budget Review Statement Guidelines for Local Government

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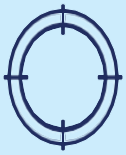
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Why is transparency of performance important?

Effective oversight



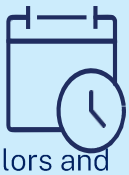
Financial reports must include clear, relevant and meaningful information. They provide councillors and the community with a clear picture of how council is performing, facilitating good decisions that enable council to operate efficiently by measuring progress against goals and objectives.

Transparency



Financial reporting is an important part of a transparent and accountable local government. It enables expectations to be set, monitored and communicated. It acknowledges that each council has its own unique environment and circumstances, and specific transactions and events.

Timely



Regular reporting enables councillors and the community to regularly assess progress and measure the council's financial health. It enables variances to be understood and addressed throughout the year and facilitates timely corrective actions as required. It also enables spending commitments to be managed now and into the future.

Builds trust



Accurate, reliable and openly available financial information builds trust and engagement. It enables councillors and the community to regularly assess councils progress against its intended goals and objectives.

What is the purpose of transparent performance reporting?

Councils manage significant finances on behalf of their communities and play a pivotal role in making sure public money is directed to the assets and services most at need.

Transparent and timely performance reporting enables councillors and council staff to work together to drive and deliver the council's strategic direction, adjust to change and implement risk mitigation measures.

It is critically important that councillors have sufficient information to agree on expenditure and asset management decisions that are in the interest of their communities.

It is equally important that communities have confidence that councillors and council staff are managing council's budget appropriately and prioritising infrastructure and services that meet local needs.

That is why NSW councils are required to prepare and adopt a range of strategic plans, active reporting and performance reports and consider the financial implications of the decisions they make.

Integrated Planning and Reporting (IP&R)



Community strategic planning is the process by which councillors, with their community, establish a vision for the future of the local government area, and develop goals, objectives, strategies and actions to achieve that planned outcome, which is articulated in the council's IP&R documentation.

Annual Reporting

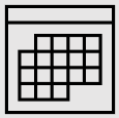


The annual report is a key point of accountability and communication between a council and its community and focuses on the council's implementation of what it committed to deliver in its IP&R documents for the financial year. Council end of year financial statements form part of the annual report. Financial statements provide information about the reported financial position and performance of the council during the financial year.

Quarterly Budget Review Statement (QBRS)



The QBRS is the statutory mechanism by which councillors, council staff and the community are informed of the council's financial performance against the council's original budget, at quarterly intervals.



Monthly Reporting

Monthly reports provide up-to-date reporting of council's financial positions and performance, to enable active tracking and determine future plans and decision making.

The Quarterly Budget Review Statement Guidelines for Local Government (the Guidelines) have been developed to ensure council staff report clearly and consistently to their councillors and communities, and in a manner that provides relevant and easy to read financial information.

The Guidelines outline the purpose and value of effective financial reporting, clarify the roles of council staff, councillors and the community, and establish standardised QBRS reporting templates. The Guidelines also clarify that councillors need to have visibility and be in control of the financial performance of their council.

These Guidelines have been issued under section 203 (3) of the Local Government (General) Regulation 2021 (the Regulation). This means that it is mandatory that all NSW councils, joint organisations and county council comply with the Guidelines including the standardised QBRS reporting to be presented to councillors, the community and to the Office of Local Government (OLG).

Financial reporting supports effective decision making, long-term financial sustainability and highlights budget performance, transparency and accountability to the community

Transparent, accurate and timely council financial reporting:

- provides councillors with effective oversight supporting informed and evidence-based decision making,
- provides clear, simple and meaningful financial information,
- addresses a range of questions to identify ways to improve budgetary performance and accountability, and
- minimises risk by ensuring spending is reasonable and sustainable.

It is essential that councillors understand and ask questions about the council's financial position and financial performance and make necessary budget adjustments.

The following table outlines some of the questions councillors, council staff and the community should ask when reviewing council financial reports.





Do we have effective oversight?

Is our income and expenditure tracking as we expected? If not, why not?

Is our spending reasonable and sustainable and are we operating cost effectively and efficiently?

Are we aware of key risks that could impact financial sustainability?

Are there any events or conditions which mean we need to change our spending or asset management plans?



Is the reporting transparent?

Is the information in our financial reports simple, relevant and current?

Do we have a clear picture of how council is performing?

Are we clearly communicating our financial expectations and progress?

Is there appropropriate commentary or narrative to accompany the numbers?



Is the information timely?

Do we have current information to assess, progress and measure council's financial health?

Do we have the right information to understand how council is tracking against its intended plan and to make decisions, including any necessary budget adjustments?

How soon, or frequently, are we getting the information?



Are we building trust and confidence?

Are we transparent and accountable to our community?

Are we measuring progress against goals and objectives?

Are we doing what we said we would do and are we meeting our service level expectations?



Do we have appropriate risk avoidance measures?

Do we have the capacity to meet our financial obligations?

Do we need to adjust our budget?

Can we explain our budget variances?

Are we in a position to effectively manage likely developments and unexpected financial shocks?

What is the Quarterly Budget Review process?

The quarterly budget review process enables councillors to make timely and informed decisions to ensure the council remains on track to meet its strategic objectives within budget

Section 203 of the Regulation requires the QBRS to include a summary of the council's financial performance at the end of each quarter to ensure councillors, council staff and the community are informed about council's financial progress.

The primary purpose of the QBRS is to:

- clearly communicate the council's overall financial performance
- track the council's progress determined in its original budget against council's last revised budget
- ensure that the council remains on track to meet its planned objectives, targets and outcomes, and
- ensure that the council delivers the infrastructure and services it committed to provide in its strategic plans.

Importantly, it provides a mechanism on a quarterly basis for councillors and council staff to assess and make decisions about any necessary budgetary adjustments to council's financial direction.

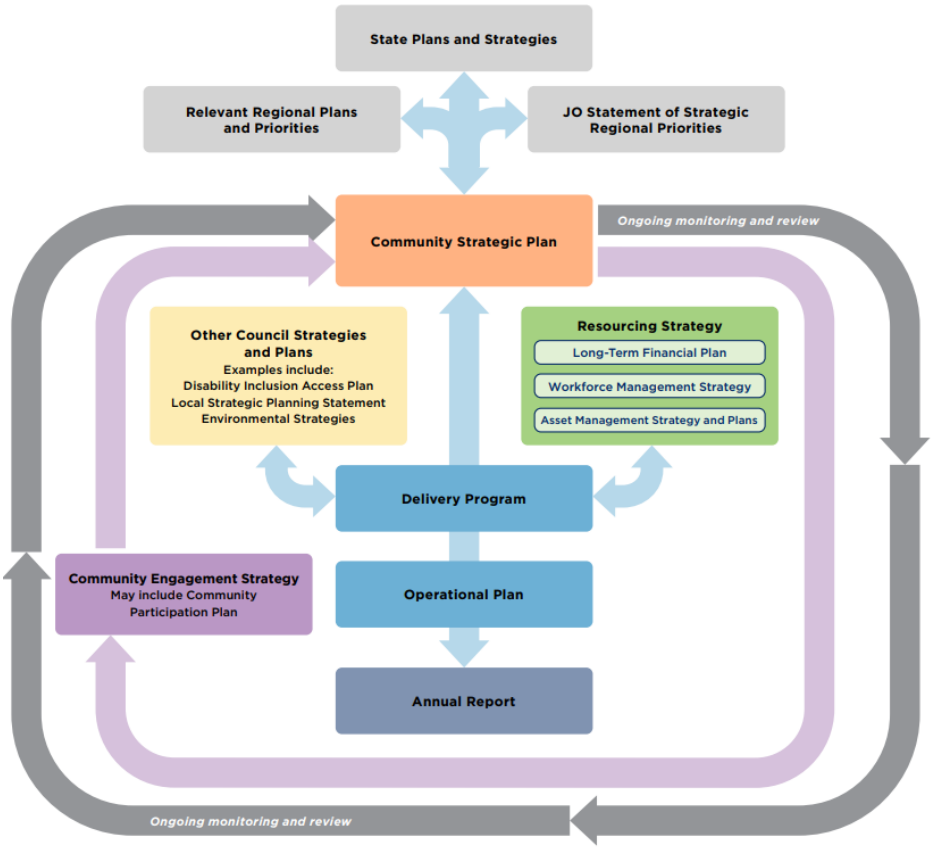
While the QBRS process is an important mechanism for councillors to track, adjust and publish reports about council's financial direction, councillors should not wait for the statutory quarterly financial reporting process. Councillors should request and receive financial reports on a monthly basis to monitor and compare council's income and expenditure

How does the QBRS fit into council strategic planning and annual reporting?

The QBRS enables the council to analyse and monitor how well they are performing against the strategic goals and objectives they set in their Integrated Planning and Reporting (IP&R) documents.

The QBRS refers to the estimate of income and expenditure outlined in the annual budget within the Operational Plan. It details actual results and revises the budget forecast for the remainder of the year. Importantly, it allows councillors to consider, and if required make, budgetary adjustments. QBRS insights and results will inform the next Resourcing Strategy (Long Term Financial Plan) or Delivery Program or lead to an amendment of the Operational Plan.

The graphic below shows how the IP&R framework operates. The QBRS, and council monthly financial reporting, fall into the dark grey 'ongoing monitoring and review' cycle.



Council end of year financial statements form part of a council annual report.

End of year financial statements are backwards looking and are not adequate for internal council reporting or decision-making purposes.

Section 416 of the *Local Government Act 1993* (the Act) requires councils to present their audited financial statements in a prescribed format by no later than 31 October each year. The Code of Accounting Practice and Financial Reporting (Code) prescribes the format for NSW councils.

The Code ensures council financial statements are prepared in a reliable, comparable format as the basis for audit and in compliance with Australian Accounting Standards. The prescribed

format also ensures that the financial statements clearly and consistently communicate each council's end of year financial position to their local community.

Council financial statements are required to be finalised and audited each year by the NSW Audit Office within 4 months after the end of a financial year. They provide a summary of past transactions and are an external report to the public. Given they are backwards looking reports, council end of year financial statements, published in annual reports, should not be used for internal decision-making purposes.

On the other hand, the QBRS is a financial management report, tailored to provide actionable financial information to councillors, as the key decision makers of council. The QBRS uses the latest financial data to ensure councillors are examining and considering the potential impact of their decisions, the likelihood and consequences of risks and the council's ability to respond to unforeseen developments on future financial sustainability.

What are the roles and responsibilities of councillors, councils and the community?

Councillors, council staff and the community all have an active role to play in the financial performance of a council.



The role of councillors

The councillors determine the strategic and spending priorities for the council and are ultimately responsible for their councils' financial performance

Mayors and councillors must make open, transparent decisions and ensure strong accountability to their community. They are responsible for looking closely at what the council is spending, how assets are managed and ensuring the council is delivering value for money by containing expenditure within income.

The QBRS is a key process to ensure councillors achieve the objectives and targets they agreed to in their suite of IP&R documents.

Councillors have a crucial role in overseeing the sound financial management of their council and under section 8B of the Act they are responsible for ensuring:

- spending is responsible, sustainable and that council revenue and expenses are aligned,
- council is investing in responsible and sustainable infrastructure for the benefit of its community,
- council financial and asset management policies are sound and effective, including its performance management and reporting, asset management and enhancement, funding decisions and risk management practices, and
- intergenerational equity is achieved by ensuring that the current generation funds council costs and that all decisions consider the long-term financial effects on future generations.

Councillors should ask questions and seek sufficient information from council staff to enable them to understand the financial situation of the council. A range of suggested questions is provided in the '*What is the purpose of transparent performance reporting?*' section of these Guidelines.

If councillors feel they have insufficient information on which to base a decision or monitor or assess a project or proposal it is important that the general manager is asked to provide further information. The general manager has a responsibility to provide councillors with the financial information, advice and support it needs to oversee council's financial management.

Under the Act, councillors have an obligation to make all reasonable efforts to acquire and maintain the skills necessary to perform their role including with respect to understanding council finances.

OLG provides a range of support and resources to assist councillors. OLG's "Hit the Ground Running" webinars and OLG's "Accounting and Financial Reporting" webinars provide councillors with advice about the financial information they should be given. These resources also encourage councillors to question if the information is sufficient and appropriate, could it be streamlined, and if there is additional financial information that would be useful. Copies of the presentations and recordings of the webinars are available for councillors and council staff to access at any time on the OLG website via the Council Portal.

The role of the general manager

The general manager is required to ensure the mayor and councillors are given timely information, advice and support and to ensure the council meets its financial obligations

Section 209 of Regulation outlines the particular responsibilities of the general manager in relation to council accounting practices to ensure:

- compliance with the provisions of the Act, regulations and any other written law relating to a council's financial obligations,
- measures are taken to secure the effective, efficient and economical management of financial operations,
- authorising and recording procedures are established to provide effective control over a council's assets, liabilities, revenue and expenditure and secure the accuracy of the accounting records, and
- that the lines of authority and the responsibilities of council financial and accounting staff are clearly defined.

In relation to the QBRS and council financial performance, section 335(f) of the Act requires the general manager to ensure that the mayor and other councillors are given timely information, advice and support to effectively discharge their duties.

The role of the responsible accounting officer

The responsible accounting officer needs to establish and maintain a system of budgetary control and enable monthly monitoring of council's income and expenditure

The general manager designates someone to be the council's responsible accounting officer (RAO) or can designate themself as the RAO (Regulation s.196).

Section 203 of the Regulation requires the council's responsible accounting officer to prepare and submit a QBRS to a council meeting within 2 months of the end of each quarter.

The purpose of the RAO considering and reporting on council's financial performance in the QBRS is to assess if the council's projected year end result as at the end of each quarter has any likely impact on the council's financial position based on the original estimate of income and expenditure determined in the council's Resourcing Strategy. If the position is unsatisfactory the RAO is required to make recommendations for remedial action.

To do this, the responsible accounting officer needs to:

- Establish and maintain a system of budgetary control (Regulation s.202(a))
- Enable council's actual income and expenditure to be monitored and compared monthly (Regulation s.202(a))
- Report to the next meeting of council if actual income or expenditure is materially different to the original estimate (Regulation s.202(b))
- Submit the QBRS to a council meeting no later than 2 months after the end of each quarter (except June quarter) (Regulation s.203(1))
- Ensure a report is included stating whether the RAO believes the council's financial performance is satisfactory, and if not, what recommendations should be implemented (Regulations s.203 (2 a and b))

These Guidelines also require additional actions from the RAO as outlined in the '*What needs to be reported in the QBRS and when*' section.

The role of the community

Councils manage significant resources and provide a broad range of assets and services for their communities.

Financial reporting is an important part of a transparent, accountable and effectively run council. It is also a critical element to ensure that council is making decisions that are in the best interest of the community, now and into the future, and that the council remains financially sustainable.

Community members should have access to the information outlined in these Guidelines so they can understand, monitor and hold their council to account for its financial wellbeing.

They should review the council's financial reports and ask the questions highlighted in the '*What is the purpose of transparent performance reporting?*' section of these Guidelines.

They should also ensure that the council is reporting it's QBRS on time and in a manner that is openly available to the community.

What needs to be reported in the QBRS and when?

What needs to be presented to a council meeting?

The QBRS needs to provide sufficient information to alert councillors, council staff and the community to any potential issues that may impact the council's ability to achieve the strategies and financial targets set in council's IP&R documentation and to maintain council's targeted financial position

The QBRS should adequately disclose the council's overall financial performance and provide sufficient information to enable informed and transparent decision making.

The QBRS needs to show the revised estimated income and expenditure for the year against the original estimate of annual income and expenditure determined in council's Operational Plan, along with explanations for variances and, if required, recommended changes.

These Guidelines establish the mandated and standardised requirements to be included in a QBRS presented to the councillors at a council meeting, including:

- a QBRS Financial Overview – providing a one-page snapshot of how council is performing at the end of the quarter
- Income and Expenses Budget Review Statement in each of the following formats (where applicable to a council):
    - Consolidated fund
    - General fund
    - Water fund
    - Sewer fund
- Capital Budget Review Statement,
- Cash and Investments Budget Review Statement,
- Summary of Developer Contributions, and
- A report from the RAO stating whether the RAO believes council's financial position is satisfactory, and if not, what recommendations should be implemented.

Councils may add additional narrative, commentary and supplementary information, however each council in NSW must use, and not adjust, the standardised templates in these Guidelines.

These Guidelines also introduce a new requirement for each council to report their QBRS with a covering financial overview and then report at consolidated, general, water, and sewer fund level (where applicable to councils). These Guidelines also introduce a requirement to provide a summary of developer contributions. This shift to report the various council funds will ensure that councillors, council staff and communities have a clear picture of not only how their council is operating at a holistic level, but also how each fund is operating on its own merit.

To build transparency, accountability and community trust, council staff need to ensure the QBRS is easily located on council's website.

Councillors are required to consider the QBRS presented to it, resolve to note the QBRS and adopt appropriate action to correct an unsatisfactory position identified in the QBRS. Council cannot make changes to the budget unless the budget adjustments have been considered and adopted by councillors, as the governing body of the council.

What needs to be reported to the Office of Local Government?

These Guidelines establish a new process requiring all NSW councils to provide OLG with a full copy of each of the QBRS documents mandated in these Guidelines and a copy of the relevant resolution.

These Guidelines also establish a new process for all NSW councils to provide OLG with an electronic QBRS data return on a quarterly basis. OLG will issue an electronic data template, aligned to the templates in these Guidelines, for this purpose.

Separate to the QBRS process and as explained earlier in the 'End of year financial statements' section of these Guidelines, council financial statements are required to be finalised and audited by 31 October each year. These Guidelines, issued under section 203 (3) of the Regulation, mandate the requirement that each council's end of year financial data must be provided in the form of an annual financial data return (FDR) to OLG by 31 October each year.

OLG will use the QBRS and FDR financial reporting data to monitor compliance, undertake performance reviews and risk assessments and, if required, undertake any necessary regulatory enforcement.

Currently the FDR is published on the YourCouncil website. In time, and to ensure the community has readily available and comparable data, OLG intends to also publish council QBRS information on the YourCouncil website.

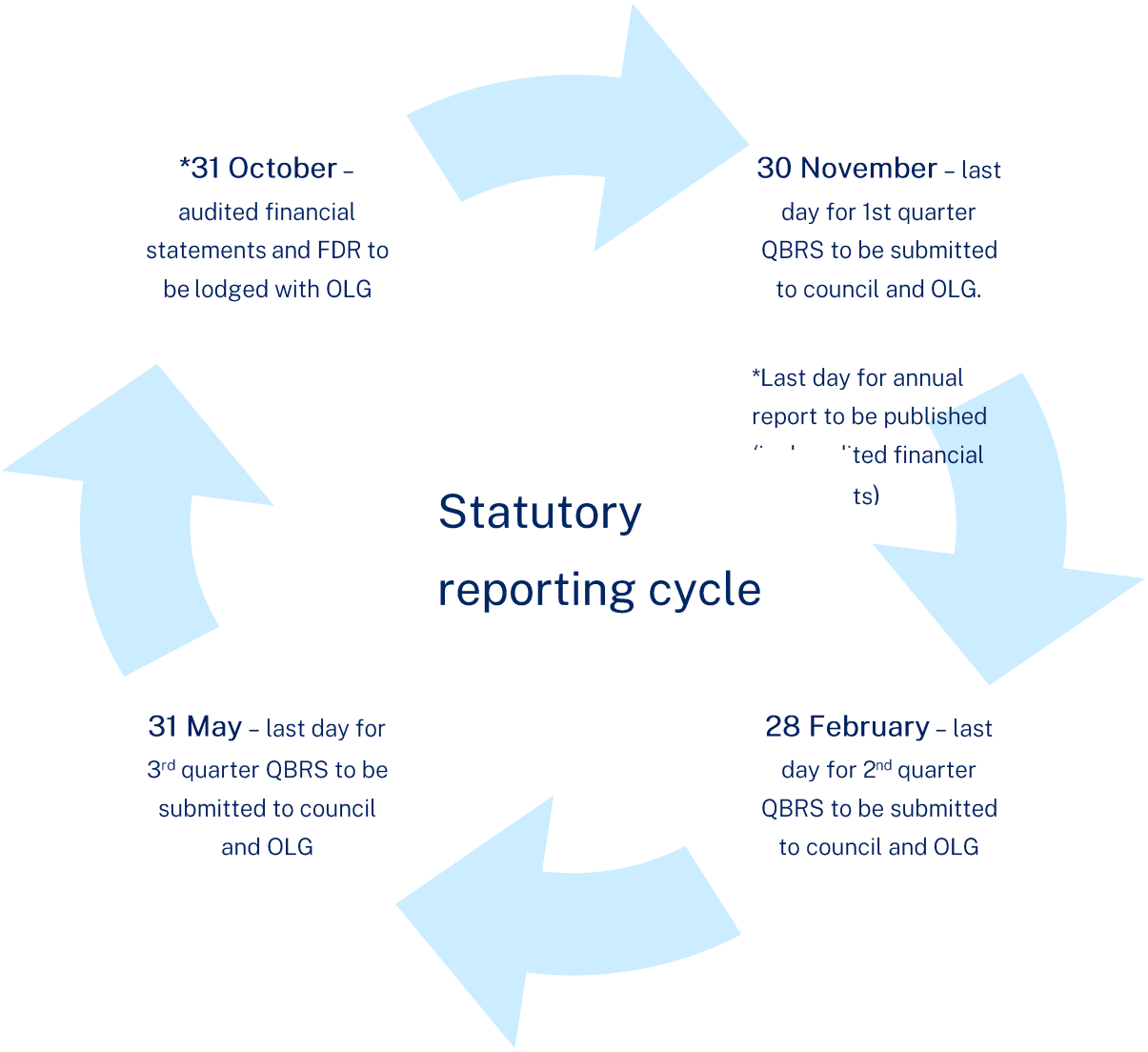
When does the QBRS need to be presented?

Section 203 of the Regulation requires that the QBRS must be reported to councillors at a council meeting within 2 months after the end of each quarter, except the 4th (June) quarter.

The community is entitled to have access to accurate, reliable and openly available financial information. Council staff need to ensure their QBRS documentation is easy to find on council's webpage.

To appropriately manage resources and to understand current council financial positions and performance, monthly financial information should also be prepared, discussed and presented to councillors.

Monthly financial reports should include, as a minimum, an income statement for the month and year to date, a balance sheet, council's cash position, highlight material budget variances and an include an investment report.



While the table above outlines statutory financial reporting timeframes, councillors should not wait for the QBRS to receive an update on their council's financial performance. The items marked with an asterix (*) are not part of the QBRS cycle.

While the QBRS is a mandated report, financial reporting information should be provided to councillors at least monthly – council staff should not wait for the QBRS to present and discuss financial information with councillors.

QBRS minimum reporting templates

Template report by RAO

The following template is the minimum requirement for the RAO's statement and should be submitted with the QBRS minimum reporting templates.

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2021.

It is my opinion that the Quarterly Budget Review Statement for [Name] Council for the quarter ended xx/xx/xx indicates that Council's projected financial position at 30/6/XX will be *satisfactory / unsatisfactory* at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

In the case of an unsatisfactory financial position:

The responsible accounting officer is to state recommendations for remedial action here.

Signed: _____ Date: _____/_____/_____

Name

Responsible Accounting Officer, [Name] Council

QBRS Overview

QBRS FINANCIAL OVERVIEW

(Name) Council

Budget review for the quarter ended - XX XXXXXXX 20XX

DESCRIPTION		Previous Year Actual 20xx/xx $000's	Current Year Original Budget 20xx/xx $000's	Approved Changes Review Q1 $000's	Approved Changes Review Q 2 $000's	Approved Changes Review Q 3 $000's	Revised Budget $000's	Recommended changes for council resolution $000's	Projected Year End (PYE) Result 20xx/xx $000's	VARIANCE ORIGINAL budget v PYE 20xx/xx $000's	ACTUAL YTD 20xx/xx $000's
Net Operating Result before grants and contributions provided for capital purposes	General Fund	0	0	0	0	0	0	0	0	0	0
	Water Fund	0	0	0	0	0	0	0	0	0	0
	Sewer Fund	0	0	0	0	0	0	0	0	0	0
	Consolidated	0	0	0	0	0	0	0	0	0	0
Operating Result from continuing operations (with capital grants and contributions) excluding depreciation, amortisation and impairment of non financial assets	Consolidated	0	0	0	0	0	0	0	0	0	0
Borrowings	Total borrowings									0	
Liquidity	External restrictions	0	0	0	0	0	0	0	0	0	0
	Internal Allocations	0	0	0	0	0	0	0	0	0	0
	Unallocated	0	0	0	0	0	0	0	0	0	0
	Total Cash and Cash Equivalents	0	0	0	0	0	0	0	0	0	0
Capital	Capital Funding	0	0	0	0	0	0	0	0	0	0
	Capital Expenditure	0	0	0	0	0	0	0	0	0	0
	Net Capital	0	0	0	0	0	0	0	0	0	0

		Opening Balance As at 1 July 20xx $000's	Total Cash Contributions Received As at this Q $000's	Total Interest Earned As at this Q $000's	Total Expended As at this Q $000's	Total Internal Borrowings (to)/from As at this Q $000's	Held as Restricted Asset As at this Q $000's	Cumulative balance of internal borrowings (to)/from As at this Q $000's
Developer Contribution	Total Developer Contributions	0	0	0	0	0	0	0

Income and Expenses Budget Review Statement – Consolidated Fund

Income and Expenses Budget Review Statement

[Name] Council

Budget review for the quarter ended - XX XXXXXXX 20XX

Consolidated Fund

Description	Previous Year Actual 20xx/xx $000's	Current Year Original Budget 20xx/xx $000's	Approved Changes Review Q1 $000's	Approved Changes Review Q2 $000's	Approved Changes Review Q3 $000's	Revised Budget $000's	Recommended changes for council resolution $000's	Projected Year End (PYE) Result 20xx/xx $000's	VARIANCE ORIGINAL budget v PYE 20xx/xx $000's	ACTUAL YTD 20xx/xx $000's
INCOME										
Rates and Annual Charges									0	
User Charges and Fees									0	
Other Revenue									0	
Grants and Contributions - Operating									0	
Grants and Contributions - Capital									0	
Interest and Investment Income									0	
Other Income									0	
Net gain from disposal of assets									0	
Total Income from continuing operations	0	0	0	0	0	0	0	0	0	0
EXPENSES										
Employee benefits and on-costs									0	
Materials & Services									0	
Borrowing Costs									0	
Other Expenses									0	
Net Loss from Disposal of Assets									0	
Total Expenses from continuing operations excluding depreciation, amortisation and impairment of non financial assets	0	0	0	0	0	0	0	0	0	0
Operating Result from continuing operations excluding depreciation, amortisation and impairment of non financial assets	0	0	0	0	0	0	0	0	0	0
Depreciation, amortisation and impairment of non financial assets									0	
Operating result from continuing Operations	0	0	0	0	0	0	0	0	0	0
Net Operating Result before grants and contributions provided for capital purposes	0	0	0	0	0	0	0	0	0	0

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 – General Fund

Income and Expenses Budget Review Statement

[Name] Council

Budget review for the quarter ended - XX XXXXXXX 20XX

General Fund

Description	Previous Year Actual 20xx/xx $000's	Current Year Original Budget 20xx/xx $000's	Approved Changes Review Q 1 $000's	Approved Changes Review Q 2 $000's	Approved Changes Review Q 3 $000's	Revised Budget $000's	Recommended changes for council resolution $000's	Projected Year End (PYE) Result 20xx/xx $000's	VARIANCE ORIGINAL budget v PYE 20xx/xx $000's	ACTUAL YTD 20xx/xx $000's
INCOME										
Rates and Annual Charges									0	
User Charges and Fees									0	
Other Revenue									0	
Grants and Contributions - Operating									0	
Grants and Contributions - Capital									0	
Interest and Investment Income									0	
Other Income									0	
Net gain from disposal of assets									0	
Total Income from continuing operations	0	0	0	0	0	0	0	0	0	0
EXPENSES										
Employee benefits and on-costs									0	
Materials & Services									0	
Borrowing Costs									0	
Other Expenses									0	
Net Loss from Disposal of Assets									0	
Total Expenses from continuing operations excluding depreciation, amortisation and impairment of non financial assets	0	0	0	0	0	0	0	0	0	0
Operating Result from continuing operations exluding deprecitation, amortisation and impairment of non financial assets	0	0	0	0	0	0	0	0	0	0
Depreciation, amortisation and impairment of non financial assets									0	
Operating result from continuing Operations	0	0	0	0	0	0	0	0	0	0
Net Operating Result before grants and contributions provided for capital purposes	0	0	0	0	0	0	0	0	0	0

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 – Water Fund

Income and Expenses Budget Review Statement

[Name] Council

Budget review for the quarter ended - XX XXXXXXX 20XX

Water Fund

Description	Previous Year Actual 20xx/xx $000's	Current Year Original Budget 20xx/xx $000's	Approved Changes Review Q 1 $000's	Approved Changes Review Q 2 $000's	Approved Changes Review Q 3 $000's	Revised Budget $000's	Recommended changes for council resolution $000's	Projected Year End (PYE) Result 20xx/xx $000's	VARIANCE ORIGINAL budget v PYE 20xx/xx $000's	ACTUAL YTD 20xx/xx $000's
INCOME										
Access Charges									0	
User Charges									0	
Fees									0	
Grants & Contributions - Operating									0	
Interest and Investment Income									0	
Other Income									0	
Net gain from disposal of assets									0	
Total Income from continuing operations	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
EXPENSES										
Employee benefits and on-costs									0	
Materials & Services									0	
Borrowing Costs									0	
Water purchase charges									0	
Calculated taxaxtion equivalents									0	
Debt guarantee fee									0	
Other Expenses									0	
Net Loss from Disposal of Assets									0	
Total Expenses from continuing operations excluding depreciation, amortisation and impairment of non financial assets	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Operating Result from continuing operations excluding depreciation, amortisation and impairment of non financial assets	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Depreciation, amortisation and impairment of non financial assets									0	
Surplus / Deficit from continuing operations before capital amounts	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Grants and Contributions - Capital									0	
Surplus / Deficit from continuing operations after capital amounts	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**

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 – Sewer Fund

Income and Expenses Budget Review Statement

[Name] Council

Budget review for the quarter ended - XX XXXXXXX 20XX

Sewer Fund

Description	Previous Year Actual 20xx/xx $000's	Current Year Original Budget 20xx/xx $000's	Approved Changes Review Q1 $000's	Approved Changes Review Q 2 $000's	Approved Changes Review Q 3 $000's	Revised Budget $000's	Recommended changes for council resolution $000's	Projected Year End (PYE) Result 20xx/xx $000's	VARIANCE ORIGINAL budget v PYE 20xx/xx $000's	ACTUAL YTD 20xx/xx $000's
INCOME										
Access charges									0	
User charges									0	
Liquid trade-waste charges									0	
Fees									0	
Grants and contributions - Operating									0	
Interest and Investment Income									0	
Other Income									0	
Net gain from disposal of assets									0	
Total Income from continuing operations	0	0	0	0	0	0	0	0	0	0
EXPENSES										
Employee benefits and on-costs									0	
Materials & Services									0	
Borrowing Costs									0	
Calculated taxation equivalents									0	
Debt Guarantee fee									0	
Other Expenses									0	
Net Loss from Disposal of Assets									0	
Total Expenses from continuing operations excluding depreciation, amortisation and impairment of non financial assets	0	0	0	0	0	0	0	0	0	0
Operating Result from continuing operations excluding depreciation, amortisation and impairment of non financial assets	0	0	0	0	0	0	0	0	0	0
Depreciation, amortisation and impairment of non financial assets									0	
Surplus / Deficit from continuing operations before capital amounts	0	0	0	0	0	0	0	0	0	0
Grants and Contributions - Capital									0	
Surplus / Deficit from continuing operations after capital amounts	0	0	0	0	0	0	0	0	0	0

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

Capital Budget Review Statement

[Name] Council

Budget review for the quarter ended - XX XXXXXXX 20XX

Description	Previous Year Actual 20xx/xx $000's	Current Year Original Budget 20xx/xx $000's	Approved Changes Review Q1 $000's	Approved Changes Review Q2 $000's	Approved Changes Review Q3 $000's	Revised Budget $000's	Recommended changes for council resolution $000's	Projected Year End (PYE) Result 20xx/xx $000's	VARIANCE ORIGINAL budget v PYE 20xx/xx $000's	ACTUAL YTD 20xx/xx $000's
CAPITAL FUNDING										
Rates & other untied funding									0	
Capital Grants & Contributions									0	
Reserves - External Restrictions									0	
Reserves - Internally Allocated									0	
New Loans									0	
Proceeds from sale of assets									0	
Other - specify									0	
Total Capital Funding	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	0	**0**
CAPITAL EXPENDITURE										
WIP									0	
New Assets									0	
Asset Renewal									0	
Other - specify									0	
Total Capital Expenditure	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	0	**0**
Net Capital Funding - Surplus / Deficit	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**

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

3) 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

Cash and Investments Budget Review Statement

[Name] Council

Budget review for the quarter ended - XX XXXXXXX 20XX

Desciption	Previous Year Actual 20xx/xx $000's	Current Year Original Budget 20xx/xx $000's	Approved Changes Review Q1 $000's	Approved Changes Review Q2 $000's	Approved Changes Review Q3 $000's	Revised Budget $000's	Recommended changes for council resolution $000's	Projected Year End (PYE) Result 20xx/xx $000's	VARIANCE ORIGINAL budget v PYE 20xx/xx $000's	ACTUAL YTD 20xx/xx $000's
Total Cash, Cash Equivalents & Investments										
EXTERNALLY RESTRICTED										
Water Fund									0	
Sewer Fund									0	
Developer contributions - *General*									0	
Developer contributions - *Water*									0	
Developer contributions - *Sewer*									0	
Transport for NSW Contributions									0	
Domestic waste management									0	
Stormwater management									0	
Other (please specify)									0	
Total Externally Restricted	0	0	0	0	0	0	0	0	0	0
Cash, cash equivalents & investments not subject to external restrictions	0	0	0	0	0	0	0	0	0	0
INTERNAL ALLOCATIONS										
Employee leave entitlements									0	
Insert nature of allocation									0	
Insert nature of allocation									0	
Insert nature of allocation									0	
Total Internally Allocated	0	0	0	0	0	0	0	0	0	0
Unallocated	0	0	0	0	0	0	0	0	0	0

External Restrictions - must be used for a specific purpose and are not to be used for general operations. The funds are bound by legislation or third party agreement that restricts their use.

Internal Allocations - Council have allocated by resolution or policy to iidentified programs of work and any forward plans identified by Council. These allocations are at the discretion of council.

Developer Contribution Summary

Summary Developer Contributions

[Name] Council

Budget review for the quarter ended - XX XXXXXXX 20XX

Purpose	Opening Balance As at 1 July 20xx $000's	Contributions Received Total Actual Cash As at this Q $000's	Contributions Received Total Non-Cash Land As at this Q $000's	Contributions Received Total Non-Non-Cash Other As at this Q $000's	Total Actual Interest Earned As at this Q $000's	Total Amounts Expended As at this Q $000's	Total Internal Borrowings (to)/from As at this Q $000's	Held as Restricted Asset As at this Q $000's	Cumulative balance of internal borrowings (to)/from As at this Q $000's
Drainage								0	
Roads								0	
Traffic facilites								0	
Parking								0	
Open space								0	
Community facilities								0	
Other								0	
Total S7.11 Under plans	0	0	0	0	0	0	0	0	0
S7.11 Not under plans								0	
S7.12 Levies								0	
S7.4 Planning agreements								0	
S64 Contributions								0	
Other								0	
Total Developer Contributions	0	0	0	0	0	0	0	0	0

Notes

All developer contributions received are to be disclosed, and distinguished as cash or non cash. Recognition occures 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 s7.4,7.11 and 7.12 of the EPA Act 1979.

Developer contributions may only be expended for the purpose for which the contribution s were required, however council mayt applyt contributions according to the priorities established in work schedules for the contribution plan.

Circular to Councils

Subject	Updated Ministerial Guidelines on Alcohol Free Zones
Circular Details	Circular 25-18 / 14 August 2025 / A958894
Previous Circular	*N/A*
Who should read this	Councillors / General Managers / All council staff
Contact	Sector Policy and Frameworks / (02) 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Council to Implement

What's new or changing?

- The Ministerial Guidelines on Alcohol-Free Zones (the Guidelines) have been updated following an administrative review.
- The revised Guidelines incorporate updates to agency names, agency contact details and International Organization for Standardization references.
- The list of councils required to consult with the NSW Anti-Discrimination Board (the Board) on alcohol-free zone (AFZ) proposals has been removed from the Guidelines on advice from the Board.
- Guidelines headings and public notification requirements have been updated to align with the *Local Government Act 1993* (LG Act) and contemporary publication practices.
- The Alcohol-Free Zones and Alcohol Prohibited Areas in NSW Fact Sheet (Fact Sheet) has also been updated to reflect the minor changes to the Guidelines.

What will this mean for council?

- The Guidelines have been prepared under section 646(1) of the LG Act and outline councils' obligations associated with establishment, operation and suspension of alcohol-free zones (AFZs).

- The Fact Sheet provides additional guidance to councils on both AFZs and Alcohol Prohibited Areas (APAs), including key differences and council best practice.
- The revised Guidelines do not list any councils that **must** consult the Board regarding AFZ/APA proposals under Section 644A(3) and 646(3) of the Act.
- The revised Guidelines provide guidance on public notification in line with contemporary publication practices.
- All councils may still consult with the Board regarding AFZ/APA proposals and continue to ensure that their actions, including in the management of AFZ/APAs, do not discriminate against individuals or groups, and should continue to consult with interested parties.

Key points

- The Guidelines have undergone an administrative update and replace the February 2009 Guidelines.
- The Guidelines outline councils' obligations associated with establishment, operation and suspension of AFZs.
- The Fact Sheet has also been updated, providing councils with additional guidance on both AFZs and APAs.

Where to go for further information

A copy of the updated Guidelines is available on the Office of Local Government (OLG) website at https://www.olg.nsw.gov.au/councils/policy-and-legislation/guidelines-and-policy-information-resources-for-councils/guidelines-codes-and-practice-notes/.

A copy of the updated Fact Sheet is available on the OLG website at https://www.olg.nsw.gov.au/councils/council-infrastructure/services-to-communities/alcohol-free-zones-alcohol-prohibited-areas/.

NSW Office of Local Government

For further information on the Guidelines or Fact Sheet, contact OLG's Sector Policy and Frameworks Team on (02) 4428 4100 or by emailing olg@olg.nsw.gov.au.

Anti-Discrimination NSW

Anti-Discrimination NSW (ADNSW) is the NSW Government body that administers *the Anti-Discrimination Act 1977*. ADNSW provides free, confidential enquiries service is available for individuals and organisations seeking information about their rights and responsibilities.

For further information on ADNSW, contact the Enquiries and Complaints team on (02) 9268 5544 or 1800 670 812. ADNSW can also be contacted by emailing complaintsadb@justice.nsw.gov.au.



Brett Whitworth
Deputy Secretary
Office of Local Government

Alcohol-Free Zones and Alcohol Prohibited Areas in NSW

Key points

- Alcohol-free zones (AFZs) and alcohol prohibited areas (APAs) may be used by councils to prohibit alcohol consumption in public places to reduce anti-social behaviour and crime.
- AFZs apply to road-related public areas (e.g. public road, footpath or carpark). APAs apply to nonroad-related public places (e.g. parks).
- These measures can help councils to keep public spaces and streets safe and enjoyable for residents and visitors while not discriminating against particular community groups.
- AFZs and APAs should be used where there is demonstrable community need, deal with short-term issues and regularly reviewed to see if they are still needed.
- Used in isolation, AFZs and APAs may simply move a problem from one place to another. They are likely to be more effective when they form part of a broader strategy including things like education, community programs and public place design.

Snapshot Summary

	Alcohol-Free Zones (AFZs)	Alcohol Prohibited Areas (APAs)
Purpose	To prevent anti-social behaviour and alcohol-related crime in public.	To prevent anti-social behaviour and alcohol-related crime in public.
Enabling power	Enables councils to use signage to prohibit the drinking of alcohol in a designated public place.	Enables councils to use signage to prohibit the drinking of alcohol in a designated public place.
Location	A **road-related** public place (such as car park, public road or footpath).	A **non-road-related** public place (such as a park or beach or reserve).
Legislation	Sections 642 - 648 of the *Local Government Act 1993*.	Section 632A of the *Local Government Act 1993*.

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	Alcohol-Free Zones (AFZs)	Alcohol Prohibited Areas (APAs)
Duration Limit	Maximum 4 years.	Not required. **Best practice** is for a council to review it within 4 years.
Special Times and Events	May be established for special events (for example New Year's Eve).	May be established to operate at certain times of the day and for special events (for example New Year's Eve).
Establishment trigger	Request from local community representative, Police or council.	Not required. **Best practice** is for a council to establish where there is local need.
Consultation	Council must consult (allowing at least 30 days for feedback) to decide if an AFZ is appropriate, including with: • Local Police • Local liquor licensees/registered clubs adjacent to a proposed zone • Organisation/s able to speak on behalf of an Aboriginal or culturally and linguistically diverse group • NSW Anti-Discrimination Board if a council is listed in Appendix 2 of the Ministerial Guidelines on AFZs.	Council must consult with: • Local Police • NSW Land and Housing Corporation (If the APA is to be on open space on public housing land, which can only occur when it is adjacent to another APA or AFZ) • NSW Anti-Discrimination Board if a council is listed in Appendix 2 of the Ministerial Guidelines on AFZs. These councils must additionally follow all other AFZ consultation requirements. **Best practice** is for a council to undertake community consultation to decide if an APA is appropriate.
Evidence of need	A proposal to establish an AFZ must be supported by evidence of need.	Not required. **Best practice** is an APA is established only after evidence of need.
Council resolution	Required.	Not required. **Best practice** is for a council to resolve to establish an APA.

	Alcohol-Free Zones (AFZs)	Alcohol Prohibited Areas (APAs)
Signposting	Required. Signs clearly showing restrictions in place, including places at which alcohol consumption is prohibited.	Required. Signs clearly showing restrictions, including places **and times** at which alcohol consumption is prohibited.
Public Notice	Appropriate public notice at least **7 days** prior to establishing an AFZ.	Not required. **Best practice** is for a council to notify the public when establishing an APA.
Enforcement	Council enforcement officers and Police.	Council enforcement officers and Police.
Enforcement power	To tip out or otherwise dispose of alcohol being consumed. **Note:** Focus is to deter irresponsible drinking without imposing fines on potentially disadvantaged people.	To tip out or otherwise dispose of alcohol being consumed. **Note:** Focus is to deter irresponsible drinking without imposing fines on potentially disadvantaged people.
Guidelines	Mandatory Ministerial Guidelines for AFZ establishment and review.	Not required. **Best practice** is to follow the process in the Guidelines.

Why are AFZs and APAs different?

This is largely historic in nature to meet Government policy objectives at the time. If in doubt, best practice is to follow the process to establish, consult on and review both APAs as for AFZs as outlined in the Ministerial Guidelines for AFZs.

Department of Planning, Housing and Infrastructure

Office of Local Government

olg.nsw.gov.au

Ministerial Guidelines on Alcohol-Free Zones

August 2025



Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Ministerial Guidelines on Alcohol-Free Zones

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More information

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Introduction

The object of alcohol-free zones is an early intervention measure to prevent the escalation of irresponsible street drinking to incidents involving serious crime.

The drinking of alcohol is prohibited in an alcohol-free zone that has been established by a council. Public places that are public roads, footpaths or public carparks may be included in a zone. Alcohol-free zones promote the use of these roads, footpaths and carparks in safety and without interference from irresponsible street drinkers.

Any person living or working within an area, the local police or a local community group may ask a council to establish an alcohol-free zone, or a council itself may decide to do so. A proposal to establish an alcohol-free zone must in all cases be supported by evidence that the public's use of those roads, footpaths or public carparks has been compromised by street drinkers. For example, there could be instances of malicious damage to property, littering, offensive behaviour or other crimes.

The council must undertake a consultation process to decide if an alcohol-free zone is appropriate. Once established by council resolution, the roads, footpaths and public carparks within the zone must be signposted and councils are encouraged to place a notice of the zone in a prominent position on the council website, in appropriate social media the council uses and, where practicable, in a locally produced media publication. The maximum duration of an alcohol-free zone is four years, although it may be re-established at the conclusion of the original period, following a review by council of its continuing applicability. Alcohol-free zones may also be established for special events only.

Alcohol-free zones are enforced by the police or by council enforcement officers where the Commissioner of Police gives written authorisation. Any person observed to be drinking in an alcohol-free zone may have the alcohol in their possession immediately seized and tipped out or otherwise disposed of.

Alcohol-free zones are most effective if they are part of a larger program directed at irresponsible alcohol consumption in which the local community is actively involved. Used in isolation they may only move the problem from one place to another.

These Ministerial Guidelines provide local councils with detailed procedures which must be followed in the establishment of an alcohol-free zone. They supplement the relevant provisions of the *Local Government Act 1993* (the LG Act).

Each of the paragraphs of these Guidelines are accompanied by the relevant section reference in the Act. As set out in section 646 of the LG Act, the Ministerial Guidelines must be used by councils when establishing an alcohol-free zone.

The Commissioner of Police may separately issue directions relating to the enforcement of alcohol-free zones.

Guidelines for councils

Valid establishment of an Alcohol-Free Zone

Sections 644, 644A, 644B, 644C and 646 of the LG Act

To validly establish an alcohol-free zone a council must comply with the procedures in sections 644 to 644C of the LG Act as well as those set out in these Guidelines.

The LG Act identifies that alcohol-free zones can be established in those areas which have identified problems with regard to street drinking.

Application for an Alcohol-Free Zone

Section 644 (1) and (2) of the LG Act

One or more of the following people may make application to a local council to establish an alcohol-free zone:

- a person who is a representative of a community group active in the area,
- a police officer, or
- a person who lives or works in the area.

An application to the relevant council is to be made in the form set out at Appendix 1 to these Guidelines. A council may adapt the form, provided the same information is required as a minimum. Councils may consider making the application form available on their website.

An application fee is not appropriate.

If council receives more than one application referring to the same roads, footpaths or public carparks, they may be joined in a single alcohol-free zone proposal.

Proposal for the establishment of an Alcohol-Free Zone

Section 644 of the LG Act

A council may prepare a proposal for the establishment of an alcohol-free zone. In this case, receipt of an application is not necessary as the council itself is initiating action for a zone.

A proposal must be prepared in respect of every proposed alcohol-free zone.

An alcohol-free zone is a means by which a council may limit the locations within its area where the consumption of alcohol is permitted. Because it will impose restrictions on the personal freedom of citizens, a proposal to establish a zone must adequately address the following matters:

1. Reasons to support an Alcohol-Free Zone

The irresponsible consumption of alcohol on roads and footpaths and in public carparks can compromise their safe use by members of the public without interference. Each individual zoning is to be considered according to its particular circumstances.

Reasons for supporting alcohol-free zones must be included and must reflect the fact that irresponsible behaviour arising from the consumption of alcohol is occurring on those roads and footpaths and in those public carparks included in the proposal. This could involve instances of obstruction, littering, the actual commission of, or police intervention to avoid the commission of, more serious offences under the *Law Enforcement (Powers and Responsibilities) Act 2002*, *Summary Offences Act 1988* or the *Crimes Act 1900*, such as malicious damage, etc.

It is not appropriate to consider an alcohol-free zone for reasons that are unrelated to the irresponsible behaviour of drinkers, for example, the congregation of drinkers where irresponsible behaviour does not occur, general conduciveness to business or tourist activities or the personal beliefs of particular citizens.

2. Location of an Alcohol-Free Zone

An alcohol-free zone may only be established to include a public road, footpath or a public place that is a carpark (such as carparks on public land or Crown land). Private carparks (being on private land and not under the control of the council) may not be included.

Generally, an alcohol-free zone should be as small as is possible and must only extend to areas which can be supported by reasons as set out in point 1 above. However, larger alcohol-free zones, sometimes known as ‘whole-town’ alcohol-free zones may be effective in some rural and remote towns where they are supported generally by all stakeholder groups in that community. There are legal issues that need to be considered by councils when such ‘whole-

town' zones are proposed, as some relevant areas of a town will not be public roads, footpaths or public carparks.

Large alcohol-free zones need to be established in a way which is complementary with public places signposted under section 632 of the LG Act. It is not usually appropriate to establish an entire local government area, or a substantial part of that area, as an alcohol-free zone. Similarly, it would usually be inappropriate to zone the greater part of a town, suburb or urban area as alcohol-free.

Alcohol-free zones should primarily be located adjacent to outlets supplying alcohol where drinkers congregate. In the absence of such an outlet a zoning should be considered only in exceptional circumstances. For example, a known hot spot for inappropriate street drinking may be in a public carpark adjacent to a beach or public reserve, but which is many kilometres from an outlet supplying alcohol.

Alcohol-free zones and alfresco dining

In some circumstances an alcohol-free zone may be proposed for an area that includes footpath alfresco dining areas for cafés and restaurants which fall within the zone. When a council issues a licence for the use of public footpaths for such dining use in an alcohol-free zone, it must impose conditions on the licensee (for example a restaurant operator) about the requirements of the zone, including clear delineation and control of the licensed area from the alcohol-free zone.

3. Duration of an Alcohol-Free Zone

An alcohol-free zone may be established for a maximum period of four years. Once established, it applies twenty-four hours per day.

Where a problem with irresponsible street drinking exists only in relation to a special event within the local area, an alcohol-free zone may be established only for that special event. A "special event" is not defined in the LG Act. It could be applied to any event that is of significance to the local area, for example, a local show day, a cultural event such as Tamworth's Country Music Festival, or a particular time of year such as New Year's Eve celebrations. It is for the relevant council to decide what is a "special event" for the purposes of establishing an alcohol-free zone.

An alcohol-free zone declared for a special event also has a maximum duration of four consecutive years. The proposal and related signage need to define the special event that the alcohol-free zone relates to.

The duration of an alcohol-free zone established prior to 3 December 2008 is not extended.

4. Consultation with the Police

In preparing a proposal to establish an alcohol-free zone a council must consult with the relevant Police Local Area Commander about the appropriate number and location of alcohol-free zones.

Council consultation with the interested parties

Section 644A of the LG Act

After preparing a proposal to establish an alcohol-free zone a council is required to undertake a public consultation process. The process under the Act involves all of the following:

1. The council may publish a notice of the proposed alcohol-free zone, allow inspection of the proposal and invite representations or objections within 14 days from the date of publication. The notice should state the exact location of the proposed alcohol-free zone, and the place and time at which the proposal may be inspected.
2. The council must send a copy of the proposal to:
   a. the Police Local Area Commander and the officer in charge of the police station within or nearest to the proposed zone,
   b. liquor licensees and secretaries of registered clubs whose premises border on, or adjoin or are adjacent to, the proposed zone,

   And invite representations or objections within 30 days from the date of sending the copy of the proposal.
3. Send a copy of the proposal to the NSW Anti-Discrimination Board, if the local area is listed in Appendix 2 to these Guidelines and invite representations or objections within 40 days from the date of sending the copy of the proposal. Other councils have the option of advising the Board if they wish to seek the Board's views on the proposed alcohol-free zone.

In addition to these statutory requirements there are other consultative avenues that may enhance the effectiveness of any alcohol-free zone that is subsequently established. Accordingly, a council is also required to:

4. Send a copy of the proposal to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area and invite representations or objections within 30 days from the date of sending the copy of the proposal.

A council is to give proper consideration to any representations, submissions or objections received and as a result may amend or withdraw a proposal to establish an alcohol-free zone. However, any amendment that extends the location of the proposed alcohol-free zone must be supported by reasons (as outlined above).

Council resolution to establish an Alcohol-Free Zone

Section 644B of the LG Act

After complying with the procedures a council may, by resolution, adopt a proposal to establish an alcohol-free zone. The resolution itself will establish the zone.

After resolution, a council's usual administrative processes would apply in informing interested parties including any applicant, the NSW Anti-Discrimination Board (if applicable), the relevant Police Local Area Commander and officer in charge of the local police station (if different), affected liquor licensees and club secretaries and other organisations advised of the original proposal.

A council must publicly advise the establishment of an alcohol-free zone by notice which informs members of the public in the area that an alcohol-free zone has been established and specify the period for which the alcohol-free zone is to operate.

In addition to statutory requirements there are other notification methods that may enhance the effectiveness of an established alcohol-free zone. For example, councils are encouraged to place the notice of the zone in a prominent position on the council website, in appropriate social media the council uses and, where practicable, in a locally produced media publication

Operation of an Alcohol-Free Zone

Section 644Cof the LG Act

An alcohol-free zone will not operate until 7 days after publication of the notice and until the roads, footpaths and public carparks affected are adequately signposted.

Signage for alcohol-free zones

A council is required to consult with the police regarding the placement of signs.

As a minimum, signs are to be placed at the outer limits of the zone, at the site of specific trouble spots (as indicated by the police) and at other suitable intervals within the zone.

Signs designating an alcohol-free zone must indicate that the drinking of alcohol is prohibited in the zone. Signs should note that alcohol may be seized and disposed of if alcohol is being consumed in the zone. Starting and finishing dates for the operation of the zone should also be included.

It is recommended that signs use consistent, easily recognisable symbols and include a map of the area defining the location of the zone. Some councils may choose to complement erected notices with spray-painted no-alcohol symbols on the footpaths.

Graphic representation on signs is an option. However, Standards Australia does not have an internationally recognised symbol for alcohol and considers that depiction of a bottle, glass AND can would be ideal to avoid confusion. The International Organisation for Standardisation (ISO) provides advice on methods that can be used to create different types of prohibition signs (ISO 7010-2019 Safety Signs used in Workplaces and Public Areas). This can be read with ISO 3864.3-2024 (Design Principles for Graphical Symbols for use in Safety Signs) which is used to ensure symbols and signs have the intended meaning and can be comprehended by persons as they enter the area the sign applies to. The Standard provides sizing requirements and font sizes for letters used in symbols.

Councils are encouraged to utilise symbols on their signage which don't rely on high levels of literacy.

The local Aboriginal community may be engaged to design signs which are also appropriate for their community.

The content of the sign below is considered a minimum standard.

ALCOHOL-FREE ZONE



The consumption of alcohol is prohibited

From —-/—-/—-

To —-/—-/—-

*

Non-compliance may result in immediate seizure and disposal of alcohol

** Insert appropriate directional arrow or map*

On such signs the dates may be inserted in a manner that allows re-use of the sign, provided the dates cannot be removed during the period of operation.

Signs are to be removed as soon as practicable, but no longer than 30 days, after the end date of an alcohol-free zone.

Suspension or cancellation of an Alcohol-Free Zone

Section 645 of the LG Act

The power to suspend or cancel an alcohol-free zone during its period of operation is provided so that a council may respond to more immediate situations that arise within the area of the zone.

A council must pass a valid resolution to suspend or cancel a particular alcohol-free zone. Such action may be taken as a result of a request received from any person or body, or at a council's own initiative.

Liaison with the local police, before and after the council resolution, is essential to ensure that both groups are informed, and action is coordinated. Additionally, a council may undertake any other consultation that it considers necessary.

A council must publish notice of a suspension or cancellation as required under section 645 (1) and (3). In the case of cancellation of an alcohol-free zone the signs should be removed immediately.

A council is not limited in the reasons for which it may suspend or cancel an alcohol-free zone. A suspension would not usually be appropriate for any period longer than one month and generally would be of a much shorter duration e.g. to accommodate a specific community event. Alcohol-free zone signage should be removed for the duration of any suspension of the zone.

The four-year operation of an alcohol-free zone is not extended by any suspension occurring within that period.

Re-establishment of an Alcohol-Free Zone

Section 644B (4) of the LG Act

An alcohol-free zone is essentially a short-term control measure and in many instances a zone will achieve the desired objectives within its operational period.

There is no general provision for an alcohol-free zone to be extended. However, the roads, footpaths or public carparks comprising a zone may be included in another alcohol-free zone of the same or different configuration, immediately following the cessation of the existing zone or at any future time.

All the requirements for the valid establishment of a zone apply whether or not any of the roads, footpaths or carparks concerned have previously been zoned as alcohol-free.

Where a proposal for an alcohol-free zone includes roads, footpaths or public carparks that have previously been zoned as alcohol-free, a council is to have regard to that previous zoning.

The evaluation criteria that councils use when considering the re-establishment of an alcohol-free zone should include the following:

- what were the factors which originally supported a zoning in that area?
- how successful was the previous alcohol-free zone in achieving a reduction in unacceptable street drinking?
- what do police statistics indicate about the value of re-establishing an alcohol-free zone in that area?
- what other measures may need to be considered (e.g. a community education program) if unacceptable street drinking is still of concern in that area?
- has the community's perceptions of safety improved?

The re-establishment procedure provides a council with the opportunity to focus again on any community problems associated with irresponsible alcohol consumption and the range of strategies that may be implemented to address these problems.

Recording of Alcohol-Free Zones

The maintenance of appropriate records is essential for established alcohol-free zones. As a minimum, records need to be kept in sufficient detail:

- to document that all the steps for valid establishment have been undertaken
- to provide for removal of signs at the conclusion of the zone's operation
- to identify suspensions or cancellations of alcohol-free zones
- to avoid overlap in the establishment of alcohol-free zones
- to provide a reference base where re-establishment of an alcohol-free zone is sought.

Enforcement of Alcohol-Free Zones

Sections 642 and 648 of the LG Act

Alcohol-free zones may be enforced by any officer of the NSW Police Force or an enforcement officer. An enforcement officer means an employee of a council authorised in writing by the Commissioner of Police to be an enforcement officer for the purpose of section 642 of the LG Act.

The legislation applies to all persons, including minors.

The power to seize and tip out or otherwise dispose of alcohol without the need to issue a warning applies within an alcohol-free zone.

Where a council has authorised enforcement officers, the council will be required to adopt a procedure regarding the disposal of any alcohol that is seized.

A Police officer or authorised council enforcement officer may use their discretion to issue a warning to a person who is drinking in an alcohol-free zone, for example, where the person may be unaware of the zone.

It should also be noted that in circumstances where a person does not co-operate with a Police officer or authorised council enforcement officer, they can be charged with obstruction under section 660 of the LG Act which carries a maximum penalty of $2,200.

The Commissioner of Police has the power to authorise council officers to enforce alcohol-free zones. The Commissioner may delegate his or her authority to Police Local Area Commanders. Where councils identify benefits to their communities for their officers to enforce alcohol-free zones, the general manager will need to liaise with the Local Area Commander to ensure that council officers are suitable for this enforcement role.

Only authorised employees of a council and not contractors, who may be otherwise engaged by a council to provide regulatory services, may be authorised for this purpose.

Councils are responsible for ensuring that their authorised enforcement officers have appropriate identification to support this enforcement role.

Councils with authorised council enforcement officers need to establish a system to record the number of occasions that these officers enforce the alcohol-free zone legislation in their area. This should include monitoring the number of authorised council enforcement officers and how often alcohol is tipped out or otherwise disposed of. Councils may from time to time be required to report this data to the Office of Local Government to inform the evaluation of the usage of the alcohol-free zone powers by councils.

It is important that the Police Local Area Commander and the officer-in-charge of the local police station (if different) are involved in the establishment procedure so that the zone operates and is enforced most effectively.

Alcohol-Free Zones and community education

As well as the requirement to publish information in the local media about the establishment of an alcohol-free zone, the community will be better educated about the intent of the alcohol-free zone if a community education campaign is run in line with the establishment of the zone.

Councils may wish to engage their local Community Drug Action Team or Drug and Alcohol Service within their Area Health Service so that responsible drinking messages can be promoted within the community to coincide with the establishment of the alcohol-free zone.

Posters and other information about the consequences of irresponsible street drinking may be displayed in local licensed premises and bottle shops. Collaboration between council, the police and stakeholders including liquor licensees may be assisted through a local Liquor Accord. Further information on Liquor Accords is available on the Liquor & Gaming NSW website www.liquorandgaming.nsw.gov.au.

Contacts

Agency	Contact Details
Office of Local Government	5 O'Keefe Avenue (Locked Bag 3015) Nowra, 2541 Telephone: (02) 4428 4100 Website: www.olg.nsw.gov.au
Anti-Discrimination New South Wales	160 Marsden Street Parramatta, NSW 2124 (Locked Bag 5000, Parramatta NSW 2124) Telephone: General Enquiry Service & Employers Advisory Service (02) 9268 5555 For rural and regional New South Wales only 1800 670 812 Website: www.antidiscrimination.nsw.gov.au
NSW Police Force	1 Charles Street Parramatta, NSW 2150 (Locked Bag 5102, Parramatta NSW 2124) Telephone: 1800 622 571 Website: www.police.nsw.gov.au

Appendix 1

Application for Alcohol-Free Zone

(*Local Government Act 1993*, section 644)

To .....(Name of Council)

1 I .....

(Full Name)

2 of .....

(Address) (Telephone No.)

3 Being (tick appropriate box):

(a) ☐ a representative of .....

(Name of Community Group in area)

(b) ☐ a police officer stationed at .....

(c) ☐ a person living in the area

(d) ☐ a person working in the area at .....

.....

(work address)

apply to the Council to establish an alcohol-free zone.

4 Roads or parts of roads ('roads' includes 'footpaths') and/ or public carparks to be included in the alcohol-free zone:

.....

.....

.....

(Specify exactly by referring to street numbers or other landmarks)

5 Reasons for requesting the alcohol-free zone:

.....

.....

.....

(Give details of obstruction, littering, personal injury, property damage, police intervention, etc. that have occurred on those roads or in those carparks)

Signed.....

Date.....

Documents supporting the information on this form may be attached.

Appendix 2

Councils which must consult with the NSW Anti-Discrimination Board

Consultation undertaken with Anti-Discrimination NSW has not identified any councils that are required to send a copy of their proposed alcohol-free zones to the NSW Anti-Discrimination Board. The Office of Local Government and Anti-Discrimination NSW will continue to monitor feedback and implementation, which may add councils to this list in future reviews of the guidelines.

Local Government Grants Commission

Reference: A971400

Clr Carol Oataway
Mayor
Hay Shire Council

By email: Cr.oataway@hay.nsw.gov.au
cc: dwebb@hay.nsw.gov.au
mail@hay.nsw.gov.au

20 August 2025

Dear Clr Oataway,

With apologies, please accept this amended notification letter replacing the version sent on 18 August 2025, with my apologies for any inconvenience and confusion this may have caused. The amount reported for the 2024-25 general purpose component in the table below was incorrect. However, all other details were accurate, and the error does not affect the payment of any funds to Council.

Thank you for your Council's engagement with the NSW Grants Commission in order to support the allocation of the Commonwealth Government's Federal Assistance Grants. As your new Chair of the NSW Local Government Grants Commission's (Commission), alongside the Deputy Chair and Commissioners, we appreciate the local government sector's commitment to preserving the integrity of this important grant allocation process.

In accordance with our policy of providing information to councils about the way the Commission calculates financial assistance grants (FA Grants), please find attached a summary of Council's 2025-26 estimated FA Grants entitlement **(Appendix A)**.

2025-26 Estimated entitlements

The Federal Government's FA Grants total estimated entitlement for 2025-26 is $3.45 billion and is made up of $2.39 billion for the general purpose component (GPC) and $1.06 billion for the local roads component (LRC). The national estimated entitlement for 2025-26 increased by $170 million to account for final adjustments to the Consumer Price Index (CPI) and population shares for the year.

T 02 4428 4100 TTY 02 4428 4209 E grantscommission@olg.nsw.gov.au
Locked Bag 3015 NOWRA NSW 2541
www.olg.nsw.gov.au

The national GPC is distributed across the states and territories on a population basis. Therefore, NSW received 31.52% or $744 million in the GPC, which represents a 4.65% increase on last year's final figure. The LRC is based on a historical formula. NSW's share of the total national road funding is a fixed 29% share, or $307 million, which represents a 5.2% increase. The total 2025-26 FA Grants estimated entitlement for NSW is $1.052 million.

External factors impacting the GPC pool of funds in NSW

During recent years, NSW communities and councils have been faced with a number of challenges including devastating climate disasters and a substantially reduced CPI. In 2021, the CPI has continued to trend towards previously average levels of about 3.5% to 4% over the past two years. But further fluctuations cannot be ruled out.

Council's 2025-26 FA Grants estimated entitlement, compared to the 2024-25 final entitlement is as follows:

Hay Shire Council				
Year	General Purpose	Local Roads	Total	
2024-25 final	$3,515,961	$1,062,880	$4,578,841	Change
2025-26 est	$3,709,913	$1,110,290	$4,820,203	5.3%

The NSW Schedule of Payments (**Appendix B**) and the 2025-26 Fact Sheet **(Appendix C)** is also enclosed for Council's information.

Impact of advanced payments

The Commonwealth Government made an early payment of the 2025-26 estimated FA Grant entitlement. In June 2025, all councils were paid 50% of the estimated entitlement for 2025-26 in advance, as calculated at that point in time. This has resulted in the quarterly instalments for 2025-26 being reduced and will be paid in quarterly instalments in August 2025, November 2025, February 2026 and May 2026.

The Commission continues to be concerned about the unpredictability that the practice of advance payments creates. Long-term and annual budgeting forecasts are subject to changes, and annual financial reporting can often be skewed. Councils are advised not to rely on either the availability of future advance payments or the value of those advances if received.

Challenges in fairly distributing the GPC funds

As councils will be aware, the Commission is required to adhere to the National Principles which mandate a per capita payment based on population growth/decline. This inhibits the full application of the Horizontal Fiscal Equalisation (HFE) Principle to distribute the grants based on greatest relative need.

It is also the policy of the NSW Government to explore opportunities to direct grants to communities with the greatest relative need. The Commission has had regard to these policies in allocating the grants.

Resuming the annual negative floor on the GPC

The Commission has been investigating ways to direct funds to councils with greatest relative need. Information about the methodology review and subsequent transition has been provided to councils, including about the recommendations for model refinements. **The Commission commenced the pathway out of transition, resuming the negative floor in 2025-26 as previously advised to councils.** It is no longer sustainable to protect those councils with greatest relative advantage. The pathway out of transition is essential to distribute the GPC more fairly, allowing greater application of the HFE, consistent with the National Principles and NSW policy.

There is no guarantee that a council will receive an increased FA Grant each year. There are a number of changing variables, including a council's changing measure of relative disadvantage compared to the state average measure and the size of the total FA Grant pool.

The Commission is proposing to review the methodology for 2026-27. This will include consultation with the sector and key stakeholders, and the Commission encourages Council's input during this process.

I would ask that this letter please be tabled at the next Council meeting.

If you have any questions concerning these matters, please contact the Commissions Secretariat on (02) 4428 4142 or grantscommission@olg.nsw.gov.au.

Yours sincerely



Linda Scott
Chair
Local Government Grants Commission

Enc:

- Council Entitlement
- 2025-26 Fact Sheet
- NSW Schedule of Payments

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C15 - Tourism & Economic Development July August 2025

REPORTING OFFICER	Executive Manager Economic Development and Tourism
ATTACHMENTS	- Hay Region Economic Transition Roadmap – Early Insights dated July 2025

INTRODUCTION
Monthly update on the activities of Economic Development and Tourism

COMMENTARY

Visitor Information Centre (VIC)

The Visitor Information Centre assisted 1535 visitors during July 2025. By comparison to July 2024, we have had an increase of 25% more visitors through the centre.
An increase in family visitation was recorded in July during the school holiday period, with many families staying for several days to participate in activities such as camping, fishing, and cycling or scooter riding. Also noted a number of groups staying in Hay as a central meeting place for a holiday catchup.

Statistics below reflect the percentage of Hay VIC visitors who attended Hay attractions:

- Shear Outback attracted 717 visitors in July.
- 14% visited Dunera Museum with 221 visitors.
- 26% visited Hay Gaol with 411 visitors
- 18% visited Bishop's Lodge with 117 visitors
- 47% of visitors were from NSW
- 27% of visitors from Victoria
- 9% of visitors from SA

Tap and Go

The Tap and Go (payWave) option at our museums are very popular with 62% of visitors using it in July for their entry.



The Cycle Hay experience attracted 28 bike hires for the month of July.

"*Thank you so much for the bikes and scooters! The kids and adults loved it! Such a great idea. This was a real highlight of our trip."*

Dunera Day

TED team are working with the Dunera Association for the 85th Anniversary Commemoration to be held at the Dunera Museum on Saturday 6 September 2025. The event will feature a re-enactment at Hay Railway Station and symbolic walk to the camp site. There will also be morning tea served on the platform.

Hay Glow
Planning is underway for the annual Hay Glow event to be held on Saturday 20 September, from 3pm at the Hay Park. This year the event will include the opening the St Paul's Time Capsule. Envelopes are currently available at the Visitors Centre for members of the community who wish to provide memorabilia for inclusion in the Hay Community Time Capsule 2025 – 2050.

The event will once again include live music, markets, food and a fire sculpture and lantern making. The Hay Youth Taskforce will be holding a silent disco as part of the event.

LOVE Hay Program
The LOVE Hay Gift Card program has reached a significant total of $657,967 since commencement in October 2020.There were 198 cards used in local businesses in July with a redemption of $7,147.

Love Hay cards for July 2025

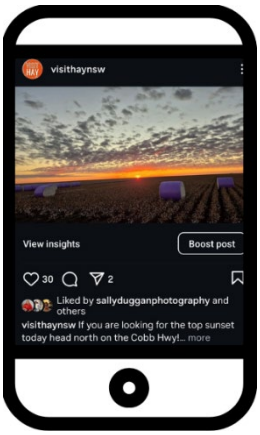
- Number of cards sold:102
- Total loaded on cards: $7,270
- Total redemptions: 192 cards for a total of $7,662.00

TED Team providing assistance/or delivery to the following events:

Upcoming Events

- 6 September Dunera Day (85th Anniversary)
- 12 & 13 September Hay Show
- 20 September Hay Glow (including opening of St Pauls Time Capsule)
- 4 October Booligal Sheep Races
- 11 October Mick Huntly Memorial Masters

Digital Channel	Reach	Top Content
Website	• 11,187 views to the Visithay website • 4233 new visits to the website with 623 returning users • 410 referrals to website from Visit Hay Facebook. • Landing page is most visited page on the visithay website for July 3144 views	
Facebook	• 71,960 Impressions for the month of July, this indicates how many times our Facebook page was seen in the month of July. • Country Change shared post was top post with 92 interactions and 6 shares and 6 comments • 41,019 impressions as a result of digital marketing	

Digital Channel	Reach	Top Content
Instagram	• 1,602 followers in July • 11,462 views to the page for the month of July • Sunrise top post 648 views with 32 engagements.	

Destination Management Plan

The Destination Management Plan was endorsed by the Council in 2021. The TED team continue to work on the Prioritised Action Plan including:

Item Number	Outcome/Indicator	Action this month
Action 4.3	Continue to implement and promote existing events program and consider new events to expand visitor economy	Targeted digital marketing campaign goal of increasing Top 5 landing page on website by 10%. Currently exceeding goal of 861 visits to 5,931 visits.
Action 6.2	Strengthen collaboration across LGA boundaries as well as with the important stakeholders such as DNRM, DNSW and other Regional Tourism organisations	Visit Riverina website refresh and cooperative marketing campaign underway with Palladium Magazine
Action 6.4	Allocate resources to measure and interpret visitor data on an annual basis, including on numbers of visitors, spend and market segments	Year to date (Jul 24 – June 25) visitor spend up 7.2% and visitor numbers up 9.2% compared to previous year.

Economic Analysis - Monthly Analysis

Local economic activity for the quarter

Category	April	May	June	July
Total Spend	$4.76M	$4.39M	$4.2M	$4.33M
Resident Local Spend	$1.85M	$1.99M	$1.84M	$1.82M
Visitor Local Spend	$2.91M	$2.39M	$2.37M	$2.51M
Resident Escape Spend	$2.71M	$2.67M	$2.44M	$2.99M
Resident online spend	$2.54M	$2.77M	$3.07M	$3.10M

- Resident Local Spend was $1.8M. This is a -10.08% decrease from the same time last year.
- Visitor Local Spend was $2.5M. This is a 6.49% increase from the same time last year.
- Total Local Spend was $4.3M. This is a -1.18% decrease from the same time last year.
- Resident Escape Spend was $3.0M. This is a 16.47% increase from the same time last year.
- Resident Online Spend was $3.1M. This is a 10.75% increase from the same time last year.

South West Renewable Energy Zone
The seven LGA's in the South West REZ (Carrathool, Balranald, Edward River, Hay, Murray River Murrumbidgee and Wentworth) have formed the Regional Renewable Energy Response Committee (RRERC). The RRERC:

- is established to provide coordinated governance, oversight, and strategic direction for the implementation of the SWREZ Local Government Response to Renewable Energy Development.
- supports cross-council collaboration on planning, infrastructure, housing, workforce, environmental management, and community benefit issues arising from renewable energy developments across the SWREZ region.
- will be supported by the Regional Energy Manager. This position is funded by EnergyCo, through a Commissioning Agreement, with an initial three-year term to reflect the funding available from EnergyCo.

Proponent	Project Title	Turbine no. *	Generation	Type	No Jobs @ peak construction	Operational workforce	Status
Someva Renewables (Hay, Edward River)	Pottinger Energy Park	115	831.2 MW	Wind BESS	550	35 jobs	APPROVED PA discussion
Bay-We (Hay, Edward River)	Bullawah Wind Farm	46-48	262.3 MW	Wind	180	35 jobs	PA discussion
Non REZ Access Developments							
Goldwind (Hay, Edward and Murray)	Baldon Wind Farm	162	1000MW	Wind BESS	-	-	Assessment
Neoen	Tchelery Wind Farm	74	577MW	Wind BESS	-	-	Response to Submission

* Final turbine numbers will be determined by during Detailed Design

As Council moves to the next phase with developers, Council will need to engage a solicitor to provide legal services to undertake preparation and negotiations of Planning Agreements associated with the SW REZ, which can be funded from EnergyCo's Council Commissioning Agreement and/or developers.

Council has developed a South West REZ webpage as a resource for the community and businesses. The page contains information about the REZ, Work Packages, Planning process and frequently asked questions.

Regional University Study Hub Funding
Hay CUC has completed recruitment with a Centre Manager expected to be appointed by the end of the month.

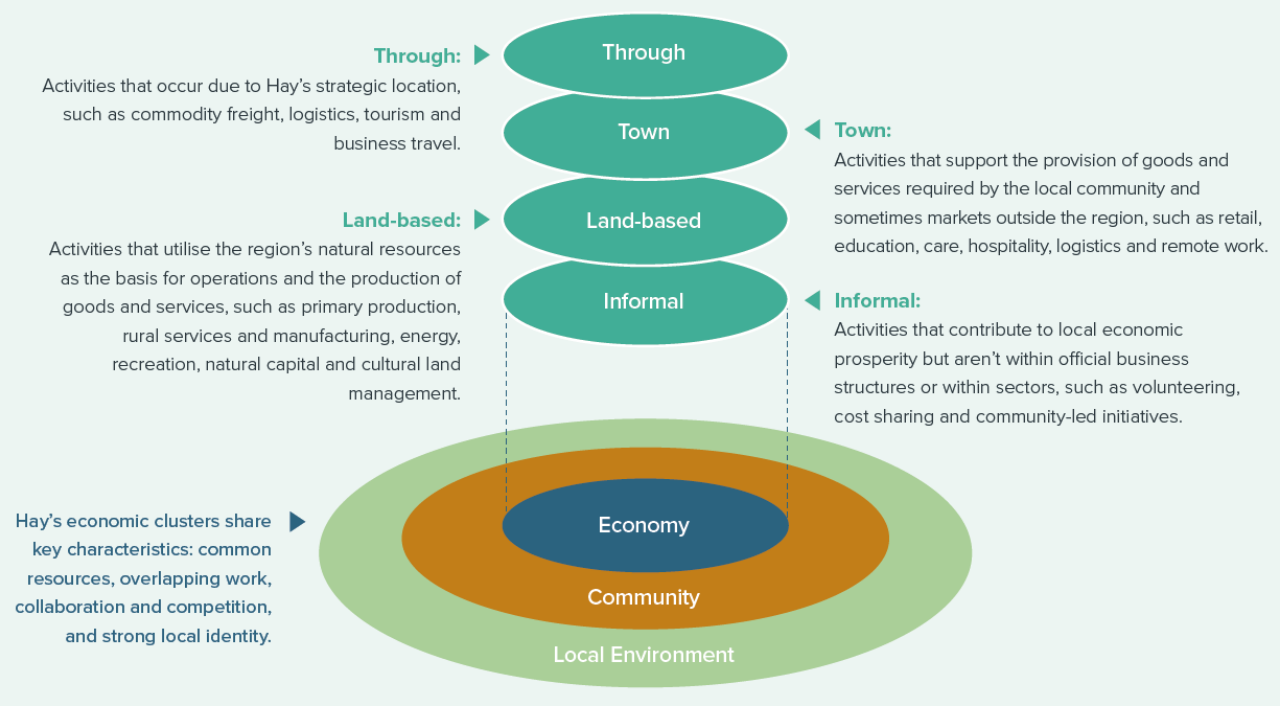
Regional Drought Resilience Plan – implementation funding.
The implementation phase of the Regional Drought Resilience Plan is now underway. With the following projects:

1. Carathool Housing Strategy
2. Hay Legacy Housing - Design, Construct and Investment Pathway
3. Hay Economic Transition Roadmap - Investment Prospectus

Hay Economic Transition Roadmap
The early insights summary has been circulated to all stakeholders who were involved in the consultation. The early insights paper acts a bridge between the Regional Drought Plan and the Transition Roadmap (refer to the attached Hay Region Economic Transition Roadmap – Early Insights dated July 2025).

Through local workshops and interviews, Council and the community have mapped spending patterns, resource flows and economic strengths and vulnerabilities to help identify strategic levers for change – avoiding default responses and misdirected resources.

Early insights from this work gives Council and the community clear direction on where to focus on planning to manage change well over the next 10 years – and what the opportunities are for immediate action. This initial body of work ensures that the actions from the Roadmap fit the unique economic features of Hay. What has emerged is a unique picture of how Hay's economy functions – not just through individual businesses, but through a web of interconnected clusters of economic activity: 'through', 'land-based', 'town' and 'informal' (see diagram below).



There is great potential for new and diverse land-based opportunities in the Hay region alongside agriculture, however these activities also face a range of pressures that differ from other clusters – many of which are beyond the control of any single business, group or even the region.

The 'through economy' exists due to Hay's strategic location on key trade, transport and tourism routes. Like the land-based economy, location matters, highlighting the need to protect and develop transport infrastructure to support the efficient movement of people and products. Without this investment, Hay risks moving from the 'middle of everywhere', to 'the middle of nowhere'.

Local businesses that supply goods and services in Hay – such as retail shops, trades, service providers, recreational and tourism enterprises – are critical to shaping the community's identity. Interestingly, non-residents spend more money in Hay than people that live here. In 2024/25, non-residents, including visitors and those involved in the through economy, invested $18m on

consumer staples (including transport and freight) and $10m on discretionary spend (like dining out and non-essential shopping) in Hay.

These clusters and key dynamics help explain how Hay's economy adapts, innovates and grows.

The next phase of the Hay Economic Transition Roadmap Council will continue to work with key partners to progress practical actions as the Roadmap continues to take shape, including the development of a Hay Legacy Housing - Design, Construct and Investment Pathway

Over the next six months, Council is intensifying its focus on activating strategic levers, attracting investment and fostering partnerships. In addition to finding solutions to housing, the process will also explore areas such as primary production transformation and future-ready businesses, industry diversification and local leadership models.

Youth Development

Life Ready
Eighteen young people will share in 85 hours of free driving lessons with a qualified driving instructor under Council's youth driving lesson program. Lessons will be delivered weekly between 21 August 2025 and 20 November 2025.

Wellbeing
Following the conclusion of the Regional Youth Investment Program funding, the Giz A Break team has independently sought out alternative funding arrangements to enable them to continue to provide mental health and resilience support services to Hay's young people. Giz A Break has received funding via Murrumbidgee Primary Health Network to support young people aged 17 – 25 years from Hay and Hillston that are struggling with mental health via a 10 month program that includes a mix of four 4WD camps and fortnightly 1:1 video conference check-ins. The program commences on 20 August with an information and registration evening.

Community
Taskforce members participated in the Hay Library photo shoot for the 200 year celebration of public libraries in NSW.

Connectivity
Building on the success of last year's Active Spirits Intergenerational Program, Hay Shire Council, Intereach and Hay War Memorial High School have once again partnered to bring together youth and seniors in our community to build skills, knowledge, confidence and connection in a fun, active and engaging environment. This year the program will be delivered weekly with HWMHS students connecting with residents of Haydays. The joint program commenced on 14 August, with students and residents enjoying ball games, bingo, meeting new people and each other's company.



Grant Applications

Staff have submitted two grant applications recently for the following youth programs:

1. Spring Break Holiday Program – to fund activities in the September/October 2025 school holidays.
2. MPHN Community Mental Wellbeing and Suicide Prevention Program – For Resilience First Aid (RFA) training which is a set of training initiatives to build collective community capacity for developing resilience, by having trained mental health champions in place who actively boost the resilience and mental health in our community.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Social** 1.1 Our community is skilled and supported 1.1.1 Our community has access to a range of employment opportunities 1.1.2 Increase housing options within the community 1.1.3 Improve access to health services 1.1.4 Support local health initiatives and programs 1.4 Our youth and aged are supported 1.4.1 Advocate for greater capacity for local based child care services 1.4.2 Support youth and aged services and initiatives 1.5 Our community is inclusive and sustainable 1.5.1 Residents of all abilities and cultures have access to public facilities 1.5.2 Inclusive and Empowered Communities 1.5.3 Enhance educational pathways and opportunities 1.5.4 Promote inclusion and education of all abilities workers in community and business sector 1.5.5 Facilitate access public spaces for cultural and community events 1.5.6 Support cultural programs and initiatives, including First Nations **Environmental** 2.2 Our Community is resilient and adaptive 2.2.1 Support business with climate risk adaptation and best practice **Economic**

	3.1 Our community welcomes new and innovative industry to support our future 3.1.1 Future Ready Businesses 3.1.2 Strengthen Business Support Services 3.1.3 Business Attraction and Investment Growth 3.1.4 Facilitate growth industries including workforce development and skills 3.1.5 Identify opportunities to grow the agricultural sector 3.1.6 Identify opportunities to grow the renewable energy sector 3.2 Our community values its history and tourism 3.2.1 Increase tourism and visitor spend 3.2.2 Promote events and activities 3.2.3 Actively identify, promote and enhance tourism initiatives 3.2.4 Showcase our open space, recreation and cultural facilities 3.3 Our community is resilient and adaptive 3.3.1 To proactively reduce the risk and limit the impact of disasters associated with natural hazards on our community and economy 3.3.2 Coordinated action for Climate Resilient Economic Development 3.3.3 Reimagined Care Economy
FINANCIAL IMPLICATION	Low
LEGISLATIVE IMPLICATION	Nil
POLICY IMPLICATION	Nil
ASSET IMPLICATION	Nil
RISK IMPLICATION	Low

RECOMMENDATION

That Council:

(a) Notes the information in the report and the actions being undertaken;
(b) Acknowledges the Hay Region Economic Transition Roadmap – Early Insights dated July 2025; and
(c) Authorises the engagement of a solicitor to provide legal services to undertake preparation and negotiations of Planning Agreements associated with the SW REZ, funded from EnergyCo's Council Commissioning Agreement and/or developers.

Hay Region Economic Transition Roadmap

Early Insights, July 2025

Regional communities like Hay are experiencing major socioeconomic shifts from rising costs, climate impacts, global markets and new policies. These changes offer a chance to rethink economic development in inclusive, place-based and future-focused ways. After all, the economy affects people, livelihoods and the environment, with local management of change key to ensuring new opportunities benefit all.

This is a snapshot of early insights uncovered in the development of the **Hay Region Economic Transition Roadmap**. Based on input from over 240 stakeholders, it connects the Roadmap with the 2024 **Hay and Carrathool Drought Resilience Plan** and identifies emerging areas to focus on within the economy such as primary production, housing, workforce, industry diversification and capacity building.

The Hay and Carrathool Regional Drought Resilience Plan
Lays the foundation for a stronger, more adaptable future.



Early Insights Paper
A bridge between the Plan and Roadmap, asking: "What makes Hay—its place, people, and economy—unique, and how can we build on that to shape a more focused, prosperous future?"

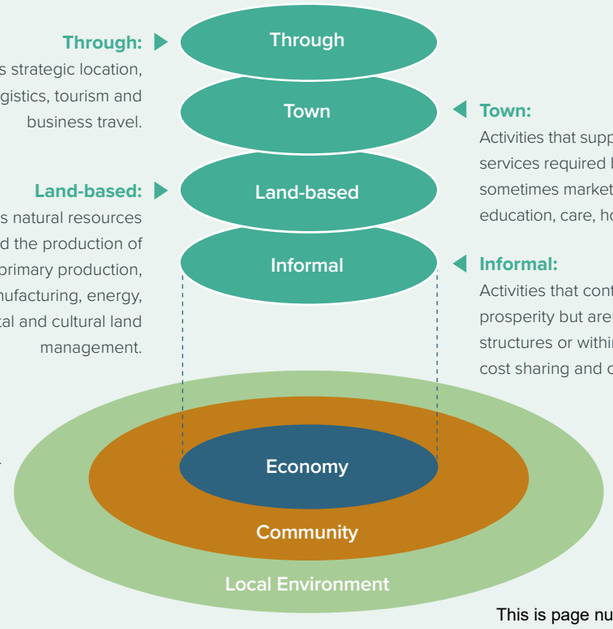
The Hay Economic Transition Roadmap
Identifies strategic levers and immediate actions to mobilise diverse community resources for a resilient economy.

How Hay's economy works today

Exploring how the local economy works helps to identify key dynamics and pinpoint strategic areas to **build on strengths – rather than mimic others – for tailored economic development**. In mapping Hay's economic system – the flow of resources and the relationships between people, businesses and activities – a series of interconnected networks or **clusters** (summarised, below) emerge.

Through:
Activities that occur due to Hay's strategic location, such as commodity freight, logistics, tourism and business travel.

Land-based:
Activities that utilise the region's natural resources as the basis for operations and the production of goods and services, such as primary production, rural services and manufacturing, energy, recreation, natural capital and cultural land management.



Town:
Activities that support the provision of goods and services required by the local community and sometimes markets outside the region, such as retail, education, care, hospitality, logistics and remote work.

Informal:
Activities that contribute to local economic prosperity but aren't within official business structures or within sectors, such as volunteering, cost sharing and community-led initiatives.

Hay's economic clusters share key characteristics: common resources, overlapping work, collaboration and competition, and strong local identity.

A range of **key dynamics and recurring patterns** have been identified. Each has beneficial and detrimental elements. With deliberate consideration, they can be managed and leveraged to positively influence how the local economy operates:

Middle of everywhere/nowhere:
Hay's strategic location offers strong connectivity to external supply chains. Without continued investment in infrastructure and essential services, the potential for isolation and economic decline grows.

Capacity for local capture:
Events like the Mad Max production and transmission line development bring short-term gains with potential to capture longer term benefits with the right capacity, collaboration and resources.

Limits to success:
Parts of the economy that are dysfunctional or stuck can reduce the capacity for positive change and development. For example, ecological and social constraints, such as limited water, ageing infrastructure and housing shortages, challenge growth and require long-term solutions.

Small giant:
While 'punching above its weight' in terms of its economic and social impact relative to size, our region may experience the impact of big developments and economic changes more significantly.

Fragmentation:
Despite strong community spirit, there is an opportunity to create stronger ties between individuals, organisations and businesses that have differing interests, identity and circumstances.

As The Roadmap progresses, local, regional and industry stakeholders will come together via regional forums and action groups to explore key focus areas and strategic levers and co-create actions and partnerships to drive change.

For more information contact Alison McLean,
Executive Manager – Economic Development and Tourism
on **02 6993 0100** or **amclean@hay.nsw.gov.au**.

Housing Hay's Future – a key strategic lever for economic development

Hay is facing unmet housing needs, limiting social and economic growth. Demand will rise sharply over the next four years with incoming construction workers for major energy infrastructure projects followed by a 'new norm' that will include operational workers and new industry employees.

As part of The Roadmap, Hay Shire Council, alongside community and regional partners, is building strategies for appropriate housing including to:

- Build a business case for new housing models
- Explore ways to leverage temporary worker accommodation needs for legacy housing
- Strengthen the capacity of the local private sector to drive an innovative, flexible and adaptable housing outcomes

This work is time-critical, with efforts underway to secure shared value partnerships with government, energy and infrastructure developers over the next five years.



A workshop in June 2025 brought community voices together to explore tailored housing solutions – several ideas are already in motion as engagement continues.

Hay Shire COUNCIL

The Next Economy

C16 – Library Report August 2025

REPORTING OFFICER	Library Team Leader
ATTACHMENTS	- Support Letter from Hay Children's Services - Imagination Library Partnership, dated 15th August 2025

INTRODUCTION

Update on Library news and use for the month of July/August 2025.

COMMENTARY

LIBRARY STATISTICS – MEMBERSHIPS, LIBRARY USE AND LOANS

Membership

26 new members were welcomed to the Hay Shire Library and 3 members were re-registered in the month of July. As of 31st July, the library has 1,723 registered members.

Total Library Visitors

In July 2025, the library recorded a total of 2,636 onsite visitors, as measured by the door counter.

27,947 people have utilised the library in the 12-month period from July 2024 – July 2025. As per the figure below, library visitation increased by 22.72% in July 2025 compared to the same month in 2024, rising from 2,148 to 2,636.

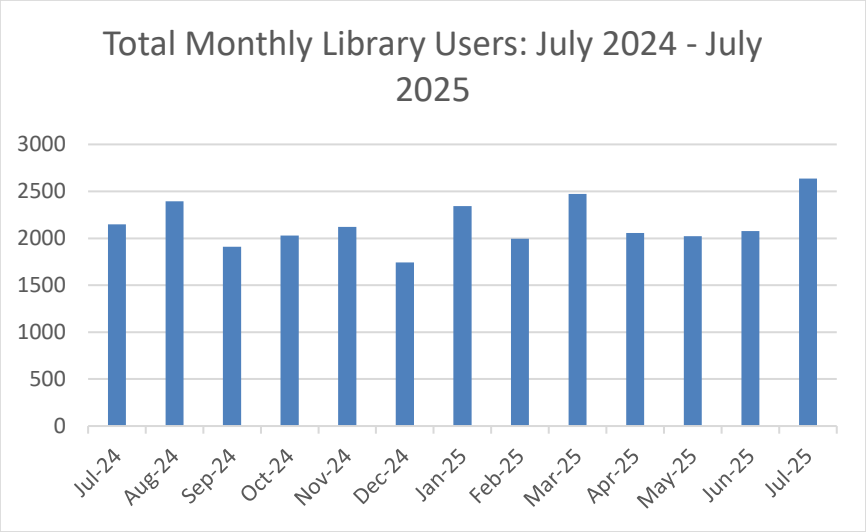


Figure 1: Total Library Users data (July 2024 – July 2025)

Breakdown of Library Use

Library usage increased from June to July 2025, with total event attendance rising from 328 to 449 participants, representing a significant boost in community engagement. Computer use increased from 153 users in June to 211 in July, while Wi-Fi assistance remained stable, with 34 people supported in June and 32 in July. Library staff continue to provide essential assistance to community members and travellers with a range of technology-related needs, including phone support, printing, photocopying, computer access, and email. This service plays a vital role in ensuring equitable access to technology, supporting both everyday requirements and the development of digital literacy skills. After school, the library continues to be utilised by younger visitors for study, recreational computer use, and gaming, reflecting the importance of maintaining a welcoming and supportive environment for all age groups.

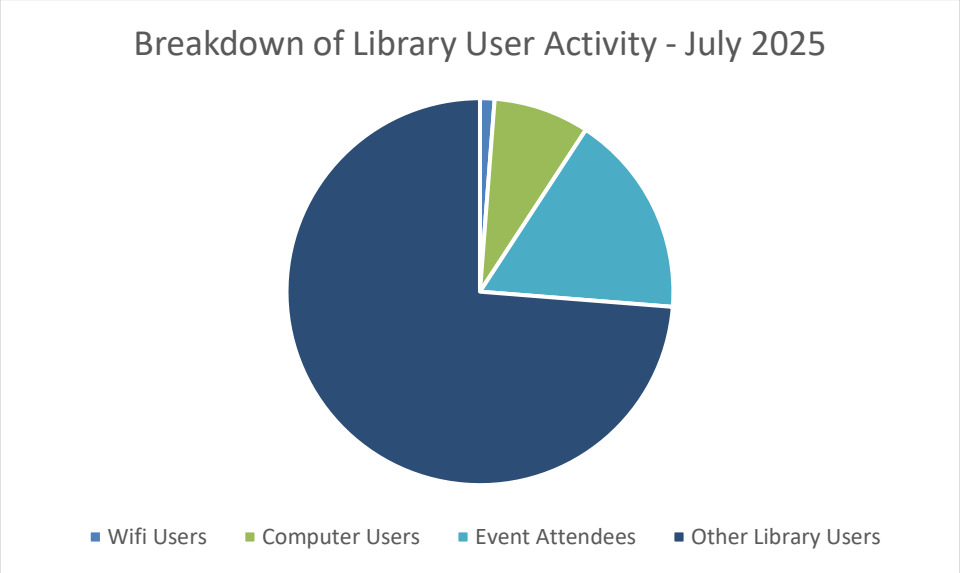


Figure 2: Breakdown of Library Users (July 2025)

Event participation saw a notable and somewhat unexpected increase in July, despite a reduced school holiday program due to operational constraints. While the number of holiday events was limited, the single holiday activity held — rock painting — proved to be the most popular event of the year, attracting 112 participants compared to the usual school holiday attendance of up to 31 per event. This strong turnout, alongside the success of other programs such as ‘Story Time,’ school reading groups, and the newly reintroduced ‘Cuppa and a Chat,’ underscores the community’s enthusiasm for creative and interactive programming and demonstrates the library’s capacity to deliver high-impact events. A total of 449 people were recorded as attending events at the Hay Shire Library in the month of July.

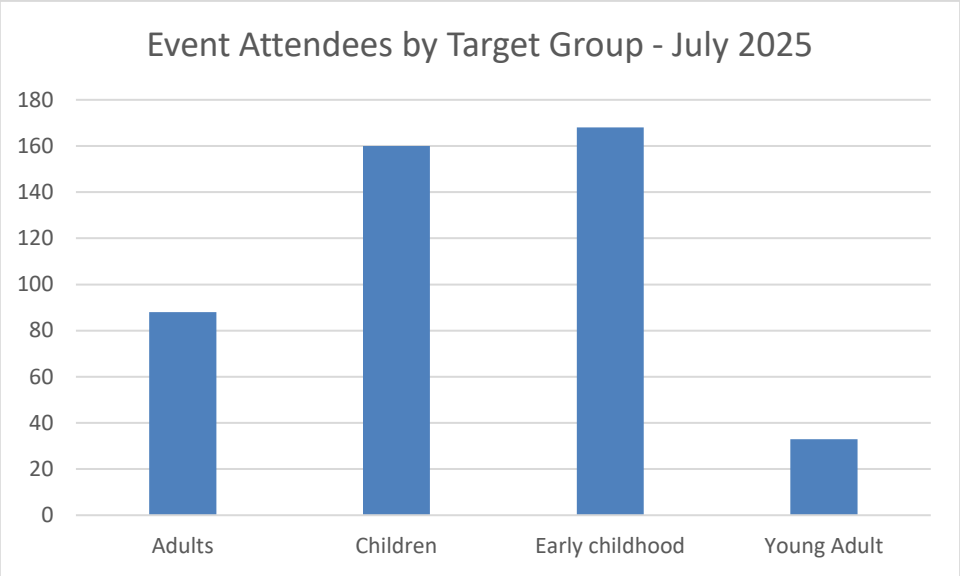


Figure 3: Event Attendees by Target Group (July 2025)

Loans

A total of 1,244 items were loaned from the Hay library for the month of July compared to 1,009 last month. Members renewed 67 books and DVD's and returned 1,179 items. 87 items were reserved from our collection with 81 requests being fulfilled in the month of July.

Total Items Count – Library Collection

- 115 new items were added based on library user interest and popularity; 560 outdated, lost or damaged items were discarded and donated to the community from both the Hay Library and Haystack collections.
- Total collection size as of July 2025: 22,396 items.

Junior Fiction and Youth Area Update

The Junior Fiction collection has been comprehensively re-arranged in the month of July to enhance accessibility and promote increased usage. In addition, a dedicated Youth Area has been established to provide an age-appropriate space tailored to the needs of this demographic.

Library staff are actively identifying resources for the development of a relevant and appealing Youth Collection. The objective is to ensure the collection reflects the interests of young people while supporting their developmental needs, including growth in maturity, emotional wellbeing, and preparation for future life stages.

EVENT OF THE MONTH – School Holiday Rock Painting

The Hay Shire Library hosted a School Holiday Rock Painting Workshop facilitated by local artist Tania. The activity was exceptionally well attended, with over 100 participants, including 82 children accompanied by parents, carers, grandparents, and friends.



Figure 4 & 5 (Below): Event Attendees at Rock Painting

Attendance exceeded expectations and highlighted strong community interest in creative, family-oriented programming. Despite limited supplies, children demonstrated cooperation, sharing, and patience, reinforcing the library's role as a safe and inclusive community hub.

Complementary activities such as LEGO, board games, and themed colouring ensured engagement for all ages, while refreshments supported the wellbeing of participants.

Tania guided children in transforming plain rocks into artworks which were either taken home or added to "Hamish the Community Rock Snake," strengthening an intergenerational community art project that celebrates local creativity and belonging.



Feedback was highly positive, with strong demand for future sessions. In response, the library is planning additional workshops with increased resources and smaller group formats to better accommodate demand.

Strategic Alignment:

- Community Wellbeing & Connection: the event fostered inclusiveness, intergenerational participation, and community pride.
- Lifelong Learning & Creativity: children developed creative skills and self-expression in a supported environment.
- Youth Engagement: the workshop provided positive, safe holiday programming that supports local families.

- Arts, Culture & Identity: the growth of “Hamish the Community Rock Snake” reflects collective identity and participation in a creative community project.

The overwhelming success of this initiative demonstrates the importance of sustained investment in accessible, community-based holiday activities that support Council’s vision for a connected, creative, and resilient community. As part of Council’s commitment to child safety and risk management, a sign-in protocol was implemented and trialled for all participating children, together with informed parental media consent. This process was smoothly adopted, providing staff with accurate attendance records and emergency contact details, thereby ensuring compliance with best-practice standards in child safety, duty of care, and program delivery.

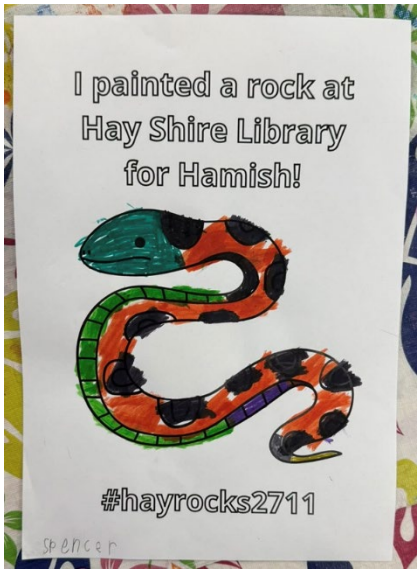




Figure 6, 7, 8, 9: Event Attendees at Rock Painting













Figure 10, 11, 12, 13: Event Attendees at Rock Painting

LIBRARY EVENT – ADULTS (To Be Ongoing)

Cuppa and a Chat – July Meet Up

The Hay Shire Library's *Cuppa & a Chat* program is demonstrating strong and growing community interest, with attendance nearly doubling from 10 participants in June to 19 in July. The session focused on life in Hay during the 1950s and 1960s, with historic photos and shared stories sparking lively conversation, laughter, and reconnection among residents — some of whom had not seen each other in years.



Figure 14: Attendees discussing articles at Cuppa and a Chat

The event generated significant interest, with attendees enquiring about future sessions and expressing enthusiasm for the next gathering on 18 August. This highlights the program's role in building anticipation and ongoing community engagement.

Importantly, *Cuppa & a Chat* provides a safe and inclusive space for older residents, many of whom may not regularly attend other programs. Research consistently shows that opportunities for social engagement and reminiscence improve wellbeing, reduce feelings of loneliness, and enhance memory and mood in older adults. Sharing personal stories fosters a sense of belonging and identity, while informal gatherings like this strengthen intergenerational ties and community resilience.

The success of the program demonstrates the library's unique role in supporting social inclusion, promoting positive ageing, and providing meaningful opportunities for connection and joy through simple yet powerful acts of conversation, memory sharing, and companionship.

The next session will be held on **Monday, August 25**, with a focus on sport throughout Hay's history. Everyone is welcome to come along, share a cuppa, and enjoy a friendly, inclusive space that celebrates the people and stories that shape our town. Morning tea is proudly donated by wonderful friends and family of the library with a flair for culinary delights – the wonderfully appreciated scones and slices will be available at our next event.



Figure 15: Group photo of Attendees of Cuppa and a Chat

LIBRARY EVENTS – ADULTS (Regular Events)

Hay Library Knitters for Can Assist (Ongoing)

The Knitters group continues to meet weekly on Wednesday mornings, maintaining strong participation and contributing to local causes such as the Can Assist Hay knitting initiative. The group remains a popular social and creative outlet, reflecting Council's goal of fostering inclusive and connected communities.

Scrabble Group (Ongoing)

Scrabble players have resumed regular Wednesday sessions, providing enjoyment, mental stimulation, and social interaction. Attendance remains steady, with participants of varying ages contributing to the library's welcoming and vibrant environment.

Plans are now underway to collaborate with the Library Knitters in offering knitting workshops for both children and adults, further extending opportunities for skill-sharing, creativity, and community engagement.

LIBRARY EVENTS - CHILDREN AND YOUNG PEOPLE

Hay Youth Task Force (Ongoing)

Members of the Hay Youth Task Force have been meeting at the library, using the space to

prepare for presentations and to hold discussions. This reinforces the library's role as a flexible and supportive community venue for young people.

Public Tuesday Story Time Sessions (Ongoing)

Weekly Story Time on Tuesdays attracts between 20–36 participants and remains a highly popular program, fostering early literacy and providing valuable connection for young families.

Educational Partnerships (Ongoing)

Educational partnerships remain strong, with Hay Public School visiting fortnightly (approximately 50 students each visit) to build library familiarisation skills and explore collections. Hay Children's Services also attends weekly Story Time sessions (8–15 children), further embedding early literacy, library use, and social connection from an early age.

Other Business – Council's Partnership with the Imagination Library

With NSW Government funding for the Imagination Library program scheduled to cease in 2026, Council will need to determine its future role, level of support, and potential funding commitment to sustain local literacy initiatives. Please see below for relevant information for consideration and a proposal from the library team leader. A Support Letter from Hay Children's Services is also attached to this report for your reference.

Proposal: Transition from the Imagination Library to Council-Delivered Literacy Programs

1. Preface

Following Council's meeting with United Way regarding the future of the Imagination Library, several key points and cost considerations were identified:

- Continuation for current enrolees: Children enrolled before 31 August 2025 will continue receiving books until June 2026 under existing funding arrangements. However, any child enrolled after 31 August 2025 would require full Council funding.

- Outdated cost modelling: Updated forecast cost modelling for continuation beyond 2026 has recently been provided by United Way.

- Staff see three possible scenarios moving forward:

1. Continue new enrolments and support all enrolled children until they graduate in 2031. As per the forecast model, this would be projected to cost council $107,201 over the five year period.

2. Continue new enrolments only for newborns, which would exclude older children in households, creating inequity and reducing impact. As per the forecast model, this would equate to a cost of $73,359 over the 5 year period.

3. Fund only currently enrolled children so their literacy progress can be tracked until graduation. This was presented as the most “viable” option, with an indicative cost of approximately $1,188 per month, or $14,256 for the first year, post 30 June 2026. After this, the cost to continue with children currently enrolled would decline each year as per the forecast model with children graduating the program with a total cost over 5 years equated to be $33,042. United Way advised that there is no guarantee these costs will remain stable, as they purchase books in bulk and the majority of the expense is associated with postage rather than the books themselves. Costs would gradually decline as children graduated but remain ongoing for several years, subject to change.

- Existing funds: Council has approximately $2,300 in pre-paid funds held by United Way, equating to around two additional months of program delivery. The conditions on withdrawing or redirecting these funds remain unclear. In addition, Council current budget has $3,000 allocated towards this program.

- External comparisons:
    - Some councils (e.g. Narrabri) have secured corporate or philanthropic sponsorships, such as Whitehaven Coal, to extend the program.
    - Others (e.g. Junee and Cowra) have committed direct council funds to ensure continuity.
    - By contrast, several councils have discontinued the program, with enrolled children to continue receiving books until June 2026 but no further expansion planned.

- Sponsorship limitations: United Way suggested seeking local business sponsorship to sustain the program. However, given the small size of our community, reliance on uncertain business contributions is unlikely to provide a stable or equitable solution.

Preferred Approach for Council

At this stage, the author notes that the only feasible short-term option from the above would be to fund currently enrolled children through to June 2026 to honour commitments and allow their literacy progress to be tracked by educational facilities where applicable. This would limit costs to a manageable scale while avoiding inequity between existing participants.

From that point, Council would transition to a more sustainable and impactful model by investing in locally delivered literacy programs such as 1000 Books Before School, Storytime, Baby Rhyme Time, Borrow & Build kits, and parent workshops. These programs align with best practice, provide deeper literacy engagement than the Imagination Library, and can be expanded at a fraction of the cost. Although it is clear that children receiving free books to their homes, especially in regional and remote areas is a wonderful initiative, we believe that utilisation and expansion of library resources and programming would be of much greater benefit. Through informal discussions with parents, the Library Team Leader has been advised that while children enjoy receiving books through the mail, the Imagination Library resources are often under-utilised at home. Parents expressed that their children gain far greater enjoyment and benefit from visiting the library in person — selecting their own books, socialising with others, and accessing a wider and more diverse range of titles, subjects, age-specific resources, and home readers.

In light of these factors, it is difficult to justify Council assuming the financial burden of continuing the Imagination Library beyond 2026 when more cost-effective, flexible, and locally relevant literacy initiatives are already operating within the library service.

2. Purpose

The purpose of this proposal is to recommend that Council cease participation in the Imagination Library program after June 2026 and redirect those funds to locally delivered literacy initiatives, with a particular focus on strengthening the existing 1000 Books Before School program and expanding complementary in-house offerings.

3. Background

Council libraries already deliver several successful early literacy initiatives:

- 1000 Books Before School: A nationally recognised program encouraging families to reach the benchmark of 1,000 books before school entry. This aligns with advice from Hay Children’s Services (HCS), who note that 12 books a year is only “surface level” when

children need repeated exposure to build strong foundations.

- Storytime & Rhyme Time: Regular sessions of books, songs, and rhymes for young children and families. These programs are extremely popular, with strong attendance and community support. However, demand is often greater than capacity. Families with children not in formal care frequently seek out library programs, and HCS children on formal care waitlists also rely on library sessions as an essential alternative. Expanding and enhancing these sessions would ensure no child misses out.

- Regional literacy context: Literacy rates in regional and rural communities consistently lag behind metropolitan areas due to barriers such as reduced access to early childhood education, smaller collections, and fewer enrichment opportunities. This makes it even more important that Council invests in relevant, high-quality, and accessible literacy programs.

- HCS has strongly recommended that investment in early literacy should go beyond surface-level book gifting and instead focus on ongoing, interactive exposure to books and learning experiences. Collaborating with HCS will allow the library to design new, innovative programs that target children most in need, align with best practice guidelines, and strengthen pathways into regular library use.

4. Issues with the Current Model (Imagination Library)

- High Cost: Requires significant per-child investment compared with local alternatives.

- Surface-Level Engagement: Delivers only 12 books per year vs. the recommended 1,000 before school.

- Limited Flexibility: Centrally managed and not tailored to local needs.

- Duplication: Council libraries already provide wide access to books and programs and have the majority of resources already in our collection.

- Lack of Relevance: Centrally selected books, not curated for local culture or educational goals.

- Sustainability: Relies solely on Council funding moving forward.

5. Best Practice: NSW Public Libraries Framework

The NSW Public Libraries Early Language and Literacy Framework recommends programs that are:

- Interactive and Engaging – children actively participate, not just receive books.
- Intentionally Designed – sessions with clear literacy outcomes (e.g., vocabulary, phonological awareness, print motivation).
- Responsive to Community Needs – tailored to socio-economic and cultural context.
- Inclusive of Parents/Caregivers – building adult confidence to support literacy at home.

Council's library service is already delivering in line with these principles and can expand further.

6. Proposed Alternative: Expanded In-House Literacy Programs

(a) Strengthening 1000 Books Before School –

- Tiered incentives: certificates, bookmarks, badges at milestones, plus a "graduation" event.
- Tracking tools: reading passports (progress booklets), digital apps, family packs.
- Recognition: "Reading wall of fame" (library display of progress), community celebrations.
- Outreach: stronger partnerships with schools, preschools, family day care and Hay Children's Services.

(b) Enhanced Storytime & Baby Rhyme Time –

- More frequent sessions to meet demand, including for children not in formal care.
- Themed series (e.g. "STEAM Storytime" (book-based sessions linking to Science, Technology, Engineering, Arts and Maths) or "Family Heritage Storytime" (celebrating cultural backgrounds and stories from local families)).
- Intentional activities to deepen the learning across developmental domains.

(c) Parent & Caregiver Workshops -

- Practical strategies for reading at home.
- Programs highlighting why reading matters (links to school readiness, social-emotional wellbeing, and long-term success).

(d) “Borrow & Build” Literacy Kits –

- Take-home packs with books, games, and activities.
- Ensures children in remote areas or families unable to attend sessions are supported.
- Building literacy kits that would include books related to a theme and tactile items such as puppets, puzzles and interactive toys to support learning and enhance enjoyment. The kits would also include user guides for parents and carers which includes a song or rhyme they can practice with their children based on the theme. The kits would be focused on relevant themes for our community and regional priorities and experiences, introduce them to new cultural experiences and other learning domains and allow them to learn about things like the arrival of a new sibling, dealing with grief and loss and managing emotions.

(e) Reading Challenges & Awareness Campaigns –

- Seasonal reading challenges.
- Awareness programs explaining the importance of reading for life skills and wellbeing.

(f) Collection Development –

- Update children’s collections to include board books, bilingual materials, and diverse stories supporting social, emotional, and educational growth.
- Respond to calls from the community for books in other languages, reflecting Hay’s increasing cultural diversity. The library can achieve this through bulk loans from the State Library of NSW and targeted acquisitions for the collection.

(g) Outreach Literacy Partnerships

- Pop-up storytimes in parks, community centres, and playgroups.
- Joint initiatives with HCS, family day care and schools.

7. Financial Considerations

- Short-Term Cost (2025–2026): To support children enrolled up to 31 August 2025, United Way estimated costs of approximately $1,188 per month ($14,256 annually) post June 2026. They have noted there is no guarantee these costs will remain the same, as bulk purchasing and international shipping can fluctuate, and the majority of the expense is postage rather than the books themselves.
- Medium-Term Cost (up to 2029): Because children can remain enrolled until they graduate at age five, new enrolments up to August 2025 would mean ongoing costs for up to five years, gradually reducing as children exit the program.
- Estimated Overall Cost: Based on current enrolments and projected continuation, the total cost over five years will exceed $70,000.
- Comparison with Library Collection: Council currently purchases children's books for between $5 and $28 per title. The annual program cost of $14,256 could instead purchase over 500 new children's books every year, benefiting all families rather than a limited number of enrolees.
- Efficiency: Redirecting these funds into in-house programs and collection development would provide long-term, equitable value to the entire community at a fraction of the cost.

8. Community Benefits

- Meets the 1,000 books before school benchmark, ensuring stronger foundations.
- Provides interactive, engaging learning experiences, not just mailed books.
- Expands access for children not in care or on childcare waitlists.
- Ensures relevance with updated, locally curated collections, including bilingual and multicultural resources.
- Aligns with best practice standards and HCS recommendations.
- Strengthens community trust and engagement with locally run programs.

9. Conclusion

Council has an opportunity to manage the exit from Imagination Library responsibly while ensuring that all current enrolees are supported through to June 2026. Beyond this, transitioning investment into sustainable, evidence-based, and locally delivered literacy programs will deliver stronger outcomes, reduce costs, and provide services that reflect the needs of regional families. Over five years, continuing Imagination Library including newborns is projected to cost $107,201; cost of

continuing existing enrolments only is projected to cost $33,042 and to fund books for newborns only is projected to cost $73,359. By contrast, redirecting a portion the $14,256 annual cost into local services could lead towards adding new children's books each year to the collection while funding programs that engage every child in the community.

Importantly, the library is not requesting that Council allocate the same level of funding that the Imagination Library would require. The cost of delivering expanded in-house literacy programs would be significantly less, with greater reach and measurable impact across the community. A relatively modest annual investment would enable the library to strengthen existing initiatives such as 1000 Books Before School and Storytime, while also updating collections and piloting new family literacy programs that represent far better value for money.

While under the Library Act 1939 (NSW), councils are not mandated to provide a library service, they are strongly encouraged to do so as a vital community function. The Act does stipulate that where a council does provide a library service it must provide free membership and access to certain materials to its residents and ratepayers. The fact that Hay Shire Council continues to maintain and support a public library demonstrates a commendable commitment to literacy, education, and community wellbeing. This proposal seeks to build upon that foundation by ensuring Council's investment achieves the greatest possible benefit for local children and families.

10. Recommendation

That Council:

1. Ceases new enrolments in the Imagination Library from 31 August 2025, while ensuring currently enrolled children continue to receive books until June 2026 as currently funded.
2. Reviews its library programs and develops new, innovative programs in collaboration with HCS that align with best practice in early literacy and maximise family participation in library services.
3. At the next Quarterly Budget Review considers the Library Budget allocation for the delivery of in-house, best practice literacy programs at the Hay Shire Library; including and enhance existing programs, including 1000 Books Before School, Storytime, Baby Rhyme Time, and family literacy workshops, with improved incentives and enrolment strategies.
4. Updates and diversifies the children's book collection to support social, emotional, and educational development, ensuring resources remain relevant to the needs of regional families.
5. Promotes equity of access by encouraging extended loans and outreach support for families who are geographically isolated or unable to attend library programs regularly.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Social** 1.2 Recreational, Civic Spaces, and Infrastructure that meet community needs 1.2.1 Enhance public recreation areas and facilities 1.2.2 Placemaking with purpose 1.2.3 Deliver infrastructure that are responsive to the community's needs 1.2.4 Create a safe, inclusive, and resilient community where all members feel secure, supported, and empowered to thrive 1.4 Our youth and aged are supported 1.4.1 Advocate for greater capacity for local based child care services 1.4.2 Support youth and aged services and initiatives 1.5 Our community is inclusive and sustainable 1.5.1 Residents of all abilities and cultures have access to public facilities 1.5.2 Inclusive and Empowered Communities 1.5.3 Enhance educational pathways and opportunities 1.5.4 Promote inclusion and education of all abilities workers in community and business sector 1.5.5 Facilitate access public spaces for cultural and community events 1.5.6 Support cultural programs and initiatives, including First Nations **Civic Leadership** 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance 4.1.2 Monitor and evaluate Council's strategic planning documents 4.1.3 Be environmentally responsible in decision making 4.1.4 Council will seek to continuously improve 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.1 Provide an advocacy role on behalf of the community 4.2.2 Inform and empower community input into decision making 4.2.3 Our community has access to Council information, services and facilities 4.3 Our Council is inclusive and sustainable 4.3.1 Enable an engaged workforce with suitable skills, available in the right place at the right time 4.3.2 Build a strong, collaborative, and supportive team culture

	4.3.3 Ensure a financially sound Council that is responsible and sustainable
FINANCIAL IMPLICATION	Moderate – to continue with the Imagination Library is estimated to cost $60,000 to $70,000 per annum ongoing - Cost to continue for the next 12 months is $14,256
LEGISLATIVE IMPLICATION	Local Government Act 1993 Libraries Act 1939
POLICY IMPLICATION	N/A
ASSET IMPLICATION	N/A
RISK IMPLICATION	Minor - reputational

RECOMMENDATION

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5. Promotes equity of access by encouraging extended loans and outreach support for families who are geographically isolated or unable to attend library programs regularly.

HCS
HAY CHILDREN'S SERVICES

PO Box 154, Hay NSW 2711
02 6993 1757 | admin@haycs.com.au

15th August 2025

To Whom It May Concern,

After meeting with the highly skilled and passionate Library Team Leader to discuss current engagement and existing library-run programs, Hay Children's Services (HCS) representatives were excited to work alongside the library team to increase library membership and embed a love of reading in our youngest community members. As a result, HCS children regularly visit the library with Educators as part of the HCS curriculum and would love to see the library diversify its programming and further strengthen partnerships to support community literacy.

Research consistently shows that strong early literacy skills are key predictors of future educational success, which in turn contribute to higher levels of employment, wellbeing, and mental health throughout life. Data from the Australian Early Development Census consistently shows children in regional and remote areas are falling well behind their city counterparts in all developmental domains. Although meeting literacy outcomes is not principally the responsibility of the Council or library staff, Council's endorsement of a tailored literacy program in a literacy-rich community space will protect and foster the developmental outcomes for local children.

HCS enthusiastically supports a partnership with Hay Shire Council Library to co-develop and/or implement a locally tailored intentional program aimed at improving literacy outcomes for children in our community. We wholeheartedly back the Team Leader's vision to increase consistently delivered programs and engagement with the library. We believe there is a significant opportunity to create a deeper, more meaningful impact through a locally driven initiative—one that builds on and enhances the current Storytime program. We have full confidence the Team Leader holds the necessary skills and qualifications to develop and deliver such a program at a drastically reduced cost to council (in comparison to the Imagination Library costing).

We recognise reading in social environments is far more advantageous than reading in isolation. While programs such as the Imagination Library are valuable in introducing books into homes, they provide only surface-level support. HCS families participating in the Imagination Library program have reported that children are excited to receive books in the mail, but parents/carers are unsure how to support their child's literacy development beyond reading the books. We also understand the recommended 1000 books before school is unaffordable for many parents/carers. 12 books a year through the Imagination Library program does not accomplish this goal.

HCS
HAY CHILDREN'S SERVICES

PO Box 154, Hay NSW 2711
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It is widely known the extensive waitlist for children to attend formal Early Education and Care in Hay is a major barrier to families returning to work outside of the home. However, consideration may not extend to the negative impact that lack of access to formal Education and Care has on children's learning and development. A literacy-based program delivered to community members without limits on accessibility will undoubtedly benefit children who do not currently have access to formal care.

Although councils are not mandated to provide a library, Hay is fortunate to have a vibrant, welcoming library space available at no cost to the community. In a technology and media driven society, it is imperative the asset remains viable. By leveraging this resource and drawing young children and their families into an inclusive, engaging, and educational space, council can foster a lifelong love of reading and learning from the earliest years. Therefore, protecting the asset for generations to come.

We strongly encourage councillors to endorse the proposal from the Library Team Leader. We are anticipative of working collaboratively to implement a program that not only celebrates literacy but also strengthens community connections and supports every child's right to a bright and successful future.

We welcome the chance to discuss this further at your convenience.

Regards

Cas Tidey
Education Supervisor
Hay Children's Services

C17 - Major Projects Update

REPORTING OFFICER	General Manager
ATTACHMENTS	Nil

INTRODUCTION

Council has been successful in attracting a variety of funding over the last several years.

COMMENTARY

Find below a summary of the projects, and actions currently being undertaken.

STRONGER COUNTRY COMMUNITY – ROUND 2 PROJECTS

Project	Progress
Hay Park Female & Officials Amenities	• Complete.
Lachlan Street Civic Space Project (Witcombe Place)	• Complete.
Booligal Community Project – New toilet block and installation of Public Art	• Complete.
Maude Community Projects - New toilet block, Re-stumping and re-roofing of hall and installation of Public Art	• Complete.
Upgrade and extension to the Hay Park number 1 oval canteen	• Complete.

STRONGER COUNTRY COMMUNITY – ROUND 3 PROJECTS – COMPLETION BY END OF 2022

Water Play	• Complete.

DROUGHT PROJECTS ROUND 1 – ALL PROJECTS EXTENDED TO JULY 2021

Dunera Museum	• Complete.
Hay Gaol	• Complete.
Recalibrate Hay	• Complete.
Water Tower Art	• Complete.
War Memorial Hall Upgrades	• Complete.

DROUGHT PROJECTS ROUND 2 –ALL PROJECTS EXTENDED TILL JULY 2021

Pocock Park	• Complete.
No 3 and 4 Oval Toilets	• Complete.
VIC Expansion	• Complete.
Bike Paths	• Complete.
Gaol Toilets Refurbishment	• Complete.
Shire Entrance Signs	• Complete.
Recalibrate Hay Phase 2	• Complete
Adverse Event Plan	• Complete.
Showgrounds	• Complete.

SHOWGROUNDS STIMILUS FUNDING ROUNDS 1 AND 2 – AND CROWN LANDS GRANT

Phase 1	• Complete.
Phase 2c	• Complete
Phase 3	• Complete

STATUS OF OTHER PROJECTS

Federal Government's 'Local Roads & Community Infrastructure Funding' Phase 1	• Complete
Federal Government's 'Local Roads & Community Infrastructure Funding' Phase 2	• Complete
COAG19(2) Funding	• Complete.
Regional Aerodrome funding (Round 1)	• Complete
NSW Boating Now Round 3	• Complete.
Heavy Vehicle Access Program	• Complete.
Maude Bridge	• Complete.
Community Resilience Grant	• Complete.
Integrated Water Cycle Management Plan (IWCM)	• Complete.
Developer Servicing Plan (DSP)	• Complete.
Scoping Study – Water Treatment Plant	• Complete.

RFS Shed - Booligal	• Complete.
Streetlighting Upgrade	• Complete.
Flood Risk Management Grant	• Complete.
Lachlan Street Civic Space Project (Witcombe Place) – Phase 2	• Complete.
Fixing Country Roads & Fixing Local Roads	• FLR R1 – complete. • FLR R2 - complete. • FLR R3 – complete.
Bridge Renewal Program (Round 5)	• Complete
Fixing Country Bridges Program	• Complete
NSW Heritage Grants 2021-23	• Complete.
NSW Heritage Grants 2025-27	• Council has been successful in its application for funding for the next two years. Funding agreement signed. • Next visit by the heritage advisor is scheduled for late August 2025.
Murray Darling Basin Economic Development Program – Round 3	• Complete.
NSW Regional Sports Facility Fund (Round 1)	• Complete.
Regional Airports Program (Round 2)	• Complete.
Stronger Country Communities Fund - Round 4	• Complete.
2021-22 Crown Reserves Improvement Fund	• Complete.
Local Roads and Community Infrastructure – Phase 3	• Complete.
NSW EPA – FOGO Infrastructure and Collection Grants	• Complete
NSW EPA – Remanufacture NSW Grant Round 2	• Complete
Open Spaces Program – Places to Play	• Complete.
Recreational Fishing and Camping Program	• Complete.
Murray Street Entrance Park	• Complete.
Swimming Pool Refurbishment	• The final masterplan adopted by Council.

	• The NSW Government has released a new program "Multi-Sport Community Facility Fund" in which the swimming pool replacement fits nicely. Staff to make application for $3M under this program, with application submitted. Grant application successful. Storage shed to be moved with this funding to "commence" the project in accordance with funding agreement. Works have commenced in moving the storage shed. Discussing with funding body regarding carrying funds to 2023/24 year. Funds not able to be moved beyond 23/24 year. First payment has been made to Council. • Major contracts have been let. Detailed design in complete and works are well progressed on site. See separate report to Council.
Growing Regions Program – Round 2	• Application successful - $4.191M. Waiting on funding deeds. • Department approval received to commence expenditure while waiting on funding deed. Deed is now fully executed. • See separate report to Council.
Bridges Renewal Program (Round 6)	• The Federal Government has released the next round of the Bridges Renewal Program, with no apparent closing date. • Staff recommend making application for widening of Budgee Creek Bridge as it restricts HPV access on MR319 north of Maude. Project cost estimate is $875,000, with proposed funding to be 80% ($700,000) Bridges Renewal Program and 20% ($175,000) from Council Regional Road budget. • Staff have also re-submitted MR319 Bridges Replacement Package - $3.6M with 80% ($2.88M) funding from Bridges Renewal Program and 20% ($0.72M) from Council. • The mix of funding able to be 80% BRP and 20% Council. • Applications successful. • Budgee Creek Bridge – Complete. • Nimmie Creek Bridge. – Complete • Major culverts on MR319 to Sturt Highway- Delivery of culverts completed. Contractor has commenced on site.
Fixing Local Roads Potholes Program – Rounds 1 and 2.	• The NSW Government released a $50M & $500M programs for funding to repair potholes in each LGA. • Round 1 application successful - $323,242.97– Complete. • Round 2 application successful - $1.716M. Heavy – Complete. • Council received a further $2.4M under the Regional Roads emergency Relief Program. This one has been held over until 24-25 year and Council has three years to

	spend the monies. Works moved to 25/26 and 26/27 years.
Strategic Business Case Fund	• Complete.
Fixing Local Roads – R4	• Complete.
Stronger Country Communities Fund – R5	• Complete.
Regional Housing Strategic Planning Fund	• Complete
Fixing Country Roads Program	• Complete.
Saluting Their Service Commemorative Grants Program	• Complete
Integrated Water Cycle Management Plan (IWCM)	• Completed. See report to the March 2025 meeting.
Heavy Vehicle Safety & Productivity Program	• Cobb Highway intersection into aerodrome - $1.4M, with 80% ($1.120M) from HVSPP and 20% ($0.28M) from Council. Application successful. • Start up meeting held with the funding body. • Fully executed funding agreement received and start up meeting held. • Project in the design stage. Initial design sent to TfNSW for comment/approval. Initial comments received; design being finalised. TfNSW concurrence has been received for the final design. 'For Construction' drawings now finalised and REF completed. Tender for the works on receival of WAD from TfNSW. Fencing and watermain protection works to be undertaken shortly.
Local Government Recovery Grant	• Complete. Final acquittal to be undertaken.
Heavy Vehicle Safety & Productivity Program	• The mix of funding able to be 80% BRP and 20% Council, as there is no planned next round of Fixing Country Roads at this stage. • HVRA application for truck stop in Hay - $3.389M, with grant funding request of $2.711M. • Grant successful and funding agreement signed. • Part 5 Environmental Assessment (REF) has been completed. • Design finalised 'For Construction' and waiting on any final comments from TfNSW, then tender for the works. Waiting on s138 Approval from TfNSW. Fencing and services protection works to be undertaken shortly.
Local Roads Community Infrastructure (LRCI) – Phase 4	• Complete.

Crown Reserves Improvement Fund (CRIF) 23-24	• Applications closed 17th November and Council submitted two applications: - Swimming Pool Replacement early works package - $152,128 - Maude Hall – Stage 3 refurbishment - $153,800 • No co-contribution was required by Council. • Council has been successful with both applications and funding agreements signed. • Maude Hall - completed. • Swimming Pool – This will form part of the pool replacement project. Obtaining updated quotes and in discussion with PCG. Quotes obtained and materials to be ordered, with most now delivered.
Boating Now – Asset Maintenance Program	• Complete.

OTHER FUNDING APPLIED FOR AND PENDING

Regional Precinct & Partnerships Program	• Significant grant funding for major regional precinct projects. There is no closing date for applications. • Projects can be 100% funded. • Staff looking at opportunities for applications: - Stream 1: Hay Aerodrome – Planning - Stream 2: Hay RREP – Stage 2 • Nil progress to-date.
Regional Microgrids Program (ARENA)	• Significant funding for developing a renewable energy microgrid in Hay. There is no closing date for applications. • Projects are 50/50 funded, therefore a financial partner is required. • Staff working on developing a partnership of a project at the Hay RREP. • Nil further progress to-date.
Community Energy Upgrades Fund Program (CEUF)	• The Federal Government has opened a new funding program which is 50/50 funding for (see attached program guidelines): A targeted, competitive grant program that provides co-funding for energy upgrades at existing local government facilities.

	Grants between $25,000 and $2.5 million will be awarded on a merit basis. The program aims to help local governments to: - make their facilities more energy efficient - lower their greenhouse emissions and energy bills. Council unsuccessful with Round 1 application. Round 2 is now open and staff seeking feedback on Round 1 application to reapply for the same project and to also include solar/battery for the Leonard Street pump station as our largest energy use site. Application submitted – total project of $154,000
Regional Economic Development & Community Infrastructure Program	• Council resolved at the January 2025 meeting to submit an application for the full roll out of digital meters to the town water supply network. • Council resolved to a 25% cash co-contribution. • Application submitted. Total project cost was $1,999,444.
Floodplain Management Program 2024/25	• Staff are working on application as reported to the March meeting for: - North and South Hay Levee Upgrade Feasibility Study - The total cost is $160K (ex GST) which requires a Council contribution of $22,857; and - Hay and Maude Flood Warning System Review - The total cost is $110K (ex GST) which requires a Council contribution of $15,714. Applications close 28th May 2025. Application has been submitted.
Saluting Their Service – War Memorials Grant	• Application submitted for interpretative displays and memorial works at the Showground, as per draft Master Plan. • Total project cost $20,000.

Other projects that are in the project formulation phase or that staff are looking for funding include:

Project	Shovel Ready	Estimated Cost	Comment
Stage 2 – John Houston Memorial Swimming Pool – All-inclusive playground	Yes	$948,849	Been unsuccessful with grant applications to-date.
Lions Park upgrade	Yes	$750,000	Create interactive and high visitor experience, tying into Hay's history

Halse Park upgrade	No	$50,000	Low priority
Dal Wright Park	Yes	$100,000	• The concept of redevelopment of the park was a result of the Murrumbidgee River Master Plan, where the redevelopment of the park was included as a “Arboretum / botanical garden which showcases local vegetation communities and associations. Includes plant identification and interpretive signage, public art and installations, gathering spaces and connections to existing path networks.” • The proposed park reflects the natural areas in the LGA, with suitable artworks, seating and viewing platforms.
Gaol frontage and surrounds – landscaping and heritage walking trail	Yes	$252,000	Includes gravel footpaths, landscaping, irrigation, signage, disabled access, another exhibition shed.
Refurbishment of Hay Grandstand	Yes	$80,000	Received Heritage Advice, will need to go on quote to get estimate
Refurbishment of Hay Park Water Tower	No		Received Heritage Advice, will need to go on quote to get estimate
Administration Building – Council Chambers and EOC refurbishment	Yes	$350,000 (excluding IT)	High priority and could attract EOC funding for the IT component
Lachlan Street Upgrade	Yes	$3M	Upgrade of Lachlan Streetscape as determined in the Lachlan Street Masterplan.
Marking of un-marked graves at Hay Cemetery.	No	$450,000	The Marking of the un-marked graves, including Servicemen at the Hay Cemetery.
Community Building	No	$1M	The community building is in need of a facelift. As part of the Youth Funding, the building upgrade is currently being designed and consulted.
Museums	Yes	Unlimited	The museums will need continued expenditure to keep up with required maintenance and renewal.
Hay War Memorial Hall	Yes	$200,000 (phase 3&4) $150,000 (phase 5)	Phases 3&4 of the refurbishment of the Hall including supper room, storage areas and stage area. Phase 5 – stage area including sound, lighting & curtains.
Refurbishment of RSL/CWA Room – Kay Hull Centre	No	$250,000	Draft design plans completed. Currently in consultation with user groups.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Social** 1.2 Recreational, Civic Spaces, and Infrastructure that meet community needs 1.2.1 Enhance public recreation areas and facilities 1.2.2 Placemaking with purpose 1.2.3 Deliver infrastructure that are responsive to the community's needs 1.2.4 Create a safe, inclusive, and resilient community where all members feel secure, supported, and empowered to thrive 1.5 Our community is inclusive and sustainable 1.5.1 Residents of all abilities and cultures have access to public facilities 1.5.5 Facilitate access public spaces for cultural and community events 1.5.6 Support cultural programs and initiatives, including First Nations **Environmental** 2.3 Celebrate and Promote our unique natural environment 2.2.2 Support local community groups, first nations groups, and other agencies working with the natural environment 2.4 Enhance the built environment 2.4.1 Maintain and beautify urban areas. 2.4.2 Support and promote public art initiatives 2.4.3 Provision of sustainable infrastructure that is adaptive to changing needs, suitability, betterment and funding levels. 2.5 Our community is inclusive and sustainable 2.5.1 People of all abilities have access to natural environments, cycleways and passive areas. 2.5.2 Support cultural environmental initiatives 2.5.3 Advocate for water security and practices 2.5.4 Develop and implement a sustainable waste management strategy 2.5.5 Facilitate and support sustainable practices across our community **Economic** 3.2 Our community values its history and tourism 3.2.4 Showcase our open space, recreation and cultural facilities **Civic Leadership** 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.2 Inform and empower community input into decision making 4.2.3 Our community has access to Council information, services and facilities
FINANCIAL IMPLICATION	Minimal. Some grant programs require co-contribution, which would be funded through current budget or other grant funded programs.

LEGISLATIVE IMPLICATION	Nil
POLICY IMPLICATION	Nil
ASSET IMPLICATION	Any new assets must be operated and maintained by Council into the future.
RISK IMPLICATION	Minimal.

RECOMMENDATION

That Council notes the information provided in the report and the actions being undertaken.

C18 – Operations Monthly Update Report

REPORTING OFFICER	Executive Manager Engineering & Operations
ATTACHMENTS	Nil

INTRODUCTION

This report is an operations progress update.

COMMENTARY

This report outlines the operational activities of the Engineering and Operations sector over the last reporting period.

Roads

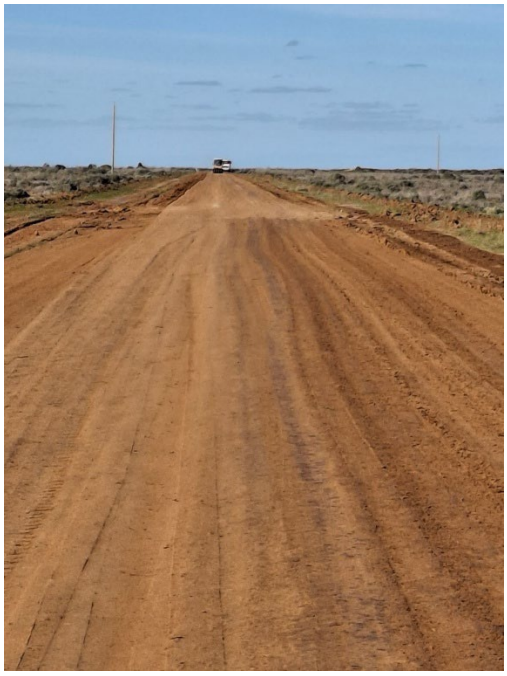
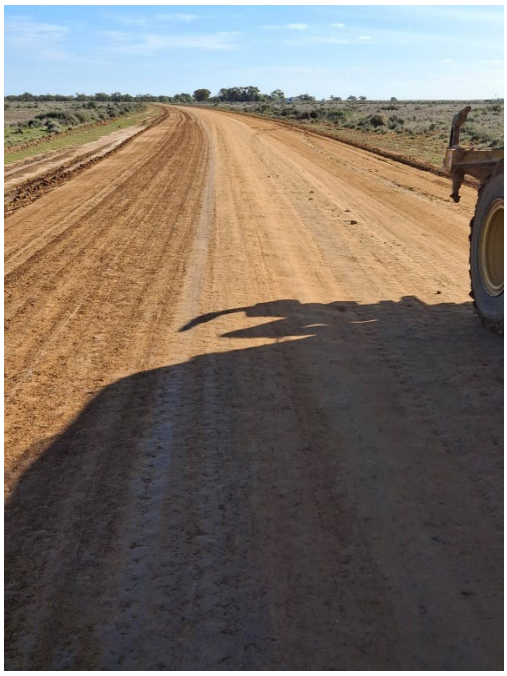
- Monthly road hazard inspections.
- Maintenance grading West Burrabogie Road.
- Maintenance grading Daisy plains Road.
- Maintenance grading Glencoe Road.
- Pavement and grid repairs Jerilderie Roads.
- Council carpark pavement repairs.
- MR319 Culverts replacements.
- Glencoe Road pavement repairs.



Glencoe Road rural road pavement repairs.



Glencoe Road maintenance grade

Daisy Plains Road maintenance grading





Grid repairs – Jerilderie Road

Plant Purchases

- Nil

Plant Disposal

- Nil

Major Plant repairs/breakdowns

- Kubota tractor 4102 – front bucket repairs
- Roller 3122 – wiring repairs





Aerodrome

- Weekly inspections.
- Grounds maintenance.
- Hazard reduction slashing.
- Heavy vehicle access planning

Parks and Gardens

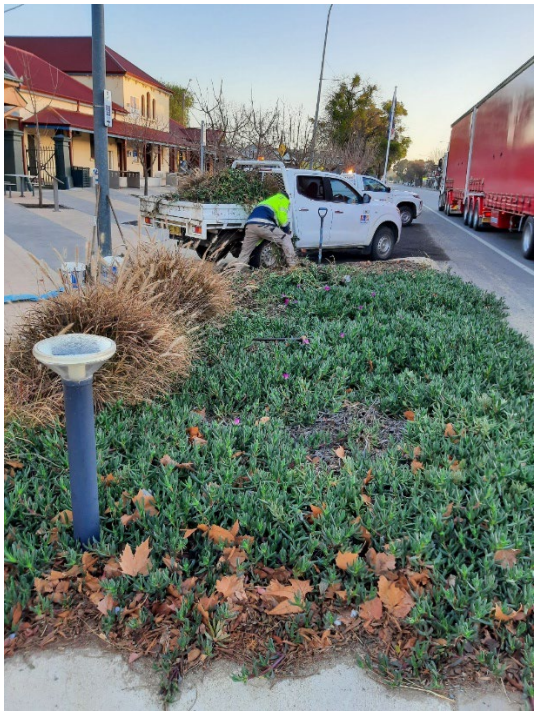
- Regular mowing and whipper snipping of all parks.
- Tree planting and maintenance
- Lachlan Street maintenance including leaf removal.
- Gutter cleaning
- Cemetery Maintenance
- Regular mowing on sports ovals
- Irrigation maintenance
- Grounds maintenance at Bishops Lodge
- Parks and Gardens crew have been working on the old nursery at the Depot, so we can grow annuals and put some colour in Lachlan Street in a cost-effective manner.
- Spent a wet day organising tool shed and have been undertaking training in our irrigation system, where we've learnt much-needed skills to streamline our operations.
- Rejuvenated one of the garden beds outside the post office and hope to continue further throughout the town.
- Works completed at the medical centre.

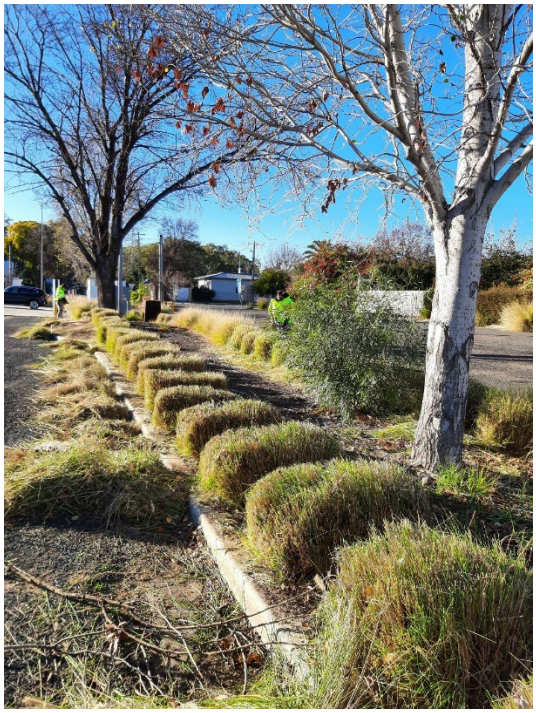













Pool

- Outside ground maintenance.
- New pool construction continuing.

Cemetery

- Maintenance of the Lawn and traditional cemeteries.
- Grave digging lawn and general cemetery.

Waste

- Normal operating duties at Hay Waster Transfer Station.
- Operating the Material Recycling Facility
- Monitor usage of Booligal and Maude waste trailer's and empty as required.
- Transfer of waste from Waste Transfer Station site to tip site.
- Pressing cardboard and plastic.
- FOGO processing

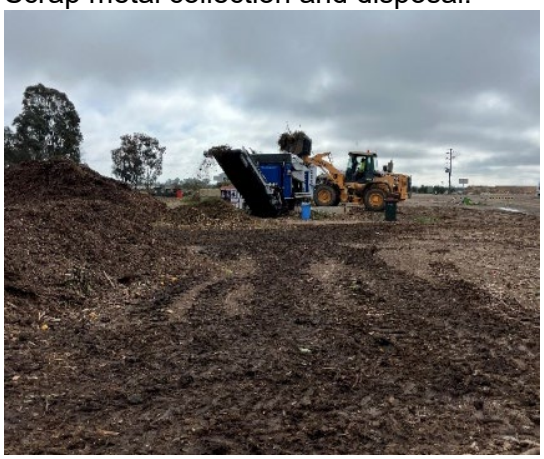








Scrap metal collection and disposal.



Town Construction

- Town Streets pothole maintenance.
- Road shoulder repairs in front of the Ampol South Hay
- Local sealed road pothole repairs
- Assisting the Water and Sewer Department.
- Tip maintenance.
- Grave digging.
- Installation of plaques in the Hay Lawn Cemetery.
- Sandy Point Fishing Platform – complete.
- Rural signs maintenance.
- Hay Showgrounds tree maintenance.





Hay Showgrounds









Sandy Point Fishing Platform

Utilities

- Water meter rereads.
- Various water meter replacements.
- Water Treatment Plant daily operations and maintenance.
- Sewer Treatment Plant daily operations and maintenance.
- Various water leak repairs.
- Sewer main relining and camera inspections completed.
- Stormwater pit maintenance.
- Various fire hydrant replacements.
- Fire hydrant flushing.



Water leak in Edward Street

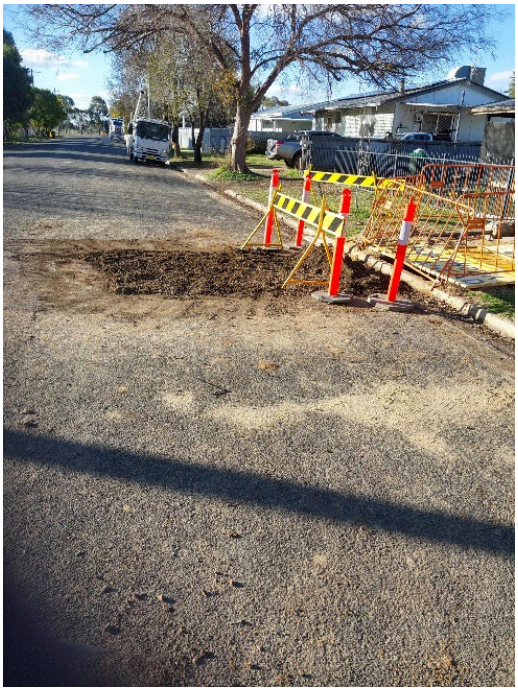


Sewermain break in William Street









Staff Training

- Traffic Control Course
- Part 1 Wastewater Treatment





Biosecurity

- Road inspections for 25/26 commenced with 155 kms completed.
- Lawn and General cemetery weed control, spraying and chipping.
- Town lanes sprayed east of Lachlan St, West to be done as weather allows.
- Roadside spraying as weather warms up with Corrong Road started.
- African Boxthorn spraying behind sewer treatment works, some already showing uptake of chemical.
- Bio-control inoculation of Boxthorn on local properties with Local Lands Services.
- Attended biannual State Weeds Conference in Port Macquarie, with presentations from chemical and equip companies, DPI, Local Lands Services and councils from all over the state.







Compliance Officer
This report informs Council of the monthly activities undertaken by the Ranger over the reporting period.

Pound activities

- 5 dog/s have been placed in the pound having been picked up by the Ranger, surrendered by their owners or dumped at the pound.
- 0 Dog/s returned to their owners, after fees paid.
- 5 dogs in pound released into the re-homing program.
- 1 Dog seized for attacking people or animals.

Callouts attended for: Stray animals, Illegal Camping, Stock, Barking Dogs, Air Ambulance

Abandoned Vehicles: 1

Issued Orders:
Order 18: 1
Nuisance dog order/s: 0
Dangerous dog order/s: 0
Menacing dog order/s: 1
Non-Compliance Orders: 0
Fines: 1
Caution Letters: 0

Others:

0 dogs destroyed over the month as dangerous.
0 cats destroyed deemed to be feral animals.
0 cats currently impounded due to be destroyed no owner identified unable to rehome.
0 cat picked up.
8 cats Surrendered.
5 cats rehomed.
0 cats dumped in cage.
0 Sick/injured cat euthanised.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	**Social** 1.2 Recreational, Civic Spaces, and Infrastructure that meet community needs 1.2.1 Enhance public recreation areas and facilities 1.2.2 Placemaking with purpose 1.2.3 Deliver infrastructure that are responsive to the community's needs 1.5 Our community is inclusive and sustainable 1.5.5 Facilitate access public spaces for cultural and community events **Environmental** 2.1 Council is resilient and adaptive

	2.1.1 Council considers climate change resilience in our services, and the maintenance and management of our buildings, public spaces and infrastructure. 2.1.2 Foster sustainable energy solutions and practices to reduce Council's footprint. 2.4 Enhance the built environment 2.4.1 Maintain and beautify urban areas. 2.4.3 Provision of sustainable infrastructure that is adaptive to changing needs, suitability, betterment and funding levels. 2.5 Our community is inclusive and sustainable 2.5.1 People of all abilities have access to natural environments, cycleways and passive areas. 2.5.4 Develop and implement a sustainable waste management strategy **Economic** 3.2 Our community values its history and tourism 3.2.4 Showcase our open space, recreation and cultural facilities **Civic Leadership** 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance 4.1.2 Monitor and evaluate Council's strategic planning documents 4.1.3 Be environmentally responsible in decision making 4.1.4 Council will seek to continuously improve
FINANCIAL IMPLICATION	Works undertaken in accordance with adopted Operational Plan.
LEGISLATIVE IMPLICATION	Nil
POLICY IMPLICATION	Nil
ASSET IMPLICATION	Assets maintain and replaced as they fall due.
RISK IMPLICATION	Minimal

RECOMMENDATION

That Council notes the information provided in the report.

MINUTES INDEX

- Hay Showground Management Committee 18th June 2025
- Hay Showground Management Committee 21st July 2025

HAY SHOWGROUND MANAGEMENT COMMITTEE

General Meeting Minutes

Meeting Date and Time: 18th June 2025 **Meeting Opened:** 6.00pm

Meeting Location: Council Chambers **Meeting Chair:** Lionel Garner

Attendance:

Secretary/BNS	Serena Wall
Treasurer/Canassist	Jane Griffiths
Hay Gun Club	Jason Wall
Hay Jockey Club	Mike Cannon
Hay Rodeo	Boof Curtis
Hay Show Society	Jill Chapman
Hay Sheep Show	Stacey Lugsdin
Ground Supervisor	
Council	David Webb
Caretaker	
Visitors	

	Agenda Items	Proposed Motions
1	**INTRODUCTION / WELCOME** 1.1 Attendance & Apologies	**1.1** Attendance noted & apologies accepted ***Apologies: Jason Wall***
2	**CONSENT AGENDA – FOR DECISION** 2.1 Approval of Previous Minutes 2.2 Business Arising previous minutes 2.3 Correspondence 2.4 Financial Report	***2.1 Motion: That the minutes from the meeting held 19th May 2025, are a true and correct record of that meeting.*** ***Moved M Cannon Second S Wall*** **2.2 Business Arising** Updates bins – deliver IBC's when events are on. Master plan on public exhibition Pushed back to July for painting the pavilion Discussed pavilion being replaced rather than updated, at this stage he cost would be out of our scope but may be able to look at within the plan or grants. **2.3 Correspondence** **In** Motorcycle & Marine - $156.00 Hay Shire Council - $3015.52 Water account Antonakas Hardware - $274.70 **Out** **2.4 Financial Report** Prepared by Jane ***Moved J Griffiths Second J Wall***

HAY SHOWGROUND MANAGEMENT COMMITTEE

General Meeting Minutes

		Approval for accounts to be paid. ***Moved J Griffiths Second J Wall*** **Accounts to payment** Motorcycle and Marine Antonakas Fraser Dwyer Hay Shire Council Kevins Honorarium DG Harrisons Need to order receipt books – will order in financial year
3	**MATTERS FOR DISCUSION** **3.1** Pavillion toilet drainage **3.2** Pavillion flooring options **3.3** Cleaning items - Kitchen	**3.1** Need to look at options for drainage in the toilets. Difficult to clean out as the water has no where to drain from. Had to sweep out. David will investigate this and arrange some options for us. **3.2** Flooring in the pavilion is tired, the repairs are now stripping and some sections have holes. David will look at options for flooring repairs and aim to get quotes. **3.3** Would like to place mop/broom/bucket in the kitchen in the pavilion for use when hiring. ***Moved S Wall Second J Griffiths***
4	**OTHER GENERAL BUSINESS** 4.1 Secretary 4.2 Hay Show 4.3 Rodeo Club 4.4 Hay Jockey Club 4.5 BNS 4.6 Ground Supervisor 4.7 CanAssist 4.8 Sheep Show 4.9 Hay Gun Club 4.10 Council 4.11 Caretaker	**4.1** Circus will be arriving this coming Monday, Staying a week with multiple shows over the following weekend. **4.2** Nothing to report. Jane congrats Jill on the award in the paper. **4.3** Nil to report **4.4** Will be sourcing quotes for lights in the rodeo. Toilet paper rolls holders in the rodeo toilets to be upgraded to the same holders within the other toilets on the grounds. **4.5** Weekend was great. Had just under 750 people. Police, security great. Floor in pavilion. Kitchen water is a pain. Need some strategies for noise complaints. Clean up was perfect. **4.6** Nil **4.7** Canassist sign to be upgraded at the pigeon club. **4.8** 74th Sheep Show. SA not attending due to drought. Spectators' numbers up. Good feedback. Thank you to the BNS for the floors. Show Society please be mindful of the flooding into the storerooms. **4.9** Discussed peppercorn trees removal. Quotes to be sourced.

		4.10 Nil from Council **4.11** Nil
5	**MEETING FINALISATION** 5.1 Next meeting: 6.30pm	**5.1** 21st July 2025, 6pm at Council Chambers

Meeting Closed: pm

HAY SHOWGROUND MANAGEMENT COMMITTEE

General Meeting Minutes

Meeting Date and Time: 21st July 2025 **Meeting Opened:** 6.00pm

Meeting Location: Council Chambers **Meeting Chair:** David Webb

Attendance:

Secretary/BNS	Serena Wall
Treasurer/Canassist	Jane Griffiths
Hay Gun Club	Jason Wall
Hay Jockey Club	Mike Cannon
Hay Rodeo	Boof Curtis
Hay Show Society	Jill Chapman
Hay Sheep Show	
Ground Supervisor	Barry Nisbet
Council	David Webb
Caretaker	
Visitors	

	Agenda Items	Proposed Motions
1	**INTRODUCTION / WELCOME** 1.1 Attendance & Apologies	**1.1** Attendance noted & apologies accepted ***Apologies: Stacey Lugsdin, Lionel Garner***
2	**CONSENT AGENDA – FOR DECISION** 2.1 Approval of Previous Minutes 2.2 Business Arising previous minutes 2.3 Correspondence 2.4 Financial Report	***2.1 Motion: That the minutes from the meeting held 18th June 2025, are a true and correct record of that meeting.*** ***Moved B Nisbet Second J Wall*** **2.2 Business Arising** Nil **2.3 Correspondence** **In** Antonakas Hardware - $96.35 Hyde Plumbing - $1347.89 Quote – tree removal & trimming Letter – Paul Edwards showground Issue Thank you letter Mitchell Reunion **Out** **2.4 Financial Report** Prepared by Jane ***Moved J Griffiths Second B Nisbet***

HAY SHOWGROUND MANAGEMENT COMMITTEE

General Meeting Minutes

		Approval for accounts to be paid. ***Moved J Griffiths Second J Wall*** Quotes for receipt books – Jane sent to Serena **Accounts for payment** Anthony Hydes Antonakas
3	**MATTERS FOR DISCUSION** **3.1** Update from last meeting - Drainage and water to toilet block near pavilion (completed); toilet roll holders rodeo toilets (completed) **3.2** Painting pavilion – update **3.3** Pavilion Floor – quotes received **3.4** Tree trimming – updated quote received **3.5** Showground Master Plan – final plan for endorsement following public exhibition **3.6** Rubbish removal & extra clean up **3.7** Job agreement for caretaker **3.8** Caretakers cottage	**3.1** Tap outside the toilet block near the pavilion has been installed, drainage in the toilet has been done. Toilet roll holders replaced in the rodeo toilets **3.2** Painting of pavilion completed next week, all going to plan. **3.3** Pavillion floor quote - 70k will add to wish list **3.4** Tree trimming – $21,500 plus GST from ProLop ***Move to accept the quote*** ***Moved J Griffiths Second J Wall*** **3.5** Master plan endorsement for Council to adopt. Barry/Jason August council meeting for August **3.6** Discussed the collection of rubbish around the grounds. Discussed the overgrowth of weeds that need spraying. User groups will meet onsite to check through the list of work that could take place. **3.7** Will locate and update the position description, Kevin to only directives from executive. **3.8** Discussed possibly transforming the pony club rooms into a temporary caretaker's cottage. David will investigate if this building is suitable for a residential dwelling. This would only be temporary until a permanent house can be constructed. **3.9** Installation and rework of the fencing to make the grandstand drop off on the western side of the grandstand. As per emails after safety assessment from the HJC. **3.10** Camping sign, removed by Council. Back of the bar, near the honesty box. Can this sign be found and reinstalled. **3.11** Chris Garner – Barry will contact him tomorrow. **3.12** Fee for the RFS Exercise $400.00 form submitted to VIC.
		4.1 Circus good feedback. Bill paid.

HAY SHOWGROUND MANAGEMENT COMMITTEE

General Meeting Minutes

4	**OTHER GENERAL BUSINESS** 4.1 Secretary 4.2 Hay Show 4.3 Rodeo Club 4.4 Hay Jockey Club 4.5 BNS 4.6 Ground Supervisor 4.7 CanAssist 4.8 Sheep Show 4.9 Hay Gun Club 4.10 Council 4.11 Caretaker	**4.2** Organising of the show is in full progress. **4.3** Quotes for fencing around the arena, may need a contribution from the trust. Belly rail around the arena – Rodeo is scheduled for the Feb 28th - AGM Saturday 26th July **4.4** Thank you to the attending to the safety issue on the grandstand. Running rails will be completed after the show. Track will remain closed until completed. Discussed that the rails could potentially be dangerous to show patrons. Will discuss with committee **4.5** Didn't pay the full amount of the hire fee. Need to pay another $70. will sort this payment asap. **4.6** Nil **4.7** Nil **4.8** Nil **4.9** Received a letter from the Local Land Services, requesting information about the stock numbers. David took and will complete and send. Shoot this weekend. **4.10** Nil **4.11** Nil
5	**MEETING FINALISATION** 5.1 Next meeting: 6pm	**5.1 18th August 2025**, 6pm at Council Chambers

Meeting Closed: 6.55pm

CLOSED COMMITTEE NOTIFICATION

HAY SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
26TH AUGUST 2025

List of items entitled to be dealt with in a Closed Meeting

Section 10A of the Local Government Act 1993 provides that all matters shall be discussed in open other than matters that relate to the following: -

(a) personnel matters concerning particular individuals (other than councillors);
(b) the personal hardship of any resident or ratepayer;
(c) information that would, if disclosed, confer a commercial advantage on the person with whom the council is conducting, or proposing to conduct, business;
(d) commercial information of a confidential nature that would, if disclosed:
  (i) prejudice the commercial position of the person who supplied it, or
  (ii) confer a commercial advantage on a competitor of the council, or
  (iii) reveal a trade secret;
(e) information that would, if disclosed, prejudice the maintenance of law;
(f) matter affecting the security of the council, councillors, council staff or property;
(g) advice concerning litigation, or advice that otherwise would be privileged from production in legal proceedings on the ground of legal professional privilege, and
(h) information concerning the nature and location of a place or item of Aboriginal significance on community land.

Council or a council committee may close part of a meeting only for such portion of the debate on an item as is necessary to preserve confidentiality, privilege or security. The resolution closing the meeting must specify:

- the provision of section 10A (2) of the Act under which part of the meeting is being closed,
- the matter to be discussed during the closed part of the meeting, and
- the reasons why it is being closed, including an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to public interest.

Section 11
In accordance with Section 11(2)(a)(b) of the Local Government Act 1993, access to the correspondence and reports relating to the items considered during the course of the Closed Session will be withheld.

Reason for Confidentiality:

IC.1 General Manager Annual Performance Review for period ending 30 June 2025

(a) personnel matters concerning particular individuals (other than councillors);

Further that in accordance with Section 10D it is considered that if the matter were discussed in an open Council meeting, it would disclose information of a personal nature of an employee of Council.