



Business Paper

Ordinary Meeting

Tuesday, 17th December 2024
1.00pm

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.



Hay Shire Council

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13th December 2024

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, 17th December 2024 to be held 1.00pm
in the Council Chambers.**

The agenda for the meeting is as follows:

1. Council prayer
2. Apologies
3. Requests to attend by audio-visual link
4. Confirmation of minutes
5. Matters arising from minutes
6. Declarations of interest
7. Supplementary Mayoral Minute (if applicable)
8. Mayor's Report
9. Delegate report
10. General Manager's Report
11. Committee Reports

This meeting will be audio recorded and available on Council's website within 48 hours on completion of the Ordinary meeting.

Yours sincerely,

David Webb
General Manager

MINUTES INDEX

- Ordinary Meeting – 27th November 2024

MINUTES OF THE ORDINARY MEETING OF THE HAY SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS LACHLAN STREET HAY AT 1.00PM ON 26th NOVEMBER 2024

PRESENT: Councillors: Mayor Cr C Oataway (Chair), Cr G Chapman, Cr L Garner, Cr W Miller, Cr J Perry, 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 Mia Headon-Doidge.

Apology: Nil

Request to attend by Audio Link: Nil

This meeting was audio recorded.

Confirmation of Minutes

24-115 Resolved that the minutes of the Ordinary Meeting of Council held 22nd October 2024 be confirmed with the following amendment resolution 24-98: remove Cr Quinn from the Australia Day Committee as he was not delegated to the committee. .

(Perry/Tapper)

Declaration of Interest

- Report C2- DA2024-59 522 Clay St, use of Shed as mechanic workshop- Cr Quinn non-pecuniary interest, neighbouring property
- Report C11 – Request for Leave of Absence - Cr Chapman

Mayoral Report

That Council receives and notes the report provided

General Manager's Reports

Action Plan Report

The report was received and noted.

THIS IS PAGE NO PAGE 1 OF 13 OF THE MINUTES OF THE ORDINARY MEETING OF HAY SHIRE COUNCIL HELD ON 26th NOVEMBER 2024.

Josh Porker & Tyson Holt from RSD Audit presented to Council on the 2023/2024 Audit.

C1 Presentation of Financial Statements

- 24-116 Resolved** that the Council formally presents the Financial Statements and Audit Reports and considers any submissions received.
(Quinn/Porter)

C2 Development Applications – 12th October 2024 to 15th November 2024

That Council notes the list of Development Applications 12th October 2024 to 15th November 2024

C3 DA2024-27 – Intensification of Ravensworth Feedlot at 32570 Sturt Hwy, Hay

Proponent Ron Harris spoke to Council

- 24-117 Resolved** the DA2024-27 for the Intensification of the feedlot cattle limit from 60,000 head to 100,000 standard cattle units with no change to existing infrastructure and consistent with the original DA 1990/002, at Ravensworth, 32570 Sturt Highway, Hay (Lot 2 DP 1245331), be approved pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, with the following conditions:

General Conditions

1. Compliance with Consent:

The Development being completed in accordance with plans and specifications stamped by Council, except where varied by conditions of this consent. These include:

- Development Application, Statement of Environmental Effects and Plans
- Addendum to Statement of Environmental Effects (Addendum 240621)
- Traffic Impact Assessment

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).

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. Variations:

No alteration to approved plans and specifications is allowed unless separately approved by Council.

Reason: *To ensure the designs meet regulations and standards and are in line with Council policies.*

5. 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.*

6. 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.*

7. Minimise dust and noise

The Applicant must undertake measures to minimise dust and noise and ensure the impact on neighbouring properties is minimised.

Reason: *To minimise environmental and amenity impacts of the development.*

8. Waste:

If the developer would wish to utilise any waste facilities of the Council, a Waste Management Agreement must be agreed upon before commencement of construction.

Reason: *To minimise the waste impact.*

9. If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:
- Not further harm the object;
 - Immediately cease all work at the particular location;
 - Secure the area so as to avoid further harm to the Aboriginal object;
 - Notify Heritage NSW as soon as practical on 131555 or by emailing ahims@environment.nsw.gov.au, providing any details of the Aboriginal object and its location;
 - Not recommence any work at the particular location unless authorised in writing by Heritage NSW.
 - In the event that human 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.

Reason: *To ensure the works are completed in accordance with the SEE, approved plans and this approval.*

EPA Conditions

10. Water Balance and Irrigation Management

- Within three months of the Proposal being approved, an updated Site Water Balance Assessment is to be completed and submitted to the EPA to demonstrate that the site can effectively manage the increased in volume of wastewater.
- Within three months of the Proposal being approved, an updated Irrigation Management Plan to be submitted to the EPA in accordance with the Environmental Guidelines: Use of Effluent by Irrigation (DEC2004) to demonstrate that the site can effectively manage the increased volume of irrigation water.

11. Greenhouse Gas Mitigation and Adaptation Plan

- Within nine (9) months of the Proposal being approved, the Proponent is to submit an updated Greenhouse Gas (GHG) Assessment and a GHG Mitigation Plan prepared in accordance with the most recent publicly available version of the NSW EPA Guide for Large Emitters.
- Within 12 months of the Proposal being approved, the Proponent is to submit a Climate Change Mitigation and Adaptation Plan (CCMAP) prepared in consultation with NSW EPA or in accordance with the latest publicly available guideline once published by the NSW EPA.

Reason: *Compliance with conditions as provided by the relevant Department.*

Transport for NSW Conditions

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General

12. As a minimum the intersection of the driveway with the Sturt Highway shall be constructed to provide a sealed Basic Left Turn (BAL) treatment in accordance with the Austroads Guide to Road Design for a Road-Train Route.
13. As a minimum the access driveway shall be designed and constructed as a "Rural Property Access" in accordance with the Austroads Guide to Road Design. The driveway shall be sealed from the edge of seal of the Sturt Highway to the existing gates to the subject property with a minimum width of 6 metres to provide for 2 way movement of a 36.5m A-Double articulated vehicle.

Prior to commencing works within the road reserve, the developer must:

14. Enter into a Works Authorisation Deed (WAD) with Transport for NSW (TfNSW), or other suitable arrangement as agreed to by TfNSW, for all works on the Sturt Highway for a Road Train route.
 - a. Notes:
 - a) A WAD is a legally binding contract between TfNSW and the developer, authorising the developer to undertake works on a State road.
 - b) To progress the WAD, the developer should review the TfNSW factsheet (Works Authorisation Deed (WAD) - Roads - Private development and other third party work - Partners & suppliers - Business & Industry - Roads and Waterways – Transport for NSW) then email a copy of the conditions of development consent to development.south@transport.nsw.gov.au.
 - c) All roadworks and traffic control facilities must be undertaken by a pre-qualified contractor. A copy of pre-qualified contractors can be found on the TfNSW website at: [Prequalified contractors | Transport for NSW](#)
 - d) Any new services or modifications to existing services associated with this development application that involve works on, over or under the Sturt Highway must be incorporated into, and managed under, the Works Authorisation Deed for the project. Note: It is the developer's responsibility to identify these works to TfNSW project manager.
15. Apply for and obtain Section 138 consent under the Roads Act, 1993 for the works associated with the WAD from Transport for NSW.
 - a. Notes:
 - a) TfNSW will be exercising its powers under Section 64 of the Roads Act, 1993 to become the roads authority for works associated with the WAD and therefore responsible for issuing the Section 138 consent for those specific works.
16. Apply for, and obtain a Road Occupancy Licence (ROL) from the TfNSW Traffic Operations Unit (TOU) prior to commencing roadworks on a State road or any other works that impact a travel lane of a State road.
 - a. Notes:

- a) For information on the ROL process and to lodge an ROL application, please visit <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>
- b) The applicant will need to create an account (this may take a few days to register), prior to submitting the ROL application. The applicant must submit the ROL application 10 business days prior to commencing work. It should be noted that receiving an approval for the ROL within this 10 business day period is dependent upon TfNSW receiving an accurate and compliant TMP.
- c) The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Speed Zone Authorisation will also be required from the TOU.
- d) An approved ROL does not constitute an approval to commence works until an authorisation letter for the works has been issued by TfNSW Project Manager.

Prior to the issuing of the Occupation Certificate, the developer must:

- 17. Complete the works to construct the driveway and the intersection treatment with the Sturt Highway to the satisfaction of TfNSW.

Reason: Compliance with conditions as provided by the relevant Department.

Essential Energy Conditions

- 18. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
- 19. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.
- 20. 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.
- 21. 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).
- 22. 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.

Reason: *Compliance with conditions as provided by the relevant organisation.*

(Perry Quinn)

For

Cr G Chapman
Cr L Garner
Cr G Miller
Cr C Oataway
Cr J Perry
Cr P Porter
Cr M Quinn
Cr D Tapper

Against

C4 DA2024-47 – Shed at 508 Clay Street, Hay

24-118 Resolved that DA2024-47 for a shed at 508 Clay Street, Hay be approved with the following conditions:

1. Compliance with Consent:

The Development being completed in accordance with plans and specifications stamped by Council being Plans – Project No. TSS03_259092 Drawing 1 to 6 by The Shed Specialist AND Site Plan for Shed at 508 Clay Street, Hay, 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).

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.*

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4. Critical Stage Inspections:

A person who is carrying out, or in charge of carrying out the work, must notify Council with 24 hours notice when the relevant inspections are required below:

- a) Pier pads prior to pouring concrete;
- b) All footing excavations, with steel in position, before concrete is poured;
- c) All concrete floors and raft slabs, with steel and damp proof membrane in position before concrete is poured;
- d) Sewer drains before being covered;
- e) Bearers and floor joists before flooring is laid;
- f) Wall and roof framing before being lined;
- g) Insulation of walls, roof, floor, ceilings, soffits, service pipes, ducts and chimney flue dampers;
- h) Wet area flashings after internal linings are installed;
- i) Stormwater drains/connections before backfilling;
- j) Fire-rated wall and ceiling framing;
- k) Sound transmission measures;
- l) Final inspection on completion of the works, and BEFORE any occupation.

Reason: *The need for Council to ensure that works have been carried out in accordance with the approved plans, specifications and the relevant legislation/standards.*

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.

Reason: *To ensure no encroachments occur onto neighbouring properties and no changes are made to the approved siting of the property.*

6. Variations:

No alteration to approved plans and specifications is allowed unless separately approved by Council.

Reason: *To ensure the designs meet regulations and standards and are in line with Council policies.*

7. Boundary Clearance:

A minimum distance of 900mm shall be provided between the external walls of the building and the side boundaries of the allotment, and a minimum distance of 450mm shall be provided between the overhang of the eaves and guttering and the side boundaries of the allotment.

Reason: *To adhere to minimum boundary offsets as required by the relevant legislation.*

8. Storm Water Drainage:

Storm water run-off from all roofs and extensive paved areas is to be collected and conveyed by gravity to Council's storm water collection system

via a system of underground pipes having a diameter of at least 90mm and laid at a grade of at least one-in-one hundred (1%).

***Reason:** Preservation of the integrity of buildings and other structures, soil conservation, and not to impact neighbouring properties.*

9. Easements:

The applicant is required to ensure that any easements registered over the title to the land are complied with.

***Reason:** Compliance with Legal documents.*

10. Occupation Certificate:

Prior to the commencement of the use and/or occupation of the subject development, a satisfactory Final Inspection and/or Occupation Certificate must be issued by a Principal Certifying Authority. An Occupation Certificate must be applied for via the Planning Portal, select your development and apply for a "Related Certificate".

***Reason:** Ensure all conditions of the development are met and the building/development is safe for use.*

11. 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.*

12. Use of Building – Non-Residential Uses Only

The building must not be used as a dwelling or domicile without Council's consent.

13. Use of Building – Not for Commercial or Industrial Use:

The building/shed must not be used for commercial or industrial purposes or storage of goods associated with industrial or commercial undertakings.

***Reason:** Development consent is required for any other activity not already approved.*

(Quinn/Tapper)

For

Cr G Chapman
Cr L Garner
Cr G Miller
Cr C Oataway
Cr J Perry
Cr P Porter
Cr M Quinn
Cr D Tapper

Against

C5 Council Committees

24-119 Resolved that Council

- a) Nominates two panel members being Councillor Perry and Executive Manager of Planning & Compliance and two alternative members being Councillor Quinn and General Manager for the Western Riverina Planning Panel for the term of Council; and
- b) Dissolves the Bishops Lodge Management Committee; and
- c) Accepts Cr Chapman resignation from the Hay Showground Management Committee.

(Miller/Porter)

C6 2023/2024 Annual Report & End of Term Report 2022-24

24-120 Resolved that Council:

- a) Endorses the 2023/2024 Annual Report including the 2023/2024 GIPA Annual Report, and the End of Term Report 2022-24; and
- b) Authorise the General Manager to forward a copy of the Annual Report to the Minister for Local Government

(Quinn/Miller)

C7 Community Engagement Strategy (incorporating the Community Participation Plan)

24-121 Resolved that Council:

- a) Council rescinds the Notification and Advertising of Development Proposals Policy;
- b) Places the Community Engagement Strategy and Community Participation Plan on public exhibition for a period of no less than 28 days; and
- c) a further report detailing any submissions received during the exhibition period be brought back to Council for consideration and adoption of the plans.

(Miller/Tapper)

C8 Code of Conduct Reporting

That Council note the statistics for Code of Conduct Complaints received for Councillors and the General Manager of the Council.

C9 Code of Meeting Practice and Code of Conduct

24-122 Resolved that Council:

- a) Place the Draft Code of Meeting Practice noting the change to 3.1 being: Ordinary meeting of Council to be held on the following occasions: fourth Tuesday of the end of the month at 3pm, on public exhibition for a period of no less than 28 days, and subsequently open for a submission period of 42 days, as required under S.361 of the Local Government Act 1993.
- b) Receives a further report at the conclusion of the 42-day submission period for determination, outlining the submissions received and a final recommended Code of Meeting Practice for adoption;
- c) Adopts the Model Code of Conduct for NSW Councils and the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW as presented

(Perry/Miller)

Cr Garner requested his vote against resolution (a) be recorded

C10 Social Media and Media Policies

24-123 Resolved that Council adopts the draft Media Policy and the draft Social Media Policy as presented.

(Quinn/Tapper)

C11 Application for Leave of Absence

Cr Chapman vacated the room

24-124 Resolved that Council grants leave of absence to Cr Geoffrey Chapman for the 17th December 2024.

(Porter/Quinn)

C12 Request for Assistance

24-125 Resolved that Council

- a) provides financial assistance to Hay Children Services by way of waiving the cost of Building Insurance in the value of \$3,207.02, and
- b) waives the War Memorial Hall Fee of \$100 for the 2024 Christmas Carols and supper planned by St Fergal Catholic Church.

(Perry/Tapper)

Cr Garner requested his vote against resolution (b) be recorded

C13 Quarterly Budget Review Report

24-126 Resolved that the Quarterly Budget Review Report to 30th September 2024 be adopted, by Council, and the amended votes as detailed in attached variation summary be approved.

(Tapper/Porter)

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C14 Monthly Financial Data - October

That Council receives and notes the report provided

C15 Library Report

That Council receives and notes the report provided.

C16 Tourism & Economic Development Report

Notes the information and actions being undertaken in the report

C17 Circulars & Other Government Correspondence

That Council receives and notes the report provided.

C18 Major Projects Update

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

C19 Operations Monthly Update Report

Notes the information provided in the report

Reports of Council Committees:

- Bishop Lodge Management Committee 13th November 2024

24-127 Resolved that Council notes the Committees meeting minutes and any recommendations contained within be adopted.

(Porter/Quinn)

In Committee

24-128 Resolved that the meeting be closed during the discussion of the following matters relating to:

IC.1 John Houston Memorial Swimming Pool Replacement & Hay Hydrotherapy Pool

Section 10A of the Local Government Act 1993 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;

(Quinn/Perry)

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IC.1 John Houston Memorial Swimming Pool Replacement & Hay Hydrotherapy Pool

24-129 Resolved that Council

- (a) Accepts the tender for the Design and Construction for the Swimming Pools Replacement from ELM group Pty Ltd (trading as ELM Aquatics), in an amount of up to \$6,612,760 (including GST);
- (b) Accepts the tender for the Construction for the Swimming Pools Plant Room Shed from ELM group Pty Ltd (trading as ELM Aquatics), in an amount of up to \$199,870 (including GST);
- (c) Does not award any Contract for the construction of the Hay Hydrotherapy Pool due to insufficient project funding, the project is deferred, and the development application is withdrawn;
- (d) Authorises the General Manager and Executive Manager Engineering & Operations to sign the Contracts; and
- (e) Allocates \$100,000 from Council Reserves towards the pools replacement project at the next Quarterly Budget Review.

(Perry/Tapper)

Open Meeting:

24-130 Resolved that the meeting be opened, and the resolutions made public.

(Porter/Miller)

The General Manager verbally advised the meeting of resolution from the closed session.

There being no further business the meeting terminated at 2.51 pm.

Confirmed _____
Cr Carol Oataway
Mayor

Mayoral Minute

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C1. Mayoral Report

REPORTING OFFICER	Cr Carol Oataway – Mayor
ATTACHMENTS	<ul style="list-style-type: none"> - Letter from Dr Michael Holland MP (Parliamentary Secretary for Health and Parliamentary Secretary for Regional Health) dated 3rd December 2024 - Minutes from the Country Mayors Meeting 15th November 2024.

November/December has been busy with official engagements, meetings and representation. The following is a summary of my mayoral activities for the period of November/December.

Representation / Engagements

- **LGNSW State Conference – Tamworth 17th – 20th November 2024**

The General Manager, Deputy Mayor and I attended the 2024 LGNSW Conference in Tamworth with more than 900 delegates. We heard from Local Government Minister Ron Hoenig who discussed the Councillor Conduct Framework, the Apprentices and Traineeship Program, the Red Fleet issue and indicated the revised Codes of Conduct and Meeting Practice will be circulated imminently. The General Manager and I managed to speak to the Minister privately where he acknowledged the challenges small rural councils face and praised us for the way in which we use our finances, making every dollar count. He indicated that he is keen to visit Hay to see firsthand the projects we are undertaking.



Minister Hoenig

Minister for Regional Roads, Jenny Aitchison, talked about the reclassification projects as well as the importance of road safety and the need for better reporting and data collection. She issued a general invitation for councils to meet with her. We have been fortunate to meet with the Minister on a number of occasions over the last 12-months.

Delegates discussed and resolved more than 110 motions covering a diverse range of issues affecting the local government sector. LGNSW will be informed by these

resolutions to update their policy platform and advocacy priorities in the coming months.

The final day of the conference treated us to presentations of how local government sectors across the globe remain financially sustainable and the looming and ever-increasing cyber security threats and the possible impacts on our organisation. The final speaker, Liz Ellis, former captain of the Australian netball team, was the highlight of the day. Liz spoke about the qualities of leadership and the importance of finding the 'WHY' in what we do.



Deputy Mayor with Liz Ellis

- **Health Staffing Housing**

We have received correspondence from Dr Michael Holland MP, Parliamentary Secretary for Health and Parliamentary Secretary for Regional Health via Dugald Saunders MP in response to our advocacy for housing for health staff in Hay. While it does not provide anything new, he does acknowledge the work Council is undertaking in improving house supply in Hay.

Meetings

- **Transgrid Catch-Up – 22nd November 2024**

The General Manager and I caught up with Emma Van Biljon to update on progress with Transgrid. The opening of the Cobb Highway camp will take place in early December whereby the council will be able to visit the camp. The foundations are completed on Lines 2 and 5 with 45% of the towers complete. Opportunities exist for local businesses such as coffee vans to visit and provide a service to the workers. The Community Benefits fund and local procurement continue with 15 recipients of community grants in our Hay LGA around workforce and skills development. Transgrid have initiated a Legacy 100 program where they train 100 locals to upskill in building transmission lines. Training is practical and online. So far, 80 have been enrolled in the program of which 16% are women and 10% First Nations. Opportunities exist for local businesses to get involved and Emma will liaise with the Executive Manager Economic Development and Tourism.

- **Bishop's Lodge Management Committee Final Meeting – 27th November 2024**
The General Manager and I met with the Bishop's Lodge Management Committee to discuss the final arrangements for the dissolving of the committee and the tasks that will now be taken over by council. The General Manager assured the volunteers that anything they wish to continue in regards to assisting at Bishop's Lodge will be most welcomed. The former committee will continue to operate as the 'Friends of Bishop's Lodge'.
- **RAMJO Extraordinary Meeting – 29th November 2024**
The General Manager and I attended an Extraordinary Meeting of the RAMJO Board, for the purpose of reviewing and endorsing the 23/24 FY General Purpose Financial Statements for RAMJO. The closing report was presented to the board and the audited financials will now be submitted to the Office of Local Government (OLG) within the extension timeframe. As discussed at the RAMJO board meeting a lengthier process, having the Audit Office directly review prior years' adjustments and provide guidance on the application of accounting standards pertaining to grant funds received, will help RAMJO in future years with this process.
- **Hydrotherapy Pool Meeting – 4th December 2024**
A meeting was convened with the Hydrotherapy Pool Committee, the General Manager, Councillors Quinn, Miller, Perry, Chapman and I to discuss the way forward to achieve the best possible outcomes for our community. At the November meeting, Council resolved not to build the hydrotherapy pool due to insufficient funds. Several options were put to the Committee including the use of community funds and grant funding to install a larger heating system into the new pools that will be built during 2025. The committee were asked to make a decision in the next few days so that Council can move ahead with its pool project planning.
- **Hay Maude Flood Management Committee Meeting – 5th December 2024**
A draft report was presented by Scott Button of Lyall & Associates. A two volume report was presented with the summary table at the front outlining the recommended flood mitigation measures. A flood plan is embedded in the document and photos of previous floods have been included. Planning controls for building where riverine flooding occurs as well as the SES is to use this information to update the local flood plan. Council is recommended to implement education around flood awareness to the community. Estimated costs are \$16M to upgrade the Hay town levee, \$9M for the South Hay levee and \$0.5M for the airport levee and \$0.5M to raise the alignment of the Maude levee. Total plan cost is \$26.85M. Public Works did an audit of the levees in 2019, stormwater drains and floodgates and found some of the levee was below standard. The upgraded levee would essentially protect the Hay and Maude townships from inundation. This is based on a 1 in 100-year flood with 800mm freeboard. Insurances have gone through the roof and if proposals are implemented, this would offer a higher level of protection. Floods in other areas do impact on our insurance premiums. Eg floods in Northern Rivers pushed up premiums everywhere as insurance companies need to recoup their costs. Councillors Chapman, Porter and I were in attendance along with the General Manager.
- **Reconnecting River Country Program Information Session – 6th December 2024**
This program forms part of the Sustainable Diversion Limit Adjustment Mechanism (SDLAM). Delivering the program will help minimise further water buybacks from Murray and Murrumbidgee communities. The Australian Government has committed \$274 M to extend the program to December 2026. With this investment the NSW Government can make significant progress to relax the constraints on environmental flow delivery in the Murrumbidgee. This program has come about due to the

continued decline in river health largely due to water regulation. Flexible delivery of environmental flows will improve the health of the river. Flows are planned to occur every 3-5 years and will not be released during a wet year. No higher environmental flows will be released before December 2026. Investment in infrastructure to occur such as replacing low level culverts and bridges, stormwater pumps, new footbridges/cycleways and improving roads. Landholders will be compensated if flow easements are required over a property. Feedback from landholders will be sought to explore other options other than easements. During an environmental flow the river at Hay, the River will sit between the minor and moderate flood level and Hay will experience a longer duration of elevated flows than the 3-5 days, possibly a few weeks. Hay weir gates will be open which will provide benefits up and down the river for fish spawning. There will be no impact on the town's water supply. Councillors Perry, Chapman, Quinn and I were in attendance along with the Executive Manager Economic Development and Tourism.

Council Matters

- A report of the Standing Committee on State Development entitled 'Ability of local governments to fund infrastructure and services' has been tabled with the Clerk of the Parliaments on 29 November 2024. The report, of which Hay Shire Council made a submission, is available on the committee's website along with submissions, transcripts of evidence and other inquiry documents. The report and its recommendations are now with the government for consideration. The government is required to respond to the recommendations within three months. The recommendations seem to be heading in the right direction.



🎄🎄 Wishing all Councillors, Staff and Members of the Community a very Merry Christmas and a Happy New Year 🎄🎄

Upcoming Engagements

- Councillor Development Session – 10th December 2024

- Destination NSW Briefing – 11th December 2024
- Meeting with Regional Lifestyle Magazine – 12th December 2024
- St Mary's Award Night – 12th December 2024
- Carols by Candlelight – 15th December 2024
- Hay Public School Presentation Day – 17th December 2024
- Hay 19(2) Implementation Committee – 18th December 2024
- Love Hay Christmas Bonanza – 18th December 2024
- CRLG Meeting Professor Drew – 23rd January 2024
- Sturt Highway Taskforce – 4th February 2024
- RAMJO Board Meeting – 7th February 2024

RECOMMENDATION

That Council notes the information provided in the report.

Mia Headon-Doidge

From: Ben Walker <Ben.Walker@parliament.nsw.gov.au>
Sent: Wednesday, 4 December 2024 2:10 PM
To: David Webb
Subject: Fw: Correspondence from the Parliamentary Secretary for Health and Regional Health - M24/6771

Follow Up Flag: Follow up
Flag Status: Flagged

Hi David,

Please see attached response we received in relation to the housing issue.

If you have any questions or comments, or there are any things in this response we need to press further, don't hesitate to reach out.

We're happy to do what we can to help.

Thanks
Ben

From: MOH-Minister <MOH-Minister@health.nsw.gov.au>
Sent: Tuesday, December 3, 2024 1:23 PM
To: ElectorateOffice Dubbo <ElectorateOffice.Dubbo@parliament.nsw.gov.au>
Subject: Correspondence from the Parliamentary Secretary for Health and Regional Health - M24/6771



Dr Michael Holland MP

Parliamentary Secretary for Health
Parliamentary Secretary for Regional Health



Mr Dugald Saunders MP
Member for Dubbo
dubbo@parliament.nsw.gov.au

Ref: M24/6771

Accommodation for Hay Multi-Purpose Service facility manager

Dear Mr Saunders

Thank you for writing on behalf of the Hay Shire Council about housing availability in the Hay area. Minister Park has asked me to respond.

HAY SHIRE COUNCIL

I acknowledge the concerns raised and appreciate your advocacy on this matter.

In June 2024, the NSW Government committed \$200.1 million to increase key health worker accommodation across rural and regional areas of NSW. The NSW Government will secure about 120 dwellings which may include the building of new accommodation, refurbishment of existing living quarters, and possible purchase of suitable properties. These homes will support the recruitment and retention of health workers and their families and the delivery of essential health services in regional NSW.

I am advised Murrumbidgee Local Health District is working with the Ministry of Health, who are collaborating with Homes NSW on key worker accommodation strategies.

I am also advised that on 7 November 2024, Ms Jill Ludford, Chief Executive, Murrumbidgee Local Health District, met with Carol Oataway, Mayor, Hay Shire Council and Mr David Webb, General Manager, Hay Shire Council, to discuss accommodation opportunities for the region. I understand that the District is also reviewing accommodation options in Hay.

Ms Ludford advised that the District offers accommodation support for new healthcare workers and the district is actively working with the new facility manager to source suitable accommodation. The District has a blend of both owned and leased accommodation for staff working at Hay Multi-Purpose Service. Current available accommodation includes 8 owned beds onsite and one leased 2 bed unit.

I am informed that the District is working with Hay Shire Council on a longer-term solution. This includes the development of legacy housing and accommodation solutions that involve the proposed use of vacant Government and Murrumbidgee Local Health District land.

Thank you again for writing. For more information, please contact Mr Darren Green, General Manager of Assets and Clinical Technology, Murrumbidgee Local Health District, at darren.green@health.nsw.gov.au or on 0418 238 062.

Yours sincerely



Dr Michael Holland MP
Parliamentary Secretary for Health
Parliamentary Secretary for Regional Health

52 Martin Place, SYDNEY NSW 2000

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Views expressed in this message are those of the individual sender, and are not necessarily the views of NSW Health or any of its entities.



HAY SHIRE COUNCIL

THE COUNTRY MAYORS ASSOCIATION OF NSW INC

"What we want is nothing more than equity"

Chairman: Cr Rick Firman OAM
C/- Temora Shire Council,
PO Box 262, Temora NSW 2666
Email: admin@nswcountrymayors.com.au

MINUTES

The ANNUAL GENERAL MEETING of the Country Mayors Association of NSW Inc was held on **Friday 15 November 2024, in the Theatre, Parliament House, Macquarie Street from 8:20am until 1pm. The meeting had a Skills and Education theme.**

Acting Chairman Cr. Rick Firman OAM extended the official Welcome.

Guest Speaker;
NSW Opposition Leader & Liberal Leader, the Hon Mark Speakman MP

Opposition Leader Speakman congratulated recently elected mayors. He described the regional connectedness of the NSW Coalition Opposition.

"Our shadow skills and education ministers are regionally based."

"There's a lot of pain and frustration in the regions. Pressures including difficulties getting skilled staff are a real challenge, as are the accommodation shortages. I was recently in Cowra with Local Member Steph Cooke and the increasing water costs was a pressure on agribusiness there."

"The issue with common planning assumptions (which understate growth projections and thus, funding) was another issue in Cowra and Parkes. There are dramatic reductions in funding. Councils have to repair the roads after floods and we are determined to support them."

"Prefabricated, smaller homes is one of the alternative approaches floated that will help address the housing needs of country NSW."

Introduction of new Mayors, who were presented with CMA pins. There was also acknowledgement of those who were not re-elected and recognition for retiring Executive Board Members. Three former CMA Executive Board members were presented with plaques which acknowledged their service:

Cr. Firman again paid tribute to the work of former CMA Chairman and Mayor of Gunnedah Shire, Mr Jamie Chaffey, who was pleased to take a break from campaigning for the Federal Seat of Parkes to support the CMA. Mr Chaffey encouraged Mayors to make the most of their time as Mayors and highlighted the value of the CMA.

Former CMA Executive Member and Mayor of Narracan Shire Cr. Craig Davies reiterated the importance of the bio-conservation Act issue and the CMA.

Former CMA Executive Member and Mayor of Federation Council, Cr. Patrick Bourke reiterated how he valued the CMA and the relationships from it.

Attendance 150

Cr. Kevin Mack	Mayor	Albury City Council
Frank Zaknich	CEO	Albury City Council
Cr. Todd Redwood	Deputy Mayor	Armidale Regional Council
James Roncon	GM	Armidale Regional Council
Linda Scott	Former President	ALGA
Cr. Robert Taylor	Mayor	Bathurst Regional Council
David Sherley	GM	Bathurst Regional Council
Cr. Sharon Cadwallader	Mayor	Ballina Shire Council
Cr. Russell Fitzpatrick	Mayor	Bega Valley Shire Council
Anthony McMahon	CEO	Bega Valley Shire Council
Mark Griffioen	GM	Bellingen Shire Council
Cr. Stephen Allan	Mayor	Bellingen Shire Council
Cr. Julia Cornwell McKean	Mayor	Berrigan Shire Council
Cr. Brian Monaghan	Mayor	Bland Shire Council
Grant Baker	GM	Bland Shire Council
Cr. Bruce Reynolds	Mayor	Blayney Shire Council
Mark Dicker	GM	Blayney Shire Council
Cr. Lachlan Ford	Mayor	Bourke Shire Council
Leonie Brown	GM	Bourke Shire Council
Cr. Jim Hickey	Deputy Mayor	Broken Hill City Council
Cr. Sarah Ndiaye	Mayor	Byron Shire Council
Mark Arnold	GM	Byron Shire Council
Cr. Kevin Beatty	Mayor	Cabonne Shire Council
Bradley Byrnes	GM	Cabonne Shire Council
Sharon Houlihan	EO	Canberra Region JO
Greg Hill	GM	Central Darling Shire Council
Cr. Daniel Watton	Mayor	Cessnock City Council
Cr. Ray Smith	Mayor	Clarence Valley Council
Laura Black	GM	Clarence Valley Council
Gary Fry	Secretariat	CMA
Cr. Jarrod Marsden	Mayor	Cobar Shire Council
Cr. Nikki Williams	Mayor	Coffs Harbour City Council
Cr. David McCann	Mayor	Coolamon Shire Council
Tony Donoghue	GM	Coolamon Shire Council
Cr. Daniel Keady	Mayor	Coonamble Shire Council
Paul Gallagher	GM	Coonamble Shire Council
Dirk Wymer	Acting GM	Cowra Shire Council
Cr. Paul Smith	Mayor	Cowra Shire Council
Cr. Josh Black	Mayor	Dubbo Regional Council
Murray Wood	CEO	Dubbo Regional Council
Gareth Curtis	GM	Dungog Shire Council
Cr. Digby Rayward	Mayor	Dungog Shire Council
Gary Arnold	CEO	Edward River Council

Cr. Ashley Hall	Mayor	HAY SHIRE COUNCIL	Edward River Council
Cr. Mathew Hatcher	Mayor		Eurobodalla Shire Council
Cr. Cheryl Cook	Mayor		Federation Council
	Council and past CMA Executive		
Cr. Patrick Bourke	Member		Federation Council
Adrian Butler	GM		Federation Council
Cr. Phyllis Miller OAM	Mayor		Forbes Shire Council
Cr. Doug Batten	Mayor		Gilgandra Shire Council
Cr. Nicholas White	Councillor		Gilgandra Shire Council
Cr. Margot Davis	Mayor		Glen Innes Severn Council
Bernard Smith	GM		Glen Innes Severn Council
Cr. Nina Dillon	Mayor		Goulburn Mulwaree Council
Marina Hollands	Acting CEO		Goulburn Mulwaree Council
Cr. Ben Hooper	Deputy Mayor		Greater Hume Council
Evelyn Arnold	GM		Greater Hume Council
Cr. Doug Curran	Mayor		Griffith City Council
Brett Stonestreet	GM		Griffith City Council
Cr. Colleen Fuller	Mayor		Gunnedah Shire Council
Eric Groth	GM		Gunnedah Shire Council
Cr. Tiffany Galvin	Mayor		Gwydir Shire Council
Max Eastcott	GM		Gwydir Shire Council
	Executive Manager Economic		
Alison McLean	Development & Tourism		Hay Shire Council
Cr. Brian Ingram	Mayor		Hilltops Council
Anothony O'Reilly	GM		Hilltops Council
Cr. Kate Dight	Mayor		Inverell Shire Council
Brett McInnes	GM		Inverell Shire Council
Cr. Kinne Ring	Mayor		Kempsey Shire Council
Craig Milburn	GM		Kempspey Shire Council
Stephen Mitchell	Director Corporate and Commercial		Kempspey Shire Council
Cr. Cameron McDonald	Mayor		Kiama Municipal Council
Jane Stroud	CEO		Kiama Municipal Council
Cr. Danielle Mulholland	Mayor		Kyogle Council
Cr. John Medcalf OAM	Mayor		Lachlan Shire Council
Greg Tory	GM		Lachlan Shire Council
Cr. George Weston	Mayor		Leeton Shire Council
Jackie Kruger	GM		Leeton Shire Council
Cr. Steve Krieg	Mayor		Lismore City Council
John Gibbons	GM		Lismore City Council
Ross Gurney	GM		Lithgow City Council
Cr. Cass Coleman	Mayor		Lithgow City Council
Cr. Ken Cudmore	Mayor		Liverpool Plains Shire Council
Gary Murphy	GM		Liverpool Plains Shire Council
Cr. Peter Sharp	Mayor		Lockhart Shire Council
Gavin Rhodes	GM		Lockhart Shire Council
Cr. Claire Pontin	Mayor		MidCoast Council
Cr. Des Kennedy	Mayor		Mid-Western Regional Council
Brad Cam	GM		Mid-Western Regional Council
Cr. Susannah Pearse	Mayor		Moree Plains Shire Council
Kelvin Tytherleigh	GM		Moree Plains Shire Council
Sarah Ryan	Acting CEO		Murray River Council

Cr. John Harvie	Mayor	HAY SHIRE COUNCIL	Murray River Council
Cr. Ruth McRae OAM	Mayor		Murrumbidgee Council
John Scarce	GM		Murrumbidgee Council
Cr. Jeff Drayton	Mayor		Muswellbrook Shire Council
Derek Finnigan	GM		Muswellbrook Shire Council
Cr Darrell Tiemens	Mayor		Narrabri Shire Council
Eloise Chaplain	GM		Narrabri Shire Council
Cr. Neville Kschenka	Mayor		Narrandera Shire Council
Cr. Craig Davies	Councillor and past CMA Executive		Narromine Shire Council
Cr. Ewen Jones	Mayor		Narromine Shire Council
Phil Johnston	Director		Narromine Shire Council
Jamie Chaffey	Past CMA Chariman		Nationals Candidate for Parkes
Jonathan Malota	Policy Advisor – Transport & Data		NRMA
Cr. Katie Graham	Deputy Mayor		Oberon Council
Gary Wallace	GM		Oberon Council
Erica Van Den Honert	Executive Director		OLG
Sharne Colefax	Manager, Council Engagement Council Engagement Manager, North Coast and Eastern Sydney		OLG
Anita Gambhir			OLG
Cr. Tony Mileto	Mayor		Orange City Council
Cr. Neil Westcott	Mayor		Parkes Shire Council
Cr. Marg Applebee	Deputy Mayor		Parkes Shire Council
Cr. Leah Anderson	Mayor		Port Stephens Council
Cr. Robert Mustow	Mayor		Richmond Valley Council
Vaughan Macdonald	GM		Richmond Valley Council
Cr. Kenrick Winchester	Mayor		Queanbeyan-Palerang Regional Council
Rebecca Ryan	GM		Queanbeyan-Palerang Regional Council
Yvonne Lingua	Executive Officer		RAMJO
Julie Briggs	CEO outgoing		REROC
Megan Mulrooney	CEO incoming		REROC
Cr. Robert Mustow	Mayor		Richmond Valley Council
Vaughan Macdonald	GM		Richmond Valley Council
Cr. Chris Homer	Mayor		Shellharbour City Council
Cr. Patricia White	Mayor		Shoalhaven City Council
James Ruprai	Acting GM		Shoalhaven City Council
Cr. Sue Moore	Mayor		Singleton Council
Justin Fitzpatrick-Barr	GM		Singleton Council
Cr. Chris Hanna	Mayor		Snowy Monaro Regional Council
Cr. Julia Ham	Mayor		Snowy Valleys Council
Paul Bennett	GM		Tamworth Regional Council
Cr. Rick Firman OAM	Mayor (CMA Acting Chairman)		Temora Shire Council
Melissa Boxall	GM		Temora Shire Council
Cr. Bronwyn Petrie	Mayor		Tenterfield Shire Council
Cr. Paul Culhane	Mayor		Upper Lachlan Shire Council
Alex Waldron	CEO		Upper Lachlan Shire Council
Cr. Robert Bell	Mayor		Uralla Shire Council
Toni Averay	GM		Uralla Shire Council
Cr. Eric Noakes	Mayor		Walcha Council
Megan Dixon	GM		Walgett Shire Council
Cr. Jasen Ramien	Mayor		Walgett Shire Council
Gary Woodman	GM		Warren Shire Council

Cr. Greg Whiteley	Mayor	HAY SHIRE COUNCIL	Warren Shire Council
Lindsay Mason	Acting GM		Warrumbungle Shire Council
Cr. Paul Best	Mayor		Weddin Shire Council
Noreen Vu	GM		Weddin Shire Council
Ken Ross	GM		Wentowrth Shire Council
Cr. Daniel Linklater	Mayor		Wentowrth Shire Council
Cr. Jesse Fitzpatrick	Mayor		Wingecaribee Shire Council
Lisa Miscamble	GM		Wingecaribee Shire Council

Apologies

Adrian Panuccio	MidCoast Council	GM
Cr. Bob Callow	Junee Shire Council	Mayor
James Davis	Junee Shire Council	GM
Cr. Abb McAlister	Cootamundra-Gundagai Regional Council	Mayor
Steve McGrath	Cootamundra-Gundagai Regional Council	Acting GM
Cr. Dallas Tout	Wagga	Mayor
Steve Loane OAM	Forbes Shire Council	GM
Cr. Russell Webb	Tamworth Regional Council	Mayor
Lord Mayor Tania Brown	Wollongong City Council	
Cr. Glen Neill	Bogan Shire Council	Mayor
Cr. Andrew McKibbobb	Oberon Mayor	
Cr. Kathryn Rindfleish	Warrumbungle Shire Mayor	
Cr. Sam Coupland	Armidale Regional Council Mayor	
George Cowan	Narrandera Shire	
Cr. Carol Oataway	Hay Shire Mayor	
David Waddell	Orange City Council CEO	
	Central Darling Shire	
Bob Stewart	Administrator	
Phil Hood	Walcha Council GM	
Jay Nankivell	Broken Hill City Council GM	
Steve Pinnuck	Snowy Valleys Council	

Apologies moved by Snowy Monaro Regional Council Mayor Cr. Chris Hanna and seconded by Bellingen Shire Council Mayor Cr. Steve Allan.

Reports

Year in Review **Acting Chairman's Report**

Cr. Firman spoke of the very big year that the CMA has had. Cabonne Mayor Cr. Kevin Beattie moved and Bellingen Mayor Cr. Steve Allan seconded that the report be accepted. Unanimously endorsed.

LGNSW Report

President of LGNSW, Cr. Darriea Turley AM congratulated mayors on their election. "We are a family. LGNSW has a strong MoU with the CMA and we stand together."

Moved by Kyogle Mayor Cr. Danielle Mulholland, Mayor of Eurobodalla and Cr. Mathew Hatcher

seconded that the report be accepted. Unanimously endorsed.

ALGA Report

Cr. Darriea Turley AM returned to the lectern as Vice-President of ALGA. Matt Burnett was elected President of ALGA unopposed. Cr. Turley encouraged participation and Ministerial contact at the ALGA conference.

Moved by Forbes Shire Council Mayor and CMA Executive Member Cr. Phillys Miller OAM and Seconded Kyogle Mayor, Cr Dannielle Mulholland. Unanimously endorsed.

Guest Speaker

Minister for Skills, TAFE & Tertiary Education, the Hon. Steve Whan MP

Minister Whan spoke of the linkages between educational institutions, training providers and industry that are being developed. “The Educational Partnerships program is doing that (linking) with Careers advisors in schools.”

“Raising awareness of the options available is important. A NSW Skills Plan will be released later this year.”

“Increased visibility of options at TAFE campuses has been called for, as with increased links between TAFE and communities.

1,300 apprenticeships place for LG was announced by Minister Hoenig and other initiatives are underway.”

“A strong investment in skill development like fee-free courses in VET has been undertaken by the Government. This includes encouraging people to upskill in trade skills. Doing a VET course can be financially far better than a university degree and leaves someone with a lot less debt.”

“Skilled Migration is also important. NSW Government does have State nominated visa programs and we are working with the Australian Government on that. The process of assessing skills can be complicated or slow. School fees will no longer be required certain visa holders and that will make NSW more attractive for skilled migrants.”

“TAFE teachers will be made less casual, more permanent and we’ve seen 500 transition to permanency already.”

Q. Cr. Sarah Ndiaye from Byron Shire: Southern Cross University is cutting the Arts – face to face creative arts is being cut out in our education institutions, including high schools.

A The previous Federal Government introduced policy that increased Arts fees and I will follow up with the Government.

My daughter is a drama teacher, so I am certainly looking into the discussion paper.

Q. Cr. Neville Kschenka (Narrandera Shire Mayor). Doctors from overseas take too long to get their skills assessed.

A. Unfortunately, that is a Federal issue and licensing in the medical sector is very complex.

Q. Cr. Robert Bell (Mayor of Uralla Shire). Speaking from the New England REZ, there is a need for training. There are great opportunities for trades with renewable energy projects. An

electrician gets \$70/hr in town and \$180/hr in the country.

A. Our Skills Plan will hopefully incorporate that. The challenge is that a solar farm construction does not last long enough for an apprenticeship.

Q. Cr. George Weston (Mayor of Leeton Shire). Commented on the difficulty skilled migrants have in traveling to distant TAFE courses.

Q. Armidale Regional Council (Deputy Mayor Todd Redwood) also highlighted the New England REZ challenges.

Q. Cr. Kinny Ring (Mayor of Kempsey Shire Council). What are you doing about key skill shortage areas?

A. We are teaching more nursing in TAFE. RPL is difficult with skilled migrants. It often involves industry bodies, Government and it can be cumbersome. Keep an eye out for the Government's Skills Plan.

Q. Cr. Cass Coleman (Lithgow City Council Mayor), our TAFE students have to travel to Sydney or Orange. We need trade TAFEs and we need to make them more accessible to regional communities.

A. We cannot make all trades available at all campuses but some online components does help. We are looking at how we can reduce travel demands.

Morning tea in the Fountain Court of the NSW Parliament building was a brief respite that was a welcomed chance to relax and network with peers from around the State.

AGM business

Minutes from 2023 AGM – Bega Valley Shire Council Mayor and CMA Executive Member Cr. Russell Fitzpatrick moved and Forbes Shire Council Mayor and CMA Executive Member Cr. Phillys Miller OAM seconded. Unanimously endorsed.

Correspondence - Forbes Shire Council Mayor and CMA Executive Member Cr. Phillys Miller OAM moved and Lachlan Shire Council Mayor Cr. John Medcalf OAM seconded. Unanimously endorsed.

Financials

CMA Secretary and Temora Shire GM Melissa Boxall provided a summary, given financials had been supplied.

The financials were moved by Singleton Council Mayor and CMA Executive Member Cr. Sue Moore, Seconded by Bega Valley Shire Council Mayor and CMA Executive Member Cr. Russell Fitzpatrick. Unanimously endorsed.

Appointment of Returning Officers

RECOMMENDATION: That the Acting CMA Secretary/Public Officer Ms. Melissa Boxall and Secretariat Mr. Gary Fry be appointed as returning officers for the CMA Executive Board elections.

Motion of returning officers – Mayor of Wentworth Shire Council Cr. Daniel Linklater moved the motion and CMA Executive Member Cr. Phillys Miller OAM seconded. Unanimously endorsed.

That the election be conducted by secret ballot.

Moved Cr. Phyllis Miller, seconded Cr. Sue Moore (Singleton Council).

Election results:

Ms. Boxall announced the following Election results for a two-year term:

Mayor of Temora Shire Council, Cr. Rick Firman OAM was endorsed as Chairman unopposed.

Bega Valley Shire Council Mayor Cr. Russell Fitzpatrick and Armidale Regional Council Mayor Cr. Sam Coupland contested for the Deputy Chairman Position. Mayor Fitzpatrick won.

From 13 candidates, the following (7) Mayors were elected to the Executive Board of the CMA:

Cr. Phyllis Miller OAM, Forbes Shire Council
Cr. Sam Coupland, Armidale Regional Council
Cr. John Medcalf OAM, Lachlan Shire Council
Cr. Sue Moore, Singleton Council
Cr. Josh Black, Dubbo Regional Council
Cr. Russell Webb, Tamworth Regional Council
Cr. Sharon Cadwallader, Ballina Shire Council

The vote was close across the Board and there were no informal votes.

The following Mayors were unsuccessful:

Cr. Steve Allan, Bellingen Shire Council
Cr. Chris Hanna, Snowy Monaro Regional Council
Cr. Mathew Hatcher, Eurobodalla Shire Council
Cr. Brian Monaghan, Bland Shire Council
Cr. Danielle Mulholland, Kyogle Council
And Cr. Darrell Tiemens, Narrabri Shire Council

A motion was moved that should a vacancy occur in the Executive it would be filled by the candidate with the 8th highest vote count, with another vacancy occurrence going to 9th place etc. This was moved by Mayor of Bland Shire Council Cr. Brian Monaghan, seconded by Kempsey Shire Mayor Cr. Kinne Ring. Endorsed unanimously.

Forbes Shire Council Mayor and CMA Executive Member Cr. Phyllis Miller OAM and Bland Shire Council Mayor Cr. Brian Monaghan seconded that ballot papers be destroyed. Unanimous.

Orange City Council Mayor Cr. Tony Mileto moved that all elected positions be accepted and Leeton Shire Mayor Cr. George Weston seconded. Endorsed unanimously.

Appointment of Secretariat

EXECUTIVE RECOMMENDATION: That Gary Fry, through Regional Development Australia Inland Northern NSW be re-contracted as CMA Secretariat/Executive Officer for 2025 but that the hours for the role be extended to 30 per week, with annual cost of \$80,000 ex GST for an average of 4 days per week.

Moved – Cr. Sue Moore (Mayor, Singleton Council)

Seconded – Cr. Phyllis Miller OAM (Mayor, Forbes Shire Council)

Carried unanimously.

Setting of Annual Membership Fees

EXECUTIVE RECOMMENDATION: That the CMA increase membership fees by 10%, in light of the increasing workload with advocacy to Government Inquiries. This 10% increase would result in the fees for the 2025 calendar year becoming \$1,650 for Councils with a population of 10,000 and over, and Councils with a population of less than 10,000 paying 75% of the full fee, becoming \$1,237.50, which would also be the new fee for not-for-profit Associate Membership, while for-profit Associate Membership would become \$3,300 per year.

Moved – Cr. Phyllis Miller (Mayor Forbes Shire Council)

Seconded – Cr. Chris Hanna (Mayor Snowy Monaro Regional Council)

Carried unanimously.

General Business:

CMA Constitution. Proposed amendments have been supplied.

RECOMMENDATION: That the proposed amendments be endorsed and that the resultant constitution for the CMA be accepted by members as the currently endorsed version (15 November 2024).

Moved – Cr. Danielle Mulholland (Mayor Kyogle Council)

Seconded – Cr. John Medcalf OAM (Mayor Lachlan Shire Council)

Carried unanimously.

Membership

RECOMMENDATION: That Coffs Harbour City Council be endorsed as a Member of the Country Mayors Association of NSW.

Moved – Cr. Stephen Allan (Mayor Bellingen Shire Council)

Seconded – Cr. Mathew Hatcher (Mayor Eurobodalla Shire Council)

Carried unanimously.

RECOMMENDATION: That the Riverina and Murray Joint Organisation (RAMJO) be endorsed as an Associate Member of the Country Mayors Association of NSW.

Moved – Cr. Russell Fitzpatrick (Mayor Bega Valley Shire Council)

Seconded – Cr. Phyllis Miller OAM (Mayor Forbes Shire Council)

Carried unanimously.

Setting of Meeting Dates for 2025

RECOMMENDATION: That the meeting dates for 2025 be set to coincide with NSW Parliament sitting dates, as was the case in 2024 – the Friday of the first week of each parliamentary session. [It was stated that these dates would be communicated to members as soon as they are ascertained].

Moved – Cr. Kevin Mack (Mayor Albury City Council)

Seconded – Cr. Chris Hanna (Mayor Snowy Monaro Regional Council)

Carried unanimously.

Signatories.

RECOMMENDATION: That signatories from the former Chairman's Council [Gunnedah Shire] be removed from the Country Mayors Association account and that the new Chairman and two staff members from their Council be authorised as signatories.

Moved – Cr. Kevin Mack (Mayor Albury City Council)

Seconded – Cr. Steve Krieg (Mayor Lismore City Council)

Carried unanimously.

Hosting Non-Metropolitan Meetings in 2025

Submissions to host a non-metropolitan meeting in 2025 have been received from Orange City Council, Ballina Shire Council and Inverell Shire Council.

RECOMMENDATION: That members vote to determine if there will be one CMA member hosted meeting in 2025 or two. Further, that new CMA Executive Board assess the applications and make the selection/s and choose the optimal date.

That One CMA Regional Meeting be held in 2025.

Moved – Cr. Sue Moore (Mayor Singleton Council)

Seconded – Cr. Phyllis Miller (Mayor Forbes Shire Council)

Carried unanimously.

CMA Executive Board to determine

Moved – Cr. Kevin Mack (Mayor Albury City Council)

Seconded – Cr. Steve Krieg (Mayor Lismore City Council)

Member motions.

Mayor of Tenterfield Shire Council Cr. Bronwyn Petrie moved “That the Country Mayors Association writes to the Premier of NSW requesting an urgent ban of importation of turf product into NSW from Queensland and increased border surveillance, and b) requests of the Premiers of NSW and Queensland and the Federal government an urgent improvement in the eradication measures delivered by Biosecurity Queensland and the National Management Group governing the National Fire Ant Eradication Program.”

Seconded - Mayor Stephen Allan (Mayor of Bellingen Shire Council).

Carried unanimously.

Final Guest Speaker

The **Premier, the Hon. Chris Minns MP** was originally scheduled to speak at 9:15am, he requested a change to 12:30pm days before the meeting and had to send an apology halfway through the meeting. He sent **Minister for Regional Roads and Transport, the Hon. Jenny Atchinson MP** as his representative.

Minister Atchinson spoke of the Government’s current priorities, which included housing and essential workers. A focus has been on increased staffing of health professionals and Police with the Academy seeing the largest intake as a result of the introduction of paid study.

Like Minister Whan, she highlighted the \$252 million funding for cadets, apprentices and trainees across all NSW Councils – which will (it is hoped) result in an additional 1300 staff.

Three new TAFE Centres of excellence across NSW was announced.

There was also an announcement of 100 new preschools to be built near schools (with 49 in regional areas) to help improve literacy and numeracy.

Meeting closed at 12:55pm

Cr Rick Firman OAM
Chairman

www.nswcountrymayors.com.au

Delegate Report

D1 – National Local Roads, Transport & Infrastructure Congress

REPORTING OFFICER	Cr Lionel Garner
ATTACHMENTS	-Congress Communique

INTRODUCTION

Attended the National Local Roads, Transport & Infrastructure at Margaret River, Western Australia on the 3rd and 4th December 2024.

COMMENTARY

Speaker: -ALGA President - Mayor Matt Burnett from Gladston QLD

Karen Chappell – Walga President, talked about

- bridges over 30-50 years old need repair. 3-5 Billion for fix roads over the next 5 years in W.A
- Worst road fatality
- 2017 500 people died on Roads
- 2024 70% deaths from head on collisions

The Hon. Kristy McBain MP – Videolink

- 1.5 Billion rollout for Houses – 13,000 houses
- Funding for every postcode

Shadow Minister for Infrastructure - Senator the Hon Bridget McKenzie

- Immigration Influx
- PM getting more people into Australia putting Councils under pressure
- Lack of support from present Government backing down from their promises for Rail & Roads
- \$5 Billion over 5 years funding for Power, Water, Roads to Houses – Western Australia.

Tom O'Dea - NSW regional

- NBN

Dr Elliot Fisherman – Director Institute for Sensible Transport

- He's big on public transport

Transit Transportation

- 2 Billion litres of fuel per year move freight in NSW
- One person dies per week from heavy vehicle as Australia has shortage of 26,000 drivers.

Les Marchant

- Circular economy, reusable materials
- Reuse asphalt, putting rubber in asphalt making sure that what goes in, it can be used crumbed scrap rubber.
- By using old cement back into cement helps holds its structure, used at its maximum use.
- Brought (crumbed rubber) from VIC now produce here.

David Tiernan

- Innovations in Road Constructions
- Road safety, nearly 197,000 deaths on roads since 1970 till now.
- Black Spot program funding has been lifted to \$150 million per year.
- Roads to Recovery \$4 Billion over next 4 years.

Speakers: - Keith Simons – Allan Rushworth

Brendon Moon – AM ASM

- Cost over time

\$1 billion	2018-19	5 Disasters	
\$2-3 Billion	2019-20	37 Disasters	
\$1-8 Billion	2020-21	45 Disasters	
\$4-2 Billion	2021-22	54 Disasters	
\$6-5 Billion	2022-23	38 Disasters	
Bushfires	Cyclones	Floods	Earthquakes
51	13	52	1
- Engineer to oversee disaster
- Government will pay 30% up front – But do not go over the actual cost.

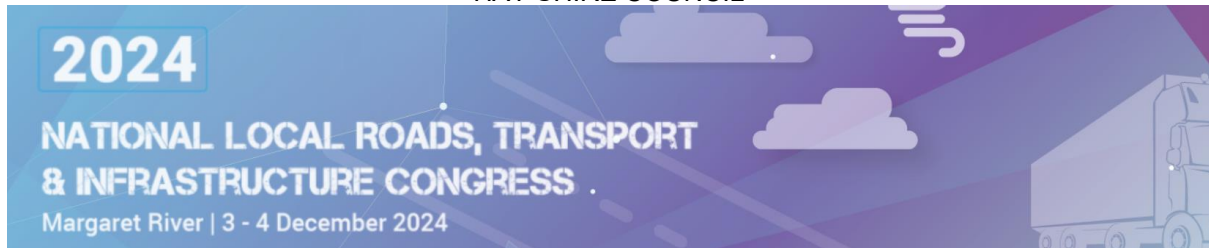
Overall, probably the best conference I've been to for along time, everything from the town Margaret River to congress. Definitely made connections of:

- Sara Hales - Aerodromes & Hubs
- Andrew Higgins – Senior Principal Research Scientist Railways CSIRO
- Bredon Moon – Head of Disasters
- Adam Wilmont – Technical Director, Roads GHD.

All Congress etc meetings are about connections.

RECOMMENDATION

For Council's information.



Communique

2024 National Local Roads, Transport and Infrastructure Congress

220 local government leaders and engineering and works staff from across Australia gathered in Margaret River, Western Australia from 3-4 December for the 2024 National Local Roads, Transport and Infrastructure Congress.

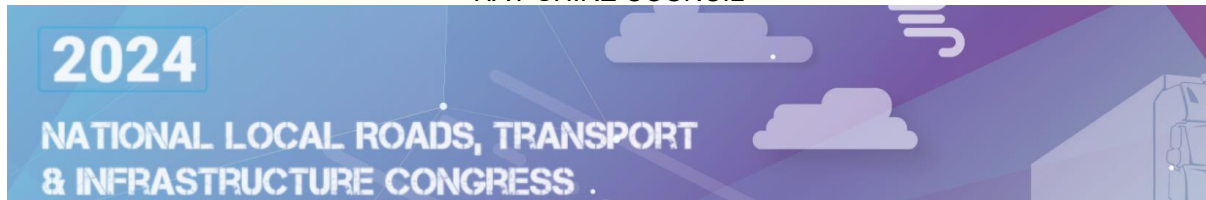
We acknowledged the Wadandi and Pibelmen peoples as traditional custodians of the lands on which we met, and paid our respects to their elders past, present and emerging.

This year's Congress included a significant focus on road safety. Congress delegates acknowledged that local governments manage more than 75% of Australia's road network and have a key role to play addressing Australia's unacceptable national road toll.

Delegates acknowledged the importance of prioritising road safety in infrastructure investments, and discussed opportunities to deliver safer roads in both regional and urban settings.

Sustainable funding is a significant barrier, and ALGA will continue to advocate for more federal support for councils to improve the condition, safety and productivity of Australia's road network.

We welcomed and thanked the federal politicians who addressed our Congress, including Minister for Local Government the Hon Kristy McBain, and Shadow Minister for Infrastructure, Transport and Regional Development Senator the Hon Bridget McKenzie.



This year's Congress included sessions on improving freight productivity, decarbonising Australia's transport sector, water management, regional airports, addressing the housing crisis, renewable energy transition, the circular economy, and active transport and electric vehicle trends.

The event also covered effective asset management, which is vital to the broad range of services and functions delivered by councils.

We also heard from National Emergency Management Coordinator-General Brendan Moon about recent national emergency management reviews, and how councils can support the implementation of their recommendations.

Sustainably funded, councils can deliver roads and community infrastructure that will support local solutions to national priorities.

Increasing federal formula-based funding to local government will assist councils to build stronger, more productive and resilient communities.

In the lead up to the next federal election, councils will be calling on all parties and candidates to put our communities first, and provide fair funding to local government for the benefit of all Australians.

General Manager's Report

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Actions Required from Council & Committee Meeting

Month: November 2024

Ordinary Meeting: 26th November 2024

Res No.	Officer	Item	Resolution	Complete
24-116	DGM	Presentation of Financial Statements	Resolved that the Council formally presents the Financial Statements and Audit Reports and considers any submissions received. Response: No submissions received	Yes
24-117	EM P&C	DA2024-27 – Intensification of Ravensworth Feedlot at 32570 Sturt Hwy, Hay	<p>Resolved the DA2024-27 for the Intensification of the feedlot cattle limit from 60,000 head to 100,000 standard cattle units with no change to existing infrastructure and consistent with the original DA 1990/002, at Ravensworth, 32570 Sturt Highway, Hay (Lot 2 DP 1245331), be approved pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, with the following conditions:</p> <p>General Conditions</p> <p>1. Compliance with Consent: The Development being completed in accordance with plans and specifications stamped by Council, except where varied by conditions of this consent. These include:</p> <ul style="list-style-type: none"> • Development Application, Statement of Environmental Effects and Plans • Addendum to Statement of Environmental Effects (Addendum 240621) • Traffic Impact Assessment <p>Reason: To confirm the details of the application as submitted by the applicant and as approved by Council.</p> <p>2. Signage: Site signage shall apply and must be erected on the site in a prominent, visible position for the duration of the construction.</p> <ul style="list-style-type: none"> • 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 	Yes

			<p>when it is no longer required for the purposes for which it was erected.</p> <p>Reason: <i>To meet the minimum requirements of the Environmental Planning and Assessment Regulation.</i></p> <p>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).</p> <p>Reason: <i>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.</i></p> <p>4. Variations: No alteration to approved plans and specifications is allowed unless separately approved by Council.</p> <p>Reason: <i>To ensure the designs meet regulations and standards and are in line with Council policies.</i></p> <p>5. 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.</p> <p>Reason: <i>To ensure compliance with the Environmental Planning & Assessment Act 1979.</i></p> <p>6. 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).</p> <p>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.</p> <p>Reason: <i>To protect the amenity of the area and to comply with the Protection of the Environment</i></p>	
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			<p><i>Operations Act 1997 and Noise Policy for Industry 2017.</i></p> <p>7. Minimise dust and noise The Applicant must undertake measures to minimise dust and noise and ensure the impact on neighbouring properties is minimised.</p> <p><i>Reason:</i> <i>To minimise environmental and amenity impacts of the development.</i></p> <p>8. Waste: If the developer would wish to utilise any waste facilities of the Council, a Waste Management Agreement must be agreed upon before commencement of construction.</p> <p><i>Reason:</i> <i>To minimise the waste impact.</i></p> <p>9. If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:</p> <ul style="list-style-type: none"> • Not further harm the object; • Immediately cease all work at the particular location; • Secure the area so as to avoid further harm to the Aboriginal object; • Notify Heritage NSW as soon as practical on 131555 or by emailing ahims@environment.nsw.gov.au, providing any details of the Aboriginal object and its location; • Not recommence any work at the particular location unless authorised in writing by Heritage NSW. • In the event that human 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. <p><i>Reason:</i> <i>To ensure the works are completed in accordance with the SEE, approved plans and this approval.</i></p> <p>EPA Conditions</p> <p>10. Water Balance and Irrigation Management</p> <ul style="list-style-type: none"> • Within three months of the Proposal being approved, an updated Site Water Balance Assessment is to be completed and submitted to the EPA to demonstrate that the site can effectively manage the increased in volume of wastewater. 	
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			<ul style="list-style-type: none"> • Within three months of the Proposal being approved, an updated Irrigation Management Plan to be submitted to the EPA in accordance with the Environmental Guidelines: Use of Effluent by Irrigation (DEC2004) to demonstrate that the site can effectively manage the increased volume of irrigation water. <p>11. Greenhouse Gas Mitigation and Adaptation Plan</p> <ul style="list-style-type: none"> • Within nine (9) months of the Proposal being approved, the Proponent is to submit an updated Greenhouse Gas (GHG) Assessment and a GHG Mitigation Plan prepared in accordance with the most recent publicly available version of the NSW EPA Guide for Large Emitters. • Within 12 months of the Proposal being approved, the Proponent is to submit a Climate Change Mitigation and Adaptation Plan (CCMAP) prepared in consultation with NSW EPA or in accordance with the latest publicly available guideline once published by the NSW EPA. <p><i>Reason: Compliance with conditions as provided by the relevant Department.</i></p> <p>Transport for NSW Conditions</p> <p><u>General</u></p> <p>12. As a minimum the intersection of the driveway with the Sturt Highway shall be constructed to provide a sealed Basic Left Turn (BAL) treatment in accordance with the Austroads Guide to Road Design for a Road-Train Route.</p> <p>13. As a minimum the access driveway shall be designed and constructed as a “Rural Property Access” in accordance with the Austroads Guide to Road Design. The driveway shall be sealed from the edge of seal of the Sturt Highway to the existing gates to the subject property with a minimum width of 6 metres to provide for 2 way movement of a 36.5m A-Double articulated vehicle.</p> <p>Prior to commencing works within the road reserve, the developer must:</p> <p>14. Enter into a Works Authorisation Deed (WAD) with Transport for NSW (TfNSW), or other suitable arrangement as agreed to by</p>	
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			<p>TfNSW, for all works on the Sturt Highway for a Road Train route.</p> <p>a. Notes:</p> <p>a) A WAD is a legally binding contract between TfNSW and the developer, authorising the developer to undertake works on a State road.</p> <p>b) To progress the WAD, the developer should review the TfNSW factsheet (Works Authorisation Deed (WAD) - Roads - Private development and other third party work - Partners & suppliers - Business & Industry - Roads and Waterways – Transport for NSW) then email a copy of the conditions of development consent to development.south@transport.nsw.gov.au.</p> <p>c) All roadworks and traffic control facilities must be undertaken by a pre-qualified contractor. A copy of pre-qualified contractors can be found on the TfNSW website at: Prequalified contractors Transport for NSW</p> <p>d) Any new services or modifications to existing services associated with this development application that involve works on, over or under the Sturt Highway must be incorporated into, and managed under, the Works Authorisation Deed for the project. Note: It is the developer's responsibility to identify these works to TfNSW project manager.</p> <p>15. Apply for and obtain Section 138 consent under the Roads Act, 1993 for the works associated with the WAD from Transport for NSW.</p> <p>a. Notes:</p> <p>a) TfNSW will be exercising its powers under Section 64 of the Roads Act, 1993 to become the roads authority for works associated with the WAD and therefore responsible for issuing the Section 138 consent for those specific works.</p> <p>16. Apply for, and obtain a Road Occupancy Licence (ROL) from the TfNSW Traffic Operations Unit (TOU) prior to commencing roadworks on a State road or any other works that impact a travel lane of a State road.</p> <p>a. Notes:</p> <p>a) For information on the ROL process and to lodge an ROL application, please visit https://myrta.com/oplinc2/pages/security/oplincLogin.jsf</p> <p>b) The applicant will need to create an account (this may take a few days to register), prior to submitting the ROL application. The applicant must submit the ROL application 10 business days prior to commencing work. It should be noted that receiving an approval for the ROL within this 10 business day period is</p>	
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			<p>dependent upon TfNSW receiving an accurate and compliant TMP.</p> <p>c) The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Speed Zone Authorisation will also be required from the TOU.</p> <p>d) An approved ROL does not constitute an approval to commence works until an authorisation letter for the works has been issued by TfNSW Project Manager.</p> <p>Prior to the issuing of the Occupation Certificate, the developer must:</p> <p>17. Complete the works to construct the driveway and the intersection treatment with the Sturt Highway to the satisfaction of TfNSW.</p> <p><i>Reason: Compliance with conditions as provided by the relevant Department.</i></p> <p>Essential Energy Conditions</p> <p>18. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.</p> <p>19. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.</p> <p>20. 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.</p> <p>21. 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).</p> <p>22. 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</p>	
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			<p>include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.</p> <p>Reason: <i>Compliance with conditions as provided by the relevant organisation.</i></p> <p>Response: Development approval issued.</p>	
24-118	EM P&C	DA2024-47 – Shed at 508 Clay Street, Hay	<p>Resolved that DA2024-47 for a shed at 508 Clay Street, Hay be approved with the following conditions:</p> <p>1. Compliance with Consent: The Development being completed in accordance with plans and specifications stamped by Council being Plans – Project No. TSS03_259092 Drawing 1 to 6 by The Shed Specialist AND Site Plan for Shed at 508 Clay Street, Hay, except where varied by conditions of this consent.</p> <p>Reason: <i>To confirm the details of the application as submitted by the applicant and as approved by Council.</i></p> <p>2. Signage: Site signage shall apply and must be erected on the site in a prominent, visible position for the duration of the construction.</p> <ul style="list-style-type: none"> • 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. <p>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.</p> <p>Reason: <i>To meet the minimum requirements of the Environmental Planning and Assessment Regulation.</i></p> <p>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).</p>	Yes

			<p>Reason: <i>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.</i></p> <p>4. Critical Stage Inspections: A person who is carrying out, or in charge of carrying out the work, must notify Council with 24hours notice when the relevant inspections are required below:</p> <ul style="list-style-type: none"> a) Pier pads prior to pouring concrete; b) All footing excavations, with steel in position, before concrete is poured; c) All concrete floors and raft slabs, with steel and damp proof membrane in position before concrete is poured; d) Sewer drains before being covered; e) Bearers and floor joists before flooring is laid; f) Wall and roof framing before being lined; g) Insulation of walls, roof, floor, ceilings, soffits, service pipes, ducts and chimney flue dampers; h) Wet area flashings after internal linings are installed; i) Stormwater drains/connections before backfilling; j) Fire-rated wall and ceiling framing; k) Sound transmission measures; l) Final inspection on completion of the works, and BEFORE any occupation. <p>Reason: <i>The need for Council to ensure that works have been carried out in accordance with the approved plans, specifications and the relevant legislation/standards.</i></p> <p>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.</p> <p>Reason: <i>To ensure no encroachments occur onto neighbouring properties and no changes are made to the approved siting of the property.</i></p> <p>6. Variations: No alteration to approved plans and specifications is allowed unless separately approved by Council.</p> <p>Reason: <i>To ensure the designs meet regulations and standards and are in line with Council policies.</i></p> <p>7. Boundary Clearance:</p>	
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			<p>A minimum distance of 900mm shall be provided between the external walls of the building and the side boundaries of the allotment, and a minimum distance of 450mm shall be provided between the overhang of the eaves and guttering and the side boundaries of the allotment.</p> <p>Reason: <i>To adhere to minimum boundary offsets as required by the relevant legislation.</i></p> <p>8. Storm Water Drainage: Storm water run-off from all roofs and extensive paved areas is to be collected and conveyed by gravity to Council's storm water collection system via a system of underground pipes having a diameter of at least 90mm and laid at a grade of at least one-in-one hundred (1%).</p> <p>Reason: <i>Preservation of the integrity of buildings and other structures, soil conservation, and not to impact neighbouring properties.</i></p> <p>9. Easements: The applicant is required to ensure that any easements registered over the title to the land are complied with.</p> <p>Reason: <i>Compliance with Legal documents.</i></p> <p>10. Occupation Certificate: Prior to the commencement of the use and/or occupation of the subject development, a satisfactory Final Inspection and/or Occupation Certificate must be issued by a Principal Certifying Authority. An Occupation Certificate must be applied for via the Planning Portal, select your development and apply for a "Related Certificate".</p> <p>Reason: <i>Ensure all conditions of the development are met and the building/development is safe for use.</i></p> <p>11. 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.</p> <p>Reason: <i>To ensure compliance with the Environmental Planning & Assessment Act 1979.</i></p> <p>12. Use of Building – Non-Residential Uses Only The building must not be used as a dwelling or domicile without Council's consent.</p>	
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			<p>13. Use of Building – Not for Commercial or Industrial Use: The building/shed must not be used for commercial or industrial purposes or storage of goods associated with industrial or commercial undertakings.</p> <p><i>Reason: Development consent is required for any other activity not already approved.</i></p> <p>Response: Development approval issued.</p>	
24-119	GM	Council Committees	<p>Resolved that Council</p> <p>a) Nominates two panel members being Councillor Perry and Executive Manager of Planning & Compliance and two alternative members being Councillor Quinn and General Manager for the Western Riverina Planning Panel for the term of Council; and</p> <p>b) Dissolves the Bishops Lodge Management Committee; and</p> <p>c) Accepts Cr Chapman resignation from the Hay Showground Management Committee.</p> <p>Response: No further action required.</p>	
24-120	DGM	2023/2024 Annual Report & End of Term Report 2022-24	<p>Resolved that Council:</p> <p>a) Endorses the 2023/2024 Annual Report including the 2023/2024 GIPA Annual Report, and the End of Term Report 2022-24; and</p> <p>b) Authorise the General Manager to forward a copy of the Annual Report to the Minister for Local Government</p> <p>Response: Reports distributed and copy provided to Minister for Local Government.</p>	Yes
24-121	EM P&G	Community Engagement Strategy (incorporating the Community Participation Plan)	<p>Resolved that Council:</p> <p>a) Council rescinds the Notification and Advertising of Development Proposals Policy;</p> <p>b) Places the Community Engagement Strategy and Community Participation Plan on public exhibition for a period of no less than 28 days; and</p> <p>c) a further report detailing any submissions received during the exhibition period be brought back to Council for consideration and adoption of the plans.</p> <p>Response: In progress.</p>	No
24-122	EM P&G	Code of Meeting Practice and Code of Conduct	<p>Resolved that Council:</p> <p>a) Place the Draft Code of Meeting Practice noting the change to 3.1 being: Ordinary</p>	No

HAY SHIRE COUNCIL

			<p>meeting of Council to be held on the following occasions: fourth Tuesday of the end of the month at 3pm, on public exhibition for a period of no less than 28 days, and subsequently open for a submission period of 42 days, as required under S.361 of the Local Government Act 1993.</p> <p>b) Receives a further report at the conclusion of the 42-day submission period for determination, outlining the submissions received and a final recommended Code of Meeting Practice for adoption;</p> <p>c) Adopts the Model Code of Conduct for NSW Councils and the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW as presented</p> <p>Response: In progress.</p>	
24-123	EM P&G	Social Media and Media Policies	<p>Resolved that Council adopts the draft Media Policy and the draft Social Media Policy as presented.</p> <p>Response: Adopted.</p>	Yes
24-124	GM	Application for Leave of Absence	<p>Resolved that Council grants leave of absence to Cr Geoffrey Chapman for the 17th December 2024.</p> <p>Response: Approved.</p>	Yes
24-125	GM	Request for Assistance	<p>Resolved that Council</p> <p>a) provides financial assistance to Hay Children Services by way of waiving the cost of Building Insurance in the value of \$3,207.02, and</p> <p>b) waivers the War Memorial Hall Fee of \$100 for the 2024 Christmas Carols and supper planned by St Fergal Catholic Church.</p> <p>Response: Complete</p>	Yes
24-126	DGM	Quarterly Budget Review Report	<p>Resolved that the Quarterly Budget Review Report to 30th September 2024 be adopted, by Council, and the amended votes as detailed in attached variation summary be approved.</p> <p>Response: Votes amended in Financial systems and budget papers.</p>	Yes
24-129	GM	John Houston Memorial Swimming Pool Replacement & Hay Hydrotherapy Pool	<p>Resolved that Council</p> <p>(a) Accepts the tender for the Design and Construction for the Swimming Pools Replacement from ELM group Pty Ltd (trading as ELM Aquatics), in an amount of up to \$6,612,760 (including GST);</p>	Yes

HAY SHIRE COUNCIL

			<p>(b) Accepts the tender for the Construction for the Swimming Pools Plant Room Shed from ELM group Pty Ltd (trading as ELM Aquatics), in an amount of up to \$199,870 (including GST);</p> <p>(c) Does not award any Contract for the construction of the Hay Hydrotherapy Pool due to insufficient project funding, the project is deferred, and the development application is withdrawn;</p> <p>(d) Authorises the General Manager and Executive Manager Engineering & Operations to sign the Contracts; and</p> <p>(e) Allocates \$100,000 from Council Reserves towards the pools replacement project at the next Quarterly Budget Review.</p> <p>Response: Contracts awarded and signed. Pool replacement project commenced.</p>	
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Month: October 2024

Ordinary Meeting: 22nd October 2024

Res No.	Officer	Item	Resolution	Complete
24-109		Tree Removal Requests	<p>Resolved That Council:</p> <p>a) Removes the Gum Tree at 238 Bourke Street and replace with a suitable species;</p> <p>b) Prunes the Christmas Bush at 133 Lachlan Street to reduce the height;</p> <p>c) Removes three Claret Ash Trees at 422 Orson Street and replace with suitable species; and</p> <p>d) Prunes the Claret Ash tree in front of 190-192 Lachlan Street away from the awning.</p> <p>Response: In progress.</p>	No
24-110		Operations Monthly Update Report	<p>Resolved that Council:</p> <p>a) Notes the information provided in the report; and</p> <p>b) Adopts the new bulk potable water fee from the standpipe of \$20/KL (Ex GST); and</p> <p>c) Trials revised Sunday opening hours at the</p>	No

HAY SHIRE COUNCIL

			<p>Hay Waste Transfer Station 8am-12pm and 1pm-4pm.</p> <p>Response: b) Complete c) being arranged, to come into effect in the New Year.</p>	
24-113		Reseals 2024-25	<p>Resolved that Council:</p> <p>(f) Accepts the tender for the schedule of rates for Reseals 2024-25 from Bitupave Ltd, in an amount of up to \$680,291 (excluding GST); and</p> <p>(g) Authorises the General Manager and Executive Manager Engineering & Operations to sign the Contract.</p> <p>Response: In process.</p>	No

Month: August 2024

Ordinary Meeting: 27th August 2024

Res No.	Officer	Item	Resolution	Complete
24-92	EM-ED&T	Tourism & Economic Development Report – May/June 2024	<p>Resolved that:-</p> <p>(a) Notes the information provided in the report and the actions being undertaken; and</p> <p>(b) Authorises the progression of a detailed gap analysis of the Hay housing market as outlined in the report</p> <p>Response: In progress. Hay Housing Roadmap commenced along with community survey.</p>	No

Month: August 2024

Extraordinary Meeting: 12th August 2024

Res No.	Officer	Item	Resolution	Complete
24-81	EM P&C	PP-2023-2746 – Planning Proposal 310 Moama St, Hay	<p>Resolved that Council:</p> <p>a) Notes the submissions received during the public exhibition;</p> <p>b) Endorses the planning proposal;</p> <p>c) Provides this report and other relevant information to the NSW Department of Planning, Housing and Infrastructure or delegate of the Minister for Planning and Public</p>	No

HAY SHIRE COUNCIL

			<p>Spaces, in accordance with the Environmental Planning and Assessment Act 1979, to enable finalisation and the making of the amendment to the Hay Local Environmental Plan 2011; and</p> <p>d) Provides instructions for the Parliamentary Counsel's Office (PCO) to draft the LEP.</p> <p>Response: In progress. Gateway determination received.</p>	
24-83	EM P&C	Developer Contributions Plan	<p>Resolved</p> <p>a) That Council proceeds with the drafting of a Section 7.12 Fixed Development Consent Levies Contribution Plan in terms of Section 7.18 of the Environmental Planning and Assessment Act 1979 No 203; and</p> <p>b) A draft Contribution Plan be brought back to Council in due course.</p> <p>Response: Not yet commenced.</p>	No
24-85	EM O&P	Tree Removal Requests	<p>Resolved that Council</p> <p>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</p> <p>b) Removes the 3 Peppercorn trees at the Duck Pond.</p> <p>c) Removes the 3 Claret Ash trees at 465 Cadell St and replaces with Bottlebrush or crepe myrtle trees; and</p> <p>d) Retains the Silky Oak tree at 366 Cadell St.</p> <p>Response: In progress. Item a) and b) completed item c) trees removed no replacements as yet.</p>	No
24-87	GM	Update on Housing Proposal & Childcare in Hay	<p>Resolved that Council:</p> <p>(a) Notes the information in the report and the initiatives undertaken by staff to address the critical childcare and housing shortage in Hay.</p> <p>(b) Authorises the General Manager or his delegate to enter into a new Licence</p>	No

HAY SHIRE COUNCIL

			<p>Application with Crown Lands for Lot 195 DP 756755 and part Lot 193 DP 756755;</p> <p>(c) Sets aside the staff house at 342 Church Street when it becomes vacant for childcare; and</p> <p>(d) Authorises the General Manager or his delegate to enter into negotiations with Homes NSW in regards to property for childcare as outlined in the report and execute Contracts of Sale of property, under Council Common Seal as required.</p> <p>Response: In progress and ongoing.</p>	
24-88	GM	Purchase of Patching Truck	<p>Resolved that Council</p> <p>(h) 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);</p> <p>(i) Authorises the General Manager to sign the purchase order; and</p> <p>(j) Disposes of Caterpillar 428C Backhoe, Plant No 3111, at auction.</p> <p>Response:</p> <p>(i) Patching truck ordered. Delivery expected May 2025.</p> <p>(ii) Backhoe has been disposed</p>	No

Month: July 2024

Ordinary Meeting: 23rd July 2024

Res No.	Officer	Item	Resolution	Complete
24-71	GM	Bishops Lodge Subdivision – Removal of Restrictions	<p>Resolved that Council:-</p> <p>1. Revokes Restrictions (a) to (f) on the Use of the Land (Restriction executed on 21/8/1997) in terms of Section 88D(11) of the Conveyancing Act 1919 for the following lots:</p> <p>(a) Lot 13 DP 747124</p> <p>(b) Lot 14 DP 747124</p> <p>(c) Lot 15 DP 747124</p> <p>(d) Lot 16 DP 747124</p> <p>(e) Lot 17 DP 747124</p>	No

HAY SHIRE COUNCIL

			(f) Lot 24 DP 747124 (g) Lot 25 DP 747124 (h) Lot 26 DP 747124 (i) Lot 27 DP 747124 2. Authorises the General Manager to sign all documentation pertaining to removal of this restrictions and authorises the legal team from Cumberland City Council to act on Hay Shire Council's behalf in this matter. Response: Seeking other legal assistance.	
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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; (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	No

HAY SHIRE COUNCIL

			<p>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;</p> <p>(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</p> <p>(f) Two 4 bedroom dwellings are set aside for Council in the subdivision; and</p> <p>(g) That the Mayor and General Manager be authorised to sign appropriate legal documents under Council seal.</p> <p>Response: Ongoing. In discussions with Argyle Housing and Homes NSW.</p>	
24-060	GM	Truck Wash Payment System	<p>(a)Installs the Avdata MAC system to operate the large wash bay only;</p> <p>(b)Sets usage charge at \$0.5454/min;</p> <p>(c)Decommissions the small wash bay and pump;</p> <p>(d)Include the cost to undertake the works in the next quarterly budget review.</p> <p>Response: Avdata being ordered. Works not due to be undertaken till later in 2024. Avdata unit has been received working with contractor to install Works scheduled to occur in the New Year.</p>	No
24-061	GM	Sale (Trade) of Water Policy & Resilient Rivers Waer Infrastructure Program	<p>(a) Adopts the Sale (Trade) of Water Policy, dated April 2024;</p> <p>(b) Submits a grant application under the Resilient Rivers Water Infrastructure Program for the full roll out of digital meters to all users in the Hay town water supply network.</p> <p>Response:</p>	No

HAY SHIRE COUNCIL

			Grant application in process. Discussions occurring with Water Minister. Ministerial approval granted. Staff working on application.	
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Month: May 2024

Ordinary Meeting: 28th May 2024

Res No.	Officer	Item	Resolution	Complete
24-050	GM	Local Roads & Community Infrastructure Program	<p>Resolved</p> <p>(a) Allocates Local Roads & Community Infrastructure (LRCI) Phase 4 program funding as follows:</p> <ul style="list-style-type: none"> (i) VIC toilets refurbishment - \$150,000 (ii) Swimming Pool Refurbishment & Upgrade - \$358,687 (iii) Lachlan Street Shoulder Pavement Upgrade - \$293,422 (iv) If Council is unsuccessful with Changing Places funding VIC toilets component is to be re-allocated to the Swimming Pool Refurbishment & Upgrade; and <p>(b) Applies for loan approval with NSW Treasury Corporation (TCorp) for \$4M for the John Houston Memorial Swimming Pool Replacement and investigates other options to allow the project to proceed in full.</p> <p>Response:</p> <ul style="list-style-type: none"> - Loan application – approved. Waiting on agreement. - LRCI PoW to be submitted and approved. - Successful with Changing Places funding. - Works in progress. 	No

Month: April 2024

Ordinary Meeting: 23rd April 2024

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

HAY SHIRE COUNCIL

			Response: Gateway submitted to Department. Ongoing.	
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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: To be programmed. Trees ordered. Contract awarded and removals to commence within the fortnight. Trees removed Replacements programmed.	No

Month: February 2024**Ordinary Meeting: 27th February 2024**

Res. No	Officer	Item	Resolution	Complete
24-005	GM	Old Anglican Church	Resolved that Council (a) Agrees to retain and relocate the Time Capsule to Hay Duck Pond park area; and (b) Agrees to retain and relocate the old church bell and steeple to the Bishops Lodge Museum. Response: Council working with the developer. Bell and Steeple being relocated. Time capsule to be moved when upgrade works to Duck Pond occur. Agreed with landowner to leave time capsule in place until opening in October 2025.	Yes
24-009	EM-EO	Tree Removal Requests	Resolved that Council c) Removes two Gum trees in Pal Richards Park and replace with two Ornamental Pear Trees. d) Removes the Pine tree at 321 Macauley Street and replace with a crepe Myrtle Tree. e) Remove two Claret Ash trees at 471 Cadell Street and replace with two Crepe Myrtle Trees.	No

HAY SHIRE COUNCIL

			<p>f) Remove 2 x Claret Ash from 322 Church Street and replace with two Ornamental Pear Trees, and</p> <p>g) Removes Pepper Corn tree Corner of Cadell and Lachlan and replace with a Manchurian Pear.</p> <p>h) Retain the California Ash at 348 Cadell Street.</p> <p>i) 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).</p> <p>j) Heavy prune 12 Claret Ash Trees at the John Houston Memorial Pool carpark.</p> <p>k) Additional to the replacement trees suggested, Council plant trees within Hay Parks to achieve ten trees planted for every removal.</p> <p>Response: Works to be programmed. Trees ordered. Contract awarded and removals to commence within the fortnight. All completed except item j)</p>	
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Month: December 2023

Ordinary Meeting: 19th December 2023

Res. No	Officer	Item	Resolution	Complete
23-137	GM	Council's Financial Sustainability	<p>Resolved that Council engages an external specialist to undertake a peer review on the financial sustainability of Hay Shire and provide recommended options for improvement of our financial sustainability for Council's consideration.</p> <p>Response: Held training and assessment with Professor Drew. Ongoing. Further engagement with Professor Drew while in Tamworth at the LGNSW annual conference.</p>	No

Month: November 2023

Ordinary Meeting: 28th November 2023

Res. No	Officer	Item	Resolution	Complete
23-131	EM E&O	Essential Energy Tree Removal Request	<p>Resolved that</p> <p>(a) Council approves Essential Energy's request to remove the trees listed pending favorable consultation with each resident;</p>	No

			<p>(b) Essential Energy bears the cost of the tree removals;</p> <p>(c) That Council grinds the stumps (estimate \$3,000) and work with Essential Energy for the tree replacements, including the 10 trees planted for every single removal, as per Council's policy.</p> <p>Response: In progress.</p> <p>(a) Trees have been removed</p> <p>(b) EE financed the removals</p> <p>(c) EE also financed the stump removals. Still working with EE for the tree replacements</p> <p>(d) Quotes received for tree replacement and is with EE for approval</p>	
23-132	EM E&O	Tree Removal Requests	<p>Resolved that Council</p> <p>a) Removal of Pine tree at 242 Pine Street, remove and replacement with suitable species.</p> <p>b) Removal of Melaleuca at 361 Leonard Street, remove and replacement with suitable species.</p> <p>c) Removal of Gum Tree in 361 Leonard Street, remove and replacement with suitable species.</p> <p>d) Removal of Gum Tree at 236 Pine Street, remove and replacement with suitable species.</p> <p>e) Removal of 3 Oleanders at 236 Pine Street, remove and replacement with suitable species.</p> <p>f) Removal of Gum Tree at 469 Cadell Street, remove and replacement with suitable species.</p> <p>g) Removal of Gum Tree at 469 Cadell Street, remove and replacement with suitable species.</p> <p>h) Retains Jacaranda Tree at 379 Alma Street.</p> <p>i) Removal of Gum Tree 2 Pimperia Street, Maude, remove and replacement with suitable species.</p> <p>Response: Removals completed. New trees have been ordered. All but item i complete</p>	No

Month: October 2023**Ordinary Meeting: 24th October 2023**

Res No.	Officer	Item	Resolution	Complete
23-110	GM	Notice of Motion – Cr Quinn	<p>Resolved that Council:</p> <p>a;</p> <p>I - apply to NSW Water for permission to return the beach sand that washed from the beach to the access road and grassed areas during the 2022 flood event back to its former location.</p> <p>II – removal of the blockades at both the eastern and western ends of the access road, relocate the beach sand back to its original location before the 2022 flood event, and recommission the Sandy Point Beach access road to its former state without change.</p> <p>b;</p> <p>I - undertake a review of the Murrumbidgee River Masterplan 2021 - Section 6 - Sandy Point Reserve, with consideration to public expectation and make any necessary alterations arising from today's determination of council.</p> <p>Response:</p> <p>Fisheries permit application submitted and initial approval provided. Works completed. An allocation to review of Masterplan included in Qrtly Budget Review. Staff to arrange when resourcing permits.</p> <p>Council successful with grant application to upgrade Sandy Point boat ramp. Revision of plan will occur as part of this project planning.</p> <p>See separate report to Council.</p>	Yes

Month: September 2023**Ordinary Meeting: 26th September 2023**

Res No.	Officer	Item	Resolution	Complete
23-100	GM	Grant Programs	<p>Resolved that</p> <p>a) Phase 2 of the Hay Resource Recovery & Eco Park under the Regional Precinct & Partnership Program – Delivery;</p> <p>b) Hay Aerodrome under the Regional Precinct & Partnership Program – Planning;</p> <p>c) Phase 3 of the Hay Resource Recovery & Eco Park under the Regional Microgrids Program;</p> <p>d) Hay Truck Stop under the Heavy Vehicle Rest Area Program; and</p>	No

HAY SHIRE COUNCIL

			<p>e) Boxyards, Alma and Mutherumbung Roads Upgrade under the Remote Roads Upgrade Pilot Program.</p> <p>Response: Grant applications in progress. Items (d) and (e submitted - unsuccessful Hay Truck Stop application successful. Council appointed as CLM for lot at Shear Outback. Design layout with TfNSW for approval.</p>	
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Month: June 2023

Ordinary Meeting: 27th June 2023

Res No.	Officer	Item	Resolution	Complete
23-065	GM	Reconciliation Action Plan	<p>Resolved that Council endorses the Draft Hay Shire Council Reconciliation Action Plan (RAP) for public exhibition and consultation.</p> <p>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.</p>	No

Month: February 2023

Ordinary Meeting: 28th February 2023

Res No	Officer	Item	Resolution	Complete
23-010	GM	Big4 Hay – Lease of Land	<p>Resolved that Council</p> <p>a) Approves the part closure of Nailor street, Hay South and undertakes the process in accordance with the Roads Act 1993, subject to the applicant meeting all costs associated with the closure and sale; and</p> <p>b) Extends the lease of the part road until such time the purchase of the land is complete.</p> <p>Response: Process has commenced. New lease rates calculated. Ongoing discussions with landowner.</p>	No
23-011	GM	Request to Purchase Council Land	Resolved that Council	No

HAY SHIRE COUNCIL

			<p>(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</p> <p>(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.</p> <p>Response: Council has completed its phase of part (a).</p>	
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Month: April 2022

Ordinary Meeting: 26th April 2022

Res No.	Officer	Item	Resolution	Complete
22-046	DIP	Agritourism Clauses for Hay LEP 2011	<p>Resolved that Council recommends</p> <p>(a) Does not adopt the proposed Clause 5.23 Farm Stay Accommodation</p> <p>(b) Adopts Clause 5.24 Farm Gate Premises, with the following text:</p> <p>5.24 Farm gate premises</p> <p>(1) The objectives of this clause are—</p> <p>(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</p> <p>(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.</p> <p>(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—</p> <p>(a) the gross floor area of a building used for farm gate premises will not be more than 200 square metres, and</p> <p>(b) the maximum number of persons that will be permitted on the landholding at any 1 time for the purposes of the farm gate premises will not be more 50 persons.</p> <p>(3) Development consent must not be granted to development for the purposes of farm</p>	No

HAY SHIRE COUNCIL

			<p>gate premises on land unless the consent authority has considered—</p> <p>(a) whether the development will result in noise or pollution that will have significant adverse impact on the following on or near the land—</p> <p>(i) residential accommodation,</p> <p>(ii) primary production operations,</p> <p>(iii) other land uses, and</p> <p>(b) whether the development will have significant adverse impact on the following on or near the land—</p> <p>(i) the visual amenity, heritage or scenic values,</p> <p>(ii) native or significant flora or fauna,</p> <p>(iii) water quality,</p> <p>(iv) traffic,</p> <p>(v) the safety of persons, and</p> <p>(c) whether the development is on bush fire prone land or flood prone land, and</p> <p>(d) the suitability of the land for the proposed development, and</p> <p>(e) the compatibility of the development with nearby land uses.</p> <p>Response:</p> <p>Department notified of Council's resolution. Waiting on finalisation of amended LEP.</p>	
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Month: April 2021

Ordinary Meeting 27th April 2021

<i>Res. No.</i>	<i>Officer</i>	<i>Item</i>	<i>Resolution</i>	<i>Complete</i>
21-052	DCCS	Potential Land Acquisition	<p>Resolved that Council,</p> <p>(a) Notes the information provided in the report; and</p> <p>(b) Undertakes an independent valuation of Land at a cost of \$2,000</p> <p>(c) Participates in further discussions with Transport for NSW regarding the Railway Land.</p> <p>Response:</p> <p>(b)Valuation has been undertaken. Land purchased.</p> <p>(c) Discussions with TfNSW/JHR underway General Manager has been in recent discussions with TfNSW. Waiting on response from TfNSW. Discussions still ongoing.</p>	No

Month: December 2020

Ordinary Meeting 15th December 2020

Res. No.	Officer	Item	Resolution	Complete
20-170	DCCS	Realignment of the Suburb of One Tree	<p>Resolved that Council:</p> <ul style="list-style-type: none"> 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. <p>Response: In progress Ongoing</p> <p>Next stage is to commence owner notification</p>	No

Month: July 2020

Ordinary Meeting 28th July 2020

Res. No.	Officer	Item	Resolution	Complete
20-084	DCCS	Classification of Crown Reserve 150036	<p>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.</p> <p>Response: Council is waiting on Crown lands and the Aboriginal land claim determination.</p>	No
20-090	GM	IC 1 – Railways Lands - IN COMMITTEE	<p>IC 1 Resolved that Council:</p> <ul style="list-style-type: none"> (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. <p>Response: Letter written to JHR. Ongoing. Staff liaising with new railway land managers. Discussions still ongoing.</p>	No

Month: March 2020

Ordinary Meeting 24th March 2020

Res. No.	Officer	Item	Resolution	Complete
20-038	DCCS	Road Name	<p>Resolve that Council:</p> <ul style="list-style-type: none"> 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. <p>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.</p> <p>Still working with Crown Lands.</p> <p>Kiernan Lane is officially named. Still working on Yankee Crossing Road formulisation.</p> <p>Matter been delayed due to ALC on the travelling stock route.</p>	No

C1 – Development Applications – 16th November 2024 to 5th December 2024

REPORTING OFFICER	Administration Officer Planning & Building
ATTACHMENTS	Nil

INTRODUCTION

Progress report on the current development applications with Council.

COMMENTARY

DA 2023-41	Sheryl Hathaway – 379 Macauley St, Hay – Carport – Approved
DA 2024-4	Will Nadin – 151 Lachlan St, Hay – Bottle shop – In process (DA2024-14 to 2024-26 DA numbering error. Nil application listing).
DA 2024-27	Ron Harris – Intensification of Cattle Feedlot capacity at Ravensworth 32570 Sturt Highway, Hay – Approved
DA 2024-37	Purtill Bros Nominees Pty Ltd – 429-431 Moama St, Hay – Demolish and replace service station – In process
DA 2024-44	Green Gold Energy Pty Ltd – Lot 33 DP 75678 &, Lot 1 DP 1049829 Murrumbidgee River Rd – Solar Farm & Battery - In process
DA 2024-47	Scout Wall – 508 Clay St, Hay – Shed – Approved
DA 2024-49	Hay Shire Council – 241-249 Lachlan St, Hay – Hydrotherapy Pool – Withdrawn
DA 2024-54	Bulpunga Pty Ltd – 761 Jerilderie Rd, Hay - Storage and laydown sites for equipment and plant in association with renewable energy projects – In process (additional information requested)
DA 2024-57	Heabra Pty Ltd – 391 Murray St, Hay – Use of yard for sale of transport equipment and office – In process
DA 2024-58	Daniel Cox – 465 Orson St, Hay – Carport/Garage – In process
DA 2024-59	Luke Sells – 522 Clay St, Hay – Use of shed as mechanic workshop – Approved
DA 2024-61	Geoff Chapman – 25542 Sturt Highway, Hay – Shed - Approved

RELEVANCE TO STRATEGIC COMMUNITY PLAN	D Governance and Organisational Performance <i>D1 Our community is supported by a strong and resilient Council that is responsive to its needs</i> 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	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 16th November 2024 to 5th December 2024.

C2 - DA2024-37 – Service Station replacement at 429-431 Moama St, Hay

REPORTING OFFICER	Executive Manager Planning and Compliance
ATTACHMENTS	A. Development Application, Statement of Environmental Effects and Plans – Separate Cover B. Comments received during exhibition

INTRODUCTION

Hay Shire Council received an application for 'Demolition of existing service station building and refuelling canopy and associated refuelling areas. New service station facility with separate light and heavy vehicle refuelling canopies and parking sales building and signage' at 429-431 Moama Street, Hay (Lots 1,2 & 3 DP 997870).

Owner: Niangby Superannuation Pty Ltd
Applicant: Purtill Bros Nominees Pty Ltd
Zoning: RU5 Village

The lot is 5593m² and is an existing service station, and is located on the Sturt Highway, as can be seen from the figures below.



Figure 1: Aerial View of Subject Site (Six Maps)



Figure 2: Aerial View of Subject Site (Six Maps)

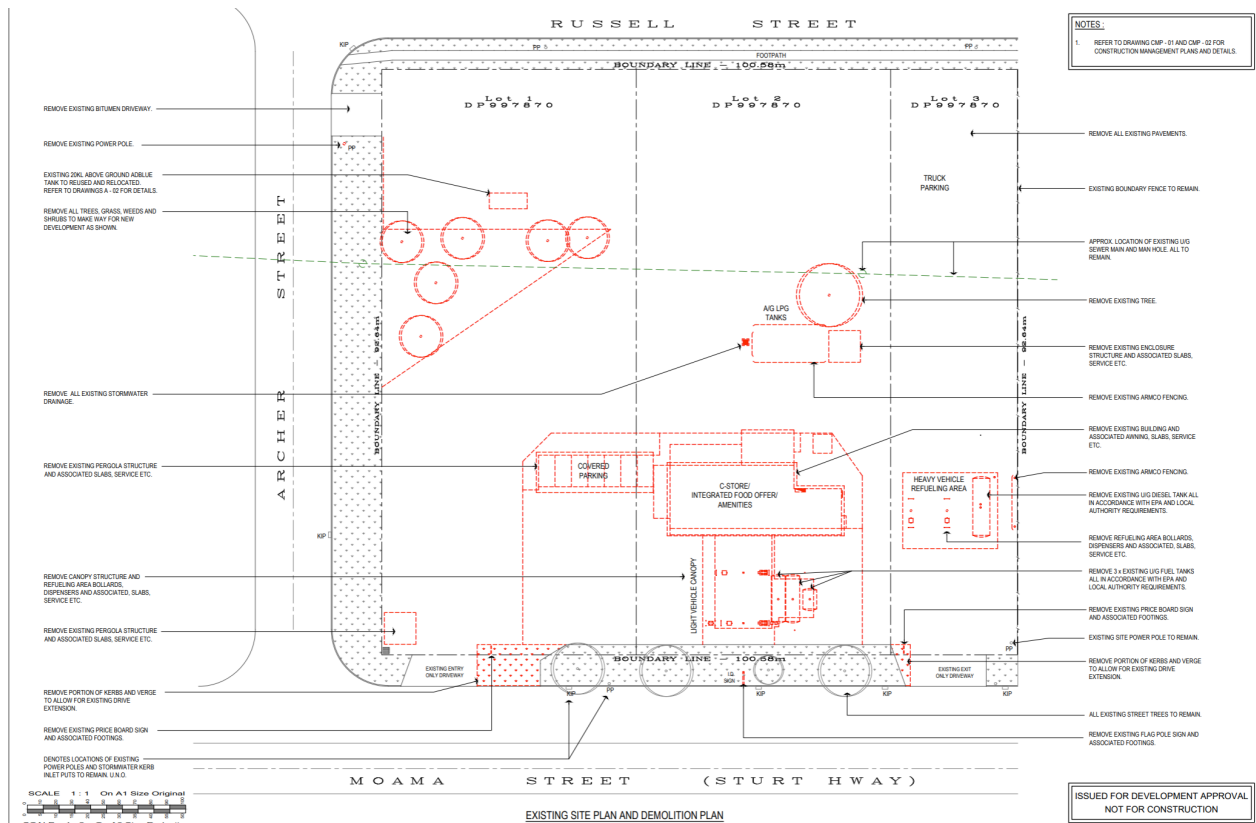
COMMENTARY

The proposed development will consist of the following:

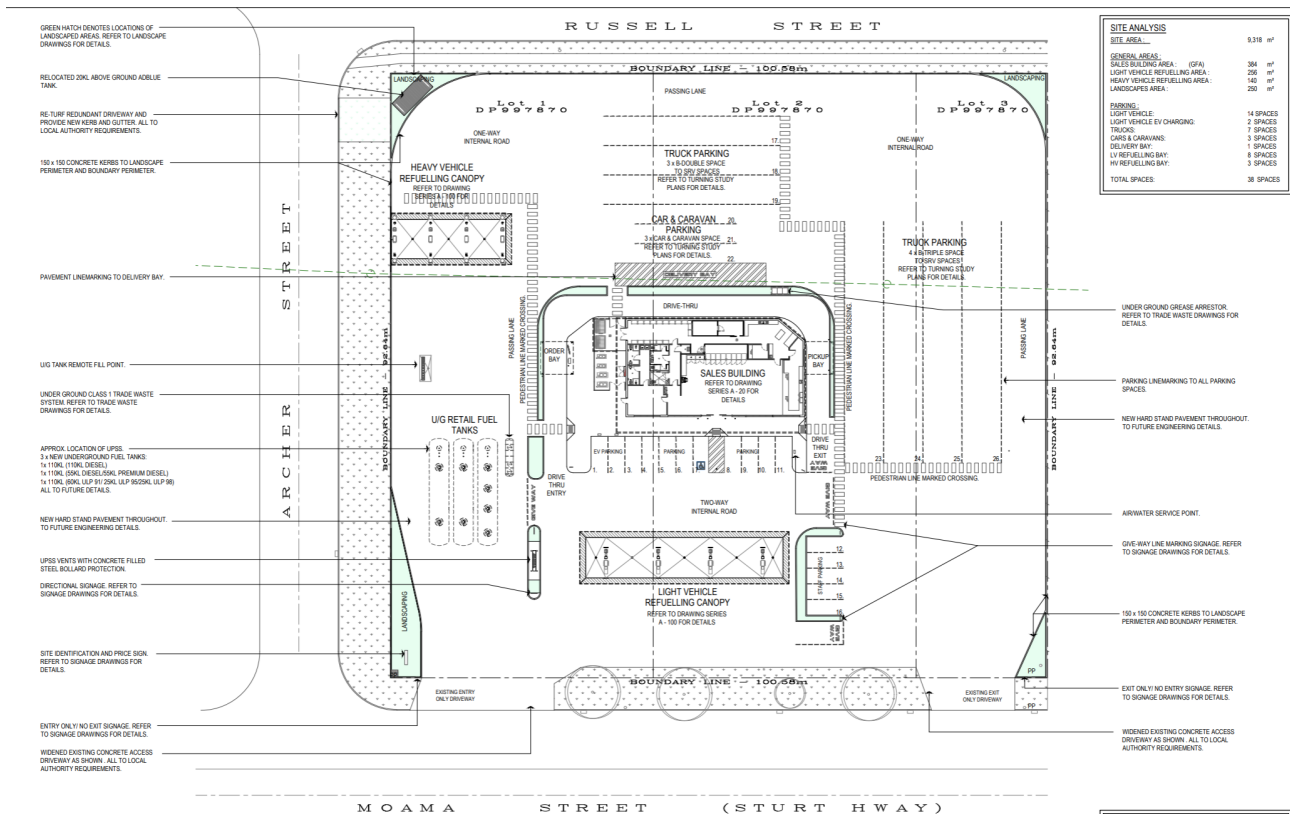
1. Install all new tanks and build diesel canopy and pumps (all existing tanks to remain open).
2. Build new shop behind existing (existing shop and tanks to remain open).
3. Demolish existing shop and canopy (new shop to open and new diesel to open, one outside close to highway, existing lane light vehicle open).
4. Build light vehicle canopy and pumps.
5. Remove existing fuel installation.
6. Landscaping and finishes.

The demolition and construction are to be phased so that the development will still function. As can be seen on the plan below, the demolition will include the following:

- Removal of the Archer Street driveway.
- Removal of all existing buildings.
- Removal of seven trees.



The proposed service station will be set back further than the existing service station, with an increased footprint and a drive through facility. The proposed development will also include formalised truck and caravan parking areas, as can be seen in the plan below:



According to Section 4.15 of the Environmental Planning and Assessment Act 1979, a consent authority needs to take the following matters in consideration in assessing a development application:

(a) the provisions of—

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

Planning Controls**a. Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014**

The Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008 (POEO Underground Petroleum Reg) aims to minimise the risk to human health and the environment by requiring best practice design, installation, maintenance, and monitoring of underground petroleum storage systems (UPSS) in NSW. The applicant stated that “the fuel systems on the site for the proposed development will demonstrate adherence to this control through design and construction that is in accordance with appropriate Australian Standards for these systems. Underground Petroleum Tanks will be double walled fibre glass fitted with a Hydrostatic Leak Detection System. This system provides ongoing monitoring, preventing product loss and potential contamination to the environment. Petroleum product lines in use at the facility will be tested regularly to ensure quality and compliance. Groundwater monitoring wells will be installed as a part of the underground petroleum storage tank excavations”. Provisions were included in the conditions of approval.

b. Protection of the Environment Operations (Clean Air) Regulation 2010

The applicant states that “compliance with the Environment Operations (Clean Air) Regulation 2010 will be confirmed at the detailed design stage to ensure that the system design complies with all required provisions. This will include, without limitation, compliance with applicable requirements under Division 5 – Petrol Service Stations.” This is included in the conditions of approval.

c. State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021

Schedule 3 of the above SEPP specifies that the proposal needs referral to Transport for NSW. This was done, with the following comments received from Transport for NSW:

1. *The site shall be established and maintained with one-way circulation through the site restricted to ingress via the western driveway from the Sturt Highway (Moama Street) and egress via the eastern driveway as per the submitted plans. This one-way circulation shall be appropriately sign posted and line marked. No entry signs shall be erected and maintained at the eastern driveway.*
2. *As a minimum, driveways shall be upgraded to a sealed surface between the back of kerb to the property boundary for the full width of the driveway required to accommodate the largest vehicle anticipated to access the subject site as shown on the submitted plans.*
3. *The driveways to the Sturt Highway shall be designed and constructed with measures (eg truck mountable kerbing, line marking, etc) to slow vehicles accessing the site from the highway and to direct light vehicles perpendicular to the property boundary within the development site.*
4. *The order point for the Drive Thru Coffee facility shall be relocated to the northern side of the proposed sales building to maximise available queuing clear of circulation paths to the light vehicle fuel bowzers.*
5. *All activities including, loading and unloading associated with this development shall take place within the subject development site to remove interference with vehicles and pedestrian movement on public roads. Fill points for onsite petrol and gas storage tanks are to be located so that delivery tankers can stand wholly within the site and clear of access driveways so as not to impede access to and from the subject site.*

6. *Any signage shall be designed and located so as to comply with the following;*
 - a. *the sign display shall not include:*
 - *Any flashing lights,*
 - *Electronically changeable messages,*
 - *Animated display, moving parts or simulated movements.*
 - *Complex display that holds motorist's attention beyond "glance appreciation",*
 - *Display resembling traffic signs or signals, or giving instruction to traffic by using*
 - *words such as 'halt' or 'stop';*
 - b. *The method and intensity of any illumination of the sign shall not be directed or transmitted in such concentration or intensity to cause distraction or glare to motorists.*
 - c. *The permissible level of reflectance of an advertisement is not to exceed the 'Minimum coefficients of Luminous intensity per unit area for Class 2A', as set out in Australian Standard AS/NZS 1906.1:2007;*
 - d. *Any proposed sign and support structure (except roadside regulatory signage) shall be located wholly within the confines of the property boundaries and not protrude over any adjoining road reserve.*
 - e. *Any proposed sign and support structure to be located within close proximity to a road reserve is required, as a minimum, to comply with the wind loading requirements as specified in AS1170.1 Structural design actions – Permanent, imposed and other actions and AS1170.2 Structural design actions – wind actions.*
 - f. *Any proposed sign and support structure shall not obstruct any road regulatory, safety or directional signage in the vicinity,*
 - g. *Any proposed sign and support structure shall not pose any risk to the safety of pedestrians or motorists.*

The proposed development will have a traffic impact. The proponent has completed a satisfactory Traffic Impact Assessment, with amongst other the following findings:

- There will be an increase in traffic movements, which will mainly be concentrated on the highway, with a decrease in traffic in surrounding local roads.
- The impact of the increased traffic on the amenity of surrounding streets are expected to be minimal.
- The existing entry and exit arrangement will mostly be the same, which has not had any significant impacts.

Council uses mostly the Transport for NSW "Guide to Traffic Generating Developments" in the assessment of traffic impacts. The proposed development conforms to this guide, especially in regard to on-site parking requirements and site access.

d. State Environmental Planning Policy (Industry and Employment) 2021

The State Environmental Planning Policy (Industry and Employment) 2021 sets out planning controls for advertising and signage in NSW, with the SEPP requiring signage to be compatible with:

- The future character of an area,
- Provide effective communication in suitable locations and
- Be of a high-quality design and finish.

The proponent addresses the signage satisfactorily in the Statement of Environmental Effects.

e. Hay Local Environmental Plan 2011

The Zoning of the site is RU5 Village, which has the following provisions:

1 Objectives of zone

- *To provide for a range of land uses, services and facilities that are associated with a rural village.*
- *To ensure that development in village areas is compatible with the environmental capability of the land, particularly in terms of the capacity of that land to accommodate on-site effluent disposal.*
- *To retain and facilitate expansion and redevelopment of the existing central business district of the Hay urban area and to further strengthen the core retail functions of this area.*
- *To encourage appropriate business development at the intersection of Cobb, Mid-Western and Sturt Highways that services the needs of the travelling public.*
- *To encourage appropriate tourist development within the Hay urban area.*

2 Permitted without consent

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

3 Permitted with consent

Centre-based child care facilities; Community facilities; Dwelling houses; High technology industries; Home industries; Liquid fuel depots; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Cellar door premises; Electricity generating works; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Heavy industrial storage establishments; Industries; Local distribution premises; Marinas; Mooring pens; Moorings; Open cut mining; Roadside stalls; Rural industries; Rural workers' dwellings; Sex services premises; Waste disposal facilities; Wharf or boating facilities

The works are permitted with consent.

The proposed development is on bushfire prone land. The application was referred to the Rural Fire Service, who requested a Bushfire Assessment, which is attached. RFS provided comments included in the submissions section below. These are all included in the conditions of consent.

Environmental, Social and Economic Impacts

The proposed development has minimal environmental impact, as it is a replacement of an existing facility.

The proposed development can have a positive social and economic impact in that:

- The development will upgrade the existing facility, which has started to look run-down.
- The development can lead to an increase in employment.
- The development is one of the gateway businesses in town, and an upgrade can be beneficial to the town.

In the Environmental Site Assessment, the proponent stated that "based on the investigation undertaken, there were no complete pathways identified which could cause an unacceptable risk to human and ecological receptors on-site and off-site. The site remains suitable for on-going use for non-sensitive commercial / industrial purposes as a service station in its current configuration". The author of this report concurs with this statement.

Site Suitability

The site is suitable for the proposed development, as it has been used for a service station for decades.

The proposed development triggers the Hay Shire Council "Building Over Sewer Mains Policy", and the encasement of the sewer has been conditioned. Council will also require the full length of the kerb and gutter in Moama Street between the vehicle crossings to be replaced at the applicants cost.

Submissions

The proposal was notified to surrounding property owners, where one submission was received that addressed neighbourhood amenity (attached). This has been conditioned.

The application was referred to several departments where they all provided comment/conditions, in support of the application.

Rural Fire Service

General Conditions

- *The recommendations are based on the documents/plans supplied via Councils referral to the NSW RFS.*
- *The plan titled "Proposed Site Plan, by Oasis Building Design Pty Ltd, numbered 22 - 068, revision P4, dated 8/07/2024"; and,*
- *The bush fire assessment prepared by Bushfire Environmental Management Consultancy, reference 242002, dated 6 October 2024.*

Council is advised that where a minor amendment to the above-noted documents is proposed, Council may use its discretion to determine whether the minor amendment warrants further assessment by the NSW RFS.

Asset Protection Zones

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.

2. *From the commencement of building works and in perpetuity, the entire property must be managed as an inner protection area in accordance with the following requirements of Appendix 4 of Planning for Bush Fire Protection 2019:*
 - *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.

3. *New construction must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019.*
4. *New construction for the refuelling canopies, ordering bay and any other class 10 structure must be undertaken using non-combustible materials.*

Water and Utility Services

The intent of measure is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

5. *The provision of water, electricity and gas installed as a part of this application must comply with the following in accordance with Table 5.3c of Planning for Bush Fire Protection 2019:*
 - *reticulated water is to be provided to the development where available;*
 - *fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;*
 - *hydrants are not located within any road carriageway;*
 - *reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;*
 - *fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;*
 - *all above-ground water service pipes are metal, including and up to any taps;*
 - *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;*
 - *reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, 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 measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

6. *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 not 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 Management

The intent of measure is to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.

7. *A Bush Fire Emergency Management and Evacuation Plan must be prepared in accordance with Table 6.8d of Planning for Bush Fire Protection 2019 and be consistent with the NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan. The plan must also include the following:*
 - *a mechanism for the relocation of occupants on days with an 'extreme' or 'catastrophic' fire danger rating or days declared as a total fire ban;*
 - *contact details for the local Rural Fire Service office;*
 - *procedures for coordinated evacuation of the site in consultation with local emergency services.*
 - *provide for the ongoing management and maintenance of bushfire protection measures and annual audit and checking process for the bushfire protection measures.*

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.

Transport for NSW

1. *The site shall be established and maintained with one-way circulation through the site restricted to ingress via the western driveway from the Sturt Highway (Moama Street) and egress via the eastern driveway as per the submitted plans. This one-way circulation shall be appropriately sign posted and line marked. No entry signs shall be erected and maintained at the eastern driveway.*
3. *As a minimum, driveways shall be upgraded to a sealed surface between the back of kerb to the property boundary for the full width of the driveway required to accommodate the largest vehicle anticipated to access the subject site as shown on the submitted plans.*
4. *The driveways to the Sturt Highway shall be designed and constructed with measures (eg truck mountable kerbing, line marking, etc) to slow vehicles accessing the site from the highway and to direct light vehicles perpendicular to the property boundary within the development site.*
5. *The order point for the Drive Thru Coffee facility shall be relocated to the northern side of the proposed sales building to maximise available queuing clear of circulation paths to the light vehicle fuel bowsers.*

6. *All activities including, loading and unloading associated with this development shall take place within the subject development site to remove interference with vehicles and pedestrian movement on public roads. Fill points for onsite petrol and gas storage tanks are to be located so that delivery tankers can stand wholly within the site and clear of access driveways so as not to impede access to and from the subject site.*
7. *Any signage shall be designed and located so as to comply with the following;*
 - b. *the sign display shall not include:*
 - *Any flashing lights,*
 - *Electronically changeable messages,*
 - *Animated display, moving parts or simulated movements.*
 - *Complex display that holds motorist's attention beyond "glance appreciation",*
 - *Display resembling traffic signs or signals, or giving instruction to traffic by using*
 - *words such as 'halt' or 'stop';*
 - c. *The method and intensity of any illumination of the sign shall not be directed or transmitted in such concentration or intensity to cause distraction or glare to motorists.*
 - d. *The permissible level of reflectance of an advertisement is not to exceed the 'Minimum coefficients of Luminous intensity per unit area for Class 2A', as set out in Australian Standard AS/NZS 1906.1:2007;*
 - e. *Any proposed sign and support structure (except roadside regulatory signage) shall be located wholly within the confines of the property boundaries and not protrude over any adjoining road reserve.*
 - f. *Any proposed sign and support structure to be located within close proximity to a road reserve is required, as a minimum, to comply with the wind loading requirements as specified in AS1170.1 Structural design actions – Permanent, imposed and other actions and AS1170.2 Structural design actions – wind actions.*
 - g. *Any proposed sign and support structure shall not obstruct any road regulatory, safety or directional signage in the vicinity,*
 - h. *Any proposed sign and support structure shall not pose any risk to the safety of pedestrians or motorists.*

Essential Energy

As the plans provided do not show the distances from Essential Energy's infrastructure and the development, there may be a safety risk. A distance of 3.5m from the nearest part of the development to Essential Energy's infrastructure (measured horizontally) is required to ensure that there is no safety risk.

A safety Clearance of 3.5m is required from the front signage to the 11Kv Overhead Network located on Moama Street

- *It is also essential that all works comply with SafeWork clearance requirements. In this regard it is the responsibility of the person/s completing any works to understand their safety responsibilities. The applicant will need to submit a Request for Safety Advice if works cannot maintain the safe working clearances set out in the Working Near Overhead Powerlines Code of Practice, or CEOP8041 - Work Near Essential Energy's Underground Assets.*
- *If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;*
- *Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;*
- *Any activities in proximity to electrical infrastructure 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;*

- *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); the location of overhead and underground powerlines are also shown in the Look Up and Live app essentialenergy.com.au/lookupandlive.*

Environmental Protection Agency

The site was previously notified to the EPA under section 60 of the Contaminated Land Management Act 1997. The Statement of Environmental Effects prepared by In House Design & Planning dated 20.06.24 and associated documentation indicates the proposal will include significant excavation. EPA recommends that Council follow the requirements of the State Environmental Planning Policy (Resilience and Hazards) 2021 and the processes in Managing Land Contamination - Planning Guidelines.

If remediation is needed and Council does not have the internal resources to conduct its own technical review of the reports on contamination, it is recommended that Council require a site audit as a condition of consent to confirm that the land will be suitable for the proposed use and verify that the information provided by the proponent adheres to appropriate standards, procedures and guidelines.

Based on the information provided, the EPA has no other comment on this proposal and no further consultation is required. This is because:

- *the proposal does not constitute a Scheduled Activity under Schedule 1 of the Protection of the Environment Operations Act 1997 and so, will not require an Environment Protection Licence under this Act,*
- *the proposal is not being undertaken by or on behalf of a NSW Public Authority, nor are there activities for which the EPA is the appropriate regulatory authority.*
- *the site is not being regulated by the EPA under the Contaminated Land Management Act 1997.*

Public Interest

The proposed development is seen as to be in the public interest, as it will have economic and social benefits, and is the best possible use for the site.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	<p>A Environmental Sustainability</p> <p><i>A1 Our community values its natural and built environments to support a sustainable environment</i></p> <p>A1.4 Establish and maintain clear guidelines for zoning, urban planning and development</p> <p>B Liveable and vibrant community</p> <p><i>B.1 Our community values its safe, healthy lifestyle that cares for the welfare of each other.</i></p> <p>B1.6 Engage the community through a coordinated engagement structure on issues affecting their lifestyles</p> <p>D Governance and Organisational Performance</p> <p><i>D.1 Our community is supported by a strong and resilient Council that is responsive to its needs</i></p>
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	<p>D1.4 Council decision making is based on a sound appreciation of community issues and needs, supported by reliable information and asset management systems.</p> <p>D1.5 Council will lead by example.</p> <p>D1.6 Council will continuously seek to improve</p> <p><i>D.2 Our Community is connected and informed</i></p> <p>D2.1 Enable all residents and groups to participate in local decision making</p> <p>D2.2 Effectively communicate the range, availability and operation of services and facilities</p>
FINANCIAL IMPLICATION	N/A
LEGISLATIVE IMPLICATION	Environmental Planning & Assessment Act 1979 Hay Local Environmental Plan 2011
POLICY IMPLICATION	Notification and Advertising of a Development Application Policy Building Over Sewer Mains Policy
ASSET IMPLICATION	N/A
RISK IMPLICATION	N/A

RECOMMENDATION

That the DA2024-37 for 'Demolition of existing service station, building and refuelling canopy and associated refuelling areas, including new service station facility with separate light and heavy vehicle refuelling canopies and parking sales building and signage' at 429-431 Moama Street, Hay, be approved with the following conditions:

General Conditions**1. Compliance with Consent:**

The Development being completed in accordance with plans and specifications stamped by Council being Plans:

- Statement of Environmental Effects prepared by Inhouse Town Planning Studio dated 20 June 2024.
- Project No. 22-068 Drawing No. TW-01, TW-02, TS-01, TS-02, TS-03, TS-04, CMP-01, CMP-02, CMP-03, A-01, A-02, A-03, A-04, A-20, A-21, A-23, A-24, A-100, A-101, A-200, A-201, SD-01, L-01, L-02, SS-01, SS-02 6 by Oasis Building Pty Ltd for 429-431 Moama St, Hay, except where varied by conditions of this consent.
- Waste Management Plan dated June 2024, Project No. 22-068
- Traffic Impact Assessment dated June 2024 by Ardill Payne & Partners
- Bush Fire Assessment Report, Reference #: 242002 by BEMC.

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. Food and Drink premises:

The fitout of the food preparation and serving areas need to conform to the following standards:

- a) Food Standards Code (Australia) and Food Safety Standard 3.2.3 – Food Premises and Equipment
- b) Food Act 2003 and Food Regulation 2015
- c) Australian Standard 4674:2004 :Design, Construction and Fit-out of Food Premises
- d) Plumbing Code of Australia and Australian Standard/New Zealand Standard AS/NZS 3500 series on Plumbing and Drainage.

Reason: To ensure the premises comply with the relevant standards.

4. Critical Stage Inspections:

A person who is carrying out, or in charge of carrying out the work, must notify Council with 24hours notice when the relevant inspections are required below:

- a) Pier pads prior to pouring concrete;
- b) All footing excavations, with steel in position, before concrete is poured;
- c) All concrete floors and raft slabs, with steel and damp proof membrane in position before concrete is poured;
- d) Sewer drains before being covered;
- e) Bearers and floor joists before flooring is laid;
- f) Wall and roof framing before being lined;
- g) Insulation of walls, roof, floor, ceilings, soffits, service pipes, ducts and chimney flue dampers;
- h) Wet area flashings after internal linings are installed;
- i) Stormwater drains/connections before backfilling;
- j) Fire-rated wall and ceiling framing;
- k) Sound transmission measures;
- l) Final inspection on completion of the works, and BEFORE any occupation.

Reason: The need for Council to ensure that works have been carried out in accordance with the approved plans, specifications and the relevant legislation/standards.

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.

Reason: To ensure no encroachments occur onto neighbouring properties and no changes are made to the approved siting of the property.

6. Variations:

No alteration to approved plans and specifications is allowed unless separately approved by Council.

Reason: To ensure the designs meet regulations and standards, and are in line with Council policies.

7. Easements:

The applicant is required to ensure that any easements registered over the title to the land are complied with.

Reason: Compliance with Legal documents.

8. Occupation Certificate:

Prior to the commencement of the use and/or occupation of the subject development, a satisfactory Final Inspection and/or Occupation Certificate must be issued by a Principal Certifying Authority. An Occupation Certificate must be applied for via the Planning Portal, select your development and apply for a "Related Certificate".

Reason: Ensure all conditions of the development are met and the building/development is safe for use.

9. 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.

10. Vehicular Crossing

- Driveway Crossings: All driveway crossings to use a minimum of 32MPa concrete and be constructed to a standard that at a minimum meets the requirements of the Hay Shire Councils Heavy Duty Vehicle Crossing Details at the time. All vehicular crossings shall be constructed at full expense of the applicant.

Reason: To ensure driveway crossings meet Council requirements.

- 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

- A 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
- The heavy vehicle driveway and layback vehicular gutter crossing specifications for the property shall be provided to Council's Engineer prior to construction.

11. Vehicle Access

- Vehicular access to the site is to be provided at the applicant's expense and to the satisfaction of Council's Engineer. This will include the road network leading to the site with appropriate designs submitted to and approved by Council prior to construction.

12. 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 authorized

disposal location. Evidence must be provided to Council of all excavated materials testing every 50m³.

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

13. Kerb & Gutter

- Full length of kerb and gutter in Moama Street between vehicle crossings must be replaced at the applicants cost.

14. Stormwater

- Southern stormwater discharge to be further investigated between Council staff and the developer.
- The stormwater drainage from the development is to be connected directly into Council's stormwater pit adjacent to the property, within the road reserve alternatively to an approved stormwater retention system approved by the Council Engineer. Contact should be made with Council prior to making the connection.

Reason: To ensure the effective control of stormwater to Council's infrastructure.

- Stormwater Connection: All stormwater from roofing and hardstand areas must be carried to the street gutter by means of pipes of a type approved by Council.

Reason: To ensure adequate disposal of stormwater from the site.

15. Sewer

- The sewer main running under the current Lots 1-2 DP 997870 from Council manhole ZD3 to Council manhole ZD4 is to be either encased in concrete or in compliance with Hay Shire Councils Building Over Sewer Mains Policy. Sewer manhole ZD3 lid and surrounds must be upgraded to Class E. All costs associated with the sewer services, are to be borne by the developer. Developer needs to submit sewer proposal to Council before construction.

Reason: The proposed service station is located over or near the existing sewer main and it is required to ensure the existing sewer service and the manhole and sewer main are not impacted on by the building, the driveway or traffic for the life of the development.

- Sewerage Connection: All connections to or alteration to any sewerage lines must be carried out by a Licensed Plumber/Drainer. A sewerage with as-executed diagram is provided to Council on completion.

Reason: To ensure a minimum standard of workmanship in relation to any sewer and drainage activity.

16. Removal of Existing Driveway

- Removal of driveway layback and install new barrier kerb, topsoil and seed to be placed where driveway was removed in Archer Street.

17. Shoulder

- Reconstruct and asphalt southern shoulder in Moama Street from kerb and gutter line to edge of travel lane between the two driveways as per Councils specifications.
- The development is to be responsible for the ongoing maintenance of the adjoining nature strips.

Reason: To maintain the amenity of the streetscape for the life of the development.

18. Inspections – Plumbing & Drainage Work

An inspection must be undertaken by Council prior to the covering of the works specified below:

- a. sanitary plumbing and drainage
- b. water supply plumbing
- c. completion of all plumbing and drainage works.
- d. All stormwater drainage works

Please note that Council requires a minimum of 24 hours' notice to undertake the inspection.

19. Demolition Management:

The work is to be executed by a competent person, with due regard for safe working practices and in accordance with the requirements of the Work Cover Authority.

At all times during demolition a competent person shall directly supervise work. It is the responsibility of the person to ensure that:

- The structure to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work. Temporary bracing, guys, shoring or any combination of these, shall be added for stability where necessary.
- Precautions are taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained particularly in the event of sudden and severe weather changes. Severe weather changes refer primarily to the localised high winds. In these circumstances loose debris can become airborne, particularly if it is in sheet form.
- The site shall be secured at all times against the unauthorised entry of persons or vehicles.
- Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed off before any stripping or demolition commences.
- All debris is to be removed from the site and disposed of at Hay Waste Depot in the appropriate sections.

- 20.** The development must be in accordance with the relevant provisions and Regulations of the Biodiversity Conservation Act 2016, the Fisheries Management Act 1994, the Heritage Act 1977, the Local Government Act 1993, the National Parks and Wildlife Act 1974, the Protection of the Environment Operations Act 1997, the Roads Act 1993, the Rural Fires Act 1997, the Water Management Act 2000, the National Construction Code ("NCC") and all other applicable legislation.

Reason: To comply with relevant legislation.

- 21.** The Applicant should be aware that under Section 120 of the Protection of the Environment Operations Act 1997 it is an offence to pollute waters.

Reason: To comply with NSW Environment Protection Authority requirements.

- 22.** It is the Applicant's responsibility to ensure compliance with the requirements of the Disability Discrimination Act 1992 (DDA). Note: Compliance with the Building Code of Australia does not

necessarily meet the requirements of the DDA. You are advised to seek advice from the Australian Human Rights Commission (phone (02) 9284 9600) in respect of your application.

Reason: To comply with the Disability Discrimination Act 1992.

23. Essential fire safety measures

In granting this consent, Council requires the essential fire safety measures, as determined by the Principal Certifier upon assessment of the Construction Certificate, to be installed and maintained to comply with the requirements of the Building Code of Australia. Prior to the issue of an Occupation Certificate the owner must cause the Council to be given a fire safety certificate. The fire safety certificate must state in relation to each essential fire safety measure implemented in the building or on the land on which the building is situated:

- a) The measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so; and
- b) As at the date of the assessment the measure was found to be capable of functioning at a standard not less than required by the Schedule attached to the Construction Certificate.

Reason: To comply with the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

24. Water supply work, sewerage work and stormwater drainage work

Water supply work or sewerage work which is plumbing and drainage work within the meaning of the *Plumbing and Drainage Act 2011* must comply with that Act and the regulations under that Act. Any water supply work or sewerage work which is not plumbing and drainage work under that Act, and any stormwater drainage work, must comply with the Plumbing Code of Australia.

The applicant needs to submit a design for the water supply, sewer and stormwater prior to construction commencing.

Any enhancement or on-site systems to accommodate services for the development is at the applicants cost.

Reason: Council and Statutory requirement of *Local Government (General) Regulation 2021*.

25. Soil

A suitable soil chemical analysis and investigation report is required if any evidence of contamination on the subject site is found during works. If any evidence of contamination is found, all works at the location must cease immediately. If remediation works are required, works must not recommence on the subject site until Council is satisfied any required remediation techniques have been appropriately completed.

Reason: To ensure the subject site is not contaminated.

26. Loading and unloading

All loading and unloading associated with the development must be carried out within the site.

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

27. 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*.

28. 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.

29. Storage or Hazardous Goods

Dangerous and hazardous goods shall be stored in accordance with SafeWork NSW requirements, dependant 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.

30. 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.

31. 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:
 - o Not further harm the object(s);

- o Immediately cease all work at the particular location;
 - o Secure the area to avoid further harm to the Aboriginal object(s);
 - o 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;
 - o 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](#).

32. Construction Certificate

A Construction Certificate must be submitted to and approved by a nominated Certifier prior to any building works taking place on the subject site. The Construction Certificate must be lodged via the NSW Planning Portal. The Construction Certificate must include a full services plan.

Reason: To comply with the Environmental Planning and Assessment Act 1979.

33. Erosion and sedimentation controls

Erosion and sedimentation controls must be installed and maintained on site in accordance with the approved plan for the duration of construction works. Erosion and sediment controls must be installed in accordance with the document entitled: "Erosion and Sediment Control – A Resource Guide for Local Councils".

Reason: To prevent water pollution and protect the amenity of the adjoining area, and to comply with the Protection of the Environment Operations Act 1997.

34. Council property

Any damage or deterioration to any Council property including footpaths, road reserves, or removal of any existing street trees, must be reinstated to its original condition at the Applicant's expense to the satisfaction of Council. Replacement tree(s) must be the same species and size as the one removed.

Reason: To maintain safe access for pedestrians and to protect the amenity of the area.

35. Minimise dust and noise

The Applicant must undertake measures to minimise dust and noise and ensure the impact on neighbouring properties is minimised.

Reason: To minimise environmental and amenity impacts in respect to construction of the development.

36. 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.

Reason: To comply with NSW EPA requirements.

37. Location of Stockpiles

Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies.

Reason: To ensure no contamination of waterways occurs as a result of the development.

38. 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.

39. Fencing Requirements

Fencing to be installed on the northern boundary (along Russell Street), providing a barrier between the service station and the residential properties. Please adhere to Council's Fencing Policy, or apply to Council if the fence design is outside the Policy.

Reason: To protect the amenity of the residential area and ensure debris remains on the property.

40. Landscaping requirements

Landscaping as per the approved Landscaping Plan, to be installed prior to occupation.

Reason: To protect the amenity of the area and assist with filtering any dust/debris from the property.

Compliance with Government Department and Council conditions of consent

Rural Fire Service

41. General Conditions

- *The recommendations are based on the documents/plans supplied via Council's referral to the NSW RFS.*
- *The plan titled "Proposed Site Plan, by Oasis Building Design Pty Ltd, numbered 22 - 068, revision P4, dated 8/07/2024"; and,*
- *The bush fire assessment prepared by Bushfire Environmental Management Consultancy, reference 242002, dated 6 October 2024.*

Asset Protection Zones

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.

- 42.** *From the commencement of building works and in perpetuity, the entire property must be managed as an inner protection area in accordance with the following requirements of Appendix 4 of Planning for Bush Fire Protection 2019:*
- *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.

- 43.** *New construction must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019.*
- 44.** *New construction for the refuelling canopies, ordering bay and any other class 10 structure must be undertaken using non-combustible materials.*

Water and Utility Services

The intent of measure is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

- 45.** *The provision of water, electricity and gas installed as a part of this application must comply with the following in accordance with Table 5.3c of Planning for Bush Fire Protection 2019:*
- *reticulated water is to be provided to the development where available;*
 - *fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;*
 - *hydrants are not located within any road carriageway;*
 - *reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;*
 - *fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;*
 - *all above-ground water service pipes are metal, including and up to any taps;*
 - *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;*

- *reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, 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 measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

- 46.** *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 not 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 Management

The intent of measure is to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.

- 47.** *A Bush Fire Emergency Management and Evacuation Plan must be prepared in accordance with Table 6.8d of Planning for Bush Fire Protection 2019 and be consistent with the NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan. The plan must also include the following:*
- *a mechanism for the relocation of occupants on days with an 'extreme' or 'catastrophic' fire danger rating or days declared as a total fire ban;*
 - *contact details for the local Rural Fire Service office;*
 - *procedures for coordinated evacuation of the site in consultation with local emergency services.*
 - *provide for the ongoing management and maintenance of bushfire protection measures and annual audit and checking process for the bushfire protection measures.*

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.

Transport for NSW

- 48. The site shall be established and maintained with one-way circulation through the site restricted to ingress via the western driveway from the Sturt Highway (Moama Street) and egress via the eastern driveway as per the submitted plans. This one-way circulation shall be appropriately sign posted and line marked. No entry signs shall be erected and maintained at the eastern driveway.*
- 49. As a minimum, driveways shall be upgraded to a sealed surface between the back of kerb to the property boundary for the full width of the driveway required to accommodate the largest vehicle anticipated to access the subject site as shown on the submitted plans.*
- 50. The driveways to the Sturt Highway shall be designed and constructed with measures (eg truck mountable kerbing, line marking, etc) to slow vehicles accessing the site from the highway and to direct light vehicles perpendicular to the property boundary within the development site.*
- 51. The order point for the Drive Thru Coffee facility shall be relocated to the northern side of the proposed sales building to maximise available queuing clear of circulation paths to the light vehicle fuel bowzers.*
- 52. All activities including, loading and unloading associated with this development shall take place within the subject development site to remove interference with vehicles and pedestrian movement on public roads. Fill points for onsite petrol and gas storage tanks are to be located so that delivery tankers can stand wholly within the site and clear of access driveways so as not to impede access to and from the subject site.*
- 53. Any signage shall be designed and located so as to comply with the following;*
 - c. the sign display shall not include:*
 - Any flashing lights,*
 - Electronically changeable messages,*
 - Animated display, moving parts or simulated movements.*
 - Complex display that holds motorist's attention beyond "glance appreciation",*
 - Display resembling traffic signs or signals, or giving instruction to traffic by using*
 - words such as 'halt' or 'stop';*
 - d. The method and intensity of any illumination of the sign shall not be directed or transmitted in such concentration or intensity to cause distraction or glare to motorists.*
 - e. The permissible level of reflectance of an advertisement is not to exceed the 'Minimum coefficients of Luminous intensity per unit area for Class 2A', as set out in Australian Standard AS/NZS 1906.1:2007;*
 - f. Any proposed sign and support structure (except roadside regulatory signage) shall be located wholly within the confines of the property boundaries and not protrude over any adjoining road reserve.*
 - g. Any proposed sign and support structure to be located within close proximity to a road reserve is required, as a minimum, to comply with the wind loading requirements as specified in AS1170.1 Structural design actions – Permanent, imposed and other actions and AS1170.2 Structural design actions – wind actions.*
 - h. Any proposed sign and support structure shall not obstruct any road regulatory, safety or directional signage in the vicinity,*
 - i. Any proposed sign and support structure shall not pose any risk to the safety of pedestrians or motorists.*

Essential Energy

As the plans provided do not show the distances from Essential Energy's infrastructure and the development, there may be a safety risk. A distance of 3.5m from the nearest part of the development to Essential Energy's infrastructure (measured horizontally) is required to ensure that there is no safety risk.

A safety Clearance of 3.5m is required from the front signage to the 11Kv Overhead Network located on Moama Street

- It is also essential that all works comply with SafeWork clearance requirements. In this regard it is the responsibility of the person/s completing any works to understand their safety responsibilities. The applicant will need to submit a Request for Safety Advice if works cannot maintain the safe working clearances set out in the Working Near Overhead Powerlines Code of Practice, or CEOP8041 - Work Near Essential Energy's Underground Assets.*
- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;*
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;*
- Any activities in proximity to electrical infrastructure 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;*
- 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); the location of overhead and underground powerlines are also shown in the Look Up and Live app essentialenergy.com.au/lookupandlive.*

Environmental Protection Agency

If remediation is needed Council requires a site audit to confirm that the land will be suitable for the proposed use, and the proponent is to verify that the information provided adheres to appropriate standards, procedures and guidelines.

Reason: Conditions as supplied by Departments.

Conditions which must be fulfilled prior to the release of the Occupation Certificate or use of the development

54. Occupation Certificate

The Applicant must not allow or permit the building (or part of the building, in the case of alteration or additions) to be occupied or used, until:

- a) All conditions of this consent have been completed in full;*
- b) An application for an Occupation Certificate has been completed and lodged with the Principal Certifier via the NSW Planning Portal; and*
- c) The Principal Certifier has issued an Occupation Certificate.*

Reason: To comply with the Environmental Planning and Assessment Act 1979.

Don Hugo

From: TE_Technical Enquiries
To: vaughn@oasisbuildingdesign.com.au
Subject: CNR-72594 - A-88330 - 429-431 MOAMA STREET HAY SOUTH 2711

Thank you for seeking comment from Essential Energy in relation to the proposed development at the above property.

Strictly based on the documents submitted, Essential Energy has the following comments to make as to potential safety risks arising from the proposed development:

- As the plans provided do not show the distances from Essential Energy's infrastructure and the development, there may be a safety risk. A distance of 3.5m from the nearest part of the development to Essential Energy's infrastructure (measured horizontally) is required to ensure that there is no safety risk.

A safety Clearance of 3.5m is required from the front signage to the 11Kv Overhead Network located on Moama Street

- It is also essential that all works comply with SafeWork clearance requirements. In this regard it is the responsibility of the person/s completing any works to understand their safety responsibilities. The applicant will need to submit a [Request for Safety Advice](#) if works cannot maintain the safe working clearances set out in the [Working Near Overhead Powerlines Code of Practice](#), or [CEOP8041 - Work Near Essential Energy's Underground Assets](#).

Information relating to developments near electrical infrastructure is available on our website [Development Applications \(essentialenergy.com.au\)](#). If the applicant believes the development complies with safe distances or would like to submit a request to encroach then they will need to complete a Network Encroachment Form via Essential Energy's website [Encroachments \(essentialenergy.com.au\)](#) and provide supporting documentation. Applicants are advised that fees and charges will apply where Essential Energy provides this service.

Council's and the applicant's attention is also drawn to Section 49 of the Electricity Supply Act 1995 (NSW). Relevantly, Essential Energy may require structures or things that could destroy, damage or interfere with electricity works, or could make those works become a potential cause of bush fire or a risk to public safety, to be modified or removed.

Essential Energy makes the following general comments:

- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- Any activities in proximity to electrical infrastructure 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;
- 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); the location of overhead and underground powerlines are also shown in the Look Up and Live app essentialenergy.com.au/lookupandlive.

Should you require any clarification, please do not hesitate to contact us.

Regards

Essential Energy



T: 13 23 91 |
PO Box 5730 Port Macquarie NSW 2444 | www.essentialenergy.com.au | www.intelligentnetwork.com.au



DOC24/694472

5 September 2024

Jasmine Gregory
Hay Shire Council

Via CNR portal

EPA comment on proposed Service Station - demolish existing (CNR-72594)

Dear Jasmine,

I refer to your invitation to the NSW Environment Protection Authority (EPA) to provide comment on DA2024-37 for the proposed service station (demolition of existing) at 429-431 Moama Street, Hay South.

The site was previously notified to the EPA under section 60 of the *Contaminated Land Management Act 1997*. The Statement of Environmental Effects prepared by In House Design & Planning dated 20.06.24 and associated documentation indicates the proposal will include significant excavation. EPA recommends that Council follow the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021* and the processes in *Managing Land Contamination - Planning Guidelines*.

If remediation is needed and Council does not have the internal resources to conduct its own technical review of the reports on contamination, it is recommended that Council require a site audit as a condition of consent to confirm that the land will be suitable for the proposed use and verify that the information provided by the proponent adheres to appropriate standards, procedures and guidelines.

Based on the information provided, the EPA has no other comment on this proposal and no further consultation is required. This is because:

- the proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* and so, will not require an Environment Protection Licence under this Act,
- the proposal is not being undertaken by or on behalf of a NSW Public Authority, nor are there activities for which the EPA is the appropriate regulatory authority.
- the site is not being regulated by the EPA under the *Contaminated Land Management Act 1997*.

If you have any further questions about this matter, please contact Carlos Ferguson on (02) 9995 6485 or at environmentprotection.planning@epa.nsw.gov.au.

Yours sincerely,

CHRISTIE JACKSON
Unit Head – Environment Protection Planning
NSW Environment Protection Authority

Phone 131 555

TTY 133 677

Locked Bag 5022

4 Parramatta Square

info@epa.nsw.gov.au

Phone +61 2 9995 5555

ABN 43 692 285 758

Parramatta

12 Darcy St, Parramatta

www.epa.nsw.gov.au

(from outside NSW)

NSW 2124 Australia

NSW 2150 Australia



RFS



Hay Shire Council
PO Box 141
HAY NSW 2711

Your reference: (CNR-72594) 2024-37
Our reference: DA20241013004229-Original-1

ATTENTION: Jasmine Gregory

Date: Wednesday 16 October 2024

Dear Sir/Madam,

Development Application

s4.14 - Other - Service Station

429 - 431 MOAMA ST HAY SOUTH NSW 2711, 2//DP997870, 3//DP997870, 1//DP997870

I refer to your correspondence dated 10/10/2024 seeking advice regarding bush fire protection for the above Development Application in accordance with section 4.14 of the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and provides the following recommended conditions:

General Conditions

1. The recommendations are based on the documents/plans supplied via Councils referral to the NSW RFS.
 - The plan titled "Proposed Site Plan, by Oasis Building Design Pty Ltd, numbered 22 - 068, revision P4, dated 8/07/2024"; and,
 - The bush fire assessment prepared by Bushfire Environmental Management Consultancy, reference 242002, dated 6 October 2024.

Council is advised that where a minor amendment to the above-noted documents is proposed, Council may use its discretion to determine whether the minor amendment warrants further assessment by the NSW RFS.

Asset Protection Zones

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.

2. From the commencement of building works and in perpetuity, the entire property must be managed as an inner protection area in accordance with the following requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*:

- 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;

1

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



RFS



- 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.

3. New construction must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* or the relevant requirements of the *NASH Standard - Steel Framed Construction in Bushfire Areas* (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of *Planning for Bush Fire Protection 2019*.

4. New construction for the refuelling canopies, ordering bay and any other class 10 structure must be undertaken using non-combustible materials.

Water and Utility Services

The intent of measure is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

5. The provision of water, electricity and gas installed as a part of this application must comply with the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019*:

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
- hydrants are not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;
- all above-ground water service pipes are metal, including and up to any taps;
- 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;
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, 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



RFS



- above-ground gas service pipes are metal, including and up to any outlets.

Landscaping Assessment

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.

6. 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 not 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 Management

The intent of measure is to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.

7. A Bush Fire Emergency Management and Evacuation Plan must be prepared in accordance with Table 6.8d of *Planning for Bush Fire Protection 2019* and be consistent with the NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan. The plan must also include the following:

- a mechanism for the relocation of occupants on days with an 'extreme' or 'catastrophic' fire danger rating or days declared as a total fire ban;
- contact details for the local Rural Fire Service office;
- procedures for coordinated evacuation of the site in consultation with local emergency services.
- provide for the ongoing management and maintenance of bushfire protection measures and annual audit and checking process for the bushfire protection measures.

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.

For any queries regarding this correspondence, please contact Laura Richards on 1300 NSW RFS.

Yours sincerely,

David Webster
Supervisor Development Assessment & Plan
Built & Natural Environment

Transport for NSW



20 September 2024

TfNSW reference: STH24/00288
Your reference: DA2020-037 (CNR-72594)

Executive Assistant - Planning and Compliance
Hay Shire Council
By Email: jgregory@hay.nsw.gov.au
CC: mail@hay.nsw.gov.au

Attention: Jasmine Gregory

**DA2020-037 (CNR-72594) – Alterations & Additions to existing Service Station – LOTS 1-3
DP997870 – 429-431 Moama Street, HAY**

Dear Jasmine,

Transport for NSW (TfNSW) is responding to the DA2020-037 referred on 30 August 2024.

TfNSW has reviewed the information and has no objections to the proposed development provided the conditions in Attachment 1 are included in the development consent.

TfNSW notes that in determining the application under Part 4 of the *Environmental Planning & Assessment Act 1979* it is the consent authority's responsibility to consider the environmental impacts of any road works that are ancillary to the development (such as removal of trees, relocation of utilities, stormwater management, etc). Depending on the nature of the works, the Council may require the developer to submit a further environmental assessment for any ancillary road works.

On determination of this matter, please forward a copy of the Notice of Determination to TfNSW. If you have any questions, please contact me on 0417 508 107 or email development.south@transport.nsw.gov.au.

Yours faithfully

Maurice Morgan
Team Leader, Development Services South

OFFICIAL

**DA2020-037 (CNR-72594) – Alterations & Additions to existing Service Station – LOTS 1-3
DP997870 – 429-431 Moama Street, HAY**

Context

TfNSW notes for this DA:

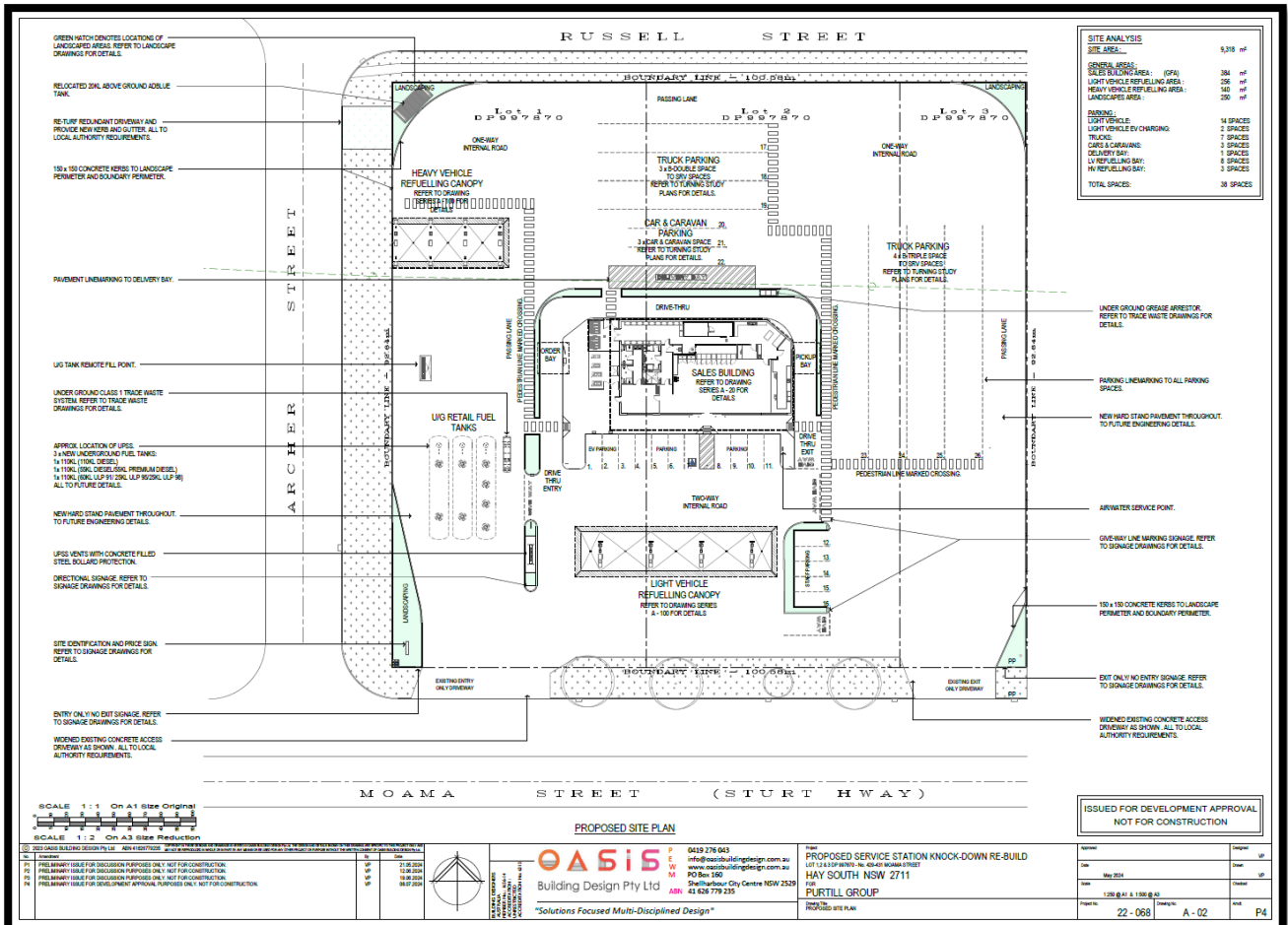
- The key road is the Sturt Highway which is a classified “state” road. The subject site has frontage and access to the Sturt Highway (Moama Street) within a 60km/h speed zone. The Sturt Highway is an approved road train route;
- The subject site also has frontage and access to Archer Street as well as frontage to Russell Street which are classed as local roads within a 50km/h speed zone;
- The development proposes demolition of the existing Service Station Facility structures and the construction of a new Service Station Facility (**as per Attachment 2**) including:
 - Installation of all new tanks and build diesel canopy and pumps (all existing tanks to remain open);
 - Construction of a new shop behind existing (existing shop and tanks to remain open);
 - Demolition of an existing shop and canopy (new shop to open and new diesel to open, one outside close to highway, existing lane light vehicle open);
 - Construction of a light vehicle canopy and pumps;
 - Removal of existing fuel installation;
 - Associated landscaping and finishing.
- The proposal is supported by a Statement of Environmental Effects (SEE) prepared by In House Town Planning Studio dated June 2024;
- The submitted architectural plans indicate that access through the site will be one-way circulation with ingress via the western driveway to Moama Street and egress via the eastern driveway to Moama Street. This proposal will also remove the access driveway to Archer Street. TfNSW notes that the driveways to Moama Street are existing for the current service station.
- The order point for the drive through coffee is located approximately 15m from the Drive Thru Entry (as marked on the plan in **Attachment 2**), allowing for two cars to be stacked within the Drive Thru corridor behind the vehicle placing an order. The order point is to be further from the road reserve of Moama Street to the northern side of the proposed sales building in order to maximise the queuing available on site and assist with on-site circulation;
- Due to the increased width of the driveway light vehicles will be able to enter at lesser angle and higher speed than desirable. The driveway to the Sturt Highway is to be redesigned and constructed with truck mountable kerbs to slow vehicles accessing the site from the highway and to direct light vehicles perpendicular to the property boundary within the development site.

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General Conditions

1. The site shall be established and maintained with one-way circulation through the site restricted to ingress via the western driveway from the Sturt Highway (Moama Street) and egress via the eastern driveway as per the submitted plans. This one-way circulation shall be appropriately sign posted and line marked. No entry signs shall be erected and maintained at the eastern driveway.
2. As a minimum, driveways shall be upgraded to a sealed surface between the back of kerb to the property boundary for the full width of the driveway required to accommodate the largest vehicle anticipated to access the subject site as shown on the submitted plans.
3. The driveways to the Sturt Highway shall be designed and constructed with measures (eg truck mountable kerbing, line marking, etc) to slow vehicles accessing the site from the highway and to direct light vehicles perpendicular to the property boundary within the development site.
4. The order point for the Drive Thru Coffee facility shall be relocated to the northern side of the proposed sales building to maximise available queuing clear of circulation paths to the light vehicle fuel bowzers.
5. All activities including, loading and unloading associated with this development shall take place within the subject development site to remove interference with vehicles and pedestrian movement on public roads. Fill points for onsite petrol and gas storage tanks are to be located so that delivery tankers can stand wholly within the site and clear of access driveways so as not to impede access to and from the subject site.
6. Any signage shall be designed and located so as to comply with the following;
 - a) the sign display shall not include:
 - Any flashing lights,
 - Electronically changeable messages,
 - Animated display, moving parts or simulated movements.
 - Complex display that holds motorist's attention beyond "glance appreciation",
 - Display resembling traffic signs or signals, or giving instruction to traffic by using words such as 'halt' or 'stop';
 - b) The method and intensity of any illumination of the sign shall not be directed or transmitted in such concentration or intensity to cause distraction or glare to motorists.
 - c) The permissible level of reflectance of an advertisement is not to exceed the 'Minimum coefficients of Luminous intensity per unit area for Class 2A', as set out in Australian Standard AS/NZS 1906.1:2007;
 - d) Any proposed sign and support structure (except roadside regulatory signage) shall be located wholly within the confines of the property boundaries and not protrude over any adjoining road reserve.
 - e) Any proposed sign and support structure to be located within close proximity to a road reserve is required, as a minimum, to comply with the wind loading requirements as specified in AS1170.1 Structural design actions – Permanent, imposed and other actions and AS1170.2 Structural design actions – wind actions.
 - f) Any proposed sign and support structure shall not obstruct any road regulatory, safety or directional signage in the vicinity,
 - g) Any proposed sign and support structure shall not pose any risk to the safety of pedestrians or motorists.

OFFICIAL



OFFICIAL

Mia Headon-Doidge

From: David Webb
Sent: Monday, 2 September 2024 8:52 AM
To: Jasmine Gregory; Jack Terblanche
Cc: Hay Shire Council
Subject: [REDACTED]

Jack/Jaz – from my viewing of the plans it is all hardstand plus some landscaping. This will certainly help to reduce any impact on the neighbours.

Appears no fencing is indicated on the plans, so this is one condition we may wish to consider.

Thanks.



Ph: 02 6990 1100 **Fax:** 02 6993 1288 **Mobile:** 0429 693 499

Values - Integrity • Openness • Responsiveness • Quality of Service

www.hay.nsw.gov.au www.visithay.com.au
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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: [REDACTED]
Sent: Monday, September 2, 2024 8:44 AM
To: Jack Terblanche <JTerblanche@hay.nsw.gov.au>
Cc: David Webb <DWebb@hay.nsw.gov.au>
Subject: [REDACTED]

Hi guys hope you both had a good weekend.

Thank's for sending notification letter for the Service station development owned by Niangby Super Purtils team.

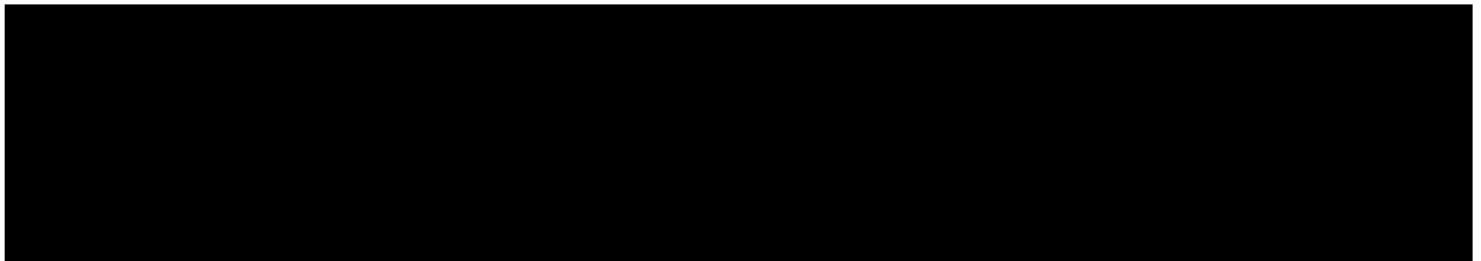
Just a few questions that I hoped you guys may be able to help answer. This type of development is great for the town & we are strong supporters of this type of investment.

The history of the site is that surrounding neighbours on downstream side get a lot of rubbish , noise & dust that impacts all neighbours. The service station was there before most of the houses so tenants & owners had some idea of what they would be up against. Here looks a good opportunity to consider how some of the negative impacts may be better managed into the future .

There is little detail in the submission to show what the plans are for the hard stand or to show is there a rear Northern fence line proposed . Any improvement to the hard stand would make a big difference in the dust impact to neighbours & a rear fence would help contain the rubbish that continuously makes it's way to neighbouring properties & the lagoon behind the development.

We are in support of the development & would be happy to see it proceed . It would be great to get a bit better understanding of the above issues & get some advice of best way to have the Purtils team understand the concerns of neighbours & consider measures to help minimize any negative outcomes.

Kind Regards,



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C3 – John Houston Memorial Swimming Pool Replacement Project

REPORTING OFFICER	General Manager
ATTACHMENTS	Nil

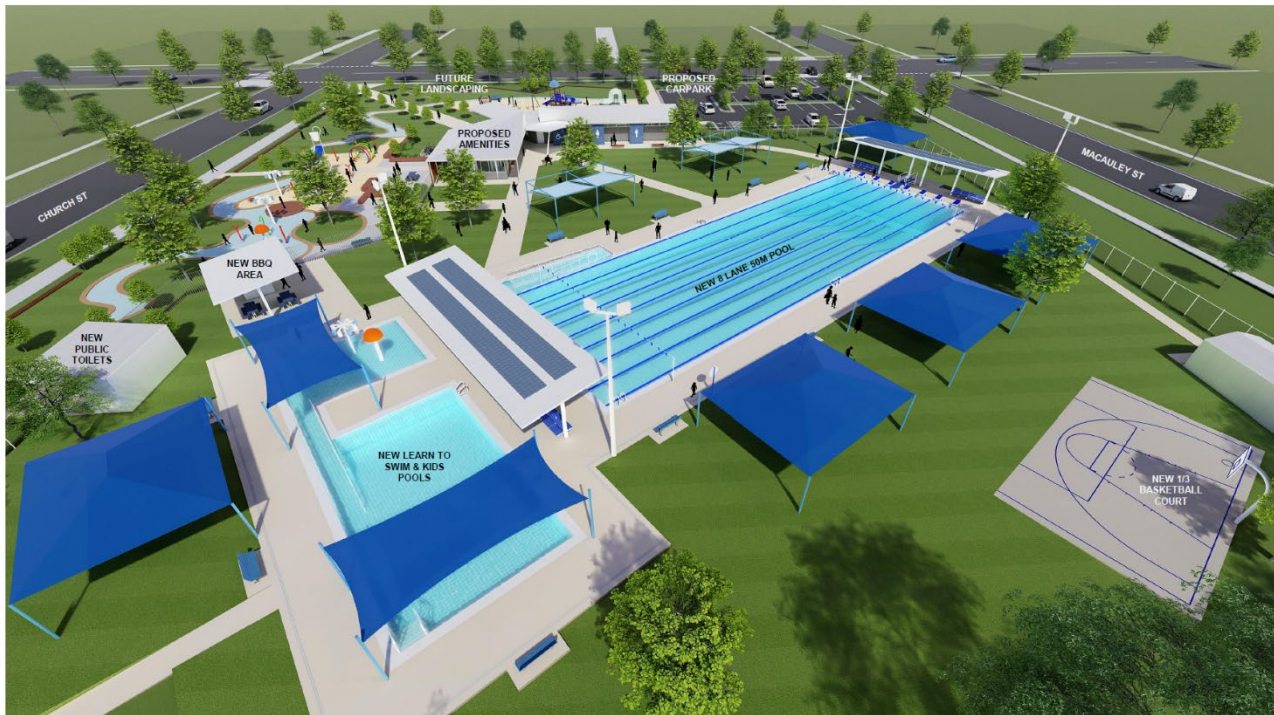
INTRODUCTION

An update on the John Houston Memorial Swimming Pool Replacement Project.

COMMENTARY

Council at its meeting 26th November 2024 resolved to award Contracts 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 are due to commence late February/early March and plan to be completed by late November 2025. This will mean the community will have shorter pool opening seasons for both this year and next.





PROPOSED NEW 50m POOL



PROPOSED LEARN TO SWIM & KIDS POOLS

The Contractor has commenced design works as required, including investigating heating options for the pools. A Project Control Group (PCG) has been set up to monitor the project in all aspects of delivery.

It is anticipated that a late report will be provided to the meeting.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	<p>B. Liveable and vibrant community</p> <p><i>B1 Maintain and beautify the town centres</i></p> <p>B1.1 Enhance the atmosphere of the main street and public areas</p> <p><i>B4 All cultures are strong, well supported and flourishing</i></p> <p>B4.1 Ensure services are accessible to all groups in our community</p> <p>B4.2 Support cultural programs and initiatives, including First Nations</p> <p>B4.3 Promote inclusion in the community</p> <p>C Economic prosperity and sustainability</p> <p><i>C2 Our community values its history and tourism</i></p> <p>C2.1 Actively identify promote and enhance tourism initiatives</p>
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	<p>C2.2 Promote accommodation and camping facilities C2.3 Showcase our open space, recreation and cultural facilities</p> <p>D Governance and Organisational Performance</p> <p><i>D2 Our Community is connected and informed</i> D2.1 Enable all residents and groups to participate in local decision making D2.2 Effectively communicate the range, availability and operation of services and facilities</p> <p>E Our Infrastructure</p> <p><i>E1 Our community can rely on well-maintained infrastructure that is responsive to our service needs</i> 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</p>
FINANCIAL IMPLICATION	Significant – project budget is \$8.3M
LEGISLATIVE IMPLICATION	Local Government Act 1993
POLICY IMPLICATION	Asset Management Strategy and Policy
ASSET IMPLICATION	Major
RISK IMPLICATION	Major – Financial and Reputational

RECOMMENDATION

That Council notes the information provided in the report.

C4 – Floodplain Management Program

REPORTING OFFICER	General Manager
ATTACHMENTS	<ul style="list-style-type: none"> - Minutes of the meeting of the Hay Floodplain Risk Management Committee meeting held 5th December 2024 - Final Draft Hay and Maude RFMS&P Report and Figures (under separate cover)

INTRODUCTION

An update on the Hay and Maude Floodplain Risk Management Study and Plan (FRMS&P).

COMMENTARY

In 2021, Council engaged Lyall and Associates to undertake the Hay and Maude Floodplain Risk Management Study and Plan. In short, the plan reviews the flood models for Hay and Maude and then make recommendations on any potential flood mitigation measures to protect both Hay and Maude townships. The flood study area was extended in 2022 to incorporate proposed development areas to the northeast of Hay and the aerodrome.

The draft Hay and Maude Flood Study Report was presented the Floodplain Risk Management Committee on 17th March 2023 (refer to copy of attached minutes). The flood model is compiled using the various flood study reports undertaken over the years, as well as correlates known river floodplain flows from different flood events. The Committee agreed that flood model presented reflects the flood extent of Hay and Maude.

The draft Hay and Maude Flood Study Report high-lighted:

- 1:100 flood level in Hay is estimated to be 9.49m, with breakout flows to north and south of Hay. This equates to flow of 1,050 m³/s or 91,000 ML/day in the floodplain.
- Based on this flood level the levee in Hay, allowing for the new standard of 800mm freeboard, is to be estimated at 10.3m.
- The November 2022 flood was a 1:20 event with peak total flow of 820 m³/s or 71,000 ML/day. The November 2022 flood peaked at 9.11m in Hay, and 7.61m in Maude.

Council used the data in the draft report during the 2022 flood, which proved invaluable for Council in managing the event and appeared to correlate well with flood model (*It was validated post meeting that peak flow in Hay weir was 71,000 ML/d or 820 m³/s – which correlates with the flood model*).

The Committee recommended the draft Hay and Maude Flood Study Report to go to Council for endorsement for public comment following Committee Review.

It was also discussed with SES at the meeting the issue around having an electronic gauge in Hay, and SES confirmed they are in discussions with the BOM on this matter. Council has also raised the issue through the Local Emergency Management Committee (LEMC).

This discussion included issue around “flood classifications” which trigger flood warnings. Staff will work with SES to improve the system and when warnings are released to the community. These discussions and advocacy are ongoing.

Following public consultation, the Hay and Maude Flood Study Report is then adopted by Council, the consultant will commence Part 2 of the FRMS&P, being the discussion on possible flood mitigation measures. This could include what the upgrade of the levee could look like, with any upgrade likely to include a range of construction types such as earth embankment (as is the current situation), sheet piling walls, and removeable walls.

Any final recommendations will be used to improve the flood risk of both Hay and Maude townships. This will include flood planning maps for development, as well as data for the Insurance Council of Australia, which is used to set insurance premiums for property owners in the towns.

The draft Hay and Maude Flood Study Report was placed in public exhibition with no comments received. The SES advised it had read the report and provided no comment. The Department Planning and Environment made comment which was included in the report that was placed in public exhibition.

Council at its meeting June 2023 resolved to:

- (a) Notes the information provided in the report;
- (b) Adopts the final Hay and Maude Flood Study Report; and
- (c) Proceeds with Part 2 of the Floodplain Risk Management Study and Plan as outlined in the report.

The Floodplain Risk Management Committee have subsequently met on 13th February and 26th September 2024 with Council's consultant to discuss flood mitigation options, including any potential flood levee upgrade. The feedback provided by the Committee has been used to guide the draft Hay and Maude Floodplain Risk Management Study and Plan.

The Floodplain Risk Management Committee met on 5th December to consider all elements of the draft Hay and Maude Floodplain Risk Management Study and Plan (attached), and subsequently recommends the draft report is placed in public exhibition (refer to the attached minutes).

A summary of main points discussed are:

- Table S1 as summary of recommended mitigation measures
- Confirmation of 0.8m freeboard for Hay and 0.6m for Maude
- Once levee at 1% AEP with freeboard, Council can state they have a high level of protection, with no riverine flooding likely and only localised flooding due to rain. The existing levee needs remediation as identified by PWA in 2019.
- Flood planning was outlined, based on 1% AEP + 500mm freeboard. With a compliant levee at 1% AEP and applicable freeboard all urban areas would be Category 3 rated: Images H1.3 and H1.4
- Discussed future urban stormwater upgrades as a mitigation option
- Council is currently preparing a Development Control Plan (DCP) on the recommendation of Department as part of the LEP review
- Potential positive impact on insurance was discussed once mitigation measures are implemented
- NSW Government departments to undertake detailed review and any comments to be included in the final report.
- Outlined the realistic timeframes for any mitigation measures, noting any on the ground works unlikely within the next 4-5 years and could take up to 10 years to complete. Next round of funding expected to open in March 2025.

It is anticipated that public exhibition of full draft report is to be December 2024 and January/February 2025, with an information session first week of February (to include a letterbox drop to affected

residents). Exhibition period to complete mid-February and final report to be presented to the FRMC early March 2025.

It is an excellent report and very detailed, and the consultant should be commended on the works to-date.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	A - Environmental Sustainability <i>A2 Protect our water security</i> 2.1 Advocate for ongoing water security and quality 2.2 Implement sustainable water practices 2.3 Educate the community in water saving initiatives E Our Infrastructure <i>E1 Our community can rely on well-maintained infrastructure that is responsive to our service needs</i> 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 – cost of levee upgrade will be significant
LEGISLATIVE IMPLICATION	Local Government Act 1993 Water Management Act
POLICY IMPLICATION	Asset Management Policy and Strategy Risk Management Policy
ASSET IMPLICATION	Major – Council is responsible for levee system that protects Hay, Maude and aerodrome.
RISK IMPLICATION	Major – Council's has very limited flood cover for its own assets and could be liable for any levee failures

RECOMMENDATION

That Council:

- (a) Notes the information provided in the report;
- (b) Endorses the draft full Floodplain Risk Management Study and Plan as outlined in the report be placed on public exhibition for minimum of 28 days; and
- (c) A further report be brought back to Council in due course.

Minutes of the meeting of the Hay Floodplain Risk Management Committee meeting held 5th December 2024 at 10:30am in the Hay Shire Council Chambers.

Present: Steve Manwaring (DPE), Peter Bissett (Crown Lands), Mark Schiller, Phillip Edge, Shane McGufficke (MS Teams), Scott Button (Lyal & Assoc) (MS Teams), Cr Coral Oataway (HSC), Cr G Chapman (HSC), Cr Paul Porter (HSC), David Webb (HSC), Greg Stewart (HSC), Mia Headon-Doidge (HSC)

Apologies: Fred Spain (PWA), Tom Jarratt, Tom Rooney (Lyal & Assoc), Jack Terblanche (HSC), Nima Shariati (HSC) Josh Stanbury (SES), Chantel Bryden (SES)

1. Welcome and introduction by David Webb.

2. David Webb noted that:

- Since last meeting the full draft FRMS&P Report has been completed, including refinements of the proposed Hay flood levee.
- Actions from last meeting:
 - David W – to meet/discuss with Phil edge options for his property in Maude i.e. within levee (will mean have to shift the house a little) or outside the levee and VHR. **Complete – homeowner advised he is happy to sit outside the proposed levee.**
 - David W – provide WAE survey of the recent raising of Primipara Street in Maude **Complete**
 - Jack T – to provide any comments on the flood planning component of the report to Scott within the next two weeks **Complete**
 - Jack T – to undertake a road test of the LEP flood planning Clause and link the draft report – and provide any comments to Scott within the next two weeks **Part complete – Council has undertaken some testing and shows good results**
 - Scott B – to test the freeboard for flood planning level **Complete**
 - Scott B – Maude levee – change eastern levee to temporary type; and check the actual survey levels to be provided by Council for western levee **Complete**
 - Scott B – Airport – to include in the report 1 in 100 levee to protect the airport with 800mm freeboard (to be tested as well); and assess the access from Hay township to the airport **Complete**
 - Steve M – to provide formal comments on the full draft report when available **In progress**

3. Presentation by Scott Button - Part 2 of the FRMS&P, full draft report. It was noted again that once the final report is adopted by Council, it becomes a statutory document due the link to the NSW Government Flood Risk Management Manual and the Council LEP, as well as Clause 733 of the Local Government Act 1993.

- A summary of main points:
 - Went through Table S1 as summary of recommended mitigation measures
 - Confirmation of 0.8m freeboard for Hay and 0.6m for Maude

- Once levee at 1% AEP with freeboard, Council can they state have a high level of protection, with unlikely no riverine flooding and only localised flooding due to rain. The existing levee needs remediation as identified by PWA in 2019.
 - Clause 5.22 is not recommended
 - Flood planning was outlined, based on 1% AEP + 500mm freeboard. With a complaint levee at 1% AEP and applicable freeboard all urban areas would be Category 3 rated: Images H1.3 and H1.4
 - Discussed future urban stormwater upgrades as a mitigation option
 - Council is currently preparing a DCP on the recommendation of Department as part of LEP review
 - Potential positive impact on insurance was discussed once mitigation measure are implemented
 - Steve M, DCCEEW and SES to undertake detailed review and any comments to be included in the final report.
 - Steve M outlined realistic timeframes for any mitigation measures, with noting on the ground works unlikely within the next 4-5 years and could take up to 10 years to complete. Next round of funding expected to open in March 2025.
 - Shaun Flood to replace the retiring Peter Bisset. Thank you, Peter, for your contribution.
4. Committee noted the process made with the full draft report and recommends that the draft FRMS&P be present to Council at the December 2024 meeting (with inclusion of some amendments as discussed) to be endorsed for public exhibition.
 5. Council had a meeting with BOM in February 2024 about Automatic Gauges in Hay. No further progress to-date.
 6. Public exhibition of full draft report – December 2024 & January/February 2025, with an information session first week of February (to include a letterbox drop to affected residents). Exhibition period to complete mid-February and final report to be presented to the FRMC early March 2025.
 7. Finalise report with Council – March 2025.

Next Meeting: *Early March 2025 – TBC*

Meeting closed at 11:50am.

C5. Murrumbidgee River Master Plan 2021 Update

REPORTING OFFICER	Executive Manager Engineering and Operations
ATTACHMENTS	Updated FINAL Master Plan REPORT 2024 – Pages 14 and 15

INTRODUCTION

At the February 2023 ordinary meeting, Council resolved to keep the access track along the beachfront of Sandy Point closed.

C1 *Sandy Point Reserve*

23-002 *Resolved that Council keeps the access road closed at Sandy Point beach area as detailed in the Murrumbidgee River Masterplan.*

(Clarke/Porter)

Crs Handford and Chapman requested their vote against the resolution be recorded.

At the October 2023 ordinary meeting, a notice of motion was put forward to seek permission to reinstate the access road along the beachfront of Sandy Point, remove the blockades and undertake a review of the Murrumbidgee River Masterplan.

Notice of Motion**C1 *Notice of Motion – Cr Quinn***

23-110 *Resolved that Council:*

a;

I - apply to NSW Water for permission to return the beach sand that washed from the beach to the access road and grassed areas during the 2022 flood event back to its former location.

II – removal of the blockades at both the eastern and western ends of the access road, relocate the beach sand back to its original location before the 2022 flood event, and recommission the Sandy Point Beach access road to its former state without change.

b;

I - undertake a review of the Murrumbidgee River Masterplan 2021 - Section 6 - Sandy Point Reserve, with consideration to public expectation and make any necessary alterations arising from today's determination of council.

(Garner/Quinn)

COMMENTARY

As per the Council resolution part:

a; I - Council has NSW fisheries approval to reinstate the beach front track to allow vehicle access and parking.

II – The blockades were removed; the sand has been relocated back to the beach area and the road has been reinstated. These works were completed prior to Christmas 2023.

As per the resolution part:

b; I – A review of the Murrumbidgee River Masterplan.

The review has taken place to reflect Council requests. As part of the review, additional alterations were made to the plan to include works to replace the dilapidated retaining wall adjacent to the boat ramp to allow accessible fishing. This work will be funded from successful grant funds received from the recreational fishing trust grants (\$98,300).

Please see below further changes to pages 14 and 15 (Sandy Point) of the Murrumbidgee River Masterplan 2021.

Page 14 Changes:

- Removed first two concept proposes and included First Nations groups.
- The vision was amended to include replacement of dilapidated retaining wall.
- Scope of works amended to include application for funding to replace the dilapidated retaining wall adjacent to the boat ramp.
- Construction activities point number 7 and 8 were removed. Add boat ramp upgrade and improve road at beach.
- Remove picture of cable footbridge and replaced with fishing platform.

Page 15 Changes:

- In the legend section inclusions river access, amend point 1 to widened, amend point 2 to say Reinstate through road along beach, removed point 3, amend point 6 to say Accessible Fishing Platform, add point 7 to say Remove treated pine logs and rail fence around BBQ area and install No Camping signs and No Parking signs.
- Enlarged plan to include additional numbering 6 and 7. Removed purple garden graphics and reinstate road.
- On the large plan, include a fishing icon. Remove the icon and text box for second single boat ramp including access road to this ramp. Removed text box and graphics for pedestrian bridge link over the Murrumbidgee River.

<p>RELEVANCE TO STRATEGIC COMMUNITY PLAN</p>	<p>A - Environmental Sustainability</p> <p><i>A1 Celebrate and promote our unique local environment</i></p> <p>1.1 Support local community groups, First Nations groups, and other agencies working with the environment.</p> <p>1.2 Foster environment of investment for environmental sustainability.</p> <p>1.3 Implement sustainable and eco friendly tourism initiatives.</p> <p>1.4 People of all abilities have access to built environments, cycleways and passive areas</p> <p><i>A4 Our community is inclusive and sustainable</i></p> <p>4.1 Facilitate access to public spaces for cultural and community events.</p> <p>4.2 Support Aboriginal organisations to hold events and programs</p> <p>4.3 Support cultural environmental initiatives</p> <p>B. Liveable and vibrant community</p> <p><i>B4 All cultures are strong, well supported and flourishing</i></p> <p>B4.1 Ensure services are accessible to all groups in our community</p>
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	<p>B4.2 Support cultural programs and initiatives, including First Nations</p> <p>B4.3 Promote inclusion in the community</p> <p>C Economic prosperity and sustainability</p> <p><i>C2 Our community values its history and tourism</i></p> <p>C2.1 Actively identify promote and enhance tourism initiatives</p> <p>C2.2 Promote accommodation and camping facilities</p> <p>C2.3 Showcase our open space, recreation and cultural facilities</p> <p>E Our Infrastructure</p> <p><i>E1 Our community can rely on well-maintained infrastructure that is responsive to our service needs</i></p> <p>E1.1 Deliver infrastructure and assets that are responsive to community need</p> <p>E1.2 Ensure Council efficiently manages its infrastructure and assets within available resources.</p> <p>E1.3 Provision of sustainable infrastructure that is adaptive to changing needs, suitable/betterment and funding levels</p>
FINANCIAL IMPLICATION	\$98,300 from successful recreational fishing trust grants
LEGISLATIVE IMPLICATION	Fisheries permit
POLICY IMPLICATION	Nil
ASSET IMPLICATION	Any new assets must be operated and maintained by Council into the future.
RISK IMPLICATION	Minimal.

RECOMMENDATION

That Council places the amended Pages 14 and 15 of the Murrumbidgee River Master Plan on public exhibition and a further report be brought to the February 2025 meeting.

6 SANDY POINT RESERVE

THE VISION

Sandy Point Reserve is one of Hay's key natural assets and is well known as a free camping location. It has a broad sandy beach with toilets, permanent shade structures and picnic facilities. .

The concept proposes:

- ▶ Controlling vehicular access with a rationalised road layout and designated car and trailer parking.
- ▶ Installing directional signage to help visitors navigate their way through the area.
- ▶ Identifying and enhancing cultural and natural sites by developing learning spaces and interpretive signage (including QR codes). Opportunity to involve schools and community groups such as LandCare, Scouts and First Nations groups.
- ▶ Developing low-lying areas into ephemeral wetlands with interpretive signage and seating.
- ▶ Reinforcing the local landscape character and overall amenity with new plantings of native species.
- ▶ Replace dilapidated retaining wall adjacent to existing boat ramp to allow accessible fishing platform.

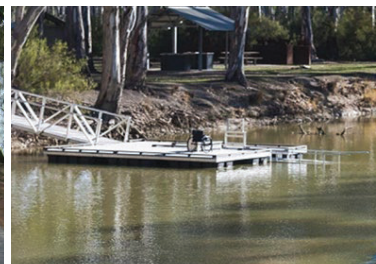
SCOPE OF WORKS

Actions	Anticipated order of cost (exc GST)
PRE-CONSTRUCTION ACTIVITIES	
1 Seek permits and approvals from the relevant authorities.	\$ 5,000.00
2 Undertake feature and level survey, cultural heritage assessment, detailed flora and fauna investigation and geo-technical investigations if required.	\$ 25,000.00 (min. depending on requirements)
3 Design and document the works.	TBD
4 Obtain DA and/or construction certificates as required.	\$ 5,000.00
5 Apply for funding to replace retaining wall adjacent to existing boat ramp.	Nil-Cost
CONSTRUCTION ACTIVITIES	
6 Replace old timber retaining wall with steel and timber. Upgrade boat ramp.	\$ 98,000.00
7 Improve road way and parking (unsealed gravel).	\$ 95,000.00
8 Install vehicle restriction barriers.	\$ 45,000.00
9 Improve road at beach, install grass and upgrade furniture.	\$ 150,000.00
10 Develop ephemeral wetland and seating.	\$ 20,000.00
11 Construct new gravel shared paths.	\$ 100,000.00
12 Install signage.	\$ 20,000.00

Precedent images



Concrete boat ramp.



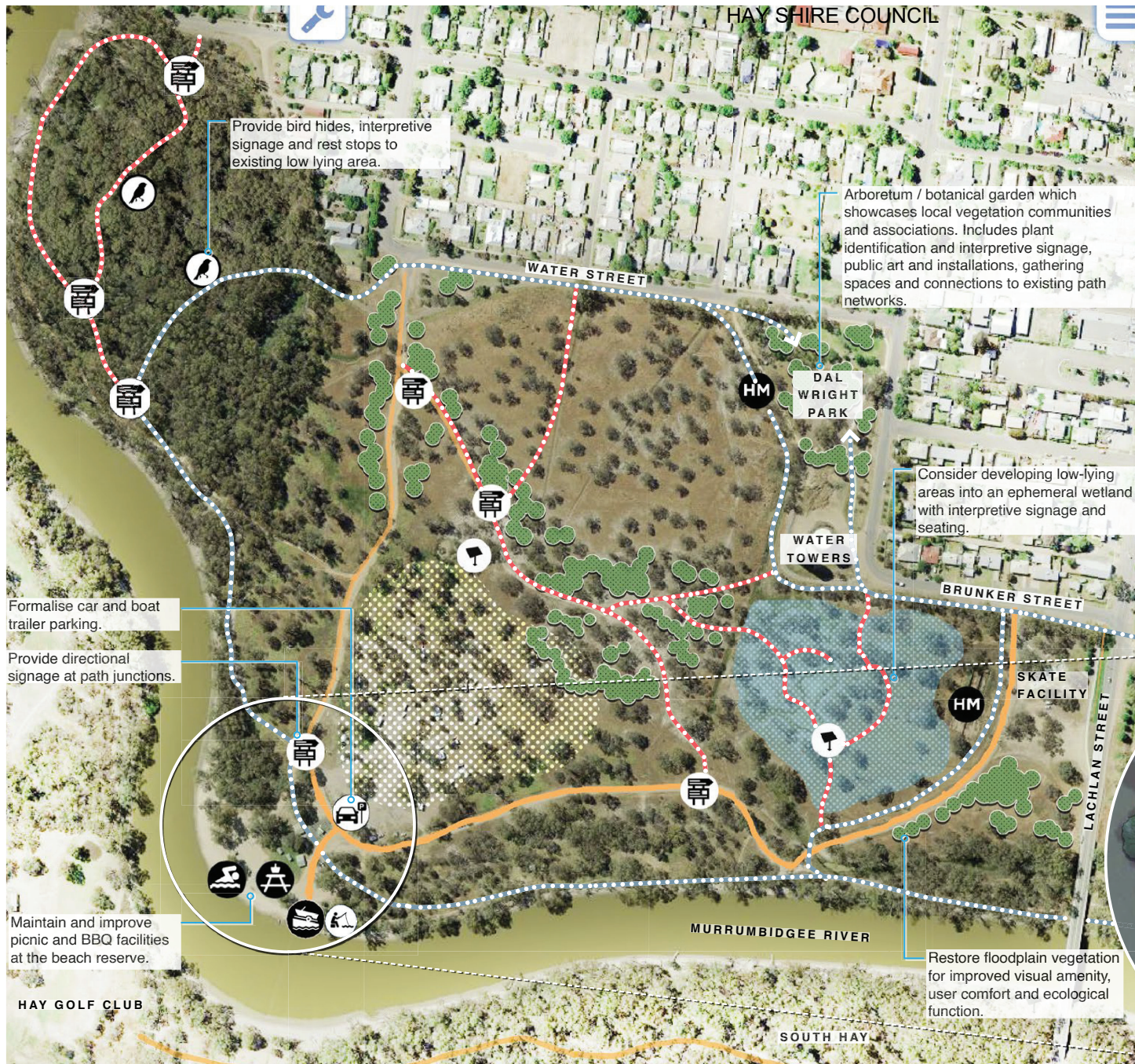
Fishing platform.



Bird hide.



Sun-lounges.

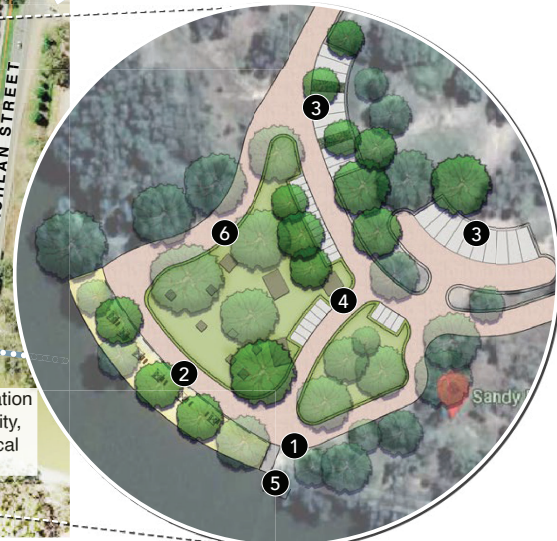


Legend

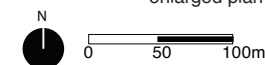
Existing:

- Walking track
- Boat ramp
- Culture and heritage marker
- Road alignment
- Picnic area
- Camp ground
- Beach access for swimming
- Car and trailer parking location (Improve/extend to existing)
- Picnic area
- Interpretive signage
- Directional signage
- River access

- Bird hide
- Revegetation
- Wetland
- Walking track
- 1** Existing boat ramp widened. Concrete retaining wall repaired.
- 2** Reinstate through road along beach front.
- 3** Designated car and trailer parking areas.
- 4** Vehicle restriction barriers.
- 5** Install accessible fishing platform.
- 6** Remove treated pine logs and rail fence around BBQ area and install 'No Camping' signs and 'No Parking' signs.



enlarged plan (NTS)



PLAN 3: SANDY POINT RESERVE

C6 – Request for Memorial Bench

REPORTING OFFICER	General Manager
ATTACHMENTS	- Email from Jacinta Davenport dated 27 th November 2024 - Naming of Roads, Parks, Reserves and Public Spaces Policy

INTRODUCTION

Council has received a request for a memorial bench in memory of Clive Davenport.

COMMENTARY

Council has received a request for a memorial bench in memory of Clive Davenport. Mr Davenport recently passed away and was involved in many aspects of the community as a volunteer. Cricket was one of Mr Davenport's passions and was regularly seen watching cricket matches at Hay Park.

A family member has written to Council (attached) asking if a memorial bench could be placed overlooking the cricket ground (No. 1 Oval) at Hay Park, with a small plaque in honour of Mr Davenport.

Council has previously installed benches around town in memory of prominent people who have contributed to the social fabric of the community. While Council has a policy on the 'Naming of Roads, Parks, Reserves and Public Spaces' it is not really applicable in this instance.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	B. Liveable and vibrant community <i>B1 Maintain and beautify the town centres</i> B1.1 Enhance the atmosphere of the main street and public areas B1.2 Support and promote public art initiatives D Governance and Organisational Performance <i>D2 Our Community is connected and informed</i> D2.1 Enable all residents and groups to participate in local decision making D2.2 Effectively communicate the range, availability and operation of services and facilities
FINANCIAL IMPLICATION	Minor – supply and installation of bench and plaque - \$2,000
LEGISLATIVE IMPLICATION	N/A
POLICY IMPLICATION	Naming of Roads, Parks, Reserves and Public Spaces
ASSET IMPLICATION	Minor
RISK IMPLICATION	Minor

RECOMMENDATION

That Council install a memorial bench seat in memory of Mr Clive Davenport at No.1 Oval in Hay Park.

David Webb

From: [REDACTED]
Sent: Wednesday, 27 November 2024 6:32 PM
To: Hay Shire Council
Subject: Memorial bench query

Hello,

I am the niece of Clive Davenport, a long time resident of Hay who passed away in September.

We were wondering whether it was possible to install a memorial for Clive in Hay.

As he loved cricket and lived next to the cricket ground in Moppett Street we were wondering if it was possible to install a memorial bench overlooking the cricket ground.

If this is possible we would be grateful if you could provide details of how we could go about this.

Many thanks.

Kind regards,


Jacinta
Sent from my iPhone

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<https://www.mailguard.com.au>

Click here to report this message as spam:
<https://console.mailguard.com.au/ras/298FqZ1qZS/7AHJAJQCacI9IbSUD2fqk/0.9>



Hay Shire Council Policy and Procedure

Title of Policy	Naming of Roads, Parks, Reserves and Public Spaces.		
This applies to	All Council Employees & the Hay Community		
Author	Allen Dwyer	Date Approved:	22 nd September 2015
Position of Author	General Manager	Authorised by:	Council
Legislation, Australian Standards, Code of Practice.	Local Government Act1993, Roads Act 1993, Geographic Names Act 1966		
Related Policies/Procedures	Nil		
Attachments	Nil		
Aim	To provide to the community policies and procedures regarding the naming and re-naming of roads, parks, reserves and public spaces.		
Version	Details	Date	
Version 1	Initial Issue	22 nd September 2015	
Superseded Policies			
The Policy			

OBJECTIVE

This policy sets out the guidelines that are set in place that determine how roads, parks, reserves and public spaces are named within the Hay Shire. They do so in the following ways:

- Ensure that the names able the areas to be easily identifiable and locatable.
- Ensures that the names given are consistent with the character of the location served.
- Encourage public participation in the naming and renaming procedure.
- Encourage the dedication of lands, facilities or donation by groups and/or individuals.

DEFINITIONS

Geographical Names Board (GNB) (NSW)

The Board is empowered by the Geographical Names Act 1966 which provides it the power to assign names to places; to investigate and determine the form, spelling, meaning, pronunciation, origin and history of any geographical name; and to determine the application of each name with regard to position, extent or other reference.

Public Road

A public road means any road that is opened, dedicated or declared to be a public road under the *Roads Act 1993* (NSW) or any overriding legislation. For the purposes of this policy, any reference to a public road is a road under the control and authority of Hay Council. This does not include any roads under State Control.

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Private Road

A private road is any road that is not a public road. For the purposes of this policy, a private road is one on a private property that is not under Council control.

1.0 POLICY SUMMARY

Hay Council's *Naming of Roads, Parks, Reserves, and Public Spaces Policy* provides direction for Council and the community on the principles and protocols guiding the naming of roads, parks, reserves and public spaces in the Local Government Area. At the same time, the policy seeks to promote the ongoing recognition of Council's rich and diverse history through its naming procedures.

The policy also aims to ensure that the naming of roads, parks, reserves and public space within the LGA are uniform with relevant legislation and the guidelines of the Geographical Names Board (NSW) where applicable.

1.1 Initiating the Naming Process

The naming process will be initiated when:

- A complete application is received by the Council from member(s) of the public pertaining to site/s within the Hay LGA
- Council resolves that a (new) name is required
- Council opens or forms a road
- Council opens or forms a park, reserve, or other public space requiring naming

Under Regulation 8 of the *Roads Regulation 2008* (NSW), any person may make a written submission to the Roads Authority (Council) on the proposal to name or rename a road.

2.0 POLICY GUIDELINES

All applications to name or re-name roads, streets, parks, reserves or other public spaces in the Hay Local Government Area (LGA) will be considered on their individual merits. However, the following criteria represent the general principles to abide by:

- (a) Names embracing the LGA's heritage and community should be used, for example; Names commemorating a person (deceased) who has made a significant contribution to the community, or an event or occasion significant to the community
- (b) The proposed name reflects the character, landscape, flora or fauna, or function of the site to be named
- (c) Community support for the proposed name is required
- (d) Council will not name a road or site after a person who is not yet deceased; except for in exceptional circumstances (for example, when the person has made an outstanding contribution to the community that is unlikely to be contested). Where a name is to be used posthumously, consent will be gained from the surviving partner or immediate family members.
- (e) Council will not approve names that are unduly long, complex, difficult to spell or pronounce, derogatory or offensive, out of place, or of a commercial nature.
- (f) Council will not consider name changes for places and sites that have a widely recognised name (whether it be a formal or informal name), unless that name change is strongly supported by the community.

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If the above criteria (and any additional criteria listed in subsequent sections) are met, Council will make an assessment and consider whether a new name is required. If so, Council will follow the procedures listed in 8.0 or 8.1 as appropriate.

Where Council has assessed a new name is required, but there are conflicting opinions as to the new name, Council will make its decision after considering relevant factors (such as existing Council policies and plans, community support or complexity of name). Council may also consider the use of dual naming.

3.0 CRITERIA AND GUIDELINES FOR (RE) NAMING ROADS

There is no legislation for the naming of Private roads. However, Council strongly recommends individuals in the LGA naming private roads do so using the guidelines provided by the Geographical Names Board (see References and Resources 7.0) and /or the criteria and guidelines listed below.

In addition to the general principles listed in 2.0, the following criteria and guidelines must also be taken into consideration when naming roads:

Sources

Council's preference for sources of names includes:

- Local history and heritage (this includes references to Hay Council's diverse cultural history)
- Early explorers, pioneers, settlers and other eminent women and men.
- War/casualty lists
- Thematic names such as flora, fauna or ships
- Names suited to the physical, historical or cultural character of the Council area concerned
- Commemorative names

Communication

Names should be reasonably easy to read, spell and pronounce.

Unduly long names are to be avoided, as are names of three or more words including the road type. (An exception to this may be where multiple words are necessary due to their geographic relationship with the area, e.g. "Old South Head Road"). Further, short streets ought to have short names to prevent unnecessary crowding on maps.

The use of given names ought to be avoided, unless it is essential to identify an individual to avoid ambiguity.

Roads with double destination names are to be avoided and progressively re-named

Spelling

Where it is intended that a road have the same name as a place or feature with an approved geographical name, particular care will be taken to ensure that the correct spelling is adopted.

Where names have been changed or corrupted by long establish local usage, Council will only alter or restore the previous name where community support for the change has been evidenced.

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Form

Council will omit apostrophes from road names. E.g. Smith's road becomes 'Smiths Road'. Further, where possible, Council will avoid the use of the possessive 's', unless the euphony becomes harsh.

Council will also avoid the use of hyphens, slashes and other diacritical marks.

Council will write any numbers in a road name alpha rather than numeric form.

Road Type

The appropriate suffix for the road name (e.g. street, lane, crescent etc.) must be used for the geographical location of the road to be named. An extensive list of various road types is available in the Geographical Names Board's "Guidelines for the naming of roads" (see 7.0).

Prefixes

The use of a compass points prefix/suffix such as "north" or "extension" will be avoided, particularly where new roads are to be named. An exception may be granted where it may be appropriate to delineate each half of a road by the addition of a compass point suffix for the purposes of assisting the community and emergency services to locate the appropriate part of the road.

4.0 CRITERIA AND GUIDELINES FOR (RE) NAMING PARKS, RESERVES AND PUBLIC SPACES

Source:

Council's preference for sources of names includes:

- Local history and heritage (this includes references to Hay Council's diverse cultural history)
- Names owing to the peculiarity of topographic features, such as shape, vegetation, animal life etc.(Eg. Wattle Park)
- Early explorers, pioneers, settlers and other eminent people.
- Commemorative names
 - o First names will only be included where it is necessary to appropriately recognise an individual.
 - o Council will usually only use names posthumously, except where an individual has made an exceptional contribution to the Hay Council Community and the attribution of that name is not controversial within the community.
 - o Names of individuals currently holding public office will not be accepted.

Uniqueness:

Name duplication within the LGA is to be avoided.

Similarly, topographical features – such as a river or mountain- are to have one continuous name.

Communication:

So far as possible, easily pronounced names should be used.

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The possessive form should be avoided whenever possible without destroying the sound of the name or changing its descriptive application.

Council prefers not to alter long established place names, except where necessary to avoid duplication, ambiguity, or due to strong community support for change.

Spelling:

Council will avoid the use of hyphens in connecting parts of names, so far as possible.

Council will not restore the original name or spelling of a place name where it has been changed or corrupted by long established local use.

Prefixes

The use of compass points prefix/suffix such as “north” will be avoided, unless a well- established place name carries such a prefix or suffix.

The naming of forks, arms and branches of a river as North Branch and South Branch is not favoured. Generally, it is preferable to assign independent names to river branches.

5.0 INTERPRETIVE SIGNAGE/ HISTORICAL MARKERS

Where a new name for a park, reserve or public place may not be appropriate, Council may consider installing interpretive signage or historical markers. These forms of signage can be used to explain the significance of a site, as well as its history.

Council will consider the value of adding interpretive signage or historical markers to a site.

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PART II - PROCEDURES

6.0 COUNCIL PROCEDURE FOR (RE) NAMING ROADS

Council will take the following steps in approving a new name for a road:

1. Council will only consider complete applications made in writing.
2. Applications will be lodged in and a reference number generated.
3. The Application will be acknowledged by the Receiving Officer.
4. Council's Receiving Officers will consider whether the suggested name meets the criteria.
5. Where the naming of a road will impact upon another Council area, Council will give notice to the impacted Council and will consider any submissions made by the impacted Council in response.
6. Council will also send a courtesy notification to the Geographical Names Board (NSW) of the potential upcoming name change.
7. If, due to any of steps 2-5, the proposal is to be rejected, the receiving officer will write a letter providing reasons for the rejection to the applicant.
8. Council requires there is a reasonably broad level of community support for the new name.
9. Council will review and respond to Community comments and concerns.
10. Once agreement upon a proposed name has been made, Council will ensure the origin of the name has been clearly stated and recorded in Council documents.
11. If Council wishes to proceed with the name change, notice of the proposed change will be given in the manner consistent with Reg 7 Roads Regulation 2008 (NSW).
12. Council will review and respond to any submissions made.
13. After considering any submissions made, a decision to proceed with the proposed name change will be made by resolution of Council.
14. New signage will be created and installed according to Council policy. Council will also ensure all relevant maps and locality guides are updated.
15. Council, as the roads authority, must publish notice of the new name in accordance with [Reg 9 Roads Regulation 2008 \(NSW\)](#).

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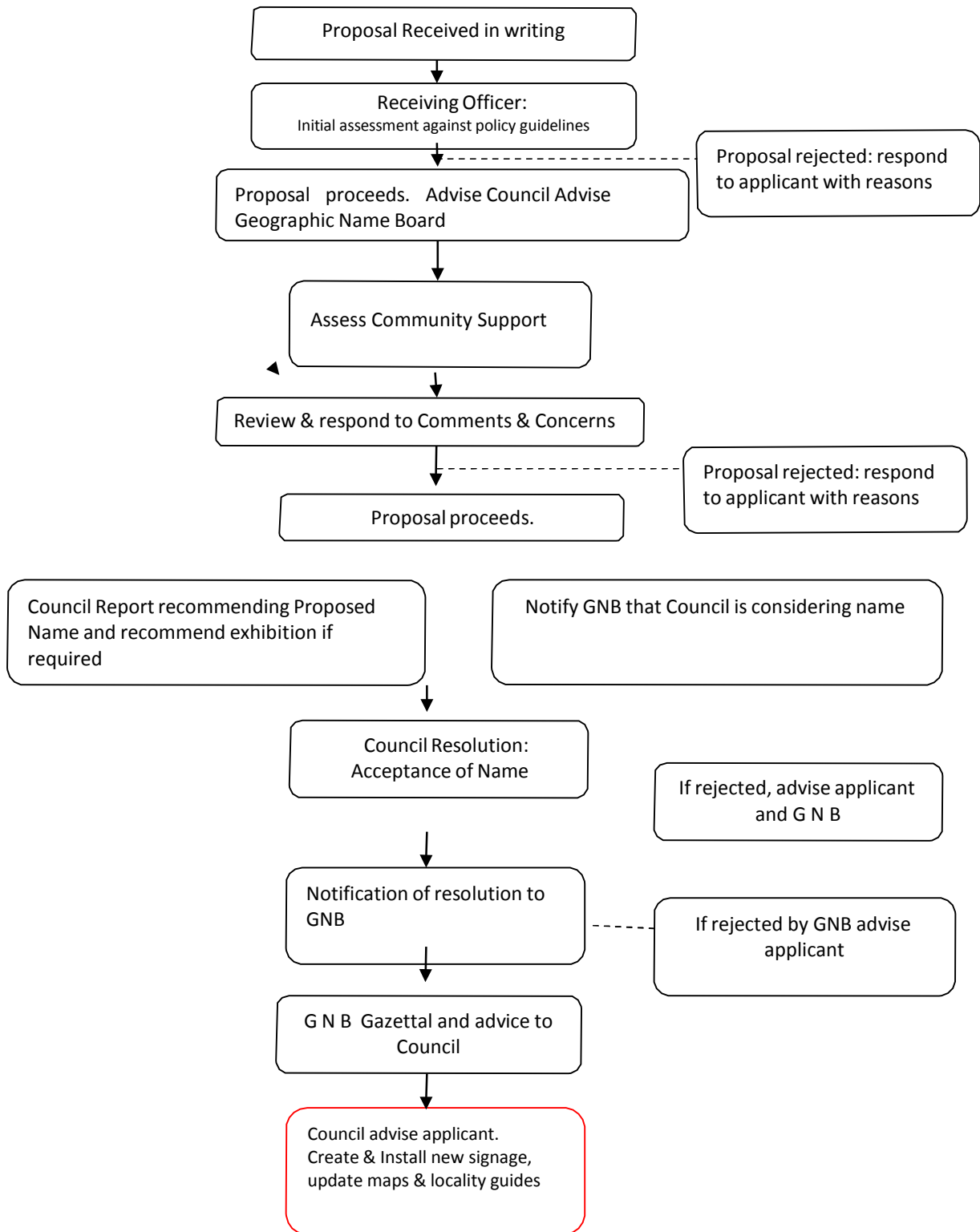
6.1 COUNCIL PROCEDURE FOR (RE) NAMING PARKS, RESERVES, AND PUBLIC SPACES

Council will take the following steps in approving a new name for a Park, Reserve or Public Space:

1. Council will only consider complete applications made in writing.
2. Council receiving officers will consider whether the suggested name meets the criteria and guidelines listed in 3.0 and 4.0.
3. Out of courtesy, Council will notify the Geographical Names Board (NSW) of the potential upcoming name change to the Park/Reserve/Public space.
4. If, due to any of steps 2-3, the proposal is to be rejected, the receiving officer will write a letter providing reasons for the rejection to the applicant.
5. Council will ensure there is a reasonably broad level of community support for the new name, consistent with Council's *Community Engagement Framework*.
6. Council will review and respond to Community Comments and concerns.
7. A decision to proceed with the proposed name will be made by resolution by Council.
8. Council will then submit an application with the proposed name change to the Geographical Names Board. The appropriate application will depend on the origin of the name proposed
 - a. New Name submit GNB "Place name Application Form" (See References and Resources 7.0).
 - b. Commemorative Name submit GNB "Commemorative Name" Form (see References and Resources 7.0).
 - c. Other names (e.g. topographical names) are to be submitted in a letter to the GNB containing:
 - i. Location of Park/Reserve/Public Place
 - ii. Proposed name (and pronunciation if unclear)
 - iii. Origin of name
 - iv. Passed by resolution of Council OR by a delegated authority
 - d. Recorded name: where a name has existed previously on Council maps and is in common usage, it may be considered a 'recorded name'. Whilst still required to be submitted in a letter to the GNB, the GNB will not be required to advertise this form of name change.
9. If the proposal is rejected by the GNB, Council will provide a letter to the original applicant explaining the reasons for the rejection of the application.
10. Should the GNB require modification(s) to the proposal, Council will consult with relevant bodies where necessary (eg. LATSICC) and re-submit the application to the GNB.
11. Where the proposed name change is accepted by the GNB, Council will create and install new signage in accordance with Council signage policy. Council will also ensure all relevant maps locality guides are updated.

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6.2 Flow Chart



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7.0 RELATED INFORMATION

References and Useful Resources

Council Heritage listings

Geographical Names Board relevant guidelines

- Guidelines for Determination of Place Names
- Guidelines for Naming of Roads
- Road Naming in NSW

Geographical Names Board Forms for Parks and Reserves

- Commemorative Names Form
- Placename Application Form

8.0 LEGISLATIVE FRAMEWORK

Council is bound to follow the processes outlined in the *Geographical Names Act 1966* (NSW), the *Roads Act 1993* (NSW), and will be guided by any relevant regulations and guidelines of the New South Wales Geographical Names Board.

8.1 Geographical Names Act 1966 (NSW)

[Section 3](#) of the Act creates the Geographical Names Board and its structure.

[Section 12](#) provides that any name changes shall not be exercised without the consent of the GNB. It also provides that after there has been Board concurrence, the name will take its official new name after it has been Gazetted.

8.2 Roads

Council derives its power to name local roads from [Section 162 of the Roads Act 1993](#) (NSW).

Procedures for road renaming are directed by a combination of the *Roads Regulation 2008* (NSW) ([Regulations 7 through 10](#)) and the Guidelines of the Geographical Names Board (NSW) (see References and Resources, 7.0).

8.3 Parks, Reserves, and Public Spaces

Council's approach to the naming of parks, reserves and public spaces will be informed by the Geographical Names Board guidelines (see References and Resources 7.0).

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9.0 CONTACTS

Further information about this policy can be obtained from the Director of Community Services.

Phone: 02 6990 1100

10.0 POLICY REVIEW

This policy is owned by the Director of Community Services.

This policy must be reviewed by 1 July 2017.

This policy can be amended or rescinded by Council resolution unless delegated authority is given by the Council to the General Manager to do so.

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APPLICATION FOR NAME CHANGE

Section 1 – AREA DETAILS

Place to be named: (please circle) Park/Reserve Road Other:

Location of Area to be named: _____

Proposed Name _____

Pronunciation (if unclear) _____

Previous Name and or informal name(if applicable) _____

Section 2 - NAME

Source of Name (please tick)	
<input type="checkbox"/> Local History or Heritage	<input type="checkbox"/> Early explorer, pioneer, settler or other eminent persons
<input type="checkbox"/> Thematic Names eg. Flora, Fauna, Ships.	<input type="checkbox"/> War/ Casualty Lists
<input type="checkbox"/> Commemorative Name, for example: the contribution of an outstanding woman	<input type="checkbox"/> Name suited to the physical, historical or cultural character of area concerned
<input type="checkbox"/> Other:	

Please explain the significance and/or history of the name proposed:

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Section 3 - COMMUNITY SUPPORT



Please attach any supporting documentary evidence if applicable

Is this proposal supported in the community?

☐ Yes ☐ No ☐ Don't know

Have you consulted other community members?

☐ Yes ☐ No

Is the community support for the proposed name change in line with the Community Engagement Framework guidelines?

☐ Yes ☐ No

If yes, please outline community support below:



Please attach any evidence of community support.

Additional Information (e.g. how will the name change benefit the community?):

Are you aware of any community reservations about the proposed name or proposed name change?

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Section 4 – YOUR DETAILS

Name

Are you making this application on behalf of a third party ? , is yes, please name:

Street Address _____

Postal Address (if different from above) _____

Email _____ Phone _____

Business Hours Phone _____

Alternative Ph/Mobile _____

Signature _____

Date:

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APPLICATION CHECKLIST

Please ensure your application contains the following elements to ensure it is accepted for consideration by Council.

- ☐ Application is in writing
- ☐ Origin/History of the proposed name explained and relevant supporting documentation attached
- ☐ Evidence of Community support has been obtained and attached

Proposed name is:

- ☐ From an appropriate source (see Guidelines)
- ☐ Not honouring a person who is not yet deceased*
- ☐ Unique (name is not duplicated elsewhere in the LGA)
- ☐ Spelt correctly
- ☐ Not unduly long, complex, difficult to spell or pronounce, derogatory or offensive, out of place, or of a commercial nature.
- ☐ Not attempting to change a widely recognised name in the community without strong support from the affected community

For roads:

- ☐ Not using prefixes and suffixes such as compass points or “extension”
- ☐ Not using apostrophes, hyphens, slashes, and other diacritical marks
- ☐ Written in alpha, rather than numeric form
- ☐ Has the appropriate road type listed (eg, street, lane crescent)
- ☐ Must be unique

*Names of person/s not yet deceased may be accepted under *exceptional* circumstances where an individual has made an outstanding contribution to the Hay Council Community.

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C7 – Classification of Truck Wash Land

REPORTING OFFICER	Deputy General Manager
ATTACHMENTS	Land Title Lot 7308 DP 1144331

INTRODUCTION

In accordance with S31 of the Local Government Act 1993 Council is required to classify Lot 7308 DP 114431.

COMMENTARY

The land acquisition process has been completed for Lot 7308 DP 114431. This land is currently used for the truck wash and as it is the intention to remain for that purpose for the foreseeable future the land is eligible to be classified as operational land.

Under Section 31 of the Local Government Act, Council must resolve to classify the land that is acquired after 1 July 1993 as community or operational land within three months after it completes the acquisition of the land.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	<p>B2.2 Actively promote the well-being of the community and its members</p> <p>B2.3 Build on our recreation and cultural facilities and services</p> <p>B2.4 Ensure services are accessible to all groups in the community</p> <p>B2.5 Promote the town as a great lifestyle choice</p> <p>B2.6 Provide high quality facilities to local sporting groups</p> <p>C Economic prosperity and sustainability</p> <p><i>C.1 Our community welcomes new and innovative industry to support our future</i></p> <p>C1.1 Create a better business environment</p> <p>C1.2 Boost demand for products and services from Hay</p> <p>D Governance and Organisational Performance</p> <p><i>D.1 Our community is supported by a strong and resilient Council that is responsive to its needs</i></p> <p>D1.3 Council put in place the necessary systems to ensure good governance and to also ensure they are implemented.</p>
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HAY SHIRE COUNCIL

	<p>D1.4 Council decision making is based on a sound appreciation of community issues and needs, supported by reliable information and asset management systems.</p> <p><i>D.2 Our Community is connected and informed</i></p> <p>D2.1 Enable all residents and groups to participate in local decision making</p>
FINANCIAL IMPLICATION	Not significant
LEGISLATIVE IMPLICATION	Local Government Act 1993 section 31
POLICY IMPLICATION	Nil
ASSET IMPLICATION	The land can continue to be used for the truck wash.
RISK IMPLICATION	Acquisition of the land mitigates the risk of the land being acquired by another agency.

RECOMMENDATION

That Council Classify Lot 7308 DP 114431 (Hay Truck wash) as operational land.



FOLIO: 7308/1144331

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
28/11/2024	12:56 PM	2	27/11/2024

LAND

LOT 7308 IN DEPOSITED PLAN 1144331
AT HAY
LOCAL GOVERNMENT AREA HAY
PARISH OF HAY COUNTY OF WARADGERY
TITLE DIAGRAM DP1144331

FIRST SCHEDULE

HAY SHIRE COUNCIL (RA AU356332)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 AU356332 LAND EXCLUDES MINERALS (S.13.2 CROWN LAND MANAGEMENT ACT 2016)
- 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

C8 – Review of Risk Management Framework

REPORTING OFFICER	Executive Manager – People & Governance
ATTACHMENTS	<ul style="list-style-type: none"> • Risk Framework - Reviewed • Risk Register

INTRODUCTION

Council staff conducted a review of the Risk Management Framework and Risk Register during a recent Enterprise Risk Management Committee meeting and subsequently presented the updated documents to the Audit, Risk, and Improvement Committee (ARIC) for endorsement.

COMMENTARY

The Risk Management Framework has undergone a comprehensive review by the Enterprise Risk Management (ERM) team. Following this review, the framework was presented to the Audit, Risk, and Improvement Committee (ARIC) for endorsement during its meeting on 4th December 2025.

The review process adhered to the guidelines outlined in AS/NZS ISO 31000:2018 Risk Management – Principles and Guidelines and incorporated relevant policies from government entities and stakeholders. Additionally, the framework aligns with the recently issued guidelines for Risk Management and Internal Audit for Local Government in NSW. As a result, the presented Risk Management Framework fully complies with all applicable standards and requirements.

As part of the annual risk management process, the ERM team also conducted a detailed review of the Council's Risk Register. The updated Risk Register, which reflects the latest additions and amendments, is attached for review and endorsement. For ease of reference, changes made to the document are highlighted in red.

RECOMMENDATION

That Council endorse the Risk Management Framework and Risk Register as presented.



Risk Management Framework

Issue 1 November 2024

Introduction

The following Risk Management Framework has been developed in accordance with the Hay Shire Council Risk Management Framework and complies with the “AS/NZ ISO 31000:2018 Risk management - Principles and guidelines”. The Framework also accounts for the various Government and stakeholder Policies, Internal audit guidelines and Toolkits. It has also been updated to comply with the *OLG Guidelines for Risk Management and Internal Audit for Local Government in NSW*.

Hay Shire Council has a strong commitment to risk management, to reduce and manage adverse effects on Council’s objectives and operations and identify and to maximise opportunities and services available to our people.

It is the aim of Council to manage those risks that impact upon the Community and its customers and the achievement of the overall goals strategies and objectives. Risk Management is also a key component of our overall Governance structure.

It is recognised that for risk management to be truly effective, it must be embedded into the way that Hay Shire Council does business and conducts all operations. To achieve this, a corporate wide approach to risk management has been taken in the development of this plan. The Management Framework defines exactly how risk management activities will be undertaken within the organisation. The purpose of the plan is to define the procedures roles, responsibilities monitoring and reporting requirements for the management of the risks as they relate to Council.

It is true that Council is a small rural based organisation with limited capacity to implement complex strategies and plans, but it is also true that Council has limited financial and people resources and must manage its risk in an appropriate effective and efficient manner if it is going to be sustainable and fit for the future. This plan tells us how we are going to do that.

.....
General Manager

HAY SHIRE COUNCIL
Hay Shire Council Risk Management Framework

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Hay Shire Council Risk Management Framework

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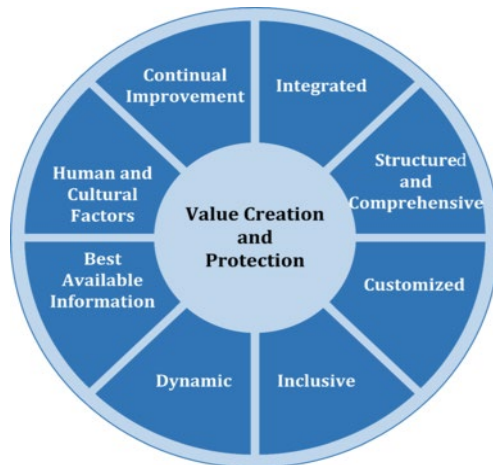
1. POLICY STATEMENT

- 1) Councils Risk Management Policy has been formulated having regard to “AS/NZ ISO 31000:2018 Risk management - Principles and guidelines”. The International Standard acknowledges that, whilst it provides generic guidelines, it is not intended to promote uniformity of risk management across organisations and that the design and implementation of risk management frameworks need to take into account, and be tailored to, the varying objectives, functions and operations of specific organisations.
- 2) In pursuing the achievement of its objectives and governance responsibilities, Council will accept a degree of risk commensurate with both the potential reward and with Council's role in the community. There are limits to the risk appetite of an organisation and as such this Council has no appetite for risks that may compromise the safety and welfare of staff, volunteers, contractors and/or members of the public, affect the long-term financial sustainability or will have an adverse impact on the reputation of Council.

2. POLICY PRINCIPLES

Council risk management principles are also guided by those outlines in ISO 31000:2018 as shown below

Figure 1



3. SCOPE

This policy applies to all Council workers, operations and activities. The management of risk is an essential element of good management and impacts on every facet of Council activity. The scope of the Plan includes the management of all risks across Council including Governance, safety, financial, environmental, infrastructure and service delivery. Combining all risks into one process will result in a more efficient practice, eliminate duplication and ensure that targets are deliverable. With risk being defined as “effect of uncertainty on objectives” it is important to remember that our scope must align with our organisational objectives.

4. RISK CULTURE

ISO 31000:2018 requires risk management to be supported by a positive culture that promotes and communicates risk management as part of everyday activities and decision-making.

The standard states that this culture can only exist when management (i.e. the governing body (Council), general manager and senior staff) demonstrate strong leadership and commitment to risk management. In order to create and maintain a good culture Council some key principles must be followed:

1. Providing risk management support, ongoing guidance and resources to staff, including easily accessible risk management tools and systems.
2. Engage with staff about the benefits of risk management.
3. Risk management plans and activities are simple and easy to understand.
4. Management and Council must set the tone at the top and drive the importance of risk culture across the organization.
5. Communicate risk management roles and responsibilities.
6. Participate in relevant training initiatives.
7. Good behavior and actions will be recognized and rewarded. Bad behavior will have consequences.

5. ROLES AND RESPONSIBILITIES

The risk management framework to be effective needs to ensure that there is accountability and authority for implementing and maintaining the risk management process. The allocation of roles and responsibilities for the risk management process in the organisation are outlined below.

- **Councillors** – as ‘ top management’ are accountable for risk management and endorses the risk management policy, allocates appropriate resources for risk management, reviews Risk Register and risk assessments prepared by management and determines risk appetite. They must also set the tone and drive the importance of risk management.
- **General Manager** – implement and maintain the risk management framework endorsed by the Council, including ensuring that risk management is integrated into all organisational activities, demonstrates leadership and commitment to risk management. The General Manager is responsible to ensure the resources are available to effectively implement and maintain Council's Risk Management Framework.
- **Management Executive** – Ensure all staff manage their risks within their own work areas. Encourage openness and honesty in the reporting and escalation of risks, ensuring all staff have the appropriate capability to perform their risk management roles. They are also responsible to report to the General Manager on the status of risks and controls, identify and communicate improvements in Council's risk management practices to Council's risk management function and assist with the review of the Risk Register.
- **Risk Management Team** – The Risk Management Team is responsible for developing and maintaining risk management protocols, procedures and tools and for providing risk management training and support throughout the organisation. They are responsible for regular reporting to the General Manager and the Audit Risk and Improvement Committee concerning risk management activities and facilitating the development and review of risk registers across the organisation. They have also have a key role in the monitoring and review processes.

- **All employees** are to be actively involved in the identification assessment and management of Risk to the best of their ability. They are required to communicate to their supervisor any identified Risk associated with faults or errors in Hay Shire Council's assets (owned and/or controlled), activities, procedures or policies as well as any non-compliance with Hay Shire Council controls or requirements that are likely to expose Hay Shire Council to Risk.

Audit, Risk and Improvement Committee

Council's Audit, Risk & Improvement Committee (ARIC) is an independent advisory Committee to Council to promote good governance and practice throughout the organisation. Its role is to monitor, review and advise the Council on matters of accountability and internal control affecting the operations of Council within its adopted charter.

- **Internal Auditor** – independent review of risk management framework, individual risk assessments and effectiveness of mitigation measures
- **Enterprise Risk Management Committee** whose role is to:
 - Endeavour to provide a safe environment for residents, visitors and employee's
 - Proactively manage Hay Shire Council risks
 - Establish the future direction of risk management programmes.
 - Provide support and advice to Council and ARIC
 - Work with other risk stakeholders
 - Continuously improve the risk knowledge base within the organisation.

6. Key Risk Categories

Council has identified the following five key risk categories:

Service Delivery – Risks that effect the ability to provide services to the community.

Safety – Risks that impact the safety and health of the Community including all staff, volunteers and contractors.

Compliance – Risks that affect the compliance with regulations and statutory requirements.

Reputation- Risks that impact Councils reputation in the wider community.

Financial Impact – Risk that have financial impact on Council.

7. THE RISK MANAGEMENT PROCESS

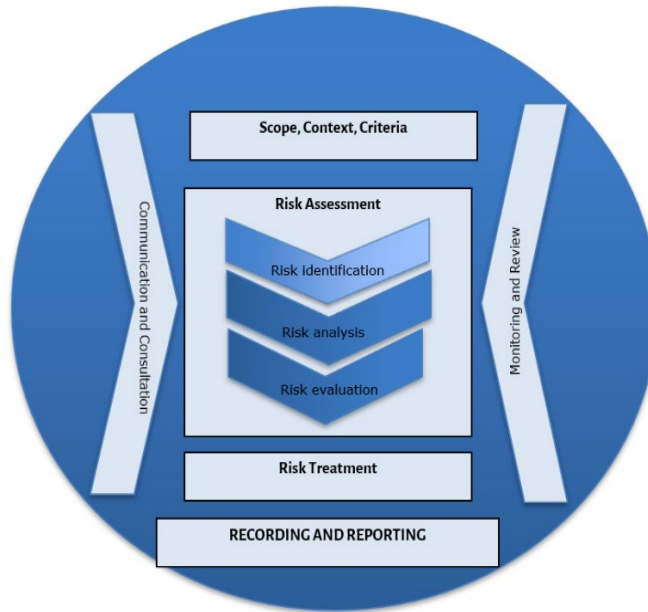
The process adopted by Hay Shire Council to manage risks in the organisation is in accordance with the International Standard for Risk Management ISO 31000:2018.Risk Management – Principles and guidelines

It involves a 7 step process in conjunction with effective communication and consultation as well as effective monitoring and review systems which are embedded in the processes .

The main elements of the risk management process are the following and as depicted in Figure 2:

- Scope context and Criteria
- Risk Assessment
- Identify Risks
- Analyse Risks
- Evaluate Risks
- Treat Risks
- Recording and Reporting

Figure 2



8. COUNCIL –CONTEXT AND FRAMEWORK

The Framework

Council will apply the following Process as defined by *AS ISO 31000:2018 Risk Management - Guidelines*: It is these key elements that will be assessed as part of our performance management review measurement analysis. These key elements are also the basis on which Council assesses its risk management performance.

Figure 3



The Context

Establishing the context requires a broad understanding of Council's operations; the external and internal environment in which it operates and the factors that have major impact on the achievement of its objectives. Fortunately, being a small enterprise Council has a very good understanding of its operations and internal and external environment and is able to identify those factors that will have an impact on the achievement of its objectives. In establishing context Council has undertaken a wide analysis including political, economic, social, technological, legal and environmental factors.

Council's Community strategic Plan, Delivery and Operational Plans Resourcing Strategy and Annual Report set the parameters criteria and risk context. Risk is considered in both the internal and external context when setting in place our strategies and priorities for the achievement of our objectives.

9 Communication and Consultation

Communication of risk and consultation with the stakeholder community are essential to supporting sound risk management decisions.

Sound communication strategies are also needed to ensure the following:-

- improve people's understanding of risks and the risk management processes
- ensure all relevant stakeholders are heard
- ensure that everyone is clear on their roles and responsibilities.

Fortunately, Council by way of its charter and operations is very close to its stakeholders and community and has a number of communication and consultation initiatives in place. They include the following:-

- Integrated Planning and reporting requirements.
- Intranet
- Staff Newsletters
- Staff Meetings
- Management meetings
- Engagement Strategy
- Reports
- Risk Management Committee

It is absolutely essential that these processes remain in place and are effectively managed and resourced. Effective communication is a critical factor in the success of the Risk Management Framework.

10. Risk Identification and Assessment

While Hay Shire Council is a relatively small organization some of our risks are quite complex so to properly identify the risks we need to breakdown the risks into the activities that we do and the resources that are needed in order to produce the services and objectives. Even for our size organization there are many risk elements. From this Council can then ask the two fundamental questions

1. What has gone wrong in the past
2. What could go wrong in the future?

This risk breakdown structure is an essential tool in our risk identification process

The identification process also asks the following questions

- What can happen?
- Where can it happen?
- When can it happen?
- Why can it happen?
- How can it happen?
- What is the impact?
- Who is responsible?

Council utilises a number of methods to help identify risks that could materially impact the business:

- Brainstorming
- Formal risk workshops and consultation with stakeholders
- Personal experiences
- Expert judgment
- Periodic working committee meetings
- Periodic reviews of the risk register
- Scenario analysis
- Business process reviews & work breakdowns
- Review of actual incidents and issues identified
- SWOT analysis
- Delivery and operation plans implementation planning

It is also important to consider the potential causes of a risk as it will help to address the risk and the next stage of the risk management process. Some causes of risk could include:

- commercial/legal relationships
- socio-economic factors
- political/legal influences
- personnel/human behavior (poor culture or training)
- financial
- management activities and controls
- technology/technical issues
- operational issues
- business interruption
- natural events
- lack of resources and expertise

As a local Authority, risks are commonplace and occur in every aspect of our operations and are dynamic in nature. Risk identification is ongoing and requires awareness, training and proper procedures across all levels.

There are also tools available to assist in the assessment process which include the risk assessment template form and the Guidelines for conducting a risk assessment which form part of this plan. (see annexures). All Managers need to ensure that they are competent in the use of these tools.

11. Risk Analysis

Once risks have been identified, they are then analyzed. This involves considering and rating the likelihood of occurrence and potential consequences and also identifying preferred risk treatment options including As Low as Reasonably Practical (ALARP). At this point, no consideration is given to existing controls.

The likelihood of occurrence is the probability of an event occurring. When considering the likelihood of a risk, Council considers both the probability and frequency of occurrence. Council utilises the following likelihood ratings.

Rating	Likelihood	Description	Quantification
1	Rare	The event may occur but only in exceptional circumstances. No past event history.	Once every 50 years or more
2	Unlikely	The event could occur in some circumstances. No past event history.	Once every 20 years
3	Possible	The event may occur sometime. Some past warning signs or previous event history.	Once every 5 years
4	Likely	The event will probably occur. Some recurring past event history	Once a year
5	Almost Certain	The event is expected to occur in normal circumstances. There has been frequent past history.	Once every 6 months or more frequently

Table 1: Likelihood Ratings

The consequence assessment is the effect or impact of the risk event. It is measured both financially (in terms of profit/loss or balance sheet impact) and operationally (human & physical). Council will utilise the following consequence ratings.

Rating	Consequence	Service Delivery	Safety	Compliance	Reputation	Financial impact
1	Insignificant	Interruption to a service – no impact to customers or Business	No Injury/First aid only. No impact on morale	Isolated non-compliance or breach: negligible financial impact.	No media or political attention. Some local complaints	P&L < \$10K
2	Minor	Minor interruption to a service with minimal impact to customers or business	Minor medical attention. Negligible impact on morale	Contained non-compliance or breach; with short term or minor financial impact.	Some media or political attention. Community concern – little adverse affect	P&L \$10K -\$50K
3	Moderate	Moderate interruption to service delivery. Customer impact up to 48 hours.	Significant Injury requiring medical attention. Short term effect on morale and business	Serious breach involving statutory authority or investigation; prosecution possible with significant financial impact	Significant media attention and public interest. Potential for adverse local media	P&L \$50K -\$100K
4	Major	Major Interruption to service delivery. Customer impact 7 – 14 days.	Serious long term injury. Temporary disablement. Significant impact on morale.	Major Breach with fines and litigation with major financial impact	Regional or state wide media attention. Long term effect on reputation	P&L \$100K -\$500K
5	Catastrophic	Key activities disrupted for over 14 days. Full BCP action required	Major injury or death. Long term effect on morale and performance.	Extensive fines and litigation with possible class action. Threat to viability of program or service	Potential National media attention. Irreparable damage to reputation	P&L > \$500K

Table 2: Consequence Ratings

Inherent risk is the overall raw risk. It is determined by combining the likelihood and consequence ratings. Ultimately, the level of inherent risk will determine how a risk is treated. The following table depicting the inherent risk levels that will be used by Council.

Consequences	Likelihood				
	1 Rare	2 Unlikely	3 Possible	4 Likely	5 Almost certain
5 Catastrophic	Medium	High	High	Extreme	Extreme
4 Major	Medium	Medium	High	Very High	Extreme
3 Moderate	Low	Medium	High	High	Very High
2 Minor	Low	Medium	Medium	High	High
1 Insignificant	Low	Low	Low	Medium	Medium

Table 3: Risk Level Ratings

Preferred Risk Treatment Options (including ALARP)

Residual Risk Rating	Preferred Risk Treatment Options	Minimum reporting /escalation level for decision to cease activity, continue activity or take other necessary actions
Extreme	Preferred treatment options: Avoid → Cease activity, process or task until further directed. → Requires immediate escalation and active management through additional and effective treatment measures to reduce risk before proceeding. → Detailed planning required in consultation with the Director (and/or Manex/GM) to prepare a risk management plan.	Director (escalate Manex / GM as deemed necessary)
High	Preferred Treatment Options: Avoid, Transfer or Mitigate → Subject to discussions with Manager (and/or Director), consider ceasing activity, process or task temporarily to consider alternative options or review risk treatment strategies to enhance adequacy and effectiveness. → Consider implementation of additional or improved controls to reduce the risk to ALARP. → Continue to monitor control effectiveness.	Manager (escalate to Director as deemed necessary)
Medium	Preferred Treatment Options: Mitigate or Accept → Subject to discussions with Supervisor, Co-ordinator or Team Leader (and/or Manager), review risk treatment strategies to determine their adequacy and effectiveness. → Consider implementation of additional or improved controls to reduce the risk to ALARP. → Continue to monitor control effectiveness.	Supervisor, Co-ordinator or Team Leader (escalate to Manager as deemed necessary)
Low	Preferred Treatment Options: Accept and identify corrective action → Manage by existing routing procedures and work practices. → Continue to monitor control effectiveness.	Responsible staff (escalate as deemed necessary)

Table 4: Risk Treatment Options

ALARP – As low as reasonably practicable

ALARP involves weighing the benefits and opportunities to be gained from managing the risk and continuing with the proposed activity against the effort, time and resources needed to control the risk.

When determining if additional treatment options should be implemented, consideration should be given to the level of risk that would remain if additional controls were implemented.

- **Unacceptable** - where the cost or resource required to implement further risk treatment is grossly disproportionate to the risk control improvement gained, a decision should be made to cease the activity altogether or find an alternative course of action (except in cases where overriding factors mean there is no choice but to implement the identified additional control measures).
- **Acceptable - ALARP** - *aim for this level of risk treatment* - where the cost, resources and effort required to implement additional risk treatment is acceptable and worthwhile given the risk control improvement gained and resulting benefits achieved from continuing with the activity, operation or project being assessed.

12. Inherent Risk Evaluation

Risk evaluation involves comparing the level of risk found during the analysis process against Council's known priorities and requirements.

Depending on the level of inherent risk, treatment strategies will vary:

- Extreme:** Require immediate action as the potential risk exposure could be devastating to the organisation.
- Very High:** Requires action very soon (within 3 months), as it has the potential to be damaging to the organisation.
- High:** Requires treatment with routine or specific procedures.
- Medium:** Continue to monitor and re-evaluate the risk, ideally treat with routine procedures.
- Low:** Continue to monitor and re-evaluate the risk, ideally treat with routine procedures.

Any risks accorded too high or too low a significance are adjusted, and documented accordingly. The output of the risk evaluation is a prioritised list of risks for further action.

Once each risk has been re-assessed in light of current controls or management strategies, mapping the re-assessed risks onto a matrix will assist in determining whether risks should be prioritised for further action. If the resulting risks fall into the low or acceptable risk categories they may be accepted with minimal further treatment.

Low and accepted risks should be monitored and periodically reviewed to ensure they remain acceptable. If risks do not fall into the low or acceptable risk category, they should be treated using one or more of the options considered below.

13. Addressing Risks

Addressing risks involves identifying and evaluating existing controls and management systems to determine if further action (risk treatment) is required.

Existing controls are identified and then assessed as to their level of effectiveness. Council will utilise the following control effectiveness ratings.

Rating	Effectiveness	Description	Quantification
0	Not Effective	The control does not address risk	0%
1	Slightly Effective	The control is not reliable as it is not well designed, documented and/or communicated.	1-20% effective
2	Somewhat Effective	Control may be reliable but not very effective as control design can be improved.	21-40% effective
3	Reasonably Effective	Control is reliable but not efficient as documentation and/or communication could be improved.	41-60% effective
4	Mostly Effective	The control is mostly reliable and efficient. Documentation exists but can be better communicated.	61-80% effective
5	Very Effective	Control is reliable and efficient. Fully documented process and well communicated.	81-100% effective

Residual risk is the level of risk after considering existing controls. It is determined by applying the effectiveness of existing controls to inherent risk.

Ultimately, the level of residual risk as well as Councils risk appetite will determine how a risk is treated.

Where controls exist and are considered effective to manage the risk down to medium/low and or within risk appetite, the residual risk will be low and typically, no further work is required except for periodic monitoring.

Where controls either do not exist or are considered ineffective to manage the risk down to medium/low and or within risk appetite, the residual risk could be medium to extreme and risk treatment is required. Where Council accepts the remaining residual risk and risk treatment is planned, it is good practice to document the reason why.

Risk Treatment

The purpose of risk treatment is to select and implement options for addressing risk.

Risk treatment involves an iterative process of:

- formulating and selecting risk treatment options;
- planning and implementing risk treatment;
- assessing the effectiveness of that treatment;
- deciding whether the remaining risk is acceptable;
- if not acceptable, taking further treatment.

Selection of risk treatment options

Risk treatment involves selecting one or more options for modifying risks, and implementing those options. Once implemented, treatments provide or modify the controls. An action should be implemented to treat certain risks.

Council will tolerate a certain “acceptance” level of risk. Any risk that is rated low or moderate should be monitored and reviewed in line with relevant Council processes and systems

Options for treating risk may involve one or more of the following:

- avoiding the risk by deciding not to start or continue with the activity that gives rise to the risk;
- taking or increasing the risk in order to pursue an opportunity;
- removing the risk source;
- changing the likelihood;
- changing the consequences;
- sharing the risk (e.g. through contracts, buying insurance);
- retaining the risk by informed decision.

The selection of risk treatment options should be made in accordance with Councils preferred risk treatment options and ALARP.

Risk treatments, even if carefully designed and implemented might not produce the expected outcomes and could produce unintended consequences. Monitoring and review must be an integral part of the risk treatment implementation to give assurance that the different forms of treatment become and remain effective.

Risk treatment can also introduce new risks that need to be managed.

If there are no treatment options available or if treatment options do not sufficiently modify the risk, the risk should be recorded and kept under ongoing review

Decision makers and other stakeholders should be aware of the nature and extent of the remaining risk after risk treatment. The remaining risk should be documented and subjected to monitoring, review and, where appropriate, further treatment.

For those risks that are Very High, Extreme or deemed to be unacceptable, they need to be evaluated and specific action plans need to be developed to manage the risk appropriately. (see Appendix 3 for action plan template)

Preparing and implementing risk treatment plans

The purpose of risk treatment plans is to specify how the chosen treatment options will be implemented, so that arrangements are understood by those involved, and progress against the plan can be monitored. The treatment plan should clearly identify the order in which risk treatment should be implemented.

Treatment plans should be integrated into the management plans and processes of Council, in consultation with appropriate stakeholders.

The information provided in the treatment plan should include:

- the rationale for selection of the treatment options, including the expected benefits to be gained;
- those who are accountable and responsible for approving and implementing the plan;
- the proposed actions;

- the resources required, including contingencies;
- the performance measures;
- the constraints;
- the required reporting and monitoring;
- when actions are expected to be undertaken and completed.

14. Risk Tolerance/Appetite

Council will have a responsible approach to risk management, seeking to recognise and manage its exposure to risks in accordance with its vision, mission and values. In pursuing the achievement of its objectives and governance responsibilities, Council will accept a degree of risk commensurate with the potential reward and with consideration of Council's role and responsibilities within the community. Council's risk appetite in relation to its adopted key risk categories is therefore as follows:

		Appetite or willingness to accept risk		
		Minimal Preference for options that avoid risk or have low inherent risk	Cautious Preference for safe options with relatively low degree of residual risk for potential reward	Open Willingness to consider all options with an enthusiasm for innovation, preference for options that provide for an acceptable level of reward
Financial			✓	
Safety		✓		
Service delivery & infrastructure				✓
Compliance	Statutory	✓		
	Regulatory		✓	
Reputation			✓	

Council has no tolerance for risks that may compromise the safety and welfare of staff, the community, contractors and volunteers.

Council places great importance on compliance and has little appetite for any breaches in legal, regulatory or professional requirements. However as it is acknowledged that regulatory compliance is often discretionary in nature, Council will give due consideration to associated public health, safety and environmental risks, as well as the opportunity to educate the community.

Council has minimal appetite for risks that may have a significant adverse impact on its long-term financial sustainability, however Council encourages entrepreneurship and has a moderate appetite for risks arising from economic opportunities.

Council is mindful that reputational risk is inherent in all its business activities, however although Council will take a cautious approach, it will not be constrained by reputation related risk in pursuing innovation.

Council has considerable appetite for improvements and innovation in service

delivery, technology and the efficiency of operations and project delivery.

Council's Risk Assessment Criteria will align with Council's risk appetite and will be used to undertake the Risk Management Process.

15. Implementation

The methodology adopted within the Risk Management Strategy and plan will be applied to all areas of council, both operational and strategic levels.

The plan itself and its implementation will be actioned by the General Manager and coordinated and monitored by the Enterprise Risk Management Committee and the senior Management Team (Manex). Risk management is everybody's responsibility and it is essential to work as a team if implementation is going to be successful.

16. Risk Register

Council will develop and maintain a Risk Register incorporating both strategic and operational risks ensuring that all internal and external risks and opportunities have been considered. This process will be done in consultation with the Management Executive, the Enterprise risk Management Team and the Audit Risk and Improvement committee. The register will be monitored and reviewed at least annually.

17. Records Management

Council will properly record its risk management processes to ensure compliance with the State Records act, provide a record of why decisions were made, including to assist in the defense of insurance claims brought against Council, and to allow risk management monitoring reviews and reporting.

18. Reviews and Reporting

Council's risk review and reporting structure will be implemented to assist in:

- Monitoring Council's performance in mitigating risks.
- Informing decision making, identifying improvement opportunities and improving performance.
- Ensuring changing circumstances are considered against risk priorities and any additional risks are identified, documented and assessed appropriately.
- Reviewing relevance and effectiveness of existing risk controls
- Measuring the success of Council's Risk Management Framework.
- Effective compliance with the standard

Reviews and reports will be coordinated by Council's Risk Management Team in accordance with the Guidelines for Risk Management and Internal Audit for Local Government NSW. The risk Management team is required to provide advice on risk management to the General Manager at least every quarter.

In addition the Risk Management function is required to conduct an annual self -assessment and provide a report to the General Manager whether the risk Management function

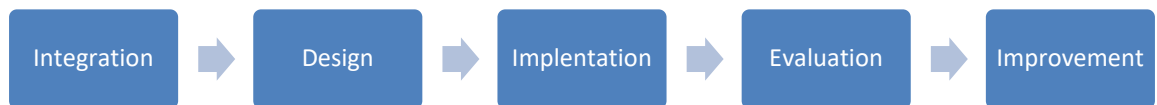
- complies with these Guidelines
- is sufficiently resourced

- operates effectively, this includes whether:
 - a) the internal control framework appropriately reflects the council's risk criteria/appetite
 - b) risks are formally considered when developing and implementing all council policies, programs, projects and other activities, including procurement
 - c) risk management covers all relevant risk categories including strategic, operational, compliance, reputational and reporting risks
 - d) major risks have been identified and assessed by the council and appropriate risk
 - e) treatments have been implemented that reflect the council's risk criteria
 - f) the council's internal controls are effective and appropriate
 - g) the council's risk register and risk profile are current and appropriate
 - h) risk information is captured and communicated in a timely manner across the council, enabling management and staff to carry out their responsibilities, and
 - i) the council's risk management policies, procedures and plans are being complied with.

The general manager should discuss the annual assessment of the council's risk management function with the governing body and audit, risk and improvement committee at the council's strategic assurance meeting held each council term.

19. Performance Measurement

The performance and success of Council's Risk Management Framework will be assessed with consideration of the following five key elements of enhanced risk management:



A review of Council's performance will assist in identifying improvement opportunities in relation to this Framework and will be reported to the General Manager and Council's Audit, Risk & Improvement Committee. This will be conducted by Council's Risk Management Team. The review will also assist the General Manager to compile and complete the annual attestation.

Council's Risk Management Team may use various methods to measure performance including:

- Annual report from Manex members on their department's activities and achievements
- Statewide Mutual's ERM Maturity Assessment Template
- Internal audit reports, CIP returns and actions, Training initiatives as well as incident and claim statistics.
- Other risk Management programs, initiatives and achievements.

20. Education and Training

Council will provide both in house and external training and seek out and participate in all relevant training opportunities including participation in Statewide Mutual board initiatives and other programs to achieve the responsibility requirements of the policy in relation to staff and Management.

These are for all staff :-

- *being familiar with, and understanding, the principles of risk management.*

Management and Supervisors have the additional responsibility of

- *ensuring all staff have the appropriate capability to perform their risk management roles.*

21. Definitions

The key risk management terminology used within the Framework is in accordance with AS ISO 31000:2018 *Risk Management - Guidelines* and ISO Guide 73:2009 *Risk Management*

Risk Term	Definition
Risk	Risk is the effect of uncertainty on objectives, where an effect is a deviation from the expected. It can be positive, negative or both, and can address, create or result in opportunities and threats. Risk is usually expressed in terms of risk sources, potential events, their consequences and their likelihood.
Types of Risk (as defined by Council)	<p>Strategic Risks Risks (either internal or external) which may impact upon the ability of the organisation to achieve its strategic objectives as set out in Council's Community Strategic Plan.</p> <p>Divisional Risks Risks (either internal or external) which may impact upon the ability of the Division to meet its objectives and key service delivery commitments.</p> <p>Operational Risks Risks which may impact upon the ability to achieve day to day service delivery commitments.</p>
Risk management	Co-ordinated activities to direct and control an organisation with regard to risk
Risk management policy	Statement of the overall intentions and direction of an organisation related to risk management
Risk management framework	<p>A set of components that provide the foundations and organisational arrangements for designing, implementing, monitoring, reviewing and continually improving risk management throughout the organisation.</p> <p>The foundations include the policy, objectives, mandate and commitment to manage. The organisational arrangements include plans, relationships, accountabilities, resources, processes and activities. Risk management framework is embedded within the organisation's overall strategic and operational policies and practices.</p>
Risk management plan	Scheme within the risk management framework specifying the approach, the management components and resources to be applied to the management of risk. Components typically include procedures, practices, assignment of responsibilities, sequence and timing of activities.
Risk management process	Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context and identifying, analysing, evaluating, treating, monitoring and reviewing risk
Communication & consultation	Continual and iterative processes that an organisation conducts to provide, share or obtain information, and to engage in dialogue with stakeholders regarding the management of risk
Stakeholder	A person or organisation that can affect, be affected by, or perceive themselves to be affected by a decision or activity
Establishing the context	Defining the external and internal parameters to be taken into account when managing risk, and setting the scope and risk criteria for the risk management policy
Risk criteria	Terms of references against which significance of a risk is evaluated. Risk criteria are based on organisational objectives and external and internal context
Risk assessment	The overall process of risk identification, risk analysis and risk evaluation
Risk identification	The process of finding, recognising and describing risks. Risk identification involves the identification of risk sources, events, their causes and their potential consequences. Risk identification can involve historical data, theoretical analysis, informed and expert opinions, and stakeholders needs
Risk description	A structured statement of risk usually containing four elements, events, causes and consequences

Risk Term	Definition
Risk source	Element which alone, or in combination, has the potential to give rise to risk

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Hay Shire Council Risk Management Framework

Risk Term	Definition
Event	Occurrence or change of a particular set of circumstances. An event can have one or more occurrences, and can have several causes and several consequences. An event can be a risk source
Hazard	Source of potential harm. Hazard can be a risk source
Risk owner	Is the person or entity with the accountability and authority to manage a risk
Risk analysis	Process to comprehend the nature of risk and to determine the level of risk. Risk analysis provides the basis for risk evaluation and decisions about risk treatment, and includes risk estimation
Likelihood	The chance of the risk happening
Exposure	Extent to which an organisation and/or stakeholder is subject to an event
Consequence	The outcome of an event. A consequence can be certain or uncertain and can have positive or negative direct or indirect effects on objectives
Risk matrix	Tool for ranking and displaying risks by defining ranges
Level of risk (risk rating)	Magnitude of a risk or combination of risks, expressed in terms of the combination of consequence and their likelihood
Risk evaluation	Process comparing the results of risk analysis with risk criteria to determine whether the risk and/or its magnitude is acceptable or tolerable. Risk evaluation assists in the decision about risk treatment
Risk appetite	The amount and type of risk that an organisation is willing to pursue or retain
Risk treatment	Is the process to modify a risk. Risk treatment options include: <ul style="list-style-type: none"> Reducing the risk by lowering the likelihood and/or consequences of the risk. Sharing elements of the risk with key stakeholders. Eliminating the risk by avoiding the risk or removing the risk source. Taking or increasing the risk in order to pursue an opportunity or retaining the risk by informed decision. Risk treatments that deal with negative consequences are sometimes referred to as "risk mitigation", "risk elimination", "risk prevention" and "risk reduction"
Control	Measure that maintains and/or modifies risk. Controls include, but are not limited to, any process, policy, device, practice, or other conditions and/or actions which maintain and/or modify risk.
Inherent risk	The level of risk that exists prior to the implementation of risk control measures
Residual risk	The level of risk remaining after risk control measures have been taken
Monitoring	Continual checking, supervising, critically observing or determining the status in order to identify changes from the performance level required or expected. Monitoring can be applied to a risk management framework, process, risk or control
Review	Activity undertaken to determine the suitability, adequacy and effectiveness of the subject matter to achieve established objectives. Review can be applied to a risk management framework, process, risk or control
Risk reporting	Form of communication intended to inform particular internal or external stakeholders by providing information regarding the current state of risk and its management
Risk register	Record of information about identified risks. The term "risk log" is sometimes used instead of "risk register"
Risk profile	Description of any set of risks. The set of risks can contain those that relate to the whole organisation, part of the organisation or as otherwise defined
ALARP	'As Low as Reasonably Practicable' - ALARP involves weighing the benefits and opportunities to be gained from managing the risk and continuing with the proposed activity against the effort, time and resources needed to control the risk

22. APPENDICES

Appendix No.	Name
1	Risk Assessment Template Form
2	Quick Guidelines for conducting a Risk Assessment
3	Template for the Treatment/Action Plan

Appendix

1 **Risk Assessment Template Form**

Risk Statement	Risk Category	Existing Controls	Inherent/Initial Risk Rating	Additional Treatment Strategy	Residual Risk Rating	Responsibility	Timeframe

Appendix 2 Guidelines for conducting a Risk Assessment

The following guideline will assist in determining what information needs to be entered into each section of the Risk Assessment form is detailed below:

Column	Explanation
Risk Statement	<p>The risk statement must be clear comprehensible and unambiguous and provide an improved understanding of the risk. It should encompass the following four elements</p> <ul style="list-style-type: none"> • Sources of the risk • The risk or uncertain event • The likely causes • The possible consequences
Risk Category	Refers to the type of risk to the organisation; is it Operational, technical, financial, legal social and environmental.
Existing Controls	Existing controls are those measures that are currently modifying risk. They include any processes, policy, device, practice or other actions which modify risk.
Inherent Risk Rating	The inherent risk rating is the current or original risk rating which considers current controls prior to the addition of risk treatments.
Risk Treatment	This is the process used to modify the risk. The treatment action plan should be detailed in accordance with appendix 3.

Residual Risk rating	This is the Risk remaining after risk treatment.
Responsibility	This is the person responsible for managing the risk including the treatment of risks. This includes ensuring that the treatment strategy outlined is implemented and is doing what it was designed to do – manage the risk.
Timeframe	This is the timetable for implementation

Appendix 3 Template for the Treatment / Action Plan as a Result of the Risk Assessment

Activity					Department		
Consulting Group					Date Prepared		
Ref No.	WHAT needs to be done	HOW will this be done	WHO is responsible	WHEN does it need to be done by	MONITOR progress every:	REPORT to:	

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Hay Shire Council

Risk Register

Consequences	Likelihood				
	1 Rare	2 Unlikely	3 Possible	4 Likely	5 Almost certain
5 Catastrophic	Medium	High	High	Extreme	Extreme
4 Major	Medium	Medium	High	Very High	Extreme
3 Moderate	Low	Medium	High	High	Very High
2 Minor	Low	Medium	Medium	High	High
1 Insignificant	Low	Low	Low	Medium	Medium

Table 3. Risk Level Ratings

Category	Risk	Causes	Inherent			Current Control - Mitigation Strategies	Likelihood	Consequence	Level of Risk	After treatment		Risk Owner
			Likelihood	Consequence	Level of Risk					Monitor & Review		
FRAUD	Fraudulent behaviour being carried out by an employee/outsider to Council	1. Poor procurement processes 2. credit card misuse 3. employee false claims 4. fraudulent payments 5. staff morale 6. lack of controls and monitoring 7. Low level of fraud awareness 8. Poor planning assessment procedures 9. Process roles not separated. 10. Inventory	Possible	Moderate	High	1.Contract Procedure Rules. 2.Procurement and credit card Policy 3.Internal Reporting Policy 4. Regular review of Delegations of Authority 5.Employee code of conduct training and annual attestation 6.Fraud Framework 7.Tender regulations 8.Internal controls and documentation 9.Reporting to EMT 10.Segregation of duties 11.Conflict of interest register for designated officers 12. Secondary employment declarations 13. Internal Auditor 14. Procurement Manual 15. Storeperson	Unlikely	Minor	Medium	1.Code of conduct & corruption training 2.Internal audit function - implementation of reports and actions 3.Expand training & improve induction 4.Ensuring adequate procurement planning such as identification and assessment of risks. 5. Conflict of interest returns for all employees 6. Audit Risk & Improvement Committee 7. Internal monitoring of Procurement		Deputy General Manager
		1. Bank or investment institution may fail resulting in significant financial loss 2. Council fails to receive grant funding through inaccurate information provided to body or not abiding by funding agreement/deed 3. Ineffective budgeting procedures 4. Inadequate insurance protection 5. Inadequate rate revenue to deliver services 6. Inadequate understanding of catastrophic risk exposures 7. Government cost shifting 8. Increase in Governance and compliance costs	Possible	Major	High	1. Investment Policy 2. Financial report presented at Council meeting each month 3. Budget provided to Council meetings - reviewed each quarter 4. Seek additional external funding (FAGS) 5. Support initiative to reduce Governance costs and cost shifting 6. Review service standards regularly 7. Provide regular financial updates to Council 8. Monthly financial management meetings and reports 9. Councillor financial management training 10. Explore all options to increase user charges in line with service costs 11. External sustainability review 12. Advocacy via LGNSW and NSW Coutry Mayors to improve the industry	Unlikely	Moderate	Medium	1. Improvement of internal controls 2. Audit Risk & Improvement Committee 3. Internal Audit 4. Review Long term financial position 5. Improve infrastructure asset data		Deputy General Manager
OFFICE/DEPOT UNAVAILABLE	Council being unable to operate efficiently and effectively for a considerable period	Business interruption that results in the building being uninhabitable (Fire, Flood, vandalism, building structure)	Possible	Catastrophic	High	1. Business Continuity Plan is in place 2. Evacuation procedures in place 3. Fire Safety Alarms installed 4. Relevant insurance policies in place 5. Regular maintenance of facility including electrical and stormwater systems 6. Subplans in place 7. Building Maintenance	Possible	Minor	Medium	1. Business Continuit Plan tested regularly 2. Staff refreshed on evacuation procedures 3. Regular testing of fire equipment 4. Annual building assessments		General Manager
NATURAL CATASTROPHIE - FIRE OR FLOOD	Fire	1. Inadequate Hazard Reduction 2. Facilities not maintained in proper condition 3. Training of staff 4. Fleet not sufficient to meet needs 5. Climate change	Possible	Catastrophic	High	1. Train staff and Volunteers and supply appropriate PPE. 2. Support RFS initiatives to ensure adequate fire equipment 3. Ensure emergency evacuation procedures are in place and tested. 4. Complete Hazard reduction works as required. 5. Maintain buildings and keep fire preventative systems up to date.	Unlikely	Moderate	Medium	1. Consult with RFS 2. Hazard inspections 3. Building audits		General Manager
	Flood	1. Inadequate levee system 2. Inadequate training 3. Stormwater backflow 4. Lack of knowledge 5. Climate change	Possible	Catastrophic	High	1. Regular inspection and upgrade of levee system 2. Upgrade stormwater covers 3. Train staff in flood prevention measures 4. FRMS&P 5. Maintenance of stormwater infrastructure	Unlikely	Moderate	Medium	1. Levee bank audits 2. Maintain and upgrade levee in accordance with levee owners manual		General Manager
WATER SUPPLY	Council not being able to provide sufficient quantity of water	1. Prolonged drought 2. Reduction in water allocation 3. Climate change	Possible	Major	High	1. Intake is within the Hay weir pool, giving a more secure supply of water 2. Monitor water availability with WaterNSW monthly 3. Lobby other tiers of Government for water security 4. Updated IWCM 5. Adequately suitably trained staff	Unlikely	Minor	Medium	1 Alternate water supply (bore/water carts) 2. Apply water restrictions 3. Drought Management Plan Review and Implementation		General Manager
	Water quality not meeting the minimum standards	1. Failure of equipment at Water Treatment Plant 2. Staff not having sufficient training 3. Machinery and equipment not properly maintained 4. Blue Green Algae Blooms 5. Insufficient supply of chemicals	Possible	Major	High	1. Water treatment plant operated in accordance with Drinking Water Guidelines and Best Practice Management. 2. Regular testing of water quality 3. Relevant Staff Training. 4. Pro-active inspection and maintenance/ renewal of water supply systems. 5. Resource sharing with neighbouring Councils 6. Chemical supplies purchased from reputable/quality accredited suppliers 7. Physical testing and monitoring	Unlikely	Moderate	Medium	1. Drinking Water Guidelines and Best Practice Management. 2. Staff training plan 3. Chemical handling procedures 4. Industry benchmark 5. Compliance requirements 6. Upgrade telemetry systems		General Manager
	Discontinuity of service	1. Lack of regular inspections and maintenance/renewal program 2. Unavailability of power 3. Natural disasters (Flood, Fire etc). 4. Lack of resources including budget 5. Lack of water supply	Possible	Major	High	1. Pro-active inspection and maintenance/ renewal of water supply systems. 2. Backup systems 3. Staff training 4. Good working relationships with local contractors 5. BCP Sub Plan in place	Unlikely	Moderate	Medium	1. Asset Management Plans and Systems 2. Budget 3. Works Program 4. Resource level/organisational capability		General Manager
SEWER	Public Health Nuisance and Environmental Pollution	1. System failure 2. Lack of policy and procedures 3. Lack of staff training 4. Environmental Conditions (i.e. storm, flooding, fire etc)	Possible	Major	High	1. Sewer Treatment Plant operated in accordance with EPA Licence requirement and Best Practice Management 2. Relevant staff training 3. Pollution Incident Response Management Plan 4. Regular Inspections	Unlikely	Minor	Medium	1. Pollution Incident Response Management Plan 2. Inspection regime 3. Best practice management and industry bench mark 4. Compliance requirements		General Manager
	Discontinuity of the service	1. System failure 2. Lack of resources including budget 3. Lack of regular inspections and maintenance/renewal program 4. Unavailability of power 5. Natural disasters (Flood, Fire etc).	Possible	Major	High	1. Business Continuity Plan 2. Pro-active inspection and maintenance/ renewal of assets. 3. Backup systems. 4. Well maintained plant and tools 5. Staff training and organisational capability. 6. Subplans in place	Unlikely	Minor	Medium	1. Asset Management Plans and Systems 2. Budget 3. Works Program 4. Resource level/organisational capability		General Manager
AERODROME	Council being unable to operate efficiently and effectively for a considerable period	1. Inadequate number of Airport Reporting Officers 2. Aircraft accident/Terrorist threat 3. Environmental Conditions (i.e. storm, flooding, fire-grass and terminal building, fog) 4. Asset failure (pavement)	Possible	Major	High	1. Proactive resource planning 2. Regular inspections and maintenance 3. Have a BCP in place 4. Staff training 5. Aerodrome Manual	Unlikely	Moderate	Medium	1. Keep staff training up to date 2. Compliance with CASA requirements 3. Resource level/organisational capability 4. Capital renewal program		Executive Manager - Planning & Compliance
WASTE	Waste services not being able to be provided to Community	1. Councils landfills not being managed properly 2. Korbide collection service breakdown 3. Machinery and equipment not properly maintained 4. Environmental Conditions (i.e. storm, flooding, fire-grass, high winds) 5. Lack of landfill space	Likely	Moderate	High	1. Landfill and Waste Transfer Station operates in accordance with EPA Licence requirements. 2. Relevant staff training 3. Landfills subject to periodic inspections by EPA 4. Establish relationships with Contractors. 5. Subplan in place 6. Management of landfill capacity 7. Updated waste strategy 8. Regular servicing of plant and equipment 9. seperation of waste via 3 bin system 10. Recycling service	Unlikely	Minor	Medium	1. Keep staff training up to date 2. Ensure staff awareness of responsibilities 3. Weather 4. Policies and Procedures 5. Asset renewal program		Executive Manager - Engineering and Operations
SWIMMING POOL	Sudden equipment failure. Contaminated water Structural failure of swimming pool. Non compliance with legislative requirements.	1. Machinery and equipment not properly maintained 2. No regular inspection and testing of water 3. Old structure (beyond designed life) 4. Inadequate policy, procedures and staff training 5. Asset renewal not funded 6. Insufficient staff	Likely	Moderate	High	1. Regular inspections and maintenance of equipment 2. Regular inspection and testing of water 3. Investigate and plan for the rehabilitation or new structure. 4. Regular review and amendment of policies and procedures. 5. Relevant staff training 6. Seeking external funding 7. Pool replacement project 8. Contracting of Pool Management 9. Use of digital technology	Unlikely	Insignificant	Low	1. Inspection and maintenance regime 2. Testing of water quality as per DPH requirements 3. Regular condition assessment of the pool structure 4. Staff Training Plan 5. Regular review and amendment of policies and procedures 6. Asset mangement plan		Executive Management - Planning and Compliance
PLAY EQUIPMENT/PLAYGROUND (Incl. Ovals)	Sudden equipment failure. Non compliance with legislative requirements. Failure of lighting on ovals. Irrigation system failure. Loss of reputation Disruption of water and sewer system failure	1. Lack of regular inspections and maintenance/renewal program 2. Inadequate staff training and development program 3. Unavailability of power 4. Lack of community engagement and transparency 5. Asset renewal not funded	Possible	Minor	Medium	1. Regular inspections and maintenance of equipment 2. Investigate and plan for the rehabilitation or new structure. 3. Regular review and amendment of policies and procedures. 4. Relevant staff training 5. Ongoing community engagement and good governance	Unlikely	Minor	Medium	1. Inspection and maintenance regime 2. Condition assessment of the equipment 3. Staff Training Plan 4. Policies and procedures 5. Community Engagement Strategy 6. Asset management plan		Executive Manager - Engineering and Operations

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CONSTRUCTION AND MAINTENANCE	Deliver Capital and Maintenance Works on time, on budget at required standard and safely	1. Machinery and equipment not properly maintained 2. Issues with materials 3. Inclement Weather 4. Insufficient planning for projects (project management) 5. Supplier delay 6. Politics 7. Lack of resources - staff, money etc 8. Staff not having the appropriate training or skills 9. Procurement processes not followed	Possible	Moderate	High	1. Project Management - regular meetings 2. Order materials early (after planning) 3. Schedule works in favourable season 4. Establish relationships with suppliers 5. Properly evaluate contractors 6. Staff training 7. Staff trained in procurement (Policy also in place) and budget management 8. Delegations in place and approval required for purchasing over certain amount 9. User Vendor Panel 10. Adequate and up to date asset and maintenance plans. 11. Plant Replacement Program 12. Utilise specialist contractors as required 13. Implement digital inspection regime	Possible	Minor	Medium	1. Keep staff training up to date 2. Ensure staff awareness of responsibilities 3. Regular review of asset management plans 4. Development of asset maintenance plans	General Manager
PLANNING AND DEVELOPMENT	Non compliance with Statutory and Regulatory requirements	1. Incorrect procedures for Development Applications/Certificates 2. Corrupt behaviour 3. Skills not up to date or staff not having the appropriate training/qualifications 4. Not ensuring we have received all of the relevant documentation/information before approving an application 5. Inadequate inspection procedures 6. Not keeping up to date with legislative changes/requirements	Possible	Moderate	High	1. Checklists for Development Applications in place 2. More than one person involved in assessing applications 3. Staff receive regular training 4. Staff inducted and trained in Code of Conduct, outlining unacceptable behaviour such as corrupt actions 5. Certifying staff trained & accreditations renewed as required 6. Forms outline what attachments are required and staff have checklists relating to applications and what attachments are required 7. Separation of duties 8. Code of conduct 9. Implement electronic systems	Unlikely	Moderate	Medium	1. Keep staff training up to date 2. Ensure staff awareness of responsibilities 3. Keep on top of legislation/planning changes 4. Keep checklists relevant on applications etc 5. More than one staff member checking applications	Executive Manager - Planning & Compliance
WORKPLACE (HR)	Council will not have adequate workforce capacity to meet requirements	1. Uncertainty about the future 2. Financial capacity 3. Unable to attract suitable staff 4. Retention of Staff 5. Difficulty training staff 6. Industrial Instrument Compliance 7. Loss of corporate knowledge and skills	Possible	Moderate	High	1. Workforce strategy 2. Training programs 3. Establish Networks 4. Supplement existing workforce with external providers 5. Internal audit compliance checks 6. Robust systems in place 7. Update workforce management strategy 8. Implement workplace strategies	Unlikely	Moderate	Medium	1. Keep staff training up to date 2. Ensure staff awareness of responsibilities 3. Keep on top of legislation/planning changes 4. Implement internal audit recommended actions	Executive Manager - People and Governance
AGED CARE & TRANSPORT SERVICES	Services do not meet needs of the community	1. Change in Government policy 2. Change in funding requirements 3. Client needs 4. Capacity to meet changing requirements	Possible	Moderate	High	1. Workforce training to meet changing requirements 2. Establish networks 3. Support political initiatives 4. External funding 5. Regular training and consultation to meet changing standards and systems 6. Regular advocacy to government	Unlikely	Moderate	Medium	1. Keep staff training up to date 2. Ensure staff awareness of responsibilities 3. Keep on top of legislation/planning changes	Deputy General Manager
S355 COMMITTEES & SUPPORT GROUPS - SHOWGROUNDS, BISHOPS LODGE, GAOL & DUNERA	Committees and support groups are not able to provide services in accordance with requirements	1. Changing demographics of members 2. Ability to attract and retain volunteers 3. Increase in compliance 4. Council policy 5. Funding and resources	Possible	Moderate	High	1. Provide more support 2. Actively seek volunteers 3. Regular consultation with volunteers 5. Resources allocated as available 6. Adapt structures to suit volunteer capacity and availability	Unlikely	Moderate	Medium	1. Communicate regularly with Committees 2. Establish robust reporting mechanisms 3. Risk Assessments	General Manager
DATA SECURITY	Unauthorised release of confidential/sensitive information	1. Lack of/ineffective access control policies/procedures 2. Lack of application/compliance with access control policies/procedures 3. Lack of/ineffective security technology 4. Deliberate release by member of staff	Possible	Catastrophic	High	1. Security Policy and Cyber Security Policy plus Framework 2. Monitoring of the internet website filtering systems 3. Procedure of records and information management training 4. Maintenance of up to date firewall technology 5. 3rd Party IT security consultant engaged to assist 6. System detection process to identify unauthorised software installation 7. Audit program for database changes 8. Restrict administrator privileges.	Unlikely	Major	Medium	1. Audit program for access controls 2. Background checks and reference checks on new employees 3. Regular check on access control	Deputy General Manager
IT Services	Cyber Attack	1. Business Continuity and Disaster Recovery not tested/lacking documented processes 2. Lack of Mobile Device Management (MDM) with the potential for lost or stolen device being used to access Council email system. 3. Lack of utilising auditing and logging functions to capture events to raise visibility of possible malicious activity 4. Systems and equipment not properly maintained	Possible	Catastrophic	High	1. Security and cyber framework 2. Regular hardware maintenance/backups 3. Regular awareness training 4. Up to date Antivirus and Firewalls systems 5. Business Continuity Plan 6. IT Disaster Recovery Plan	Unlikely	Major	Medium	1. Ensuring staff awareness with regular awareness training 2. Constant monitoring of Firewalls, Antivirus, DarkWeb 3. Implement Mobile Device Management 4. Multi-factor authentication for external services to protect services such as email accounts and other logins to external systems.	Deputy General Manager
	Systems instability	1. Hardware Failure and lack of storage space	Possible	Major	High	1. Constant monitoring of server hardware 2. Security policy and Cyber security policy 3. Disaster Recovery Server for failovers 4. Dual backups for increased redundancy 5. Hardware renewal	Unlikely	Major	Medium	1. Implement Mobile Device Management	Deputy General Manager
		1. Improperly tested system changes	Possible	Catastrophic	High	1. Complete all system changes in Test environments 2. Changes are tested on select users prior to full implementation 3. Security patches are updated promptly 4. Implement recommendations from essential eight review to achieve required rating.	Unlikely	Major	Medium	1. Ensuring staff awareness with regular training 2. Develop test plans to document tests carried out	Deputy General Manager
		1. Cyberattack	Possible	Catastrophic	High	1. Security and cyber policies plus framework 2. Regular hardware maintenance/backups 3. Regular awareness training 4. Up to date Antivirus and firewalls systems 5. Business Continuity Plan 6. IT Disaster Recovery Plan	Unlikely	Major	Medium	1. Ensuring staff awareness with regular awareness training 2. Constant monitoring of Firewalls, Antivirus, DarkWeb	Deputy General Manager
Pandemic	Loss of critical services Loss of reputation Virus transmission amongst staff	1. Inadequate PPE 2. Inadequate training 3. Non compliance with Pandemic advice	Possible	Catastrophic	High	1. Pandemic safe plan implemented 2. Pandemic marshalls appointed 3. Pandemic Subplan 4. ERM Committee 5. Training - regular updates provided 6. PPE	Possible	Minor	Medium	1. Regular testing and compliance tests 2. Communication to staff	General Manager
Legislative compliance	Non-compliance with legislation	1. Inadequate knowledge and processes 2. Staff behaviours 3. Change in legislation	Possible	Major	High	1. Staff training 2. Process control 3. Management oversight 4. Annual returns 5. Internal auditor review 6. Develop and maintain Register	Possible	Minor	Medium	1. Regular staff updates 2. Regular reporting	Executive Manager - People & Governance
Environmental compliance	Non-compliance with environmental issues and regulatory Role	1. Waste Disposal 2. Ground water and river management 3. Use of Chemicals 4. Failure to carry out regulatory role 5. Climate Change	Possible	Major	High	1. Licensing conditions 2. Trained staff 3. Emergency procedures 4. Management Plans 5. Regulatory inspection programs 6. Develop and maintain Register	Possible	Minor	Medium	1. Regular staff Inspections 2. Licensing returns 3. Inspections schedules 4. Internal audit program	Executive Manager - Planning & Compliance
Reputational	Damage to Council Reputation	1. Service delivery 2. Culture/Staff actions 3. Communication 4. Lack of risk appetite/inappropriate risk appetite 5. Not doing what we said we would do 6. Unknowns - out of our control 7. Political decisions	Likely	Major	Very High	1. Education and communication 2. Policies and Procedures 3. Adequate Supervision 4. Allocate sufficient resources 5. Measure what we do 6. Risk training for Councillors	Possible	Moderate	High	1. CRM's 2. ARIC 3. Council Meetings 4. Keep staff training up to date 5. Ensure staff awareness of responsibilities 6. Keep on top of legislation/planning changes 7. Risk assessments	General Manager
Economic Development	Population and Economic and Social Decline	1. Generational Change 2. Educational opportunities 3. Employment opportunities 4. Limited options available 5. Limited lifestyle choices (food, theatre etc) 6. Change in farm practices 7. Ageing population 8. Lack of services 9. Emerging industries (i.e. energy transition) 10. Lack of housing and childcare	Likely	Major	Very High	1. Improve services 2. Support and encourage businesses 3. Improve education 4. Attract new businesses to the town 5. Providing low cost housing opportunities/land opportunities 6. Investment attraction strategy 7. Support flexible opportunities 8. Develop open space and town amenities 9. Education of community 10. Working with developers and government 11. Working with HCS	Possible	Moderate	High	1. Census figures 2. Business Surveys	General Manager

Reviewed after ARIC to include Environmental Compliance risks 11th August 2022

Reviewed at ERM Meeting 9th February 2023 - Reputational and Economic Development risks added to register

Reviewed by ERM December 2024

C9 – Review of Payment of Expenses and Provision of Facilities Policy

REPORTING OFFICER	Executive Manager – People & Governance
ATTACHMENTS	<ul style="list-style-type: none"> • Payment of Expenses and Provision of Facilities Policy

INTRODUCTION

Under the Local Government Act 1993, Councils must review its Payment of Expenses and Provision of Facilities Policy within the first twelve months of an election.

COMMENTARY

Council last reviewed and adopted its Payment of Expenses and Provision of Facilities Policy in October 2022 and was modelled on the Office of Local Governments Better Practice Policy Template.

The policy sets out reasonable and appropriate reimbursement of expenses and provision of facilities to the Mayor and Councillors to help undertake their civic duties. It also ensures accountability and transparency and seeks to align Mayor and Councillor expenses and facilities with community expectations.

Since the adoption of the policy, Councillor expenses have been within the adopted thresholds owing a lot to the increased popularity of online meetings and conferences. To accommodate OLG's requirements for professional development for Councillors, it is recommended the values remain as they are.

The attached draft Payment of Expenses and Provision Facilities Policy has been reviewed by staff with no changes other than staff titles made.

The draft policy will need to be placed on public exhibition and brought back to the February 2025 Ordinary meeting for adoption.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	<p>D Governance and Organisational Performance</p> <p><i>D1 Our community is supported by a strong and resilient Council that is responsive to its needs</i></p> <p>D1.1 Communicate organisational performance to the community</p> <p>D1.2 Council effectively manages its resources</p> <p>D1.3 Council put in place the necessary systems to ensure good governance and to also ensure they are implemented.</p> <p>D1.4 Council decision making is based on a sound appreciation of community issues and needs, supporting by reliable information and asset management systems.</p> <p>D1.5 Council will lead by example.</p> <p>D1.6 Council will seek to continuously improve</p> <p>D1.7 Obtain a sustainable funding model</p> <p>D1.8 Develop and encourage internal capabilities</p>
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	<i>D2 Our Community is connected and informed</i> D2.1 Enable all residents and groups to participate in local decision making D2.2 Effectively communicate the range, availability and operation of services and facilities
FINANCIAL IMPLICATION	Nil
LEGISLATIVE IMPLICATION	Local Government Act s252 & 253 Local Government Act s440
POLICY IMPLICATION	Supersedes: <ul style="list-style-type: none"> Payment of Expenses and Provision of Facilities Policy – Revision 8 adopted October 2022
ASSET IMPLICATION	Nil
RISK IMPLICATION	Non-compliance with the Local Government Act

RECOMMENDATION

That Council place the draft Payment of Expenses and Provision of Facilities Policy, as presented, on public exhibition for a period of no less than 28 days with any comments received to be considered at the February 2025 Ordinary meeting of Council.



Hay Shire Council Policy

Title of Policy	Payment of Expenses and Provision of Facilities Policy		
This applies to	Councillors		
Author	Mark Dowling	Date Approved:	
Position of Author	Deputy General Manager	Authorised by:	Council
Legislation, Australian Standards, Code of Practice	Sections 252 and 253 of the Local Government Act 1993 and section 403 of the Local Government (General) Regulation 2005 OLG Guidelines for payment of expenses and provision of facilities Model Code of Conduct OLG Circulars to councils ICAC publications		
Aim	<ul style="list-style-type: none">To provide appropriate and reasonable facilities to enable the mayor, deputy mayor and councillors to fulfil their civic responsibilities and obligationsTo provide clear guidelines on what types of expenses councillors are entitled to claim payment for or reimbursement from the CouncilTo ensure that no councillor suffers financial hardship in meeting his/her legitimate civic responsibilities and obligationsTo meet the statutory requirements of sections 252 and 253 of the Local Government Act 1993 and section 403 of the Local Government (General) Regulation 2005		
Version	Details	Date	
Version 1	Initial Issue	2006	
Version 2	Review	2009	
Version 3	Review	22 nd October 2013	
Version 4	Review	29 th April 2014	
Version 5	Review	22 nd September 2015	
Version 6	Review	24 th October 2017	
Version 7	Review	15 th October 2018	
Version 8	Review	27 th October 2022	
Version 9	Review	17 th December 2024	
Superseded Policies	Versions 1 to 8 of the Payment of Expenses and Provision of Facilities Policy		

The Policy

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to councillors to help them undertake their civic duties.

It ensures accountability and transparency and seeks to align councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2005* (the Regulation) and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

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The policy sets out the maximum amounts council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

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Policy summary

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The policy sets out the maximum amounts council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Expense or facility	Maximum amount	Frequency
General travel expenses	\$15,000 total for all councillors	Per year
Interstate, overseas and long-distance intrastate travel expenses	\$5000 total for all councillors	Per year
Accommodation and meals	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually	Per meal/night
Professional development	\$30,000 total for all councillors	Per year
Conferences and seminars	\$25,000 total for all councillors	Per year
Information and Communications Technology (ICT) expenses	\$5000 total for all councillors	Per year
Carer expenses	\$3000 total for all councillors	Per year

Additional costs incurred by a councillor in excess of these limits are considered a personal expense that is the responsibility of the councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting every six months and published in full on council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

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Part A – Introduction

1. Introduction

- 1.1. The provision of expenses and facilities enables councillors to fulfil their civic duties as the elected representatives of Hay Shire Council.
- 1.2. The community is entitled to know the extent of expenses paid to councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to councillors to assist them in fulfilling their civic duties.
- 1.4. Council staff are empowered to question or refuse a request for payment from a councillor when it does not accord with this policy.
- 1.5. Expenses and facilities provided by this policy are in addition to fees paid to councillors. The minimum and maximum fees a council may pay each councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.

2. Policy objectives

- 2.1. The objectives of this policy are to:
 - enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties
 - enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties
 - ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors
 - ensure facilities and expenses provided to councillors meet community expectations
 - support a diversity of representation
 - fulfil the council's statutory responsibilities.

3. Principles

- 3.1. Council commits to the following principles:
 - **Proper conduct:** councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
 - **Reasonable expenses:** providing for councillors to be reimbursed for expenses reasonably incurred as part of their role as councillor
 - **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor
 - **Equity:** there must be equitable access to expenses and facilities for all councillors
 - **Appropriate use of resources:** providing clear direction on the appropriate use of council resources in accordance with legal requirements and community expectations

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- **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to councillors.

4. Private or political benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2. Private use of council equipment and facilities by councillors may occur from time to time. For example, telephoning home to advise that a council meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to council.
- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of council facilities does occur, councillors must reimburse the council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
 - production of election material
 - use of council resources and equipment for campaigning
 - use of official council letterhead, publications, websites or services for political benefit
 - fundraising activities of political parties or individuals, including political fundraising events.

Part B – Expenses

5. General expenses

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

6. Specific expenses

General travel arrangements and expenses

- 6.1. All travel by councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2. Each councillor may be reimbursed up to a total of **\$2,000** per year, and the Mayor may be reimbursed up to a total of **\$5,000** per year, for travel expenses incurred while undertaking official business within NSW. This includes reimbursement:
 - for public transport fares
 - for the use of a private vehicle or hire car
 - for parking costs for Council and other meetings

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- for tolls
 - by Cabcharge card or equivalent
 - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.
- 6.4. Councillors seeking to be reimbursed for use of a private vehicle must keep a logbook recording the date, distance and purpose of travel being claimed. Copies of the relevant logbook contents must be provided with the claim.

Interstate, overseas and long-distance intrastate travel expenses

- 6.5. In accordance with Section 4, Council will scrutinise the value and need for councillors to undertake overseas travel. Councils should avoid interstate, overseas and long-distance intrastate trips unless direct and tangible benefits can be established for the council and the local community. This includes travel to sister and friendship cities.
- 6.6. Total interstate, overseas and long-distance intrastate travel expenses for all councillors will be capped at a maximum of **\$5000** per year. This amount will be set aside in Council's annual budget.
- 6.7. Councillors seeking approval for any interstate and long-distance intrastate travel must submit a case to, and obtain the approval of, the general manager prior to travel.
- 6.8. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full council meeting prior to travel.
- 6.9. The case should include:
- objectives to be achieved in travel, including an explanation of how the travel aligns with current council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the councillor's civic duties
 - who is to take part in the travel
 - duration and itinerary of travel
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.10. For interstate and long-distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.11. For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.12. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.13. Bookings for approved air travel are to be made through the general manager's office.
- 6.14. For air travel that is reimbursed as council business, councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel expenses not paid by Council

- 6.15. Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

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Accommodation and meals

- 6.16. In circumstances where it would introduce undue risk for a councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the general manager. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the councillor lives more than 50 kilometres from the meeting location.
- 6.17. Council will reimburse costs for accommodation and meals while councillors are undertaking prior approved travel or professional development outside the Hay Shire area.
- 6.18. The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.
- 6.19. The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the general manager.
- 6.20. Councillors will not be reimbursed for alcoholic beverages.

Refreshments for council related meetings

- 6.21. Appropriate refreshments will be available for council meetings, council committee meetings, councillor briefings, approved meetings and engagements, and official council functions as approved by the general manager.
- 6.22. As an indicative guide for the standard of refreshments to be provided at council related meetings, the general manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

Professional development

- 6.23. Council will set aside **\$30,000** annually in its budget to facilitate professional development of councillors through programs, training, education courses and membership of professional bodies.
- 6.24. In the first year of a new council term, Council will provide a comprehensive induction program for all councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.25. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the councillor's civic duties, the councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.26. Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
- details of the proposed professional development
 - relevance to council priorities and business
 - relevance to the exercise of the councillor's civic duties.

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- 6.27. In assessing a councillor request for a professional development activity, the general manager must consider the factors set out in Clause 6.26, as well as the cost of the professional development in relation to the councillor's remaining budget.

Conferences and seminars

- 6.28. Council is committed to ensuring its councillors are up to date with contemporary issues facing council and the community, and local government in NSW.
- 6.29. Council will set aside a total amount of **\$25,000** annually in its budget to facilitate councillor attendance at conferences and seminars. This allocation is for all councillors. The general manager will ensure that access to expenses relating to conferences and seminars is distributed as practical.
- 6.30. Approval to attend a conference or seminar is subject to a written request to the general manager. In assessing a councillor request, the general manager must consider factors including the:
- relevance of the topics and presenters to current council priorities and business and the exercise of the councillor's civic duties
 - cost of the conference or seminar in relation to the total remaining budget.
- 6.31. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the general manager. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.18-6.21.

Information and communications technology (ICT) expenses

- 6.32. Council will provide councillors with appropriate ICT devices and services to each councillor. This includes tablets and tablet services and data.
- 6.33. Reimbursements will be made only for communications devices and services used for councillors to undertake their civic duties, such as:
- receiving and reading council business papers
 - relevant phone calls and correspondence
 - diary and appointment management.
- 6.34. Councillors may seek reimbursement for applications on their mobile electronic communication device that are directly related to their duties as a councillor, within the maximum limit.

Special requirement and carer expenses

- 6.35. Council encourages wide participation and interest in civic office. It will seek to ensure council premises and associated facilities are accessible, including provision for sight or hearing-impaired councillors and those with other disabilities.
- 6.36. Transportation provisions outlined in this policy will also assist councillors who may be unable to drive a vehicle.
- 6.37. In addition to the provisions above, the general manager may authorise the provision of reasonable additional facilities and expenses in order to allow a councillor with a disability to perform their civic duties.
- 6.38. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a

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maximum of **\$600** per annum for attendance at official business, plus reasonable travel from the principal place of residence.

- 6.39. Childcare expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.40. In the event of caring for an adult person, councillors will need to provide suitable evidence to the general manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

7. Insurances

- 7.1. In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this Policy.
- 7.2. Insurance protection is only provided if a claim arises out of or in connection with the councillor's performance of his or her civic duties, or exercise of his or her functions as a councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3. Council shall pay the insurance policy excess in respect of any claim accepted by council's insurers, whether defended or not.
- 7.4. Appropriate travel insurances will be provided for any councillors travelling on approved interstate and overseas travel on council business.

8. Legal assistance

- 8.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
- a councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the councillor
 - a councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the councillor
 - a councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the councillor.
- 8.2. In the case of a code of conduct complaint made against a councillor, legal costs will only be made available where the matter has been referred by the general manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the councillor.
- 8.3. Legal expenses incurred in relation to proceedings arising out of the performance by a councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a councillor acted corruptly would not be covered by this section.
- 8.4. Council will not meet the legal costs:
- of legal proceedings initiated by a councillor under any circumstances

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- of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
 - for legal proceedings that do not involve a councillor performing their role as a councillor.
- 8.5. Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a council meeting prior to costs being incurred.

Part C – Facilities

9. General facilities for all councillors

Facilities

- 9.1. Council will provide the following facilities to councillors to assist them to effectively discharge their civic duties:
- access to shared car parking spaces while attending council offices on official business
 - personal protective equipment for use during site visits
 - a name badge which may be worn at official functions, indicating that the wearer holds the office of a councillor and/or mayor or deputy mayor.
- 9.2. Councillors may book meeting rooms for official business in a specified council building at no cost. Rooms may be booked through a specified officer in the General Manager's office or other specified staff member.
- 9.3. The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

Stationery

- 9.4. Council will make available the following stationery to councillors:
- letterhead, to be used only for correspondence associated with civic duties
 - business cards

Administrative support

- 9.5. Council will provide administrative support to councillors to assist them with their civic duties only. Administrative support may be provided by staff in the General Manager's office or by a member of council's administrative staff as arranged by the general manager or their delegate.
- 9.6. As per Section 4, council staff are expected to assist councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

10. Additional facilities for the Mayor

- 10.1. Council will provide the Mayor with a suitable working and meeting space.
- 10.2. In performing his or her civic duties, the Mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the General Manager.

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- 10.3. The number of exclusive staff provided to support the Mayor and councillors will not exceed 0.25 full time equivalents.
- 10.4. As per Section 4, staff in the Mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.

Part D – Processes

11. Approval, payment and reimbursement arrangements

- 11.1. Expenses should only be incurred by councillors in accordance with the provisions of this policy.
- 11.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
- local travel relating to the conduct of official business
 - carer costs
 - ICT expenditure.
- 11.4. Final approval for payments made under this policy will be granted by the general manager or their delegate.

Direct payment

- 11.5. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Deputy General Manager for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

- 11.6. All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the Deputy General Manager.

Notification

- 11.7. If a claim is approved, council will make payment directly or reimburse the councillor through accounts payable.
- 11.8. If a claim is refused, council will inform the councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to council

- 11.9. If council has incurred an expense on behalf of a councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:
- council will invoice the councillor for the expense
 - the councillor will reimburse council for that expense within 14 days of the invoice date.
- 11.10. If the councillor cannot reimburse council within 14 days of the invoice date, they are to submit a written explanation to the general manager. The general manager may elect to deduct the amount from the councillor's allowance.

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Timeframe for reimbursement

- 11.11. Unless otherwise specified in this policy, councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

12. Disputes

- 12.1. If a councillor disputes a determination under this policy, the councillor should discuss the matter with the general manager.
- 12.2. If the councillor and the general manager cannot resolve the dispute, the councillor may submit a notice of motion to a council meeting seeking to have the dispute resolved.

13. Return or retention of facilities

- 13.1. All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a councillor or Mayor ceasing to hold office or at the cessation of their civic duties.
- 13.2. Should a councillor desire to keep any equipment allocated by council, then this policy enables the councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.
- 13.3. The prices for all equipment purchased by councillors under Clause 13.2 will be recorded in Council's annual report.

14. Publication

- 14.1. This policy will be published on council's website.

15. Reporting

- 15.1. Council will report on the provision of expenses and facilities to councillors as required in the Act and Regulations.
- 15.2. Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting every six months and published in full on council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.

16. Auditing

- 16.1. The operation of this policy, including claims made under the policy, will be included in council's audit program and an audit undertaken at least every two years.

17. Breaches

- 17.1. Suspected breaches of this policy are to be reported to the General Manager.

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- 17.2. Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

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PART E – Appendices

Appendix I: Related legislation, guidance and policies

Relevant legislation and guidance:

- Local Government Act 1993, Sections 252 and 253
- Local Government (General) Regulation 2005, Clauses 217 and 403
- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009
- Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Local Government Circular 05-08 legal assistance for Councillors and Council Employees.
- OLG Circular 17-17 – Councillor Expenses and Facilities Policy – Better Practice Template
-

Related Council policies:

- Code of Conduct
- Procurement and Credit Card Policy

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Appendix II: Definitions

The following definitions apply throughout this policy.

Term	Definition
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a councillor
appropriate refreshments	Means food and beverages, excluding alcohol, provided by council to support councillors undertaking official business
Act	Means the <i>Local Government Act 1993</i> (NSW)
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of council who is not suspended, including the mayor
General Manager	Means the general manager of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
NSW	New South Wales
official business	Means functions that the mayor or councillors are required or invited to attend to fulfil their legislated role and responsibilities for council or result in a direct benefit for council and/or for the local government area, and includes: <ul style="list-style-type: none"> meetings of council and committees of the whole meetings of committees facilitated by council civic receptions hosted or sponsored by council meetings, functions, workshops and other events to which attendance by a councillor has been requested or approved by council
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a councillor or the mayor
Regulation	Means the Local Government (General) Regulation 2005 (NSW)
year	Means the financial year, that is the 12 month period commencing on 1 July each year

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Hay Shire Council

Claim for Reimbursement of Expenses by Councillors



I hereby submit my claim for reimbursement of expenses in accordance with the provisions of the Local Government Act and Council's Policy with respect to the Payment of Expenses and Provision of Facilities to Councillors.

Name of Claimant: Councillor

Claim for reimbursement of expenses:

Date	Nature of Business	Nature of Claim	Amount Claimed

Claim for reimbursement of travel expenses:

Date	Nature of Business (include where travel was to/from & the purpose of the travel)	Method of travel	Distance in Kms	Rate/Km	Amount Claimed

Total amount claimed:	\$
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Please note: Receipts must be attached to this claim form in order for reimbursement to be processed.

Councillor signature:

Date: ____ / ____ / ____

.....
Council use:

Approved: ☐ Yes ☐ No

Approving officer's name:

Signature:

Date: ____ / ____ / ____

C10 – Application for reduction in water and sewerage usage charges

REPORTING OFFICER	Deputy General Manager
ATTACHMENTS	<ol style="list-style-type: none"> 1. Request from Tamerto P/L 2. Picture of water leak 3. Plumbers report

INTRODUCTION

An application for a reduction of the water and sewer usage account has been received from Tamerto P/L the owners of the Bishops Lodge Motel.

COMMENTARY

In October this year the owners of the Bishops Lodge Motel received an account from Council for water and sewerage usage charges for the four months to 30/9/2024 of \$53,475.04. Their previous account for the four months to 31/5/2024 was \$7,906.64 which represents a huge increase.

The account for October consisted of the following:-

Annual water charge	\$334.00
Raw water usage	\$115.08
Filtered water usage	\$33,068.10
Sewer discharge	\$19,957.86

For non-residential customers Council is required to charge a sewer discharge usage component rather than just one overall charge as it does for residential properties. The sewer discharge usage component is determined by the assumption that 90% of your filtered water usage will be discharged into the sewer and charged at a unit rate of \$1.30 per kl. In this example the motel used 17,058 kl of water for the period. This method is far from perfect but in the majority of situations is reasonably accurate, and is industry standard practice. The major exception is where there is a water leak and the water finished up on the ground rather than back in the sewer.

On investigation evidence has been provided to Council detailing that there was a significant water leak at the motel which does explain the reason for the large increase in consumption. The owners have asked for consideration to reduce or waive the water and sewerage usage charges. It's important to acknowledge that the request is not on the basis of hardship but rather whether that charge is appropriate.

In the past Council has been reluctant to write off water charges on the basis of a leak given that the water has gone through the meter and Council has incurred costs in relation to that supply. However, the request to reduce or waive the sewer discharge is a little different as there is evidence that a significant amount of water has not been discharged into the sewer as was charged. In this situation I believe that Council doesn't really have a sound basis to waive the water charges but there is a strong case to reduce the amount of the sewer discharge levied. It is difficult to quantify how much water did not return to the sewer, but I believe the most reasonable basis is to use the previous periods consumption as a base.

If council agreed with this methodology the previous sewer discharge figure was \$2,679.30 which would require a write off of the sewer discharge charges of \$17,278.56 for the October 31 2024 period

RELEVANCE TO STRATEGIC COMMUNITY PLAN	<p>D Governance and Organisational Performance</p> <p><i>D1 Our community is supported by a strong and resilient Council that is responsive to its needs</i></p> <p>D1.2 Council effectively manages its resources</p> <p>D1.3 Council put in place the necessary systems to ensure good governance and to also ensure they are implemented.</p> <p>D1.4 Council decision making is based on a sound appreciation of community issues and needs, supporting by reliable information and asset management systems.</p> <p>E Our Infrastructure</p> <p><i>E1 Our community can rely on well-maintained infrastructure that is responsive to our service needs</i></p> <p>E1.2 Ensure Council efficiently manages its infrastructure and assets within available resources.</p>
FINANCIAL IMPLICATION	Total usage charges for the 4 months to 30/9/2024 was \$53,141
LEGISLATIVE IMPLICATION	Nil
POLICY IMPLICATION	There is no current policy regarding writing off accounts due to internal water breaks
ASSET IMPLICATION	Nil
RISK IMPLICATION	Minor reputational risk

RECOMMENDATION

That Council:

- a. not reduce or waive the water usage charge for 31/10/2024; and
- b. writes off the amount of \$17,258.56 in sewer discharge charges.

HAY SHIRE COUNCIL

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [REDACTED]

TO:

GENERAL MANAGER
HAY SHIRE COUNCIL
134 LACHLAN STREET
NSW,2711

Dear General Manager,

We drove from Sydney to seek the Council's empathy towards the enormous water bill due to the unexpected and unfortunate incident of the pipe bursting in the middle of the night at the back of the Motel.

We would be grateful for Council to kindly understand the situation and request that the sewerage charges and also some of the water usage charges be waived.

We have informed our tenant to submit what the Council requires to support the waiving of those charges.

We look forward to hearing from you

With kind regards,

[REDACTED]



Jarrold Mohr Plumbing & Excavations Pty Ltd



12th November 2024

Comfort Inn Bishops Lodge
Moama Street
Hay South NSW 2711

To Whom It May Concern,

On Saturday 21st September 2024, I was called at 6:15am for a large water leak outside the laundry. I attended the property straight away and turned the water main back to reduce the flow as Breakfasts were being cooked in the kitchen and showers were still required in guest rooms.

I returned to the property at approximately 9:30am and shut the system down and commenced making repairs to the pipework.

Warm regards,

Jarrold Mohr
DIRECTOR

C11 - Audit Office - Final Management Letter

REPORTING OFFICER	Director of Corporate and Community
ATTACHMENTS	- NSW Audit Office Final Management Letter dated 25 th November 2024

INTRODUCTION

The NSW Audit Office has issued Council with its Final Management Letter on the audit for the year ended 30 June 2024.

COMMENTARY

The attached final Management Letter details twelve new issues with all previous matters addressed. The management letter outlines the responses and the expected timeline to be actioned. At this stage arrangements are on track to achieve the required actions within the stated timeframes. It should also be noted that none of the matters have a high-risk rating. The issues are across a broad range of areas including finance, Cyber security, payroll, risk management and governance.

The final Management letter has been presented and reviewed by the Audit Risk and Improvement Committee.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	D Governance and Organisational Performance <i>D1 Our community is supported by a strong and resilient Council that is responsive to its needs</i> 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. D1.4 Council decision making is based on a sound appreciation of community issues and needs, supporting by reliable information and asset management systems. D1.5 Council will lead by example. D1.6 Council will seek to continuously improve E1.3 Provision of sustainable infrastructure that is adaptive to changing needs, suitable/betterment and funding levels
FINANCIAL IMPLICATION	Without proper treatment of strategic risks the financial implication could be significant if sufficient controls are not in place to manage Councils financial sustainability.
LEGISLATIVE IMPLICATION	Local Government Act 1993 Section 415 Auditing of financial reports
POLICY IMPLICATION	Nil
ASSET IMPLICATION	No asset issues identified in report
RISK IMPLICATION	The Audit Office Management letter provides a risk assessment of the various issues.

RECOMMENDATION

That Council receives and notes the NSW Audit Office Final Audit Management Letter for 2023/2024 and the actions undertaken to date.

Mr David Webb
General Manager
Hay Shire Council
PO Box 141
HAY NSW 2711

Contact: Quentin Wong
Phone no: 02 9275 7454
Our ref: R008-2124742775-9968

25 November 2024

Dear Mr Webb

Management Letter on the Final Phase of the Audit for the Year Ended 30 June 2024

The final phase of our audit for the year ended 30 June 2024 is complete. This letter outlines:

- matters of governance interest we identified during the current audit
- unresolved matters identified during previous audits
- matters we are required to communicate under Australian Auditing Standards.

We planned and carried out our audit to obtain reasonable assurance the financial statements are free from material misstatement. Because our audit is not designed to identify all matters that may be of governance interest to you, there may be other matters that did not come to our attention.

For each matter in this letter, we have included our observations, risk assessment and recommendations. The risk assessment is based on our understanding of your business. Management should make its own assessment of the risks to the organisation.

We have kept management informed of the issues included in this letter as they have arisen. A formal draft of this letter was provided on 20 November 2024. This letter includes management's formal responses, the person responsible for addressing the matter and the date by which this should be actioned.


The information in this letter and any attachment is confidential and intended for management and those charged with governance only. This document may not be shared with other parties without the consent of the Audit Office. It may not be distributed to persons other than management and those you determine to be charged with governance of the Council.

The Auditor-General may include items listed in this letter in the Report to Parliament. We will send you a draft of this report and ask for your comments before it is tabled in Parliament.

HAY SHIRE COUNCIL

If you would like to discuss any of the matters raised in this letter, please contact me on 9275 7454 or Josh Porker on 03 4435 3550.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Quentin Wong', with a stylized flourish at the end.

Quentin Wong
A/Director, Financial Audit

cc: Mr John Batchelor, Chair of the Audit, Risk and Improvement Committee
Cr Carol Oataway, Mayor

Final management letter

for the year ended 30 June 2024

Hay Shire Council





We have rated the risk of each issue as 'Extreme', 'High', 'Moderate' or 'Low' based on the likelihood of the risk occurring and the consequences if the risk does occur.

The risk assessment matrix used is based on principles within the risk management framework in [TPP12-03](#) 'Risk Management Toolkit for the NSW Public Sector'.

This framework may be used as better practice for councils.

		CONSEQUENCE			
		Low	Medium	High	Very high
LIKELIHOOD	Almost certain	M	M	H	E
	Likely	L	M	H	H
	Possible	L	M	M	H
	Rare	L	L	M	M

The risk level is a combination of the consequences and likelihood. The position within the matrix corresponds to the risk levels below.

RISK LEVELS	MATRIX REFERENCE
 Extreme:	E
 High:	H
 Moderate:	M
 Low:	L

For each issue identified, the principles within the consequence and likelihood tables, which are based on the principles within [TPP12-03](#) have been used to guide our assessment.

Consequence levels and descriptors

When assessing the consequence of each issue, we have regard to the length of time the issue remains unresolved. The lack of timeliness in resolving issues may indicate systemic issues and/or poor governance practices, which warrant an increase in the consequence level. As such, unresolved or unaddressed issues from prior periods are re-assessed annually. This re-assessment may lead to an increase in the risk rating adopted.

Consequence level	Consequence level description
Very high	<ul style="list-style-type: none"> Affects the ability of the entire entity to achieve its objectives and may require third party intervention; Arises from a fundamental systemic failure of governance practices and/or internal controls across the entity or across a critical/significant part of the entity; or May result in an inability for the auditor to issue an audit opinion or issue an unqualified audit opinion, and/or significant management work arounds and substantive tests of details was required in order to issue an unqualified opinion.
High	<ul style="list-style-type: none"> Requires coordinated management effort at the executive level; Arises from a widespread failure of governance practices and/or internal controls affecting most parts of the entity or across a significant/important part of the entity (eg. as demonstrated through a lack of timely resolution of unresolved/repeat issues); or May result in an inability for the auditor to issue an unqualified audit opinion, and/or significant management workarounds and substantive tests of details was required in order to issue an unqualified opinion.
Medium	<ul style="list-style-type: none"> Requires management effort from areas outside the business unit; or Arises from ineffective governance practices and/or internal controls affecting several parts or a key part of the entity (eg. as demonstrated through a lack of timely resolution of unresolved/repeat issues).
Low	<ul style="list-style-type: none"> Can be managed within normal management practices; or Arises from isolated ineffective governance practices and/or internal controls affecting a small part of the entity that are largely administrative in nature.

Likelihood levels and descriptors

When assessing the likelihood of each issue, we have regard to the length of time the issue remains unresolved because the longer the risk remains unresolved the greater the chance the weakness could be exploited, or an adverse event or events could occur. As such, unresolved or unaddressed issues from prior periods are re-assessed annually. This re-assessment may lead to an increase in the risk rating adopted.

Likelihood level	Frequency	Probability
Almost certain	The event is expected to occur in most circumstances, and frequently during the year	More than 99 per cent
Likely	The event will probably occur once during the year	More than 20 per cent and up to 99 per cent
Possible	The event might occur at some time in the next five years	More than 1 per cent and up to 20 per cent
Rare	The event could occur in exceptional circumstances	Less than 1 per cent

Summary of issues


Issue	Detail	Likelihood	Consequence	Risk assessment	
Current year matters					
1	<u>Grant register</u>	Likely	Medium	⚠	Moderate
2	<u>Financial statements preparation and reconciliation</u>	Likely	Medium	⚠	Moderate
3	<u>Non-IT business continuity testing not performed</u>	Likely	Medium	⚠	Moderate
4	<u>No work-in-progress ledger</u>	Likely	Medium	⚠	Moderate
5	<u>Improvements to cyber security</u>	Possible	Medium	⚠	Moderate
6	<u>Depreciation period for landfill asset</u>	Likely	Low	✓	Low
7	<u>Leave provision on-costs</u>	Likely	Low	✓	Low
8	<u>Long term financial plan</u>	Likely	Low	✓	Low
9	<u>Provision for long service leave for casual employees</u>	Likely	Low	✓	Low
10	<u>Improvements to IT policies</u>	Likely	Low	✓	Low
11	<u>Annual staff attestation to Code of Conduct</u>	Likely	Low	✓	Low
12	<u>Depreciation expense</u>	Possible	Low	✓	Low

Appendix

Review of matters raised in prior year management letters that have been addressed

Current year matters

Issue 1: Grant register

Likelihood	Consequence	Systemic issue	Category	Risk assessment
Likely	Medium	No	Operational	 Moderate

Observation

The Council does not maintain a grant register and does not maintain documented assessments for the treatment of grants received against the requirements of AASB 15 'Revenue from Contracts with Customers' and AASB 1058 'Income of Not-for-Profit Entities'.

We completed assessments for a sample of four income in advance balances at year end and noted that there were variances between the requirements of the revenue standards and Council's accounting treatment on all sampled grants. Management corrected the financial statements, to record the amounts as revenue for the year ended 30 June 2024, instead of income in advance as at 30 June 2024.

Implications

There is an increased risk of incorrect assessment and treatment of grant receipts, resulting in errors to the financial statements.

Recommendation

Management should implement a grant register. This register should be updated throughout the year as grants are received, and include key information such as:

- grantor
- total amount of grant
- method of revenue recognition, and relevant accounting standard
- reference to where the revenue assessment is documented
- key amounts, such as total grant amount, amount received, amount recognised as revenue, amount recognised as a contract liability, etc.

Management should regularly reconcile the amounts recorded on the grant register to the general ledger, and investigate variances timely.


Management response

Agree

Council will update its grant register to include the assessment of the grants on an individual basis.

Person responsible:	Date to be actioned:
Mark Dowling - Deputy General Manager	31 December 2024

Issue 2: Financial statements preparation and reconciliation

Likelihood	Consequence	Systemic issue	Category	Risk assessment
Likely	Medium	Yes	Operational	 Moderate

Observation

The Council's trial balance accounts generated from the finance system did not reconcile to the financial statements. Management processed numerous manual adjustments outside of the finance system to prepare the financial statements.

Implications

Manual adjustments increases:

- the risk of incorrect disclosure of balances in the financial statements
- the time taken to reconcile the financial statements and complete audit procedures.

The financial statements do not reflect the underlying records in the finance system.

Recommendation

Management should:

- review the current trial balance to ensure it is fit for purpose for the preparation of the financial statements
- ensure manual adjustments outside the finance system are not required to tie the trial balance directly to the financial statements.

Manual adjustments outside of the finance system should be rare, and any adjustments should be clearly documented, reviewed by an independent officer, and supporting documentation maintained for the auditor.


Management response

Agree

Council is already making changes to its ledger in preparation for the next years financial statements with the intention of keeping manual adjustments outside the ledger to a minimum.

Person responsible:	Date to be actioned:
Mark Dowling - Deputy General Manager	30 June 2025

Issue 3: Non-IT business continuity testing not performed

Likelihood	Consequence	Systemic issue	Category	Risk assessment
Likely	Medium	No	Operational	 Moderate

Observation

Council's Business Continuity Plan (BCP) requires business continuity plans for critical business functions to be exercised annually by the Council Enterprise Risk Management Committee. Discussion with management noted that the BCP was not fully tested in the current period due to a server migration in August 2023.

The BCP requires review and update due to the changes from the server migration completed during the period to ensure it is up to date with the Council's current environment.

Implications

Insufficient testing of the business continuity plan increases the risk of operational failures during a crisis, potentially leading to financial losses and regulatory penalties.

Recommendation

Management should:

- conduct a comprehensive review of the business continuity plan to ensure it is up to date with the current Council environment
- establish a formal testing schedule for non-IT business functions and:
 - allocate sufficient resources to conduct the testings
 - document the outcomes
 - present the findings to the Audit, Risk and Improvement Committee.


Management response

Agree

Council will establish a testing schedule and present the findings to ARIC when completed.

Person responsible:	Date to be actioned:
Mark Dowling - Deputy General Manager	30 June 2025

Issue 4: No work-in-progress ledger

Likelihood	Consequence	Systemic issue	Category	Risk assessment
Likely	Medium	No	Operational	 Moderate

Observation

We identified there is currently no account code for recording work-in-progress expenditure prior to the capitalisation of project costs to the balance sheet. The current process is that the work-in-progress expenditure is allocated directly to the asset class that it will be capitalised into when complete and a manual adjustment is made at year end to remove these balances in the financial statements.

Implications

This increases the risk that work in progress assets are being incorrectly capitalised. We did not identify a material misstatement from this issue.

Recommendation

Management should review the process for recording capital expenditure, such as by recording capital expenses in a separate general ledger account.

Management response

Agree

Council will review its process for recording works in progress with a view to improving the recording and identification in the ledger.


Person responsible:

Date to be actioned:

Mark Dowling - Deputy General Manager

31 December 2024

Issue 5: Improvements to cyber security

Likelihood	Consequence	Systemic issue	Category	Risk assessment
Possible	Medium	No	Operational	 Moderate

Observation

We reviewed the Council's cyber security controls and procedures and noted the following:

- Council does not have a register or list of all its information assets (knowledge, data of value)
- Council has not implemented a regular cyber security awareness training during the year
- Council has not completed a phishing simulation exercise during the year
- Council does not hold a centralised register of cyber incidents
- a number of Council active directory usernames have been shared due to breaches on Facebook and other sites.

Implications

Local government entities are increasingly being targeted due to the sensitive nature of information held.

Lack of a strong cyber security framework may increase the risk of cyber security incident and expose council to a broad range of risks, including financial loss, reputational damage, and data breaches. Cyber security incidents may include the theft of information, denial of access to critical technology, or hijacking of systems for profit or malicious intent.

Recommendation

Council should:

- create a register of all its information assets
- implement a regular cyber security awareness training, annual is best practice
- ensure that a phishing simulation exercise is carried out in the next financial year
- ensure a centralised register of cyber incidents is maintained
- ensure that Council emails and usernames are not used for no work related activities or applications.

Management response

Agree

Council is making steady improvements to its Cyber security systems having undertaken a detailed maturity assessment of its Cyber systems in 2024 as a pilot program with Marsh. The results from the assessment were satisfactory given our size and resources. The next phase of the improvement process will be to implement the recommendations from above and address some minor issues identified.

Person responsible:

Date to be actioned:

Mark Dowling - Deputy General Manager

30 June 2025

Issue 6: Depreciation period for landfill asset

Likelihood	Consequence	Systemic issue	Category	Risk assessment
Likely	Low	No	Operational	Low

Observation

Council calculates depreciation for the landfill asset based on the original expected costs for capping, divided by 22 years. The capping costs do not reflect the value of the landfill asset, so the depreciation amount is incorrectly allocated and will cause the asset to be fully depreciated prior to it being fully utilised.

Implications

The depreciation being applied is overstated. We did not identify a material misstatement in the financial statements.

Recommendation

Management should reassess the landfill asset value used for the depreciation calculation and the remaining useful life of the landfill to reflect the anticipated remaining period that the landfill will be utilised to ensure the depreciation applied annually will appropriately depreciate the asset over the assets expected useful life.


Management response

Agree

Council will reassess its landfill rehabilitation asset valuation including useful life calculation.

Person responsible:	Date to be actioned:
Mark Dowling - Deputy General Manager	30 June 2025

Issue 7: Leave provision on-costs

Likelihood	Consequence	Systemic issue	Category	Risk assessment
Likely	Low	No	Reporting	 Low

Observation

The Council's employee leave provision on-costs were incorrectly classified as accrued expenses rather than within the provisions balance in the financial statements.

Implications

The provisions balance is understated and the accrued expenses balance is overstated in the financial statements. We did not identify a material misstatement from this error.

Recommendation

Management should ensure this balance is correctly presented in future financial statements.

Management response

Agree

Council will include the leave provision on cost to leave provisions agreeing with this treatment. Council was showing the oncosts in accrued expenses because of a previous request.


Person responsible:

Date to be actioned:

Mark Dowling - Deputy General Manager

30 June 2025

Issue 8: Long term financial plan

Likelihood	Consequence	Systemic issue	Category	Risk assessment
Likely	Low	No	Compliance	 Low

Observation

Council's long term financial plan does not include financial modelling for at least three different scenarios, as required by the [Integrated Planning and Reporting Handbook for Local Councils in NSW](#).

Implications

Council's long term financial plan is not completed in accordance with the requirements of the Integrated Planning and Reporting Handbook issued by the Office of Local Government (OLG).

Recommendation

Management should ensure the long term financial plan complies with the OLG requirements.


Management response

Agree

Council will include three scenarios in its next long term financial plan acknowledging that its options are limited with such a high reliance on external funding and rate pegging in place.

Person responsible:	Date to be actioned:
Mark Dowling - Deputy General Manager	30 June 2025

Issue 9: Provision for long service leave for casual employees

Likelihood	Consequence	Systemic issue	Category	Risk assessment
Likely	Low	Yes	Compliance	 Low

Observation

While completing our review over the long service leave balance it was identified that there is currently no long service leave balances for casual staff held by the Council.

The Local Government State Award 2023 states 'a casual employee shall be entitled to long service leave in accordance with the Long Service Leave Act 1955 (NSW), provided that in calculating the employee's long service leave entitlement there shall be a deduction of the long service leave accrued as a casual employee prior to 1 July 2023.'

Implications

The long service leave balance may be understated.

Recommendation

Management should:

- review the Council's obligations under the Award
- provide for long service leave for casual employees in the financial statements.


Management response

Agree

Council is already working with the software provider to provide for long service leave accrued in the payroll system.

Person responsible:	Date to be actioned:
Mark Dowling - Deputy General Manager	30 June 2025

Issue 10: Improvements to IT policies

Likelihood	Consequence	Systemic issue	Category	Risk assessment
Likely	Low	No	Operational	 Moderate

Observation

We identified the following matters in the Council's IT general controls environment:

- the IT Procedure Guide does not include a date for the policy to be reviewed and updated
- the Council does not have a Data Management Policy.

Implications

Lack of formal IT policies and outdated policies may result in inconsistent practices and an increased likelihood of inappropriate changes and/or access to key systems and/or sensitive information.

Recommendation

Management should:

- review the IT Procedure Guide and update if required, and include an appropriate review date within the document
- implement a Data Management Policy.

Management response

Agree

Council will complete a review over the IT Procedure Guide to determine if an update is required and ensure that update is made if so. Council will also draft, review, and implement a Data Management Policy.


Person responsible:

Date to be actioned:

Mark Dowling - Deputy General Manager

30 June 2025

Issue 11: Annual staff attestation to Code of Conduct

Likelihood	Consequence	Systemic issue	Category	Risk assessment
Likely	Low	No	Operational	 Low

Observation

Council does not require staff to read the Code of Conduct and acknowledge their understanding of their obligations by signing an annual declaration.

Implications

It is important employees regularly attest to the Code of Conduct to evidence their commitment to ethical behaviour.

Recommendation

Management should update its policies and procedures to make it an annual requirement for staff to review and sign-off on the Council's Code of Conduct.

Management response

Agree

Council will implement a requirement for an annual attestation for all staff against the Code of Conduct in addition to its current training program and initiatives.

Person responsible:

Date to be actioned:

Mark Dowling - Deputy General Manager

30 June 2025

Issue 12: Depreciation expense

Likelihood	Consequence	Systemic issue	Category	Risk assessment
Possible	Low	No	Operational	Low

Observation

We identified the following assets are not componentised in the fixed assets register:

- 74 - IT Computer Equipment
- 89 - Medical Centre - Hospital.

Additions to the assets are added to the opening cost rather than being raised as individual assets in the asset register.

Implications

The depreciation is being incorrectly calculated on new assets purchased during the year for items held in these line items. We did not identify a material misstatement from this matter.

Recommendation

Management should:

- appropriately componentise assets recorded in the fixed asset register, including additions
- assess the accuracy of depreciation recorded for these assets.

Management response

Agree




Council has commenced work to achieve requirement.

Person responsible:	Date to be actioned:
Mark Dowling - Deputy General Manager	30 June 2025

Appendix

Review of matters raised in prior year management letters that have been addressed

The issues in this appendix were raised in previous management letters. For each of these issues, we have determined how management has addressed the issue in the current year.

Prior issues raised	Risk assessment	Assessment of action taken	Recommendation
Final management letter for the year ended 30 June 2023			
Outdated policies and procedures	 Low	Action due date: 24 June 2024	Nil as matter addressed.
Review of transfer of capital WIP	 Moderate	Action due date: 30 June 2024	Nil as matter updated and incorporated with issue 5 findings in this letter.
Interim management letter for the year ended 30 June 2024			
Disaster Recovery Plan	 Moderate	Action due date: 30 September 2024	Nil as matter addressed.

C12 - Monthly Financial Report – November 2024

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 30th November 2024 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 30th November 2024.

Fund	August	September	October	November
General	4,124,259.51	4,195,958.66	3,613,029.73	3,291,939.96
Water	2,565,950.04	2,381,158.26	2,417,549.24	2,667,509.87
Sewer	1,747,230.60	1,538,685.69	1,490,000.94	1,583,787.17
Hydrotherapy	320,423.81	320,423.81	320,450.52	320,464.09
Dunera	48,860.22	48,860.22	51,729.76	52,768.59
Total	8,806,724.18	8,485,086.64	7,892,760.19	7,916,469.68

3 RATE COLLECTIONS

Rate levied on 31/7/2024 \$4,541,540.48

4 RESERVES

Council's Reserve funds are listed below: -

	30/11/2024
GENERAL FUND	
Computer Replacement Reserve	31,919.75
Leave Reserve	670,474.44
Aerodrome Reserve	32,274.20
HACC	414,699.66
Financial Assistance Grant	3,882,077.00
Swimming Pool	6,000.00
Carry over Works	321,008.00
Capital Works	1,213,352.58
Land Development Reserve	61,168.49
Waste Services	100,000.00
Youth Services	3,014.29
Levee Bank Reserve	524,931.85
Library reserve	13,927.28
LEP reserve	3,677.22
Plant Reserve	284,147.07
Duval Scholarship	20,266.20
Total General Fund	7,582,938.03
WATER FUND	
Renewals Reserve	871,700.95
Total Water Fund	871,700.95
SEWER FUND	
Renewals Reserve	205,735.98
Future Requirements Reserve	1,567,606.82
Total Sewer Fund	1,773,342.80
TOTAL RESERVES	10,227,981.78
<i>Funds Invested other than Reserves</i>	
<i>General Working Funds</i>	3,444,742.73
TOTAL FUNDS INVESTED	13,672,724.51

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	03-10-2024	03-01-2025	4.83	92	20,966.17	1,722,174.19
CBA	25-11-2024	24-02-2025	4.87	91	32,898.09	2,709,525.47
NAB - 164525911	05-09-2024	04-12-2024	4.92	90	10,055.35	828,861.92
NAB - 171325926	05-09-2024	04-12-2024	4.92	90	3,948.17	325,446.98
NAB - 762338411	19-11-2024	17-02-2025	4.95	90	26,689.19	2,186,655.68
NAB - 808501318	09-09-2024	08-12-2024	4.92	90	30,190.62	2,488,611.43
I.M.B. - 48169	09-10-2024	08-01-2025	4.80	91	9,017.34	753,509.47
Bendigo - 2619308	11-09-2024	11-12-2024	4.77	91	4,300.16	361,591.04
Westpac - 146449	13-09-2024	13-12-2024	4.57	91	9,094.20	798,178.33
A.N.Z - 11373	22-10-2024	22-01-2025	4.73	92	17,861.47	1,498,170.00
CBA	03-10-2024	03-01-2025	4.83	92	20,966.17	1,722,174.19
Total Investments						13,672,724.51

CERTIFICATION

I hereby certify that all investments as of 30th November 2024 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 <i>D.1 Our community is supported by a strong and resilient Council that is responsive to its needs</i> 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.

C13 – Library Report October 2024

REPORTING OFFICER	Librarian
ATTACHMENTS	Nil

INTRODUCTION

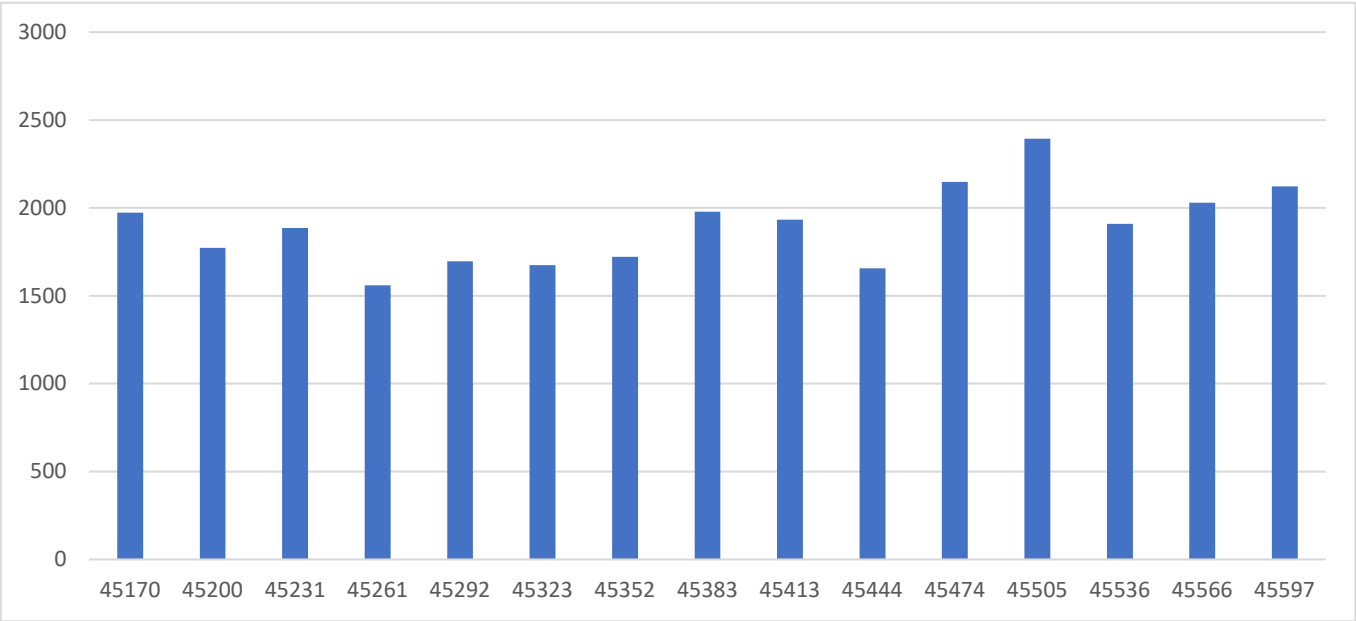
UPDATE ON LIBRARY NEWS

COMMENTARY

USER STATISTICS

Library Members and Visitors for the month of October – 2123

Internet and Computers Users for the month of October – 104



Library was very busy in November with Story times particularly popular. This month’s theme was “seasons” with the photos following showing the seasons of autumn and winter.



Story Time Autumn



Story Time Winter

RELEVANCE TO STRATEGIC COMMUNITY PLAN	<p>B. Liveable and vibrant community</p> <p><i>B1 Maintain and beautify the town centres</i> B1.1 Enhance the atmosphere of the main street and public areas B1.2 Support and promote public art initiatives</p> <p><i>B2 Our Community has available housing options</i> B2.1 Improve access to diverse range of housing opportunities</p> <p><i>B3 Our community has access to a range of employment opportunities</i> B3.1 Develop skilled labour force to meet community needs B3.2 Promote inclusion of all ability's workers in the business community B3.3 Advocate, support, and seek partnerships with providers to generate more options and scope for all levels of education</p> <p><i>B4 All cultures are strong, well supported and flourishing</i> B4.1 Ensure services are accessible to all groups in our community B4.2 Support cultural programs and initiatives, including First Nations B4.3 Promote inclusion in the community</p> <p><i>B5 Our community has access to a range of community</i> B5.1 Advocate for greater capacity for local based childcare services B5.2 Support local childcare services B5.3 Support local health initiatives and programs B5.4 Advocate for and support local health providers and stakeholders</p>
FINANCIAL IMPLICATION	Nil
LEGISLATIVE IMPLICATION	Nil
POLICY IMPLICATION	Nil
ASSET IMPLICATION	Nil
RISK IMPLICATION	Nil

RECOMMENDATION

That Council notes the information provided in the report.

C14 - Tourism & Economic Development**October / November 2024**

REPORTING OFFICER	Executive Manager Economic Development and Tourism
ATTACHMENTS	Nil

INTRODUCTION

Monthly update on the activities of Economic Development and Tourism

COMMENTARY**Visitor Information Centre (VIC)**

The Visitor Information Centre assisted 940 visitors during November 2024.

Statistics below reflect the percentage of Hay VIC visitors who attended Hay attractions:

- Shear Outback attracted 414 visitors in November.
- 14% visited Dunera Museum with 129 visitors.
- 29 % visited Hay Gaol with 281 visitors
- 7 % visited Bishop's Lodge with 65 visitors
- 46 % of visitors were from NSW
- 29 % of visitors from Victoria
- 14% of visitors from South Australia

The Tap and Go (paywave) accounted for 60% of all transactions at the Hay Gaol, Bishop's Lodge and Dunera museums.

The Cycle Hay experience attracted 19 bike hires for the month of November.

Visitor feedback –

"Fantastic spot to view the sunsets over the vast Hay Plains. Loved it so much we went back the second night we stayed". Karen Beckman (Sunset Viewing)

"Beautiful peaceful place to enjoy the sunsets" Sue Pendlebury (Sunset Viewing)

"Thank you for keeping their story alive", Barry, Mildura (Dunera)

LOVE Hay Program

The LOVE Hay program has reached a significant total of \$584 862.00 since commencement in October 2020.

Update on Love Hay cards for November 2024.

- Number of cards sold in November :127
- Total loaded on cards in November: \$8,990.00

TED Team providing assistance/or delivery to the following events:**Upcoming Events**

14 Dec	Maude Christmas Tree
15 Dec	Carols by Candlelight (Railway Station)
18 Dec	LOVE Hay this Christmas event (Shop Local campaign)
23 Dec	Booligal Christmas Party
26 January	Australia Day (Breakfast & Activities)
24-26 January	HLFN Fishing Comp

NSW Tourism Awards

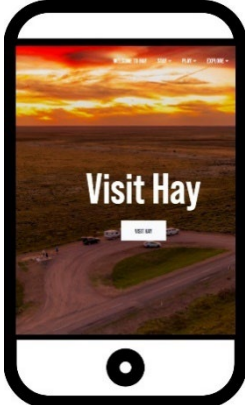
Staff attended the 2024 NSW Tourism Awards in Sydney on Thursday November 28, while not taking home the award the Hay Museums Experience was a finalist in the Cultural Tourism which recognises tourism businesses that foster a greater understanding and appreciation of authentic culture, history and heritage.


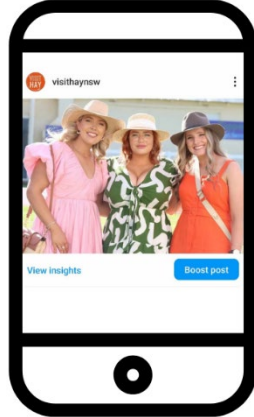


Hay Gaol Museum

Staff invited Hay Gaol Committee members to morning tea on Wednesday 20 November to thank them for their many years of volunteering. Current members will transition to “Friends of the Gaol” to ensure their valuable input remains. The volunteers were thanked for their years of service and commitment to preserving the history of Hay and noted the value of their work in the Visitor economy.



Digital Channel	Reach	Top Content
Website	<ul style="list-style-type: none">• 8523 views to the Visithay website –• 3821 new visits• Direct - typed in Visithay – 653 users	

Digital Channel	Reach	Top Content
Facebook	<ul style="list-style-type: none"> 46 567 page users up from 22 208 in September Finalist in NSW Tourism awards top post with reach of 3 418 Page followers 4061 	
Instagram	<ul style="list-style-type: none"> 1503 followers in October – increase from 1503 September 4412 page impressions 892 people reached Hay Races with 782 accounts reached and 34 engagements 	

Destination Management Plan

The Destination Management Plan was endorsed by the Council in 2021. The TED team have started 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	Announcement of artists for Tunes on Green and Tickets on sale for Christmas.
Action 6.2	Strengthen collaboration across LGA boundaries as well as with the important stakeholders such as DNRM, DNSW and other Regional Tourism organisations	Staff attended the Visit Riverina Annual General Meeting in December. Visit Riverina has appointed a part time manager to increase brand recognition and collaboration.
Action 6.4	Allocate resources to measure and interpret visitor data on an annual basis, including on numbers of	Staff finalising marketing and integrated digital advertising plan.

	visitors, spend and market segments	
--	-------------------------------------	--

Economic Analysis - Monthly Analysis

Data provided by Spendmap. The data takes all debit and credit transactions for one major Australian Bank Group (including transactions via phone, in person EFTPOS and via internet). The data is then adjusted for all banks and weighted to account for cash and non-card payments including BPay and cheque. The result is a summary of all transactions within the Hay LGA each month.

Expenditure Type	Nov 23	Nov 24	Change
Total Local Spend	\$3.98 mill	\$4.36 mill	9.54%
Resident Local Spend	\$1.95 mill	\$2.04 mill	4.77%
Visitor Local Spend	\$2.03 mill	\$2.32 mill	14.11%
Resident Escape Spend	\$3.16 mill	\$3.01 mill	-4.63%
Resident Online Spend	\$2.62 mill	\$3.00 mill	14.55%

The increase in Visitor Local Spend of 14.11% can be attributed to the following:

- Rainbows on the Plains - weekend spend of \$465 000 (compared to a normal weekend of \$247 000)
- Hay Races - weekend spend of \$475 000 (compared to a normal weekend of \$247 000)
- increases economic activity due to workforce associated with the TransGrid transmission line construction.

South West Renewable Energy Zone

Summary table of projects below with a material impact on Hay.

Proponent	Project Title	Generation	Location to Hay	Planning Status
Kilara Energy (Hay, Murray River)	Wilan Wind Farm	800MW (138 turbines)	80km west	Prepare EIS
Vestas (Hay, Edward River)	Abercrombie Wind Farm	2.5 GW (348 turbines)	40km west	SEARS
Someva Renewables (Hay, Edward River)	Pottinger Energy Park	1 GW (247 turbines)	60km south	Assessment
Goldwind (Hay, Edward River, Murray River)	Baldon Wind Farm	900MW	75km south west	Response to Submissions
Neoen Australia (Edward River)	Tchelery Wind Farm	800MW (120 Turbines)	67km south west	Prepare EIS
Bay-We (Hay, Edward River)	Bullawah Wind Farm	143 Turbines	30km south east	Response to Submissions
Engie (Hay)	Plains Renewable Wind Farm	1.3G (188 Turbines)	20 km south of Hay	Response to Submissions
Acciona (Murray River)	Kerri Kerri Renewable Energy Project	155 Turbines	80 km west of Hay	Response to Submissions
Octopus (Edward River)	Saltbush Wind Farm	400 MW (70 Turbines/ 1200 BESS)	KM south	Prepare EIS

EnergyCo will be presenting to Council at Councillor Development Session on 10th December to update Council progress of South West REZ..

Transitional Housing Roadmap

Staff are currently conducting a community wide Housing Survey to provide information on current and future housing needs of the community. To date there have been 252 responses with the survey closing on 19 December. Results will be used to inform the Housing Roadmap.

NBN Co

There are two programs running concurrently addressing both fibre and wireless connectivity within the Hay township.

1. NBN Co are currently in build and design process to deliver the Fibre Connect Program. The program is readying areas currently connected via copper to provide fibre connectivity on demand at no cost to consumers (for residents/business with plans over 100MB) to provide high speed connectivity.
2. With support of HSC, NBN Co secured funding in 2023 under the GigState Funding. The program will be delivered in 2025 and will provide high speed wireless broadband connectivity, to Hay surrounds (outside of town centre). Project details are still being finalised with NSW State Government. Andrew Cottrill from NBN will address the February 2025 Council meeting to provide an update on both projects.

Telstra 3G Closure

The General Manager and Executive Manager Economic Development and Tourism met with Chris Taylor and Robert Gruevski from Telstra on Friday 29 November to discuss the impact of the 3G closure on rural landholders, transport companies, visitors and emergency services. It was noted that there had been a reported significant decline in coverage for many in the Hay LGA.

In the first instance, the meeting sort to find an immediate response for those experiencing connectivity and coverage issues. Telstra has supplied a step-by-step process that will ensure issues are noted and addressed. An outline of the process will be circulated to the community.

Telstra noted that the obligation to provide coverage is based on handheld coverage (with no booster equipment) previously experienced by customers.

Telstra were unable to provide an ongoing solution to the issue, outside of dealing with the individual cases. Staff felt that it was important to encourage as many reports from customers as possible to highlight the impact and where possible to provide solutions that may be addressed through hardware/software upgrades. Staff asked for Telstra to outline what a customer can expect when completing each step.

Noting the quantum of complaints will assist in further lobbying for community.

Going forward Telstra suggested the use of Starlink Roam as a solution for those community members who had previously had coverage as a way to be able to communicate in remote areas. This comes at a cost, with a need to invest in additional hardware and subscriptions (\$599 for hardware, \$80 ongoing per month). It was noted that this is not a practical solution for landholders and workers using motorbikes or ATV's and is only a solution for vehicles.

On the issue of emergency services, particularly the Rural Fire Service volunteers being unable to co-ordinate during fires, Telstra were unable to provide a solution. Staff will make representation to the RFS through the LEMC process to advocate for better communication in emergencies.

Staff expressed a need for Telstra to support local suppliers of equipment, such as Betta Electrical to manage customers needs and expectations. Telstra will investigate the opportunity to provide the support, noting that the local suppliers are often a trusted source of information.

Youth Development

Life Ready

First Aid Training (Regional Youth Investment Program - RYIP)

Nineteen young people have been supported to obtain their First Aid Certificate through a course delivered in partnership with Hay War Memorial High School. Practical first aid skills are considered essential life skills for our young people and can also assist with employment and volunteering opportunities.

Driver Education (RYIP)

Applications are currently open for the 2025 round of one-on-one driving lessons scheduled to commence in February 2025. These lessons will be complemented by other driver safety initiatives including a Safer Driver Course and Car Maintenance Workshops being held over the weekend of 15-16 February 2025.

Wellbeing

Giz A Break (RYIP)

Seven young men took part in a Giz A Break resilience adventure trip to the Grampians in Victoria from 26-29 November 2024.



Community

Youth Day/Rainbow on the Plains (RYIP)

The Youth Taskforce celebrated youth day in conjunction with the “reflections” themed Rainbow on the Plains festival. Founding member Emma Johnston delivered a reflection on the Taskforce’s involvement in the festival at the festival’s official opening.

Fifteen Taskforce members marched in the festival parade, followed by Fair Day with a magician/balloon modeller, water zone, chill zone, live music set, interactive dance session and facepainting.

The evening roller discos were attended by 53 young people.



Youth Taskforce and Community Participation

10 Youth Taskforce members assisted at the St Mary's Christmas fete on 2 December 2024. The youth assisted with food preparation and serving, carriage rides, petting zoo and pack-down.

Summer Holiday Break

Summer Holiday Break funding of \$3,300 has been obtained for a youth summer pool party in January 2025 with live music, food and games.



Connectivity

NSW Youth Summit (RYIP)

Youth Taskforce members Janna Negm and Luke Nevinson were given the opportunity to speak directly with 13 NSW Government Ministers, government officials and youth entrepreneurs at the inaugural NSW Youth Summit held in Sydney on 18 November 2024.

The summit brought together nearly 100 young people aged 12-30 from diverse regional and metropolitan communities, backgrounds and life experiences to talk directly with policymakers about the issues that matter most to them. It provided a unique opportunity for young people to speak directly to those in power, addressing the policies including cost-of-living pressures, mental health, housing availability, climate change, education and employment.

Both participants gained valuable insights, experiences and networks from the event.



**RELEVANCE TO STRATEGIC
COMMUNITY PLAN**

B. Liveable and vibrant community

B3 Our community has access to a range of employment opportunities

B3.1 Develop skilled labour force to meet community needs

B3.2 Promote inclusion of all abilities workers in the business community

B3.3 Advocate, support, and seek partnerships with providers to generate more options and scope for all levels of education

B4 All cultures are strong, well supported and flourishing

B4.1 Ensure services are accessible to all groups in our community

B4.2 Support cultural programs and initiatives, including First Nations

B4.3 Promote inclusion in the community

	<p>C Economic prosperity and sustainability</p> <p><i>C1 Our community welcomes new and innovative industry to support our future</i></p> <p>C1.1 Create a better business environment</p> <p>C1.2 Boost demand for products and services from Hay</p> <p>C1.3 Facilitate growth industries</p> <p>C1.4 Nurture and support the development and expansion of local industries</p> <p><i>C2 Our community values its history and tourism</i></p> <p>C2.1 Actively identify promote and enhance tourism initiatives</p> <p>C2.2 Promote accommodation and camping facilities</p> <p>C2.3 Showcase our open space, recreation and cultural facilities</p> <p><i>C3 We have the capacity to hold numerous events and activities</i></p> <p>C3.1 Promote events and activities</p> <p>C3.2 Promote our capacity to stage events</p> <p><i>C4 Our Community is innovative and adaptive</i></p> <p>C4.1 Identify opportunities to grow the agriculture sector</p> <p>C4.2 Improve connectivity in the community</p> <p>C4.3 Continue to seek investment in our community from State and Federal Government</p> <p>C4.4 Support education and training initiatives</p>
FINANCIAL IMPLICATION	Minimal
LEGISLATIVE IMPLICATION	N/A
POLICY IMPLICATION	N/A
ASSET IMPLICATION	N/A
RISK IMPLICATION	Low

RECOMMENDATION

That Council notes the information in the report.

C15 – Circulars and other Government Correspondence

REPORTING OFFICER	General Manager
ATTACHMENTS	<ul style="list-style-type: none"> (i) <i>OLG Circular 24-21 – 13th November 2024 – Fresh start toolkit for Councils</i> (ii) <i>OLG Circular 24-22 – 22 September 2024 – Mandatory Notification of Data Breach Scheme Trends Report 2023-24</i> (iii) <i>Minister McBain – 18th November 2024 – letter in response to Hydrogen Production for Heavy Vehicles Case Study</i> (iv) <i>NSW Parliament – 29th November 2024 – Report - Inquiry into the ability of local governments to fund infrastructure and services</i> (v) <i>NSW Reconstruction Authority Joint Select Committee – 2nd December 2024 - Review of the NSW Reconstruction Authority Act 2022</i> (vi) <i>NSW Parliament – 3rd December 2024 - Inquiry into Integrity, efficacy, and value for money of the Local Small Commitments Allocation process</i>

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 24-21 - 13th November 2024 – Fresh start toolkit for Councils*
The OLG has released a toolkit to help Councils aid in their engagement in the recently announced apprenticeship, trainees and cadets' program. As stated last month, Hay Shire Council is not participating in this program.
- (ii) *OLG Circular 24-22 – 22 September 2024 – Mandatory Notification of Data Breach Scheme Trends Report 2023-24*
The OLG has released a report on the data breach trend in LG for 2023-24. Nothing of note for Hay Shire Council.
- (iii) *Minister McBain – 18th November 2024 – letter in response to Hydrogen Production for Heavy Vehicles Case Study*
Council undertook a case study into Hydrogen Production for Heavy Vehicles in 2023. We have forwarded to the Minister McBain at her request, who has forward to Minister Bowen on our behalf. The Albanese Government new National Hydrogen Strategy sets up Australia as renewable superpower. As our hydrogen industry scales, it will provide further and greater benefit for regional communities, support broader economic growth and provide a key lever for Australia to reach net zero.

(iv) *NSW Parliament – 29th November 2024 – Report - Inquiry into the ability of local governments to fund infrastructure and services*

The NSW Government has released the report for the Inquiry into the ability of local governments to fund infrastructure and services. There are 17 recommendations, all of which should be supported if local government is to become financially sustainable. It will be interesting to see the Government's response when released.

(v) *NSW Reconstruction Authority Joint Select Committee – 2nd December 2024 - Review of the NSW Reconstruction Authority Act 2022*

The NSW Government has released its report into the review of the NSW Reconstruction Authority Act 2022. Components of the 10 recommendations are concerning, particularly around possible Planning powers to be given to Reconstruction Authority and also impost passed on Councils. Again, it will be interesting to see the Government's response when released.

(vi) *NSW Parliament – 3rd December 2024 - Inquiry into Integrity, efficacy, and value for money of the Local Small Commitments Allocation process*

The NSW Legislative Council's Public Accountability and Works Committee is currently conducting an Inquiry into the integrity, efficacy, and value for money of the Local Small Commitments Allocation process.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	<p>D Governance and Organisational Performance</p> <p><i>D1 Our community is supported by a strong and resilient Council that is responsive to its needs</i></p> <p>D1.1 Communicate organisational performance to the community</p> <p>D1.2 Council effectively manages its resources</p> <p>D1.3 Council put in place the necessary systems to ensure good governance and to also ensure they are implemented.</p> <p>D1.4 Council decision making is based on a sound appreciation of community issues and needs, supporting by reliable information and asset management systems.</p> <p>D1.5 Council will lead by example.</p> <p>D1.6 Council will seek to continuously improve</p> <p>D1.7 Obtain a sustainable funding model</p> <p>D1.8 Develop and encourage internal capabilities</p> <p><i>D2 Our Community is connected and informed</i></p> <p>D2.1 Enable all residents and groups to participate in local decision making</p> <p>D2.2 Effectively communicate the range, availability and operation of services and facilities</p>
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
POLICY IMPLICATION	Nil

ASSET IMPLICATION	Nil
RISK IMPLICATION	Minimal

RECOMMENDATION

That Council notes the information provided in the report.

Circular to Councils

Subject/title	Fresh Start Toolkit for Councils
Circular Details	Circular No 24-21 / 13 November 2024 / Doc ID A937535
Previous Circular	<u>Council Circular 24-20 A Fresh Start for Local Government Apprentices, Trainees and Cadets Grants Program</u>
Who should read this	Council staff, Engagement and Talent Acquisition teams
Contact	<u>freshstart@olg.nsw.gov.au</u>
Action required	Information

What's new or changing?

- The Office of Local Government (OLG) has issued a Stakeholder Toolkit for councils to aid their engagement around the *Fresh start for local government apprentices, trainees and cadets* (Fresh Start) program.

What will this mean for council?

- The Toolkit provides text, graphics, videos and communication scripts to guide councils engaging with the public about the Fresh Start program and its purpose.
- Councils can use the Toolkit to update websites, produce newsletters and social media updates, and keep their community engaged on the Fresh Start program.

Key points

- The Stakeholder Toolkit can be found online at <https://olg.nsw.gov.au/apprentice-trainee> under the 'Stakeholder Resources' tab at the bottom of the page.

Where to go for further information

- For more information contact the Fresh Start program team at freshstart@olg.nsw.gov.au

Danny Lester

Acting Deputy Secretary, Office of Local Government

Circular to Councils

Subject/title	Mandatory Notification of Data Breach Scheme Trends Report 2023-2024
Circular Details	Circular No 24-22 / 22 September 2024 / A935874
Previous Circular	<i>Circular 24-06 Privacy and the Mandatory Notification of Data Breach Scheme</i>
Who should read this	Councillors / General Managers / All council staff
Contact	Information and Privacy Commission / 1800 472 679
Action required	Information / Council to Implement

What's new or changing?

- The Acting Privacy Commissioner has released the first Mandatory Notification of Data Breach Scheme (MNDB Scheme) Trends Report (the Report) for November 2023 to June 2024.
- The Report provides preliminary insights into the operation of the MNDB Scheme following its commencement in November 2023.
- It draws from the statistical data from notifications received and the Information and Privacy Commission's (IPC) broader engagement with agencies.

What will this mean for council?

- The Report provides useful insights that councils may draw from to uplift their data breach preparedness and understanding.
- Council staff can be its most valuable asset in ensuring that personal information is safely and securely handled. Councils should build a pro-privacy culture, invest in training on end-to-end information management, document security and privacy awareness, and embed robust privacy practices into the design of systems and processes.

Key points

- The MNDB Scheme requires NSW public sector agencies, including councils, to notify the Privacy Commissioner and provide notifications to affected individuals in the event of an eligible data breach subject to the *Privacy and Personal Information Protection Act 1998*.
- The MNDB Scheme also requires the local government sector to satisfy other data management requirements, including to maintain an internal data breach incident register, and have a publicly accessible data breach policy.
- The Report shows that:
 - 78% of notifications from the local government sector were attributable to human error. Human error was the dominant cause of data breaches across all sectors
 - 22% of notifications for the local government sector involved a criminal or malicious attack
 - 11% of all notifications from the local government sector involved a systems fault
 - 7,054 individuals were affected by a council data breach.
- Cyber security for local government is an area requiring attention, having regard to the total number of cyber incidents notified during the reporting period.
- Data breach readiness is key to responding to data breaches in a timely, effective and efficient manner.
- Delegations should be made to officers with the appropriate level of seniority and necessary expertise to respond to a data breach.
- Notifications to affected individuals are most effective when they provide clear advice on what happened and what steps an individual should take. Provision of assistance should be meaningful and comprehensive. Councils should recognise that the nature of assistance may differ in individual circumstances.
- Councils should consider their data breach response plans and service contracts to ensure that they adequately address their data breach requirements under the MNDB Scheme.

Where to go for further information

- The Report can be accessed at [MNDB Scheme Trends Report](#).
- For resources to support councils with their MNDB responsibilities, go to [Mandatory Notification of Data Breach Scheme](#) on the IPC's website.
- For more information, contact the IPC at 1800 472 679.

A handwritten signature in black ink, appearing to read "Danny Lester".

Danny Lester
A/Deputy Secretary
Office of Local Government



The Hon Kristy McBain MP

Minister for Regional Development, Local Government and Territories
Member for Eden-Monaro

Ref: MC24-017956

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 email of 2 October 2024 regarding the Hay Shire Council's business case for investigating green hydrogen production for heavy vehicles.

The Albanese Government new National Hydrogen Strategy sets up Australia as renewable superpower. As our hydrogen industry scales, it will provide further and greater benefit for regional communities, support broader economic growth and provide a key lever for Australia to reach net zero.

As requested, I have referred the Hay Shire council's business case to the Hon Chris Bowen MP, Minister for Climate Change and Energy, for consideration.

Thank you for bringing these Hay Shire matters to the Albanese Government's attention.

Yours sincerely

Kristy McBain MP

18/11/2024

cc The Hon Chris Bowen, Minister for Climate Change and Energy



HAY SHIRE COUNCIL

LEGISLATIVE COUNCIL

STANDING COMMITTEE ON STATE DEVELOPMENT

Ability of local governments to fund infrastructure and services

Report 52

November 2024



www.parliament.nsw.gov.au

Standing Committee on State Development

Ability of local governments to fund infrastructure and services

Published on 29 November 2024 according to Standing Order 238

**New South Wales. Parliament. Legislative Council. Standing Committee on State Development.
Report no. 52.**

Ability of local governments to fund infrastructure and services.

"November 2024"

Chair: Hon Emily Suvaal MLC



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Terms of reference

That the Standing Committee on State Development inquire into and report on the ability of local governments to fund infrastructure and services, and in particular:

- (a) the level of income councils require to adequately meet the needs of their communities
- (b) examine if past rate pegs have matched increases in costs borne by local governments
- (c) current levels of service delivery and financial sustainability in local government, including the impact of cost shifting on service delivery and financial sustainability, and whether this has changed over time
- (d) assess the social and economic impacts of the rate peg in New South Wales for ratepayers, councils, and council staff over the last 20 years and compare with other jurisdictions
- (e) compare the rate peg as it currently exists to alternative approaches with regards to the outcomes for ratepayers, councils, and council staff
- (f) review the operation of the special rate variation process and its effectiveness in providing the level of income Councils require to adequately meet the needs of their communities
- (g) any other related matters.

The terms of reference for the inquiry were referred to the committee by the Hon Ron Hoenig MP, Minister for Local Government on 8 March 2024 and adopted by the committee on 14 March 2024.¹

¹ *Minutes*, NSW Legislative Council, 19 March 2024, p 981-982.

Committee details

Committee members

Hon Emily Suvaal MLC	Australian Labor Party	<i>Chair</i>
Hon Sam Farraway MLC	The Nationals	<i>Deputy Chair</i>
Hon Mark Buttigieg MLC	Australian Labor Party	
Dr Amanda Cohn MLC *	The Greens	
Hon Scott Farlow MLC *	Liberal Party	
Hon Emma Hurst MLC	Animal Justice Party	
Hon Stephen Lawrence MLC	Australian Labor Party	
Hon Peter Primrose MLC	Australian Labor Party	

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- * Dr Amanda Cohn MLC substituted for Ms Cate Faehrmann MLC from 15 March 2024 for the duration of the inquiry.
- * The Hon Scott Farlow MLC replaced the Hon Taylor Martin MLC as a substantive member of the committee from 8 May 2024.

Secretariat

Amanda Assoum, Principal Council Officer

Julianna Taahi, Senior Council Officer

James Ryan, Administration Officer

Gareth Perkins, Administration Officer

Laura Ismay, Director

Shaza Barbar, Director

Chair's foreword

As the level of government closest to local communities, it is important that local governments deliver the services communities expect in a financially sustainable way. This inquiry examined whether the level of income councils receive adequately meets the needs of their communities.

Within the legislative and regulatory framework underpinning local governments, it is clear that local councils face significant revenue raising and cost pressures to adequately meet the needs of their communities. The evidence showed that the financial challenges councils are experiencing cannot be overcome through fiscal discipline alone and are threatening the long-term sustainability of the sector.

The committee heard that for almost 50 years the rating system legislated in the *Local Government Act 1993* has restricted the ability of local governments to set their own rates. Alongside this, community expectations of their local councils have changed over time. More than 'roads, rates, and rubbish', councils have responded to community demands by offering services like childcare, aged care, arts and culture. In regional and remote communities, councils are the 'provider of last resort', offering services like post offices and even medical facilities where there is no service delivery alternative available from State or Federal Governments, or the private sector. The provision of these services, under a system where rating income is externally fixed, has in many cases led to an erosion of the broader budgetary and financial sustainability of these councils.

Even in councils that focus on the provision of basic services, the committee heard clear evidence that the rate peg has not kept pace with the level of income councils require to adequately meet the needs of their communities.

Therefore, a key recommendation of this report is that the NSW Government redesign the local government rating system, including reassessing council base rates. In doing so, the NSW Government should seek to implement measures to provide local government greater flexibility to set rates in response to actual cost increases and community service demands and expectations, while ensuring that there are sensible safeguards to keep rates affordable. Councils should also continually evaluate their service delivery to ensure that ratepayer money is being spent effectively.

Stakeholders also shared concerns about financial sustainability impacts from other sources of income for local councils, such as annual charges and user fees and charges, grants funding and developer contributions. Many of these other sources of income no longer meet or reflect the actual cost of providing required community services. The committee has made several recommendations in this report on this issue, which should assist in improving the financial sustainability of local governments.

In addition to sources of income, the committee also examined the expenditure of local governments in delivering services and managing assets and infrastructure. Local governments have a growing role in the community and operating expenditure has increased over the last decade for all council types, with rural councils experiencing the largest proportionate increase. The recommendations we have made in relation to income and revenue should go some way in addressing the cost pressures local councils face in delivering community services and assets and infrastructure. However, it is also important to note that the responsibility to provide services that communities need must be balanced with fiscal discipline and reflect a community's highest priorities.

Natural disasters were raised as having a considerable impact on council expenditure and financial sustainability, given the critical role local councils play in the community in disaster response and mitigation. While natural disaster assistance funding is available from other tiers of government, councils often still need to divert funds and resources towards the reconstruction of council-owned assets. The committee therefore recommended that the NSW Government continue to improve the timeliness of

disaster recovery assistance funding to local councils by utilising funding agreements such as tripartite arrangements, and advocate to the Commonwealth Government to incorporate betterment funding into disaster recovery funding arrangements.

A consistent theme of the evidence received by the committee was that the accounting standards used by local governments are not fit for purpose. The committee heard that the budgeting processes in local governments are opaque and that the depreciation of non-realisable assets artificially weakens the finances of councils. As a result, the committee has made a number of other recommendations that seek to address the impact of cost shifting, depreciation and financial reporting on local governments.

On behalf of the committee, I would like to thank all participants for their contribution to this important inquiry, including the local councils, organisations and individuals. Finally, I extend my thanks to my fellow committee members for their cooperation and commitment to this inquiry, as well as to the committee secretariat for their assistance.

Hon Emily Suvaal MLC

Committee Chair

Recommendations

Recommendation 1

40

That the NSW Government conduct a comprehensive review of the rate exemptions and concessions under the *Local Government Act 1993* to:

- better target the eligibility criteria for rate exemptions and concessions
- achieve a better balance between local council financial sustainability, community benefits and principles of equity.

Recommendation 2

41

That the NSW Government redesign the local government rating system, including reassessing council base rates, and seek to:

- implement measures, such as greater use of the Integrated Planning and Reporting framework and rates benchmarking, to provide local government greater flexibility and latitude to set their own rates
- emphasise the importance of continual evaluation and service delivery
- keep rates affordable and maintain safeguards to ensure rates meet community needs
- examine the use of capital improved value, rather than unimproved land value, to set the variable component of rates.

Recommendation 3

42

That the NSW Government seek to improve the special variation process, should the rate peg be retained in its current form, to:

- make it less resource and time-intensive for local councils
- streamline the process for the assessment of special variation applications
- consider alternatives to special variations that allow councils to raise additional rates to maintain existing service levels.

Recommendation 4

57

That the NSW Government conduct an audit of, and seek to update, the statutory fees and limits that apply to local government annual charges and user fees and charges to better reflect and account for increases in market costs and pressures, including inflation.

Recommendation 5

57

That the NSW Government advocate to the Australian Government to increase the federal taxation revenue distributed via Federal Financial Assistance Grants from 0.5 per cent to 1 per cent, and amend the current commonwealth grant guidelines per capita distribution method, that disproportionately benefits inner city councils.

Recommendation 6

58

That the NSW Government consider grant models that:

- provide a more secure and sustainable source of funding to local councils to achieve more equitable distribution of grants funding and provide councils with greater discretion in relation to how funding is spent

- take into account the preference of local councils for predictable grants that are determined in a timely manner and assist councils to receive grants within appropriate timeframes to support the delivery of infrastructure programs.

Recommendation 7**59**

That the NSW Government implement changes to the developer contributions framework to better financially support local councils to fund the ongoing costs at the completion of new infrastructure and works deemed essential to support development including community facilities as determined by the council on behalf of the local community.

Recommendation 8**97**

That, as part of the process of redesigning the local government rating system as outlined in Recommendation 2, the NSW Government have regard to the findings and recommendations of Portfolio Committee No. 8 – Customer Service’s Pounds in New South Wales report and ensure councils are able to properly fund pounds and companion animal services.

Recommendation 9**98**

That the NSW Government continue to improve the timeliness of disaster recovery assistance funding to local councils by utilising funding agreements such as tripartite arrangements which have provided councils with faster access to the funds they require to cover the cost of natural disaster recovery efforts.

Recommendation 10**98**

That the NSW Government centralise disaster recovery funding within the NSW Reconstruction Authority to assist in improving expenditure on mitigation and preparedness and create dedicated and ongoing funding streams for communities, councils and community organisations to support their work on mitigation and preparedness.

Recommendation 11**99**

That the NSW Government continue to advocate to the Commonwealth Government to incorporate betterment funding into disaster recovery funding arrangements.

Recommendation 12**99**

That the NSW Government seek amendment to the *Rural Fires Act 1997* such that Rural Fire Service assets are vested in the Rural Fire Service, with consequential amendment to the duties of councils as public authorities to prevent the occurrence of bushfires on, and to minimise the danger of the spread of a bush fire on or from land under its control or management.

Recommendation 13**100**

That the NSW Government review the depreciation methodology that applies to depreciation rates.

Recommendation 14**100**

That the NSW Government consider excluding depreciation expenses from the calculation of the Operating Performance Ratio.

Recommendation 15**100**

That the NSW Government:

- identify opportunities to reduce cost shifting to local government

- undertake greater consultation with local government prior to making decisions that may result in cost shifting
- review the practice of discounting infrastructure and other funding applications by border councils due to use by interstate residents
- use its waste levy review to examine how the Waste Levy can better support infrastructure and services that support the transition to a circular economy.

Recommendation 16**101**

That the NSW Government review the financial reporting guidelines and accounting model for local government.

Recommendation 17**101**

That the NSW Government review the performance measurement ratios for local councils.

Joint Committee on
the NSW Reconstruction Authority



PARLIAMENT OF
NEW SOUTH WALES

Review of the *NSW Reconstruction Authority Act 2022*



Report 1/58 – November 2024

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The motto of the coat of arms for the state of New South Wales is “Orta recens quam pura nites”. It is written in Latin and means “newly risen, how brightly you shine”.

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Membership

Chair	Mr Clayton Barr MP
Deputy Chair	Ms Liza Butler MP
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Chair's foreword

The NSW Reconstruction Authority was established by the *NSW Reconstruction Authority Act 2022* ('the Act') to lead the state's disaster preparedness and recovery. Under section 93(3)(a) of the Act, the Committee was required to undertake this review of the Act and report on whether its policy objectives remain valid and whether its provisions are appropriate for achieving these objectives.

In recent years, the people of NSW have been faced with a number of natural disasters, including the devastating bushfires in 2019-20 and catastrophic floods of 2022. Throughout the inquiry, the Committee heard general support from many stakeholders for the Authority's establishment. The importance of having a dedicated agency for disaster resilience and recovery in NSW was made clear to us, given the inevitable reality that the state will face greater and more frequent natural disasters. However, we also heard concerns about the Authority's functions under the Act, unclear aspects of the Act and the lack of reference to important matters relating to disaster preparedness and recovery.

The Authority is still in its early stages, having only been established in November 2022 following recommendations from the 2022 NSW Flood Inquiry. Many of its disaster preparedness functions are in progress and will require time to implement, and the Authority has not yet been tested by a major disaster on the scale of the 2019-2020 summer bushfires or the 2022 floods. We acknowledge the challenges experienced by inquiry participants in the Authority's early operations to date, but more time is needed to properly assess the Act, by allowing the Authority to mature. We strongly recommend that another review of the Act be done after five years from the date of assent.

Stakeholders also raised concerns about the Authority's functions under the Act. The most significant concerns related to the broad powers given to the Minister for Planning and Public Spaces and the Authority under the Act, particularly Parts 5 to 7. While the Queensland Reconstruction Authority provides a useful precedent for the potential application of these powers, we recommend that the Authority should regularly report to the Parliament on any exercise of the powers and functions under Parts 5 to 7 of the Act, in order to ensure greater accountability and oversight of these broad powers. I am confident that any exercise of these powers, including the Minister's power to exclude other laws, will be an important matter considered by this Committee in any relevant review of the Authority's operations.

Some inquiry participants were also worried that more focus would be placed the Authority's reconstruction role over their preparedness role. While the Act gives equal priority to both these functions, the Authority may have had to focus on recovery due to the recent frequent and successive disaster events that have impacted NSW. I also note that a 'NSW Reconstruction Authority Fund' must be established under section 22 of the Act, to provide money for expenditure and funding by the Authority in exercising its functions. This would include funding for preparedness and adaptation activities, to ensure that NSW is not again spending over 97 per cent of disaster-related expenditure on recovery.

We also heard that aspects of the Act were not clear to stakeholders. Some inquiry participants noted certain definitions in the Act were unclear. We felt these definitions may be better considered in a future review of the Act, to better understand how these definitions are put into practice.

Stakeholders also raised concerns about potential overlap between the Authority's broad functions and those of other emergency services and government agencies. The Committee has recommended that the Authority continue to work closely with these agencies to minimise any duplication in their functions, particularly in disaster preparedness and mitigation. However, we also heard that the Authority engages in effective and ongoing collaboration with other emergency services and government agencies. Our attention was also drawn to the potential inconsistency between the Authority's exercise of its planning functions with the state's existing environment and planning framework. We have recommended the Authority issue guidelines which clarify the scope and application of the Authority's planning powers.

Throughout this inquiry, local government stakeholders called for greater clarity about their roles and responsibilities under the legislative framework that regulates the Authority and its functions. We believe that ongoing collaboration and consultation with local government will be important across all areas of the Authority's work. Therefore, the Authority should work with the Office of Local Government to consider issuing guidance on the role and responsibilities of local government.

Finally, inquiry participants also highlighted certain matters important to the Authority's functions which are not mentioned in the Act. Some stakeholders suggested including specific principles in the Act, including provisions that address Aboriginal and Torres Strait Islander self-determination and culturally appropriate emergency management, and the cumulative impacts of disasters. These principles should be revisited in a future review, to consider whether they should be explicitly referred to in the Act. Other matters which stakeholders argued were important to the Authority's functions and should be recognised in the Act include data sharing and consultation guidelines, the role and relationship with community service providers, and the 'betterment' of physical infrastructure and other assets. We have recommended that the NSW Government consider whether there should be explicit recognition of these matters in the Act.

Regarding the betterment of physical infrastructure and other assets, we recognise local councils' significant frustration at delays in getting betterment funding through the joint Disaster Recovery Funding Arrangement. I note that the final reports of the Independent Review of the Commonwealth Disaster Funding (the Colvin Review) and the Independent Review of National Natural Disaster Governance Arrangements (the Glasser Review) were released in late October 2024. As a result, their findings were not available to be considered by this Committee at the time of writing this report.

These reviews provide valuable insights and recommendations to improve disaster funding arrangements and emergency management structures across all levels of government. Their findings complement the evidence we heard in this inquiry, and I am confident that the recommendations from these reviews will inform the Authority's functions moving forward and, therefore, will be considered by this Committee in future reviews of their operations.

We are grateful to the many community members and organisations who took the time to submit their views and appear before the Committee at hearings. Your contributions have been informative and invaluable to this inquiry. This inquiry was also made possible through the efforts of our committee secretariat. I would also like to personally thank my fellow committee members for their focused work and commitment throughout this inquiry.

Clayton Barr MP
Chair

Findings and recommendations

Finding 1 _____ 1

By establishing a permanent agency dedicated to statewide disaster preparedness and recovery, the policy objectives of the *NSW Reconstruction Authority Act 2022* remain valid. This is especially important given the increasing risk of disasters and natural hazards faced by New South Wales.

Finding 2 _____ 1

The NSW Reconstruction Authority was recently established and is still a relatively new agency. As a result, the implementation of the Authority's disaster preparedness functions is still in its early stages. Additionally, most of the Authority's functions and powers have not been thoroughly tested by a natural disaster of a scale like that experienced in the 2019/2020 summer bushfires or the 2022 floods.

Recommendation 1 _____ 1

That the NSW Government consider amending the *NSW Reconstruction Authority Act 2022* to introduce a legislative requirement for exercising the state recovery arrangements as necessary. This should replicate a statewide event, include emergency services, and test the arrangements between the *State Emergency and Rescue Management Act 1989* and the *NSW Reconstruction Authority Act 2022*, including the transition from response to recovery.

Recommendation 2 _____ 1

That the NSW Government amend the *NSW Reconstruction Authority Act 2022* to require a further review of the Act be undertaken once five years have passed from assent of the Act.

Finding 3 _____ 7

The Committee has a broad and ongoing function under section 93(3)(b) of the *NSW Reconstruction Authority Act 2022* to review the operations of the NSW Reconstruction Authority regarding 'any disaster in relation to which the Authority exercises functions'.

Recommendation 3 _____ 7

That section 93 of the *NSW Reconstruction Authority Act 2022* be amended to:

- replace the words 'the disaster to which the review relates' in subsection 93(5)(b) with the words 'the date on which the review commenced',
- replace all references to 'Joint Select Committee' with 'Joint Committee', and
- include that the Committee may review the operations of the NSW Reconstruction Authority regarding the Authority's functions relating to disaster prevention, preparedness and adaptation.

Finding 4 _____ 15

The NSW Reconstruction Authority is conducting effective and ongoing collaboration with other emergency services and NSW Government agencies, both formally and informally.

Recommendation 4 _____ **15**

That the NSW Reconstruction Authority continue to work with the Department of Planning, Housing and Infrastructure, NSW Treasury, the Department of Climate Change, Energy, the Environment and Water and the emergency services organisations under the *State Emergency and Rescue Management Act 1989* to minimise any duplication and improve efficiency between the work of the Authority and these agencies, particularly with respect to disaster preparedness and mitigation activities, data, modelling and information sharing.

Recommendation 5 _____ **19**

That the NSW Reconstruction Authority consider issuing guidelines which clarify the scope of its powers to make planning decisions under the *NSW Reconstruction Authority Act 2022* and how the Authority will consider existing planning controls, environmental standards, and Aboriginal cultural heritage protections under the state's existing planning framework.

Recommendation 6 _____ **22**

That the NSW Government review the functions of the NSW Reconstruction Authority under the *NSW Reconstruction Authority Act 2022* to ensure alignment with and prevent conflicts between the statutory functions and responsibilities of the state's emergency services agencies.

Recommendation 7 _____ **25**

That the NSW Reconstruction Authority, in consultation with the Office of Local Government, consider issuing guidance on the role and responsibilities of local government with regards to the functions of the Authority.

Finding 5 _____ **37**

The broad powers of the Minister for Planning and Public Spaces and the NSW Reconstruction Authority, under Parts 5 to 7 of the *NSW Reconstruction Authority Act 2022*, mirror largely identical powers under the *Queensland Reconstruction Authority Act 2011* (Qld).

Recommendation 8 _____ **38**

That the *NSW Reconstruction Authority Act 2022* be amended to include a requirement that the NSW Reconstruction Authority provide a report to Parliament annually, which lists all instances where the Authority has exercised its functions and powers under Parts 5 to 7 of the Act.

Finding 6 _____ **43**

The terms of the *NSW Reconstruction Authority Act 2022* give equal priority to the two primary objects under section 3, being 'disaster prevention, preparedness and adaptation' and 'recovery and reconstruction following disasters'. However, since establishment, the NSW Reconstruction Authority has been faced with successive disaster events which have required focus on recovery and reconstruction.

Recommendation 9 _____ **49**

That the NSW Government ensure that any future review of the *NSW Reconstruction Authority Act 2022* also consider whether the Act should include explicit references to the following principles:

- Aboriginal and Torres Strait Islander self-determination and culturally appropriate emergency management,
- the cumulative impacts of disasters,
- psychological wellbeing and trauma-informed approaches,
- community-centred/place-based approaches,
- social infrastructure or capital,
- ecologically sustainable development, social justice and intergenerational equity.

Recommendation 10 _____ **58**

That the NSW Government consider whether the *NSW Reconstruction Authority Act 2022* and/or its regulations should explicitly:

- provide for the betterment of physical infrastructure and other assets,
- set out guidelines for data sharing and consultation from the NSW Reconstruction Authority with other government agencies, local councils and community stakeholders, and/or
- recognise the role of and relationship between community service providers and the NSW Reconstruction Authority.



LEGISLATIVE COUNCIL

PUBLIC ACCOUNTABILITY AND WORKS COMMITTEE

Inquiry into the integrity, efficacy, and value for money of the Local Small Commitments Allocation process

TERMS OF REFERENCE

1. That the Public Accountability and Works Committee inquire into and report on the integrity, efficacy, and value for money of the Local Small Commitments Allocation process and in particular:
 - (a) the range and availability of funding under the program, including but not limited to the manner in which grants were and are determined, including:
 - (i) the oversight of funding determinations
 - (ii) the transparency of decision making
 - (iii) the independence of the assessment of projects
 - (iv) the role of advocates, candidates, and Members of Parliament in proposing projects for funding, and
 - (v) the scope of Ministers' discretion in determining which projects are approved
 - (b) the role and interaction of the Premier's Department and other agencies in the process, assessment, and facilitation of grants
 - (c) measures necessary to ensure the integrity of grants schemes and public confidence in the allocation of public money, and
 - (d) any other related matter.

The terms of reference were self-referred by the committee on 21 November 2024.

Committee membership

Ms Abigail Boyd MLC	The Greens	<i>Chair</i>
Hon Mark Buttigieg MLC	Australian Labor Party	
Hon Dr Sarah Kaine MLC	Australian Labor Party	
Hon Mark Latham MLC	Independent	
Hon Sarah Mitchell MLC	The Nationals	
Hon Peter Primrose MLC	Australian Labor Party	
Hon Chris Rath MLC*	Liberal Party	

* The Hon Chris Rath MLC substituted for the Hon Scott Farlow MLC from 25 November 2024 for the duration of the inquiry.

C16 - 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 STIMULUS 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	<ul style="list-style-type: none"> • \$220k total project – Council to contribute \$31k • Incorporates Maude with Hay in the study

	<ul style="list-style-type: none"> • Project timeline has been extended until early 2025. • Flood Study adopted Council. Consultant is proceeding with Part 2 of the plan • The FRMC meeting was held 13th February 2024 with levee design options discussed. An updated draft report was presented on the 26th September 2024. • The next planned FRMC meeting was held on the 5th December 2024. See separate report to Council.
Lachlan Street Civic Space Project (Witcombe Place) – Phase 2	<ul style="list-style-type: none"> • Complete.
Fixing Country Roads & Fixing Local Roads	<ul style="list-style-type: none"> • FLR R1 – complete. • FLR R2 - complete. • FLR R3 – complete.
Bridge Renewal Program (Round 5)	<ul style="list-style-type: none"> • Complete
Fixing Country Bridges Program	<ul style="list-style-type: none"> • Complete
NSW Heritage Grants 2021-23	<ul style="list-style-type: none"> • Complete.
NSW Heritage Grants 2023-25	<ul style="list-style-type: none"> • Council successful for funding of Heritage Advisor for the next two years. • Next visit by heritage Advisor to occur in December.
Murray Darling Basin Economic Development Program – Round 3	<ul style="list-style-type: none"> • Complete.
NSW Regional Sports Facility Fund (Round 1)	<ul style="list-style-type: none"> • Complete.
Regional Airports Program (Round 2)	<ul style="list-style-type: none"> • Complete.
Stronger Country Communities Fund - Round 4	<ul style="list-style-type: none"> • Complete.
2021-22 Crown Reserves Improvement Fund	<ul style="list-style-type: none"> • Complete.
Local Roads and Community Infrastructure – Phase 3	<ul style="list-style-type: none"> • Complete.
NSW EPA – FOGO Infrastructure and Collection Grants	<ul style="list-style-type: none"> • Complete
NSW EPA – Remanufacture NSW Grant Round 2	<ul style="list-style-type: none"> • Council resolution to submit a grant under this round for funding to continue with the establishment of Hay Materials Recovery Facility. • Grant application successful for \$909,800. Funding agreement now fully executed. • Installation and commissioning of equipment - complete. • Still waiting for Essential Energy 3 Phase power cut over; been delayed due to recent EE strikes. Latest dates for outage is 17 & 19th December 2024.
Open Spaces Program – Places to Play	<ul style="list-style-type: none"> • Complete.

Recreational Fishing and Camping Program	<ul style="list-style-type: none"> • NSW Government has released a program targeting new or renewal of recreational fishing and camping areas. • Staff identified improvements to Soapworks Bend, as outlined in the River Masterplan, as suitable project given the timelines and grant guidelines. • No co-contribution is required. Staff estimate for project is \$261,000 with a Council in-kind contribution of \$35,000. • Grant application successful for \$226,000 and funding agreement signed. • Project re-scoped due to price increases and this has been approved by the funding body. Further discussion occurring with funding body due to restrictions around Soapworks Bend. • Funding body has approved moving project to Madmans Bend to further enhance this area. Staff currently preparing a REF for the works. Complete. • Works largely completed, minor works to go and working with Hay Landcare. Works expected to be completed shortly.
Murray Street Entrance Park	<ul style="list-style-type: none"> • Complete.
Swimming Pool Refurbishment	<ul style="list-style-type: none"> • The final masterplan adopted by Council. • The estimated cost to construct the pool and surrounds (excluding the new amenities) is \$6M. New estimate for the project is \$7.25M. • 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. • Council was unsuccessful with its “Growing Regions Program” application. Council is now preparing to submit a loan application for \$4M to TCORP to undertake the project in full. Loan application submitted. Loan has been approved. Loan agreement signed. • Major contracts have been let. Detailed design in progress. See separate report to Council.
Bridges Renewal Program (Round 6)	<ul style="list-style-type: none"> • 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.

	<ul style="list-style-type: none"> • 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. Contractor has commenced on site. EOT approved by the funding body. • Nimmie Creek Bridge. – Complete • Major culverts ordered for the 10 systems to be ungraded on MR319 to Sturt Highway. Delivery of culverts expected to commence shortly.
Fixing Local Roads Potholes Program – Rounds 1 and 2.	<ul style="list-style-type: none"> • 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 programmed for 24/25 year.
Strategic Business Case Fund	<ul style="list-style-type: none"> • Complete.
Fixing Local Roads – R4	<ul style="list-style-type: none"> • Complete.
Stronger Country Communities Fund – R5	<ul style="list-style-type: none"> • Allocation to Hay Shire Council is \$863,550 <ul style="list-style-type: none"> • A Medical Centre - Stage 2 \$180,000 • Gaol - Stage 3 Refurbishment \$175,000 • Bishops Lodge - Stage 3 Refurbishment \$175,000 • Pal Richards Park \$150,000 • Hay Park Duck Pond - Stage 1 \$183,550 • Medical Centre - complete • Bishops Lodge Museum – 95% completed. • Pal Richards Park – complete. • Hay Duck Pond – complete. • Gaol Museum– 95% completed.
Regional Housing Strategic Planning Fund	<ul style="list-style-type: none"> • Complete
Fixing Country Roads Program	<ul style="list-style-type: none"> • The NSW Government has finally released another round of Fixing Country Roads, which allows for monies to be spent on both local and regional roads. Council regional roads require significant major drainage structure renewal. • Latest structure requiring replacement/upgrade to open up the regional road network is Pimpimra Creek culverts, on MR514 heading towards Oxley. Project estimate is \$320,000. • Application successful. Funding deed fully executed. Works to be undertaken in 2024/25 year.

	<ul style="list-style-type: none"> • Culverts ordered and have been delivered.
Saluting Their Service Commemorative Grants Program	<ul style="list-style-type: none"> • Federal Government 'Saluting Their Service Commemorative Grants Program'. • Staff worked with the Heritage Advisor on an application for the Plaques and Memorabilia along Pine Street. Under the guidelines preference is given to Vietnam conflict as well as major commemorative projects. The 100-year anniversary of the Hay War Memorial High School in 2023 is a suitable project. • Council has been advised it is successful with funding of \$10,000 (see attached letter). Application was for \$58,584, and total project cost of \$79,539. As the funding granted is significantly less than that required. • As resolved at the May 2023 meeting, Council is to proceed with a scaled version of the project. • Eight (8) stories have been compiled. Meeting with focus group held. Mock up of plaque and set out complete. Project to continue to construction, with trail planned to be installed in Dal Wright Park. • Final details of the design being finalised to meet budget. Works now practically completed on site with one more plaque to be installed. Sussan Ley inspected the project when she recently visited Hay.
Integrated Water Cycle Management Plan (IWCM)	<ul style="list-style-type: none"> • Council has been successful in receiving funding to undertake feasibility assessment for a secondary source supply for the Hay town supply. • Project cost is \$55,000, with Council receiving funding of \$50,000. • Purchase order raised to Public Works and project has commenced and progressing well. • Draft report provided to the Department for review and comments have been received. Updated report provided back to the Department • Sample water from local bores for suitability. Sampling completed. • Report due to be completed by late 2024.
Heavy Vehicle Safety & Productivity Program	<ul style="list-style-type: none"> • Cobb Highway intersection into aerodrome - \$1.4M, with 80% (\$1.120M) from HVSP 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 updated.
Local Government Recovery Grant	<ul style="list-style-type: none"> • Council Program of Works (PoW) has finally been approved for the Local Government Recovery Grant following the 2022 floods. • Part of the \$1M received is being allocated to refurbishment of the VIC toilets, namely in female toilets

	<p>and upgrade of the disabled toilets: Project Budget - \$260,000 + \$100,000 from Changing Places Program (to be confirmed) + \$150,000 from LRCI Phase 4. Works procured. Construction planned for February/March 2025.</p> <ul style="list-style-type: none"> • \$250,000 allocated to stormwater/flood gate improvements as well as a secondary water line to WTP. Works ordered for secondary water supply line and expected to commence next month. New water supply line from PID due to commence shortly. • Council successful with grant from Changing Places Program for \$103,000. Works procured.
Heavy Vehicle Safety & Productivity Program	<ul style="list-style-type: none"> • 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. • Project in the design phase, as well as dealing with transfer of Crown Management to Council and ALC. ALC resolved for the moment. Council has been appointed CLM. • Initial design sent to TfNSW for comment/approval. Design updated following TfNSW feedback and sent back to TfNSW for approval.
Local Roads Community Infrastructure (LRCI) – Phase 4	<ul style="list-style-type: none"> • Federal Government program. • Council has been allocated \$802,109 in Phase 4. Funding deed executed. \$293,000 must be spent on roads. • Projects allocated at the June 2023 meeting. As resolved Council to hold off on any projects until see the outcome of the Growing Regions Fund application for the swimming pool replacement. Council resolved at the May 2024 meeting to: <ul style="list-style-type: none"> (i) VIC toilets refurbishment - \$150,000 – works commenced with the female amenities levelled. Works procured. Construction planned for February/March 2025. (ii) Swimming Pool Refurbishment & Upgrade - \$358,687. (iii) Lachlan Street Shoulder Pavement Upgrade - \$293,422. K&G works due to commence later this month. Main works to occur in the New Year. (iv) If Council is unsuccessful with Changing Places funding VIC toilets component is to be re-allocated to the Swimming Pool Refurbishment & Upgrade <p>POW has been approved by the funding body.</p>

Crown Reserves Improvement Fund (CRIF) 23-24	<ul style="list-style-type: none"> • Applications closed 17th November and Council submitted two applications: <ul style="list-style-type: none"> - 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. • Projects in planning phase and due to be undertaken in 2025. Quote received for Maude Hall works. Works has been discussed with Maude Hall Management Committee. Contractor engaged.
Boating Now – Asset Maintenance Program	<ul style="list-style-type: none"> • Program allows for maintenance repairs to boat ramps. • Staff have identified Sandy Point Boat Ramp retaining walls require replacement. • Another round has opened and staff will resubmit an application for boat ramp maintenance, with application submitted. • Council successful with application - \$98,300 • Funding deed signed. • Staff working on detailing design, along with tweaking the Sandy Point area, to come to Council for review/comment.

OTHER FUNDING APPLIED FOR AND PENDING

Regional Precinct & Partnerships Program	<ul style="list-style-type: none"> • Significant grant funding for major regional precinct projects. There is no closing date for applications. • Projects can be 100% funded. • Staff working on applications: <ul style="list-style-type: none"> - Stream 1: Hay Aerodrome – Planning - Stream 2: Hay RREP – Stage 2
Regional Microgrids Program (ARENA)	<ul style="list-style-type: none"> • Significant funding for developing a renewable energy microgrid in Hay. There is no closing date for applications. • Projects are 50/50 funded, there a financial partner is required. • Staff working on developing a partnership of a project at the Hay RREP.
Community Energy Upgrades Fund Program (CEUF)	<ul style="list-style-type: none"> • The Federal Government has opened a new funding program which is 50/50 funding for (see attached program guidelines):

	<p>A targeted, competitive grant program that provides co-funding for energy upgrades at existing local government facilities.</p> <p>Grants between \$25,000 and \$2.5 million will be awarded on a merit basis. The program aims to help local governments to:</p> <ul style="list-style-type: none"> - make their facilities more energy efficient - lower their greenhouse emissions and energy bills. <p>Staff working on an application be submitted for water and sewer sites, as these are Council's largest energy users and the respective funds are able to provide the required 50% co-contribution.</p> <p>Application submitted for Water & Sewer facilities – project value - \$381,630.</p>
Resilient Rivers Water Infrastructure Program	<ul style="list-style-type: none"> • As reported to the April 2024 council meeting, staff are progressing an application under the RRWIP for the full roll out of digital meters to the town water supply network. • Estimated cost is \$1M and would involve the returning of an amount of town high security supply to the Government. • Initial application underway and in discussions with the funding body. Staff working on application. • Ministerial approval received for the permanent trade of town water to fund the project.
Growing Regions Program – Round 2	<ul style="list-style-type: none"> • Round 2 of the Growing Regions Program has been released and due to open 5th September and close 10 October 2024. • The program will enhance our regions by supporting liveable and connected communities. It will provide investment in community-focused infrastructure which creates and enhances amenity, liveability and social cohesion throughout Australia's regions. The program is intended to support projects that fill an unmet need, respond to local priorities, are well developed with mature planning and development in place, and provide benefits to a broad cross section of people within communities. • Given the timing staff recommend making an application again for the swimming pool replacement - \$4.153M. Staff received feedback from the last application, and it is felt can make a stronger application. • Application submitted.
Crown Reserves Improvement Fund (CRIF) 24-25	<ul style="list-style-type: none"> • New round of CRIF funding is open. • Staff looking at an application for upgrade/beautification works for the Hay Cemetery. • Applications close 22 November 2024. • Application submitted for Cemetery upgrade works - \$195,000.

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.
Ashwill Park redesign	Yes	\$195,000	<ul style="list-style-type: none"> The project formed part of the Lachlan Street Master Plan consultation. The Park will be integrated with the VIC, and the theme will be the Cobb & Co history of Hay. The plan is bound to change, as there is a possibility of moving the Cobb & Co coach to the site to make it accessible to the public at the VIC, removing the pedestrian bottleneck it creates on the Moppett/Lachlan intersection, and the demolition and rebuilding of the female toilets at the VIC. Unsuccessful for funding under the Streets of Shared Spaces Round 2.
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	<ul style="list-style-type: none"> 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

HAY SHIRE COUNCIL

War memorials refurbishments	Yes		Received Heritage Advice, will need to go on quote to get estimate
Pine Street Heritage Corridor (Council's Heritage Advisor report received)	Yes	TBC	Cost of Heritage Info boards approximately \$128,000 - TBC; cost of a military vehicle or artillery piece unknown.
Water Treatment Plant – secondary water supply source and plant processing upgrade	No	Unknown – most likely \$4M	Long process and most likely could attract State Gov funding.
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.

RELEVANCE TO STRATEGIC COMMUNITY PLAN	<p>A - Environmental Sustainability</p> <p><i>A1 Celebrate and promote our unique local environment</i></p> <ul style="list-style-type: none"> 1.1 Support local community groups, First Nations groups, and other agencies working with the environment. 1.2 Foster environment of investment for environmental sustainability. 1.3 Implement sustainable and eco friendly tourism initiatives. 1.4 People of all abilities have access to built environments, cycleways and passive areas <p><i>A4 Our community is inclusive and sustainable</i></p> <ul style="list-style-type: none"> 4.1 Facilitate access to public spaces for cultural and community events. 4.2 Support Aboriginal organisations to hold events and programs 4.3 Support cultural environmental initiatives <p>B. Liveable and vibrant community</p> <p><i>B1 Maintain and beautify the town centres</i></p> <ul style="list-style-type: none"> B1.1 Enhance the atmosphere of the main street and public areas B1.2 Support and promote public art initiatives
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	<p><i>B4 All cultures are strong, well supported and flourishing</i></p> <p>B4.1 Ensure services are accessible to all groups in our community</p> <p>B4.2 Support cultural programs and initiatives, including First Nations</p> <p>B4.3 Promote inclusion in the community</p> <p>C Economic prosperity and sustainability</p> <p><i>C1 Our community welcomes new and innovative industry to support our future</i></p> <p>C1.1 Create a better business environment</p> <p>C1.2 Boost demand for products and services from Hay</p> <p>C1.3 Facilitate growth industries</p> <p>C1.4 Nurture and support the development and expansion of local industries</p> <p><i>C2 Our community values its history and tourism</i></p> <p>C2.1 Actively identify promote and enhance tourism initiatives</p> <p>C2.2 Promote accommodation and camping facilities</p> <p>C2.3 Showcase our open space, recreation and cultural facilities</p> <p><i>C3 We have the capacity to hold numerous events and activities</i></p> <p>C3.1 Promote events and activities</p> <p>C3.2 Promote our capacity to stage events</p> <p><i>C4 Our Community is innovative and adaptive</i></p> <p>C4.1 Identify opportunities to grow the agriculture sector</p> <p>C4.2 Improve connectivity in the community</p> <p>C4.3 Continue to seek investment in our community from State and Federal Government</p> <p>C4.4 Support education and training initiatives</p> <p>E Our Infrastructure</p> <p><i>E1 Our community can rely on well-maintained infrastructure that is responsive to our service needs</i></p> <p>E1.1 Deliver infrastructure and assets that are responsive to community need</p> <p>E1.2 Ensure Council efficiently manages its infrastructure and assets within available resources.</p> <p>E1.3 Provision of sustainable infrastructure that is adaptive to changing needs, suitable/betterment and funding levels</p>
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.

C17 - 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

- Budgee Creek Bridge replacement.
- Booligal Gunbar Road maintenance grading.
- Boxyards Road flood restoration works.
- Boxyards Road gravel re-sheeting trial.
- Monthly road hazard inspections.



Budgee Creek Bridge demolition of old bridge



Boxyards Road gravel re-sheeting trial



Booligal Gunbar Road maintenance grade



Boxyards Road gravel re-sheeting trial

Upcoming roadworks

- Continue maintenance grading Booligal/Gunbar Road
- Continue flood restoration works on Boxyards Road
- Heavy patching program on the Lachlan Street Shoulders
- Kerb and gutter replacement in Moppett Street between Lachlan Street and Pine Street on the northern side.
- Se-seal works on Regional and Local Roads as well as the Booligal village streets.

Plant Purchases

- Nil

Plant Disposal

- Nil

Major Plant repairs/breakdowns

- Nil

Aerodrome

- Weekly inspections.
- Grounds maintenance.

Parks and Gardens

- Regular mowing and whipper snipping of all parks.
- Maintenance on roundabout
- Tree maintenance
- Irrigation maintenance on parks and sports ovals
- Gutter cleaning
- Regular mowing on sports ovals
- Weeding garden beds





Pool

- Ground maintenance.
- Attend to the splash park as needed.
- Contract awarded for construction of the new pool

Cemetery

- Maintenance of the Lawn and traditional cemeteries.
- Grave digging lawn and general cemetery.

Waste

- Normal operating duties at Hay Waster Transfer Station.
- Commissioning 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



Porta Boom. Yellow bin recyclables collected for processing in the material recycling facility.



Windrowing the FOGO material

Town Construction

- Town Streets pothole maintenance.
- Local sealed road pothole repairs
- Assisting the Water and Sewer Department.
- Tip maintenance.
- Grave digging.
- Installation of plaques in the Hay Lawn Cemetery.
- Repair road from recent water break in front of the public School and Engine Hub.



Signage installation



Christmas Tree set up.



Delivering Council stage for events

Water and Sewer

- Various sewer block repairs.
- Water break repairs in Clay Street, Lachlan Street & Orson Street.
- Clean out the Leonard Street water reservoir.
- Water Treatment Plant daily operations and maintenance.
- Sewer Treatment Plant daily operations and maintenance.



Clay St raw watermain repairs



Stormwater maintenance vacuum truck



Stormwater before cleaning



Stormwater during cleaning



Leonard St raw water reservoir cleaning - Before



Leonard St raw water reservoir cleaning - After



Lachlan St watermain repairs – Hay Public School & Engine Hub

Staff Training



Silica awareness training



Overhead powerlines awareness training

Biosecurity – No report received.



Compliance Officer

This report informs Council of the monthly activities undertaken by the Ranger over the reporting period.

Commentary

- Silent Auction for Abandoned cars was held with the sale of 3 Cars.
- Overgrown Property inspections, Orders being sent for noncompliance.
- Silent Auction for old bins with several of them being sold, hoping to auction more.

Pound activities

- 9 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.
- 9 dogs in pound released into the re-homing program.
- 0 Dog seized for attacking people or animals.

Callouts attended for: Stray animals, Illegal Camping, Stock, Barking Dogs

Abandoned Vehicles: 2

Issued Orders:

Order 18: 4

Nuisance dog order/s: 0

Dangerous dog order/s: 0

Menacing dog order/s: 0

Non-Compliance Orders: 0

Fines: 0

Caution Letters: 4

Others:

0 dog injured dog euthanised.

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.

5 cats Surrendered.

5 cats rehomed.

0 cats dumped in cage.

0 Sick/injured cat euthanised.

New user fees of Avdata truck wash payment system

To implement the new system, Council needs to update the previously resolved pricing as follows:

1. Amount charged per minute use of facility.

This is the cost per minute that user will be charged this amount by time passes from when the user presses the on and off buttons. Locations surrounding Hay range from \$0.3636/min to \$1.20/min as per Figure 1.

Recommend charging \$0.5454/min (excluding GST), based on current annual costs and usage minutes.

2. Minimum Charge per Use

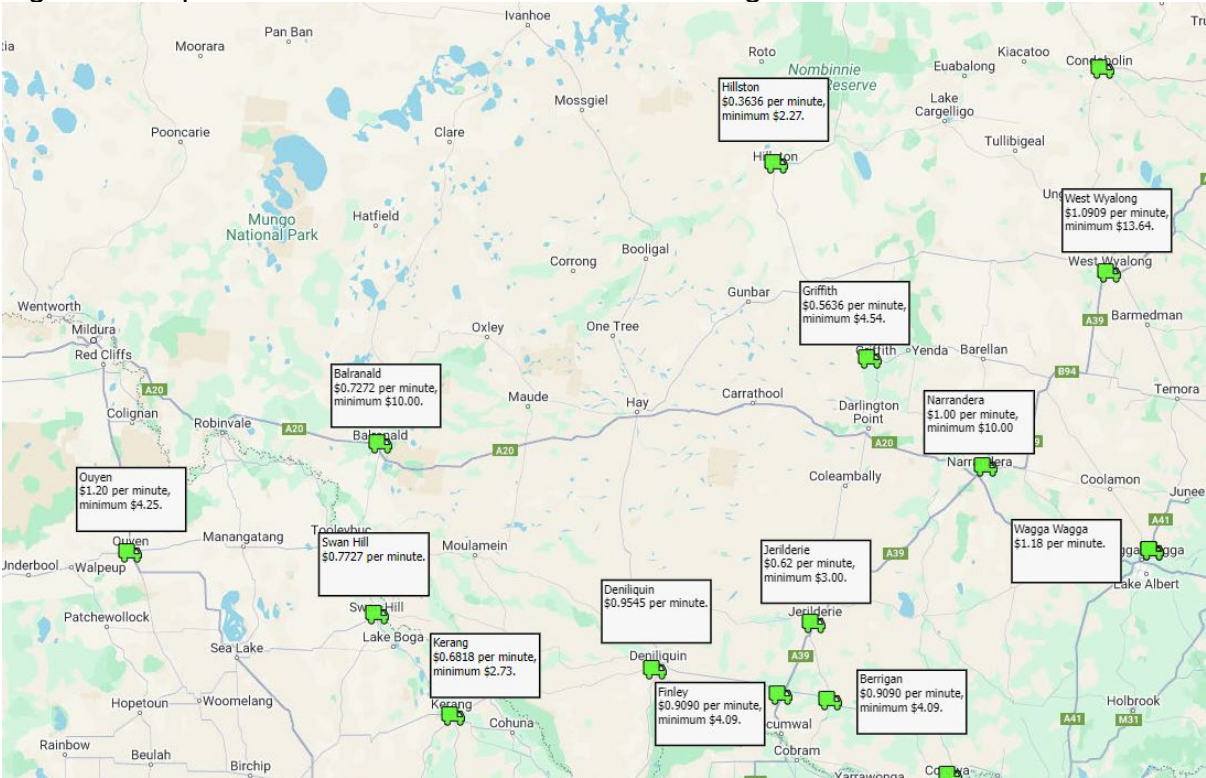
This is the minimum cost per use to a customer. Locations surrounding Hay range from \$2.7/min to \$10/min as per Figure 1.

Recommended minimum charge per use is \$2.727 (excluding GST). This amount is the total of five minutes of the recommended amount for ‘Amount charged per minute use of facility’ (\$0.5454). Therefore, a user that uses the truck wash for less than 5 minutes would still be billed \$2.727 (excluding GST).

3. Cost of purchasing a fob access key from council

This is the cost of an Avdata fob to access and use of the truck wash. Avdata has recommended a resale price of \$35 (excluding GST).

Figure 1: Map of Avdata Truck washes in surrounding area



RELEVANCE TO STRATEGIC COMMUNITY PLAN	E Our Infrastructure <i>E.1 Our community can rely on well-maintained infrastructure that is responsive to our service needs</i> E1.1 Deliver infrastructure and assets that are responsive to community need
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	E2.1 Within available resources ensure all assets and infrastructure are effectively maintained to industry and community standards E3.1 Ensure Council effectively manages its infrastructure and assets
FINANCIAL IMPLICATION	Nil. 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:

- (i) Notes the information provided in the report;
- (ii) New proposed truck wash fees be approved as follows:
 - a)** Charge per minute of use \$0.5454/min (excluding GST), based on current annual costs and usage minutes;
 - b)** Minimum charge per use is \$2.727 (excluding GST); and
 - c)** Sell purchased fobs for \$35 (excluding GST).

C18 - Tree Removal Requests

REPORTING OFFICER	Executive Manager Engineering and Operations
ATTACHMENTS	Application for the Removal of Street Tree

INTRODUCTION

Council has received one (1) request for a Tree Removal.

COMMENTARY

Find below the relevant tree assessment.

Application for Tree Removal – 476 Moppett Street

Address	476 Moppett
Tree Number	1
Species	Pine
Crown and Branches	
Dead Branches	No
Cracks/Codominant/Weak Attachments.	No
Trunk	
Missing Bark	No
Decay	No
Lean	Yes
Root Damage	No
Services	
Kerb Damage	No
Footpath Damage	No
Trip Hazard	No
Overhead Powerlines	Yes
Other Services Damage	No
Analysis	
Likelihood of Failure	Low
Removal or Pruning	Removal
Replacement	2 x Manchurian Pear

**Staff Comments**

- Leaning towards power line

RELEVANCE TO STRATEGIC COMMUNITY PLAN	<p>A Environmental Sustainability</p> <p><i>A1 Our community values its natural and built environments to support a sustainable environment</i></p> <p>A1.1 Investigate renewable resource options</p> <p>A1.2 Identify suitable environmentally sustainable initiatives</p> <p>A1.3 Implement river management strategic partnerships to protect river banks</p> <p>A1.4 Establish and maintain clear guidelines for zoning, urban planning and development</p> <p>A1.5 Provide suitable accessible transport alternatives including cycleways and walking tracks</p> <p>A1.6 Maintain levee bank to protect community assets</p> <p>B Liveable and vibrant community</p> <p><i>B.2 Our Community is Vibrant</i></p> <p>B2.1 Enhance the atmosphere of the main street and public areas</p> <p>E Our Infrastructure</p> <p><i>E.1 Our community can rely on well-maintained infrastructure that is responsive to our service needs</i></p> <p>E1.1 Deliver infrastructure and assets that are responsive to community need</p> <p>E2.1 Within available resources ensure all assets and infrastructure are effectively maintained to industry and community standards</p> <p>E3.1 Ensure Council effectively manages its infrastructure and assets</p>
FINANCIAL IMPLICATION	\$600
LEGISLATIVE IMPLICATION	Nil
POLICY IMPLICATION	Compliance with Street Tree Policy and Circular Economy Strategy
ASSET IMPLICATION	Significant progress in protection of assets.
RISK IMPLICATION	Lowering risk to Council

RECOMMENDATION

That Council removes the Pine Tree at 476 Moppett Street and replace with two (2) Manchurian Pear trees.



Hay Shire Council
134 Lachlan Street
HAY NSW 2711
Telephone: (02) 6990 1100
www.hay.nsw.gov.au
mail@hay.nsw.gov.au

OFFICE USE ONLY

Date Received

Ref No.

024/5864

APPLICATION FOR THE REMOVAL OF STREET TREES

The General Manager
Hay Shire Council
HAY NSW 2711

Dear Sir,

_____ hereby request for Council to remove (1) Pine
(Name) (No. of trees) (Species if known)

street tree/s on the nature strip of my property at 476 Moppett Street
(Address)

To assist with Council's decision, please provide information below to support this request.

The tree of subject is currently on a lean towards a powerline support pole, the tree is also a haven for bees which become aggressive when near the tree. If said tree is removed, I would like two manchurian pear trees in replacement which I would happily look after and think would suit into the towns look more appropriately

NOTE: Council will only approve tree removal where there are no viable management solutions available to retain the tree. Reasons that may assist with the final decision may be due to the tree dead, dying, diseased, dangerous, causing damage to infrastructure or an inappropriate species.

I/We understand that this application does not guarantee the removal of tree. The final decision will be made by Council after Parks and Gardens staff assess the tree and all retention options are explored.

[Signature] 7/Aug/2024 _____
(Signature) (Date) (Contact number/email)

OFFICE USE ONLY		
Received by: _____	Referred to: _____	Date: ____/____/____

Approved: Director Infrastructure and Planning
Document ID: FORM T.06

Date Issued: 29 September 2021

Status: Approved

Version: 003
Page: 1 of 1

MINUTES INDEX

- Maude War Memorial Hall Committee AGM 12th November 2024
- Maude War Memorial Hall Committee 12th November 2024
- Bishop Lodge Management Committee 27th November 2024
- Audit Risk & Improvement Committee 4th December 2024
- Hay Floodplain Risk Management Committee 5th December 2024

Maude WM Hall AGM Minutes - Meeting held 12 November 2024.

Meeting opened 4.50 pm

Present: Mischelle Schiller, Rick and Cath Nelson, Dimity Smith, Jack Terblanche.

Apologies: Cindy Pearce, Lyn Miller , Ellie Booth, Will Miller, Samantha Woods.

Welcome and acknowledgement country given by Rick Nelson and any conflict of interests declared.

Mins. From previous AGM and meeting read , accepted by Dimity Smith 2nd Cath Nelson

Presidents report given by Rick Nelson (see attached)

Treasurer Report – Ellie Booth has moved from the immediate area but is happy to continue in role as treasure for the time being. The closing bank balance is \$8995-80.

Credits to date were \$1142-00 (HCS Fees paid and garage sale funds). Expenditure to date is \$2727-91 (Cutlery crockery and cleaning supplies)

Election of office bearers:

Jack Terblanche declared all positions open and called for nominations.

President - Rick Nelson nominated by M Schiller passed Dimity Smith.

Vice President- Dimity Smith nominated Mischelle Schiller passed Rick Nelson

Secretary- Samantha Woods nominated Mischelle Schiller passed Cath Nelson

Treasurer Ellie Booth nominated Mischelle Schiller passed Dimity Smith..

AGM closed and General Meeting declared open. 5.13pm

Presidents Report 12/11/24

This year the committee has made new purchases including. 120-piece setting of crockery and cutlery, Barbeque, Kitchen and catering supplies, setting the hall up for catering for functions into the future.

December the committee ran a successful Christmas event that was well attended. Thank you to Nari Nari for donating the meat for the BBQ, RFS for donating Coles voucher, Hay Shire for contributions towards prizes Santa suit, decorations. And all that brought along a plate to share and helped to make the night successful.

The storeroom has had a clean up and surplus items were put into a garage sale in October and raised \$192. Left over items were donated to the shear outback. Thanks to Mark and Mischelle Schiller for you help with sorting through items for the sale.

This year the Hall has been hired to Hay Children's Service every Tuesday to operate a Mobile childcare. The Service has packed up at the end of each day, leaving some items stored in the hall. In addition to this the Hall has been hired for one private function.

Maude WM Hall General Meeting Minutes - Meeting held 12 November 2024.

Meeting opened 5.13 pm

Present: Mischelle Schiller, Rick and Cath Nelson, Dimity Smith, Jack Terblanche.

Apologies: Cindy Pearce, Lyn Miller , Ellie Booth, Will Miller, Samantha Woods.

Mins. From previous general meeting read , accepted by Dimity Smith 2nd Cath Nelson

General Business-

Jack Terblanche reported the Crown lands investment for the Hall is in the \$153 K range. The funds could be used for costs of the following - to replace the doors and windows, cladding, power points- that are required for the stage and kitchen. External painting. Fitting out the back store rooms/ steel shelving . Led lighting. A shade sail and further external fencing. Outdoor furniture. Discussion then on a water tank for the hall and toilets required for supply on the Maude water trust delivery. Request also for a fixed (lasered) rubbish bin surround to the shire.

Correspondence- Letter received from the HCS requesting a further day for childcare – Mondays during school terms and a hall hire request enclosed.

Letter from Hay shire advising our new shire delegates are Councillor Will Miller and General Manager David Webb.

No objections to HCS request so all passed HCS can hire Hall on Mondays during school terms.

Letter to be sent to Alison Ferguson advising this.

Dimity Smith has completed the pro-forma for hall equipment hire, Cath Nelson will check with party hire firms to apply an appropriate pricing.

Furniture requirements – extra folding tables (10) and a chair trolley, Rick Nelson moved these be purchased for the Hall 2nd Dimity Smith.

Banking changeover - Motion moved to change to Bendigo Community bank due to problems with CTB and difficulties of hours open etc. Moved by Mischelle Schiller 2nd Dimity Smith. Motion passed to have 4 signatories with 2 to sign moved Rick Nelson 2nd Cath Nelson.

2024 Christmas Tree- Date decided Saturday 14th December start time 5-30pm. Set up of Hall date Wednesday 11th morning – time TBA

Letter to go to Cr Will Miller to ask if he can attend and be Santa for us.

Letter to go the Hay Shire requesting our annual funds for use for the Christmas celebration.

New Santa chair - Rick Nelson has a red one to loan.

Santa lolly bags to be ordered from the Maude store 50 x \$2 bags also check that presents can be dropped at store. Cath to also get a few childs presents purchased in case of any emergency.

HAY SHIRE COUNCIL

Catering for Xmas Tree – Mischelle, Cath, Dimity to do salads and ask for volunteers to make some also. BYO nibbles, drinks and a dessert to share. Rick Nelson will check if Jamie Woods can organise the steaks and sausages(funded by the Hall committee.) Rick Nelson will order the Ham and the bread rolls. Dimity Smith will arrange our native Xmas tree and decorating of the tree.

Santa presents- the value set at \$20

Raffles \$500 budget – Cath to touch base with Sam re prizes. \$1 per ticket. Ask the Woods boys if they would like to run the continuous raffle. Rick to organise the books of tickets.

Ask the HCS staff if the children would like to sing or dance for the Christmas Tree event – (Dimity Smith to enquire)

General Meeting closed at 5.57pm



Minutes of a Special Meeting of the Bishop's Lodge Management Committee
Wednesday 27 November 2024 at 5.00 pm

Present: Dick van Buuren, Tertia Butcher, Kim Gibbs, David Houston, Coleen Houston, Anne Longworth,
 Cr Carol Oataway and David Webb, General Manager Hay Shire Council

Apologies: Val Davies, Sue Martin, Georgie Neil

Chair: Cr Carol Oataway

1. At yesterday's meeting of Hay Shire Council, Council resolved to dissolve the Bishop's Lodge Management Committee. This will take effect as of 30 November.
2. The volunteer group will be known as *The Friends of Bishop's Lodge*. FoBL
3. At the end of November the BLMC Treasurer will meet with Mark Dowling to organise for the BLMC funds to be transferred to internal reserve and then quarantined for the Friends of Bishop's Lodge to use through HSC.
4. Any requests for maintenance will go in the first instance to the VIC staff. They will triage the requests.
5. Purchase order requests – will in the first instance go to the VIC.
6. All local accounts in the name of BLMC will need to be closed.
7. Contractors such as Georgie Neil will submit their invoices directly to HSC. Georgie will need to see David Webb to organise this. Email address for this is accounts@hay.nsw.gov.au
8. Collection of money from donation box in foyer and the green box – to be determined
9. Float – current float can stay in office
10. VIC can assist with promotion of activities related to BL
11. VIC can be given access to BLMC Facebook page to assist with promotion.
12. WhatsApp – to be used for communication
13. Post Office Box not to be renewed in 2025 – mail to be directed to HSC
14. Bookings will be made through VIC. Referred to FoBL where necessary.
15. FoBL will then manage the hirer, quotes agreements, etc. for bookings such as weddings
16. BLMC email access to codes to be given to VIC
17. VIC will refer any interest for Friends to FoBL
18. FoBL will continue to manage the garden
19. FoBL generally look after the building and garden, as is currently done
20. FoBL invoicing hirers with payment details changed to HSC account

Meeting closed at 5:44 pm

This was the final meeting of the Bishop's Lodge Management Committee

Bookings 2025

	Booking	Co-ordinator
Sat 1 March	Wedding – Heidi Stephens +Ash Rohan	
Wed 14 May	Bus tour - Cardwell's Coach Tours 1:45 pm 20+2	
Mon 19 May	Bus tour + light lunch for 40 Martin's Albury	?
Sun 27 July	Bus Tour 11:30 Light lunch 12:30 ?Sun	
September ?	Family party – possible lunch Jo Connelly Jo Connelly 0418 168 682 Mj.connelly@bigpond.com	Hire info attached



Bus tours 2025

Wednesday 14 May 2025	Bus tour - Cardwell's Coach Tours 1:45 pm 20+2 people	\$4.00 entry. They will pay by cheque. Toilets need to be accessible. Someone needs to be there to receive cheque.	Simon Stevens – Cardwell's Coach and International Travel, 35 McDonald Street, Numurkah, Vic. 3636 Phone (03) 5862 1833 Email: info@cardwells.com.au
Monday 19 May 2025	Bus tour + light lunch Martin's Albury for 40 people 12.00 pm	\$4 +\$15 for light lunch + tea/coffee. Seniors group. Toilets need to be accessible Someone needs to be there to receive cheque or liaise with VIC	Billing and contact information on attachment.
Sunday 27 July 2025 11.30 tour 12.30 lunch	Bus tour + light lunch 40+2 people Sexton Bus Company	\$4.00 entry. Seniors group. They will pay by cheque. Toilets need to be accessible. Someone needs to be there to receive cheque or liaise with VIC	The company was emailed to confirm the tour. They were informed that we were not sure if lunch could be provided

Bishop's Lodge Management Committee

Mission

Our mission is to conserve, interpret, manage, use and promote Bishop's Lodge in regard to its national historic, social and technological significance.

Our Vision

Our vision is to continue along our established path of best practice conservation management of the house and garden and to achieve wide recognition as a model of sustainable, progressive collaborative community and local council driven conservation and interpretation project of a highly valued nationally significant historic site.

**Minutes of the meeting of the Hay Shire Audit Risk and Improvement Committee
Meeting held 4th December 2024 at 10.00am.**

Present at Hay: David Webb (HSC General Manager), Kirstyn Thronder (HSC Exec. Mgr. - People & Governance), Suzie Panne (HSC Admin. Assist. People & Governance), Cr John Perry (HSC Councillor)

Present Virtually: John Batchelor (Chair), Derek Francis, Sarah Donnelly, Jasen Crighton, Leanne Austin, Kate Stephens (HSC – Finance Manager), Rick Warren; Keith Coates (Internal Auditor), Quentin Wong (NSW Audit Office), Josh Porker (RSD Audit), Tyson Holt (RSD Audit)

Apology: Mark Dowling (HSC Deputy General Manager)

Sarah/Leanne

Confirmation of Minutes

Resolved that the minutes of the Audit Risk and Improvement Committee held 16th October 2024 as circulated be confirmed.

Derek/Sarah

1. Audit Office – Final Management Letter

Quentin Wong from the NSW Audit Officer provided an overview of the 2023/24 audit and presented the final management letter.

Resolved the ARIC receives and notes the NSW Audit Office Final Audit Management Letter for 2023/2024 and the actions detailed within.

Leanne/Derek

Quentin Wong & Tyson Holt left the meeting at this point.

2. Audit Plans

Resolved that the ARIC:

- a. Adopt the Strategic Internal Audit Plan;
- b. The Chair and Internal Auditor put together Draft Plans for each of the Internal Audit Plan and the Four year Annual Work Plan, and present these to the next ARIC meeting to be held in March 2025

Derek/Jasen

3. Internal Audit Report – Companion Animals

IA Keith Coates presented his audit report on Companion Animals and recognised the dedication of Council's Ranger.

Resolved that

- a. the Internal Audit on Companion Animals be noted;
- b. Council's agreed actions be endorsed; and
- c. incomplete actions be included in the Internal Audit Action Plan for completion.

Leanne/Sarah

4. Risk Management Framework

Resolved that

- a. ARIC endorse the Risk Management Framework and Risk Register as presented; and
- b. The ARIC support Hay Shire Council in raising the issue of compliance with legislation and the impact is having on local government, in particular regional/rural councils, be raised with LGNSW, JO's, Alliance of Western Councils, and NSW Country Mayors.

Sarah/Jasen

5. Other Business

The Chair raised the matter of the financial Statements being presented to the Committee prior to referral to Council and the Auditors. It was agreed that depending on the AO NSW timetable for Council's audit it may be practical to incorporate inclusion of the Financial Statements into the quarterly meeting in the period July –September. If this proves not to be practical, then a Special meeting would be called to consider the Financial Statements.

4. **Next Meeting:** 13th March 2025

Meeting Closed 10.55am

Hay Shire Council
Audit Risk and Improvement Committee

Chairperson's Report – ARIC Meeting 4th December 2024

The Chairperson welcomed ARIC members together with non voting members, Council's Internal auditor, and staff who were in attendance.

Matters Discussed included –

1 Final Management Letter - NSW Audit Office

A lengthy discussion took place in respect to matters raised and issues identified by the NSW Audit Office in their letter.

One particular matter reported on was in relation to Council's Long Term Financial Plan for *"not including financial modelling for at least three different scenarios"*.

The inclusion of this as part of the final audit of Council's 2023/24 was questioned as to its relevance, and how it came to be included in the scope of matters to be audited. It was suggested to the AO NSW that the scope of the 2023/24 audit should have been to ensure that Council's financial records for 2023/24 were accurate and complete, and in accordance with respective Accounting Standards and Codes, - not to audit future financial scenarios.

2 Audit Plans

The Internal Auditor gave an overview of the proposed plans together with tasks to be included in the Four Year and Annual Work Plan.

The Committee discussed the Audit Programme for the period 2024/25 to 2027/28 and it was agreed that the following audits be undertaken –

2024/25	Fraud and corruption Prevention Security – All of Council Aerodrome Management and Compliance
2025/26	Legislative, Policy and Code Compliance Enterprise Wide Risk Management Traffic Control
2026/27	Cemetery Management Delegations Building Compliance
2027/28	Procurement Integrated Planning and Reporting Road Maintenance – Evidence of Compliance and Record Keeping

The committee acknowledged that the above audits may change should issues / circumstances arise.

3 Companion Animals – Internal Audit Report

The Internal Auditor gave a brief overview of the audit and background to recommendations made.

It was noted in the Report that the commitment of Council's Ranger in the role should be recognised. His care of animals impounded, together with efforts to rehome animals was highlighted.

The Committee requested the General Manager to pass these positive comments onto Council's Ranger.

4 Risk Management Framework

The Committee complimented Council's staff involved in compiling the Framework for its simplicity in language and understanding.

Some discussion ensued on the impact of compliance legislation and its impact on the practical operation of Councils in providing community based services.

It was recommended that Council take this matter up through the various appropriate Local Government t organisations – JO's, LGNSW, Alliance of Western Councils, and Country Mayors Association

5 Other Business

The Chair raised the matter of the financial Statements being presented to the Committee prior to referral to Council and the Auditors. It was agreed that depending on the AO NSW timetable for Council's audit it may be practical to incorporate inclusion of the Financial Statements into the quarterly meeting in the period July – September. If this proves not to be practical then a Special meeting would be called to consider the Financial Statements.

6 Next Meeting

It was agreed that the next meeting will be held on 13th March 2025

In closing the meeting the Chair wished everyone a safe and happy Christmas, and New Year.

John Batchelor
Chairperson

10th December 2024

Minutes of the meeting of the Hay Floodplain Risk Management Committee meeting held 5th December 2024 at 10:30am in the Hay Shire Council Chambers.

Present: Steve Manwaring (DPE), Peter Bissett (Crown Lands), Mark Schiller, Phillip Edge, Shane McGufficke (MS Teams), Scott Button (Lyal & Assoc) (MS Teams), Cr Coral Oataway (HSC), Cr G Chapman (HSC), Cr Paul Porter (HSC), David Webb (HSC), Greg Stewart (HSC), Mia Headon-Doidge (HSC)

Apologies: Fred Spain (PWA), Tom Jarratt, Tom Rooney (Lyal & Assoc), Jack Terblanche (HSC), Nima Shariati (HSC) Josh Stanbury (SES), Chantel Bryden (SES)

1. Welcome and introduction by David Webb.

2. David Webb noted that:

- Since last meeting the full draft FRMS&P Report has been completed, including refinements of the proposed Hay flood levee.
- Actions from last meeting:
 - David W – to meet/discuss with Phil edge options for his property in Maude i.e. within levee (will mean have to shift the house a little) or outside the levee and VHR. **Complete – homeowner advised he is happy to sit outside the proposed levee.**
 - David W – provide WAE survey of the recent raising of Primipara Street in Maude **Complete**
 - Jack T – to provide any comments on the flood planning component of the report to Scott within the next two weeks **Complete**
 - Jack T – to undertake a road test of the LEP flood planning Clause and link the draft report – and provide any comments to Scott within the next two weeks **Part complete – Council has undertaken some testing and shows good results**
 - Scott B – to test the freeboard for flood planning level **Complete**
 - Scott B – Maude levee – change eastern levee to temporary type; and check the actual survey levels to be provided by Council for western levee **Complete**
 - Scott B – Airport – to include in the report 1 in 100 levee to protect the airport with 800mm freeboard (to be tested as well); and assess the access from Hay township to the airport **Complete**
 - Steve M – to provide formal comments on the full draft report when available **In progress**

3. Presentation by Scott Button - Part 2 of the FRMS&P, full draft report. It was noted again that once the final report is adopted by Council, it becomes a statutory document due the link to the NSW Government Flood Risk Management Manual and the Council LEP, as well as Clause 733 of the Local Government Act 1993.

- A summary of main points:
 - Went through Table S1 as summary of recommended mitigation measures
 - Confirmation of 0.8m freeboard for Hay and 0.6m for Maude

- Once levee at 1% AEP with freeboard, Council can they state have a high level of protection, with unlikely no riverine flooding and only localised flooding due to rain. The existing levee needs remediation as identified by PWA in 2019.
 - Clause 5.22 is not recommended
 - Flood planning was outlined, based on 1% AEP + 500mm freeboard. With a complaint levee at 1% AEP and applicable freeboard all urban areas would be Category 3 rated: Images H1.3 and H1.4
 - Discussed future urban stormwater upgrades as a mitigation option
 - Council is currently preparing a DCP on the recommendation of Department as part of LEP review
 - Potential positive impact on insurance was discussed once mitigation measure are implemented
 - Steve M, DCCEEW and SES to undertake detailed review and any comments to be included in the final report.
 - Steve M outlined realistic timeframes for any mitigation measures, with noting on the ground works unlikely within the next 4-5 years and could take up to 10 years to complete. Next round of funding expected to open in March 2025.
 - Shaun Flood to replace the retiring Peter Bisset. Thank you, Peter, for your contribution.
4. Committee noted the process made with the full draft report and recommends that the draft FRMS&P be present to Council at the December 2024 meeting (with inclusion of some amendments as discussed) to be endorsed for public exhibition.
 5. Council had a meeting with BOM in February 2024 about Automatic Gauges in Hay. No further progress to-date.
 6. Public exhibition of full draft report – December 2024 & January/February 2025, with an information session first week of February (to include a letterbox drop to affected residents). Exhibition period to complete mid-February and final report to be presented to the FRMC early March 2025.
 7. Finalise report with Council – March 2025.

Next Meeting: *Early March 2025 – TBC*

Meeting closed at 11:50am.