

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

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

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

**25-84 Resolved** that Councillors Garner and Quinn be approved to attend by Audio Visual Link  
(Tapper/Miller)

**Apology:** Cr J Perry

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

***This meeting was live streamed and audio recorded.***

**Address to Council:** Nil

**Confirmation of Minutes**

**25-86 Resolved** that the minutes of the Ordinary Meeting of Council held 19th June 2025 be confirmed.  
(Porter/Tapper)

**Declaration of Interest**

Nil

**Mayoral Report**

**M1 Mayoral Report**

That Council notes the information provided in the report.

**M2 Mayoral Minute**

**25-87 Resolved** that Council

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

(Oataway/Chapman)

## Delegate Report

Nil

## General Manager's Reports

### Action Plan Report

The report was received and noted.

### C1 Development Applications for 13<sup>th</sup> June 2025 to 10<sup>th</sup> July 2025

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(9) **Roofwater**

Guttering and downpipes shall be provided and fitted in an approved manner and the stormwater shall be conveyed into a stormwater system.

(10) **Easements**

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

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

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

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

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

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

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

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

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

**(15) Noise control**

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

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

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

**(16) Amenity protection**

The approved development must not adversely affect the amenity and environment of the neighbourhood in any way including:

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

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

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

**(17) Storage or Hazardous Goods**

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

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

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

**(18) Liquid Spills**

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

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

**(19) Lapsing of Consent**

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

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

**(20) Vehicular Crossing**

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

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

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

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

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

**(21) Waste**

- All waste streams must be separated and paid as applicable as per Council's Revenue Policy.
- All extracted materials must be acceptable as general land fill and any contamination detected must be remediated on site or removed to an authorised disposal location. Evidence must be provided to Council of all excavated materials testing every 50m<sup>3</sup>.
- Before decommissioning the development, a Decommissioning Plan needs to be submitted to Council.

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

**(22) Waste Containment**

Designated waste containment areas must be provided on site and maintained to prevent any windblown litter escaping from the site.

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

**(23) No obstruction of road reserve permitted**

The road reserve must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. All activities including loading/unloading of vehicles associated with this development must be undertaken within the subject site.

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

**(24) Aboriginal Cultural Heritage**

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

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

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

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

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

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

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

**(25) No pollution of waterways**

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

**Reason:** To comply with NSW EPA requirements.

## **Compliance with Government Departments**

### Crown Lands

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

If lineal infrastructure (such as pipelines and/or electricity transmission lines) are expected to traverse Crown land, roads and/or waterways, a licence over said Crown land, roads and/or waterways will be required to authorise use and access for the infrastructure to traverse Crown roads and Crown land.

Details on how to apply for a licence are available at the below link:

<https://www.industry.nsw.gov.au/lands/use/licences>

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

It is noted that no Crown Reserve are within the project area but there is a Water Reserve to the east of Lot 1 DP1049829 which is managed by Riverina Local Land Services and is currently the subject of an undetermined Aboriginal Land Claim (ALC). As such, if any proposed infrastructure, such as Transmission lines, cabling, etc., impact on this reserve then concurrence with the Riverina LLS & NSW Aboriginal Land Council (NSWALC) would be required. Additionally, a tenure will be required to authorise any use of and/or access to this lot, which may be subject to Native Title. This will need to occur prior to the commencement of any works.

Further information regarding Aboriginal Land Claims can be found at the following link:

<https://www.industry.nsw.gov.au/lands/what-we-do/our-work/aboriginal-land-claims>

### DPI (Agricultural Land Use Planning)

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

### EPA recommended conditions

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

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

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

- (31) Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the *Protection of the Environment Operations (Waste) Regulation 2014*, or to any other place that can lawfully accept such waste.
- (32) All waste that is removed from site must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal dockets retained for audit purposes.
- (33) The Proponent shall prepare and implement a Waste and Resource Recovery Management Plan for the project to the satisfaction of Council, prior to the commencement of operation. This program must:
- be prepared in consultation with Hay Shire Council;
  - be approved by Council prior to commencement of operation; and include in the plan: details of the quantity, type and source of waste received;
    - details of the quantity, type and quality of the waste produced and their intended fate;
    - details of the intended fates of all other waste and materials received/produced on site which are not suitable for re-use;
    - details of any materials produced which will require a specific Resource Recovery Order;
    - details of any materials produced under a Resource Recovery Order, and the controls/procedures in place for meeting the conditions of that order;
    - details of any testing/monitoring procedures;
    - details of how materials segregation will be achieved, particularly the segregation of contaminated soils and resource recovery materials;
    - The capability of the waste management facilities in Hay Shire Council to accept the volumes of waste predicted to be deposited and any associated approvals required to create and/or expand waste storage or disposal facilities;
    - Any infrastructure that may be required at any waste facilities that are proposed to be created and/or expanded to receive additional volumes of waste from the project.

#### Essential Energy

- (34) If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
- (35) Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.
- (36) In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity of the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.



- (37) Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).
- (38) Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW ([www.safework.nsw.gov.au](http://www.safework.nsw.gov.au)) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

### RFS

#### **Asset Protection Zones**

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

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

When establishing and maintaining an IPA the following requirements apply:

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

#### **Construction Standards**

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

- (40) Essential equipment should be designed and housed in such a way as to minimise the impact of bush fires on the capabilities of the infrastructure during bush fire emergencies. It should also be designed and maintained so that it will not serve as a bush fire risk to surrounding bush.
- (41) All new fences and gates are to be constructed from non-combustible material only.

## **Access – Property Access**

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

- (42) Prior to the issue of occupation certificate, access roads from Murrumbidgee River Road to the site and internal roads must comply with the following requirements of Table 5.3b of *Planning for Bush Fire Protection 2019*:
- property access roads are two-wheel drive, all-weather roads;
  - traffic management devices are constructed to not prohibit access by emergency services vehicles;
  - the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges and causeways clearly, indicate load rating.
  - there is suitable access for a Category 1 fire appliance to within 4m of the static water supply or static water supply outlet where no reticulated supply is available;
  - minimum 4m carriageway width;
  - in a forest, woodland and heath situations, rural property roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m, at the passing bay;
  - a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
  - property access must provide a suitable turning area in accordance with Appendix 3;
  - curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
  - the minimum distance between inner and outer curves is 6m;
  - the cross fall is not more than 10 degrees; and,
  - maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

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

## **Water and Utility Services**

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

- (43) Prior to the issue of occupation certificate, the provision of water, electricity and gas must comply with the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019*:
- as per the recommendations of the bush fire assessment report, a 100,000 litre static water supply, tank, pool, dam or the like, must be provided on-site,
  - an outlet for firefighting purposes is located within the IPA or non-hazard side and away from the structure,
  - 65mm Storz connection with a ball valve is fitted to the outlet,

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

## **Landscaping Assessment**

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

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

- A minimum 1-metre-wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do 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 and Evacuation Planning Assessment**

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

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

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

### **Biodiversity, Conservation & Science Group (DCCEEW)**

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

- I. the development site as per the 'impact area' shown in Figure 1 of the 'Test of Significance' (Red Gum Environmental Consulting, 30/4/2024) and approved plans.
  - II. areas of vegetation that are to be retained as outlined in the Test of Significance.
  - III. all measures proposed in Sections 6.1 and 7.6 of the Test of Significance, and any other measures necessary, to mitigate and manage impacts on biodiversity. Each commitment must have a performance measure and nominated responsible party.
  - IV. procedures for managing native fauna prior to vegetation clearing and during construction.
  - V. any measures necessary to mitigate and manage impacts on biodiversity during the operational phase of the development.
- (46) Construction impacts must be restricted to the development site and must not encroach into areas of retained native vegetation and habitat as per the 'Test of Significance' (Red Gum Environmental Consulting, 30/4/2024) and approved plans. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the Test of Significance.

*For*

*Against*

*Cr G Chapman  
Cr L Garner  
Cr W Miller  
Cr C Oatway  
Cr P Porter  
Cr M Quinn  
Cr D Tapper*

(Tapper/Porter)

### **C3 Hay Alcohol Free Zones**

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

(Quinn/Tapper)

### **C4 Waste Management Update**

- 25-90 Resolved** that Council:

- (a) Notes the information provided in the report;
- (b) Authorises the six-month trial of new Hay Waste Facility hours as outlined in the report commencing Monday 4<sup>th</sup> August 2025; and
- (c) A further report be brought back to Council in due course.

(Porter/Chapman)

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

That Council notes the information provided in the report.

**C6 Kay Hull Centre – Meeting Room Refurbishment**

**25-91 Resolved** that Council:

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

(Miller/Tapper)

**C7 Swimming Pool Management**

**25-92 Resolved** that Council:

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

(Porter/Quinn)

**C8 Request to Lease Office Space**

**25-93 Resolved** that Council:

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

(Chapman/Miller)

**C9 Audit Office – Interim Management Letter**

That Council notes the information provided in the report.

**C10 Code of Conduct Reviewers Panel**

**25-94 Resolved** that Council:

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

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

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

(Porter/Tapper)

**C11 JLT Public Sector Risk Report**

That Council notes the information provided in the report.

**C12 Roads Congress Report**

That Council receives and notes the report provided.

**C13 John Houston Memorial Swimming Pool Replacement Project**

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

**C14 Monthly Financial Report – June 2025**

That Council receives and notes the report provided.

**C15 Circulars and other Government Correspondence**

That Council notes the information provided in the report.

**C16 Tourism & Economic Development June/July 2025**

**25-95 Resolved that Council:**

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

(Chapman/Miller)

**C17 Library Report June 2025**

That Council notes the information in the report.

**C18 Major Projects Update**

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

**C19 Operations Monthly Update Report**

That Council notes the information provided in the report.

### **Reports of Council Committees**

- Hay Showground Management Committee 19.5.2025

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

(Porter/Tapper)

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

Confirmed \_\_\_\_\_  
Cr Carol Oataway  
Mayor