



# Business Paper

Ordinary Meeting

Tuesday, 28<sup>th</sup> October 2025  
1.00pm



Hay Shire Council

ABN: 84 075 604 155

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23<sup>rd</sup> October 2025

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

Ladies and Gentlemen:

**NOTICE OF MEETING**

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

**Tuesday, 28<sup>th</sup> October to be held 1.00pm  
in the Council Chambers.**

The agenda for the meeting is as follows:

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

This meeting will be live streamed, and the link can be found at  
<https://www.hay.nsw.gov.au/Inside-Hay-Shire-Council/Council-Meetings-and-Reports/Council-Meetings-Webcast>

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

Yours sincerely,

David Webb  
**General Manager**



## 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.

# ADDRESSES TO COUNCIL

Approval has been granted for the following address to be presented to Council at this meeting: -

*Speaker*

**1.15pm** - John Batchelor – Chair of Hay Audit, Risk and Improvement Committee

# **MINUTES INDEX**

- Ordinary Meeting – 23<sup>rd</sup> September 2025

**MINUTES OF THE ORDINARY MEETING OF THE HAY SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS LACHLAN STREET HAY AT 1.00PM ON 23<sup>rd</sup> September 2025**

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**PRESENT:** Councillors: Cr G Chapman, Cr L Garner, Cr W Miller, Cr C Oataway (Chair), Cr J Perry, Cr P Porter, Cr M Quinn, Cr D Tapper, General Manager David Webb, Deputy General Manager – Mark Dowling.

**Request to attend by Audio Visual Link:** Nil

**Apology:** Nil

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

**Address to Council:** Nil

**Confirmation of Minutes**

**25- 122 Resolved** that the minutes of the Ordinary Meeting of Council held 26<sup>th</sup> August 2025 be confirmed.

(Perry/Quinn)

**Declaration of Interest:**

- Cr Oataway – Item M2 – Non-pecuniary as a Board Member of Haydays
- Cr Quinn – Item M2 - Pecuniary as an employee of Haydays

**Mayoral Report**

**M1 Mayoral Report**

That Council notes the information provided in the report.

As both Mayor and Deputy Mayor provided Declaration of Interest for Item M2, an election of a chair was required. Two nominations were received, being Cr Perry and Cr Garner. Cr Perry was elected chair on vote count 6-2.

Crs Oataway and Quinn vacated the chambers during this item. Cr Perry assumed role of Chair.

**M2 Mayoral Minute**

**25-123 Resolved** that Council:

- (i) Writes to the Prime Minister, The Hon Anthony Albanese, the Federal Minister for Aged Care, The Hon Mark Butler, the Minister for Aged Care and Seniors of Australia, The Hon Sam Rae, the Federal Minister for Regional Development, Local Government and Territories, The Hon Kristy McBain, the Shadow Minister for Health and Aged Care, The Hon Anne Ruston, and the NSW Premier, The Hon Chris Minns, to make immediate funding for rural aged care compliance and upgrades a national priority.

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**THIS IS PAGE NO PAGE 1 OF 15 OF THE MINUTES OF THE ORDINARY MEETING OF HAY SHIRE COUNCIL HELD ON 23<sup>rd</sup> September 2025**

- (ii) Requests an immediate meeting with our Federal Member, Sussan Ley, to ensure this matter is taken to Canberra without delay.
- (iii) Advocates to NSW Country Mayors Association to lead a coordinated campaign including case studies from other councils and collecting quantitative evidence that demonstrate the scale and urgency of the crisis in aged care service sustainability in rural and regional NSW; and develops a joint advocacy strategy to collectively lobby the Federal Government for a coordinated and adequately resourced national response.
- (iv) Writes to the Aged Care Quality and Safety Commissioner formally requesting that the Commissioner undertake an investigation into the governance, administration, and overall management practices of Haydays Retirement Hostel over the past twenty (20) years with a view to improve the future operation of the facility.

(Porter/Garner)

Cr Oataway resumed Chair of the meeting.

**Delegate Report:** Nil

**Cr Geoff Chapman Notice of Motion - Support for the National Carp Strategy**

**25- 124 Resolved** that Council:

- a) Supports, in principle, the Murray Darling Association's urgent call for the Federal Government to fund and implement the National Carp Control Plan and its recommendations.
- b) Writes to the Minister for Agriculture, Fisheries and Forestry, the Hon Julie Collins MP, with a copy to be sent to the MDA for their records.

(Chapman/Porter)

**General Manager's Reports**

**Action Plan Report**

The report was received and noted.

**C1 Development Applications for 15<sup>th</sup> August 2025 to 10<sup>th</sup> September 2025**

That Council notes the list of Development Applications for 15<sup>th</sup> August 2025 to 10<sup>th</sup> September 2025.

**C2 DA2025-14 – Refurbishment of Service Station at 164-170 Lachlan St, Hay**

**25-125 Resolved** that DA2025-14 for Demolition of ancillary buildings and awning, refurbishment of existing showroom building, installation of a new underground petroleum storage system, new fuel canopy and construction and use of a service station complete with a convenience store and drive through coffee and hot food outlet at 164-170 Lachlan St, Hay (Lot 2 DP 413386) be approved with the following conditions:

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**THIS IS PAGE NO PAGE 2 OF 15 OF THE MINUTES OF THE ORDINARY MEETING OF HAY SHIRE COUNCIL HELD ON 23<sup>rd</sup> September 2025**

**1. Compliance with Consent:**

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

- Statement of Environmental Effects and Addendum by Badaoui Group Pty Ltd for 164-174 Lachlan St, Hay
- Fire Safety Certificate dated 23/12/24 by Michael Badaoui for 164-174 Lachlan St, Hay
- Plans – Job No. HAY-STN, Dwg No's DA001, DA002 DA003, DA004, DA005, DA006, DA007 dated March 2025 (issue A), AND Dwg No. DA008 (Issue C), DA008 (Issue D), DA008 (Issue E) dated Sept-2025 by Badaoui Group for Hay Station, 164-174 Lachlan St, Hay.

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

**2. Legislative Compliance:**

The development must be in accordance with the relevant provisions and Regulations of the Local Government Act 1993, the Protection of the Environment Operations Act 1997, the Roads Act 1993, the National Construction Code ("NCC") and all other applicable legislation.

**Reason:** *To comply with relevant legislation.*

**3. 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.*

**4. 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.
- An Operational Noise Management Plan
- A Lighting Plan

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

**5. 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.*

**6. Siting and floor levels**

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. Floor levels to be minimum 500mm above the 1% AER.

**Reason:** *To ensure no encroachments occur onto neighbouring properties/road reserves and no changes are made to the approved siting of the property; and protection against flood.*

**7. 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.*

**8. 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.*

**9. 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.*

**10. 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.*

**11. 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).

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.

An Operational Noise Management Plan must be submitted as part of the Construction Certificate.

**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.*

**12. 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.



Hours of operation are (in line with additional information provided) to be:

- Monday - Friday : 5:30am – 10pm
- Saturday, Sunday and Public Holiday : 6am – 9pm
- Deliveries : 7am-9pm

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.*

**13. 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.*

**14. 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.*

**15. Storage of Waste Oil**

The premises shall contain adequate holding facilities for the reception of waste oil and a contract for the recycling of this oil shall be provided to Council.

**Reason:** *To ensure the development occurs as assessed by Council.*

**16. Occupation Certificate:**

Prior to the commencement of the use and/or occupation of the subject development, a satisfactory Final Inspection and 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.*

**17. 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.

**18. Vehicular Crossing**

- Heavy vehicular crossings are required with detailed design extent of new crossing is to be from and including kerb to property boundary.
- 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.

**19. 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 the issue of the Construction Certificate.

**20. Waste**

- All waste streams must be separated and paid as applicable as per the Hay Shire Council 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 50m<sup>3</sup>.

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

**21. Kerb & Gutter**

- Full length of kerb and gutter in Lachlan Street between vehicle crossings must be replaced at the applicant's cost.

**22. Stormwater**

- The stormwater drainage from the development is to be connected directly into Council's stormwater system, or 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 by pipe to a new stormwater pit, located over Council's stormwater main at the applicants cost and Council approval.

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

- Proposed developments treatment of stormwater from refuelling area.

**23. Sewer**

- 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.*

- Visual inspection by a Council officer of existing sewer connection prior to construction is required.

**24. Water**

- Existing filtered water connection on property. If any additional water connections are needed than a Section 68 application is required to be lodged with Hay Shire Council with the relevant fees applicable.

**25. 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.*

**26. 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.

**27. 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](mailto: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](#).

**28. 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.

**29. Council property**

Any damage or deterioration to any Council property including 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.

**30. 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.

**31. 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.*

**32. Demolition Works**

Demolition of existing building or structures is to be carried out in a manner so that the risk of injury to health and safety of site personnel and public persons will be minimised.

Identify and locate service supply mains – Water, Electricity and notify the controlling authority to disconnect such services prior to demolition.

All debris is to be removed from the site and disposed of at Hay Waste Depot, in the building refuse section of the garbage depot. Please note that a separate fee applies for disposal of waste at Council's waste depot. You should contact Council's Waste Service Officer for an estimate of costs in this regard.

**Reason:** *To ensure the safety and to minimise the disruption to services through damage to same.*

**33. Excavation Safety**

All excavations and back-filling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. The adjoining property owner is to be given seven (7) days notice.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

**Reason:** *Regulatory compliance.*

**34. Asbestos Removal**

Any quantity of asbestos, whether it be stabilised or non-stabilised (loose), should be undertaken with care. Stabilised asbestos can include fibro sheets, fibro roofing, fibro water pipes, and bituminous floor tiles. If you are removing more than 10 sq. mtrs. of surface area you will need to have a specially licensed person with Workcover, authorised to undertake such work. If you are removing stabilised asbestos sheeting, roofing, etc. observe the following precautions:

- Remove entire sheets of materials without breaking the product, ie punch nail holes through rather than break the sheet, take down – don't drop.
- Thoroughly wet each sheet of the waste before removing.
- Wrap the sheeting in plastic 200 microns thick.
- When transporting, make sure the top of the trailer is taped over with plastic sheeting and secured.
- Transport to an asbestos authorised disposal area, ie Hay Waste Depot is authorised, provided prior notice has been given so that the disposal pits are specially opened up and protective gear is worn by the operator of the plant.
- When unloading do not drop on the ground but gently place into the areas as directed by the Council operator.
- Do not use power tools which expose the asbestos fibres.
- Do not scrub or water-blast any asbestos cement sheeting.

- Do not slide sheets over other sheets, as this will release fibres.
- Wear a protective mask and goggles.

Websites with additional information are at [www.asbestosawareness.com.au](http://www.asbestosawareness.com.au) and Council's website, [www.hay.nsw.gov.au](http://www.hay.nsw.gov.au).

**Reason:** *To minimise the risk of asbestosis and to dispose of this harmful product in a safe secure manner at an accredited disposal point.*

**35. Protection of Council Services**

The proponent shall install suitable protection to ensure that damage to Council infrastructure does not occur during the construction phase of the development.

Any damage caused to Council's infrastructure including but not limited to footpaths, roads, drainage, kerb & gutters, laybacks or other public land shall be restored to Council's satisfaction and at the full cost of the developer. Where a dispute arises over the person(s) responsible for the damage, Council shall reserve the right to carry out work to remedy such damage(s) at the proponent's cost.

**Reason:** *To protect Council assets.*

**Compliance with Government Departments**

**Transport for NSW**

- 36.** Access to the development for articulated heavy vehicles is denied. Appropriate signage is to be installed and maintained at the driveways to the development site to reinforce this condition to the satisfaction of the Consent Authority. The exception to this restriction is for fuel delivery vehicles operating in accordance with an approved Traffic Management Plan for fuel deliveries to the site. The Traffic Management Plan is to be to the satisfaction of Council.
- 37.** Bowsers with High flow fittings are not permitted to be installed for the service station facility.
- 38.** Vehicular access shall be established and maintained with one-way circulation through the site and restricted to ingress via the southern driveway and egress via the northern driveway as per the submitted plans. Appropriate signage and line marking shall be installed and maintained at the driveways and through the vehicle movement areas within the development site to enforce this.
- 39.** For road safety reasons, all vehicle access driveways, and the internal layout of the development, shall be designed such that all vehicles are able to enter and exit the subject site in a forward direction and not be required to reverse onto the footway or roadway. The swept path of the largest vehicles entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2-2002 "Off-street commercial vehicle facilities" and to Councils satisfaction.
- 40.** As a minimum the proposed works within the road reserves to the 2 driveways to the Cobb Highway shall be designed, constructed and maintained as a sealed driveway to Council standards and to accommodate the swept path of a 19m semi-trailer.
- 41.** Stormwater run-off from the subject site onto the adjoining road reserve as a result of the proposed development shall not exceed the existing level of run-off from the subject site. Suitable drainage treatment is to be implemented to deny contaminated storm water run-off from the subject site to the road reserve of the Cobb Highway.
- 42.** All activities including, loading and unloading associated with this development are to take place within the subject site to remove interference with vehicles and pedestrian movement on public roads. Fill points for 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. A plan is to be

submitted to indicate compliance with this condition prior to release of the Construction Certificate.

43. The 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.
44. Any proposed sign and support structure shall not pose any risk to the safety of pedestrians or motorists. As the sign is proposed to overhang the road reserve of the Cobb Highway, a minimum clearance of 3m shall be maintained from the level of the footpath.
45. All works need to be completed at no cost to TfNSW.

**Prior to the issuing of the Construction Certificate, the developer must:**

46. Apply for Section 138 consent under the Roads Act, 1993 from Council for all works on the Cobb Highway.

**Environment Protection Authority (EPA)**

47. Any existing fuel tanks needs to be decommissioned in accordance with the **Guidelines for implementing the *Protection of the Environment Operations (Underground Petroleum Storage System) Regulation 2019***, prior to the issuing of an Occupation Certificate. Proof of this must be provided to the Council and EPA.
48. For contamination identified during any site investigation or construction works which meets the triggers in the **Guidelines for the Duty to Report Contamination**, the EPA should be notified under section 60 of the *Contaminated Land Management Act 1997*.

*For*

*Against*

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

*Cr W Miller*

(Perry/Quinn)

**C3 Hay Alcohol Free Zones**

- 25-126 **Resolved** that Council does not proceed with the establishment of Alcohol-Free Zone or Alcohol Prohibited Areas at this time.

(Perry/Tapper)

**C4 Companion Animal and Livestock Management Policy**

- 25-127 **Resolved** that Council:

- (a) Places the Draft Hay Shire Council Companion Animal and Livestock Management Policy, dated 17<sup>th</sup> September 2025 on public exhibition for a minimum of 28 days; and
- (b) A further report be brought to Council in due course.

(Perry/Miller)

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**THIS IS PAGE NO PAGE 12 OF 15 OF THE MINUTES OF THE ORDINARY MEETING OF HAY SHIRE COUNCIL HELD ON 23<sup>rd</sup> September 2025**

**C5 Final Endorsement of Council's Reflect Reconciliation Action Plan (RAP)**

**25-128 Resolved** that Council notes the endorsement of the Reflect Reconciliation Action Plan by Reconciliation Australia, and that Council is now recognised as a member of the RAP network.

(Miller/Chapman)

**C6 Draft Policies**

**25-129 Resolved** that Council:

- a. Adopts the Australia Day Policy as presented;
- b. Adopts the **Child Safe Policy**, inclusive of the **Child Safe Code of Conduct**, as presented;
- c. Adopts the Data Management Governance Policy as presented; and
- d. Places the draft Library Policy and draft Debt Management and Hardship Policy on public exhibition for a period of no less than 28 days to allow for community feedback, and a further report be brought to Council.

(Quinn/Perry)

**C7 John Houston Memorial Swimming Pool Replacement Project**

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

**C8 Swimming Pool Management**

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

**C9 Monthly Financial Report – August 2025**

That Council receives and notes the report provided.

**C10 Circulars and other Government Correspondence**

That Council notes the information provided in the report.

**C11 Tourism & Economic Development August/September 2025**

**25-130 Resolved** that Council:

That Council:

- (a) Notes the information in the report; and
- (b) Adopts the Hay Region Economic Transition Roadmap - Early Insights Paper - August 2025.

(Perry/Miller)

**C12 Library Report August 2025**

That Council notes the information provided in the report.

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**THIS IS PAGE NO PAGE 13 OF 15 OF THE MINUTES OF THE ORDINARY MEETING  
OF HAY SHIRE COUNCIL HELD ON 23<sup>rd</sup> September 2025**



**C13 Major Projects Update**

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

**C14 Operations Monthly Update Report**

**25-131 Resolved** that Council:

- (a) Notes the information provided in the report; and
- (b) Allocates \$29,000 towards hazard reduction from the current roads budget, as successful funding to be received from RFS being only \$21,000.00.

(Perry/Quinn)

**Reports of Council Committees**

- Hay Showground Management Committee
- ARIC

**25-132 Resolved** that Council notes the Committees meeting minutes, and any recommendations contained within be adopted.

(Quinn/Garner)

**Closed Session**

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

**Reason for Confidentiality:**

Further that in accordance with Section 10D it is considered that if the matter were discussed in an open Council meeting, it would on balance, be contrary to the public interest as its information that would if disclosed, confer a commercial advantage on person with whom the Council is conducting (or proposes to conduct) business. As such, the matter is appropriately considered in closed session under Section 10A(2)(a) of the Local Government Act 1993.

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

Nil representations or submissions were received.

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

**25-133 Resolved** that the meeting be closed during the discussion of these matters.

(Perry/Quinn)

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**THIS IS PAGE NO PAGE 14 OF 15 OF THE MINUTES OF THE ORDINARY MEETING  
OF HAY SHIRE COUNCIL HELD ON 23<sup>rd</sup> September 2025**

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

### IC1 - Aerodrome Licenses

**25-134 Resolved** that Council:

- (a) Notes the information provided in the report;
- (b) Submit proposed licence agreements to tenants of Hangars 3,4,5 and 7 for an amount of \$2/m<sup>2</sup> (as per Council's Revenue Policy)
- (c) Negotiate with Paraway Pastoral Company (or any prospective buyer of the relevant property) with Hangar 6 and the used by Council in the Southwestern corner of the Aerodrome, utilised by Council.
- (d) Submit a proposed licence agreement to the Hangar 8 tenant (where Council owns the Hangar) for an amount of \$4/m<sup>2</sup>.
- (e) Submit a proposed licence agreement to tenants of Site 9 for an amount of \$2/m<sup>2</sup> (as per Council's Revenue Policy)
- (f) Create a new hangar lease area (marked as 10 in the figure to the right) and put out on EOI to prospective tenants.
- (g) Submit proposed licence agreements to tenants of Agricultural Sites 11 and 12 for an amount of \$0.50/m<sup>2</sup>.
- (h) Go out on EOI for sites 13-15.
- (i) All the above will be for a period of 30 days.
- (j) A further report brought back to Council after the 30-day period.

(Tapper/Quinn)

**25-135 Resolved** that the meeting move out of closed session, and the resolutions closed session be made public.

(Perry/Quinn)

### Open Meeting

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

There being no further business the meeting was terminated at 2:54pm.

Confirmed \_\_\_\_\_

**Cr Carol Oataway**  
**Mayor**

# Mayoral Minute

## Index

<b>Clause</b>	<b>Page</b>	
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**M1. Mayoral Report**

<b>REPORTING OFFICER</b>	Cr Carol Oataway – Mayor
<b>ATTACHMENTS</b>	

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

**Representation / Engagements**

- **CWA Public Speaking Awards – 19<sup>th</sup> September 2025**

I was delighted to attend the annual CWA Public Speaking Awards to present the winners of the Stage 2 and Stage 3 categories. Students entered from Hay Public School, St Mary's Parish School, Balranald Central School and Clare Public School. The standard of delivery was extremely high and presented much entertainment. Well done to winners Charlotte Clarke and Tom Cannon, both students at Hay Public School.



*Stage 2 Winner – Henry Cannon*



*Stage 3 Winner – Charlotte Clarke*

- **Hay Glow Festival – 20<sup>th</sup> September 2025**

As part of the Hay Glow Festival celebrations, I was able to gather with community members in the Hay Park for the much-anticipated opening of the St Paul's Time Capsule that was sealed in the Year 2000. The event was organised by the enthusiastic team at the Hay Visitor Information Centre and provided a wonderful opportunity for the community to meet and reminisce. Locals were delighted to rediscover a range of items sealed 25 years ago, including letters, photographs, newspaper clippings, and memorabilia from local organisations and schools. New items are now being collected to be placed in the next Time Capsule, which will be sealed later this year and scheduled to be opened in 2050.

- **Deni Ute Muster – 3<sup>rd</sup> October 2025**

Along with the General Manager I attended the Chairman's Reception of the Deni Ute Muster. This was an impressive event that was a sell out of 22 000 ticket holders. At the reception we were able to network with MPs Helen Dalton – Member for Murray, Tara Moriarty – Minister for Agriculture, Minister for Regional NSW and Minister for Western NSW, Michael Daley – Attorney General, along with LGNSW President Phyllis Miller and Mayor of Edward River Council – Ashley Hall.



*Chairman's Reception – Deniliquin Ute Muster*

- **CWA Flower Show – 11<sup>th</sup> October 2025**

It was a pleasure to attend the biennial CWA Flower Show and make the presentation for Hay's best front garden, sponsored by Hay Shire Council. After judging a glorious display of spring gardens, two presentations were made. The best small, front garden went to David Ovens in Alma St and the best large, front garden was awarded to Fiona and Geoff Harrison in Orson St. Jan Zambon was awarded the champion rose with her entry of the 'Shirley' rose.



*Small garden winner – David Ovens*



*Champion 'Shirley' Rose – Jan Zambon*



- **Hay Hospital Open Day – 13<sup>th</sup> October 2025**

LHAC hosted another hospital Open Day for the general public with presentations made by various groups that service the health needs of our local community. The hospital was open for a guided tour throughout the morning. Thank you to Council for their organisation and assistance in planning the day.

- **The Long Ride – 13<sup>th</sup> October 2025**

The Long Ride is a group of individuals who participate in a long ride to help create awareness of prostate cancer in many communities along the route. Cr Miller and I were on hand to greet the group of riders who had ridden from West Wyalong and were aiming for Mildura for their overnight stop. The group started out in Townsville QLD and will conclude their ride in Esperance, WA.



*Meeting with charity riders on the Long Ride from Townsville to Esperance*

### **Meetings**

- **Meeting with Sussan Ley – 16<sup>th</sup> September 2025**

The General Manager and I met with Sussan Ley, Member for Farrer to bring to her attention the current situation of aging in the Hay community. We presented her with an advocacy document asking that she highlights with the Aged Care Minister the urgent need for federal funding to: upgrade aged care facilities in Hay so that they are fit for the future; expand the number of high needs and dementia-specific beds so that residents can age in place; provide flexibility in regulations on workforce for rural areas while maintaining care and safety; support through workforce through fast tracked visas and recognition pathways for overseas trained nurses.

- **Pool Site Visit – 19<sup>th</sup> September 2025**  
Councillors and project control group members were invited to a pool site visit to observe first hand the progress being made in the construction of the John Houston Memorial Pool facility. Work continues at a fast pace with a pool opening date planned for December 19<sup>th</sup>.
- **Council Development Session – 25<sup>th</sup> September 2025**  
Councillors attended a Development Session to discuss Council's Economic Transition Roadmap; Housing Business Case; an update on the SW Rez; Community Service changes; and the Code of Meeting Practice.
- **Pool Meeting – 2<sup>nd</sup> October 2025**  
A Pool Community Group meeting was held to provide an update on the current project. The project remains on budget, however has slipped 8 days on the program due to inclement weather (wind) and additional scope of works (shed extension, sewer works, pool heating system installation). Budget - \$8 099 275; Commitments to date - \$7 903 482; Expenditure to date - \$4 859 321. There is a planned grand opening to occur on Friday 19<sup>th</sup> December 2025.
- **CRLG Meeting – 8<sup>th</sup> October 2025**  
The 4<sup>th</sup> webinar hosted by CRLG was presented by Snowy Valleys Council on road maintenance. The purpose of the webinar was to provide council with practical advice on road maintenance including: level of service; grading; cost of sealing; cost of construction; importance of drainage; importance of maintenance and community expectations. A PowerPoint is available for any interested councillors.
- **MLHD Meeting with Jill Ludford – 15<sup>th</sup> October 2025**  
Jill Ludford hosted a MLHD Meeting for local councils of which the General Manager and I were in attendance. The aim of the meeting was to provide an explanation of the private member's bill that has been put forward by Helen Dalton to split MLHD into two distinct health districts. The split will involve Griffith Base Hospital and 14 other communities (including Hay). This split is not supported by MLHD, the Health Minister and the Ministry of Health. MLHD who remain committed to building more activity and more services to the new Griffith Base Hospital.

### **Council Matters**

Cr Tapper has advised of his resignation from Council effective from 30<sup>th</sup> November. Cr Tapper's contribution to Council and his commitment to the people of the Hay Shire have been greatly appreciated. I wish Cr Tapper all the best for the future.

### **Upcoming Engagements**

- Balranald Council Mayor's Civic Reception – 22<sup>nd</sup> October 2025
- Community Forum – 27<sup>th</sup> October 2025
- LHAC Meeting – 3<sup>rd</sup> November 2025
- Sturt Highway Taskforce – 4<sup>th</sup> November 2025
- Pool Meeting – 6<sup>th</sup> November 2025
- Remembrance Day – 11<sup>th</sup> November 2025
- CRLG Meeting – 12<sup>th</sup> November 2025
- HWMHS Presentation Day – 14<sup>th</sup> November 2025
- Rainbow on the Plains Festival – 15<sup>th</sup> – 17<sup>th</sup> November 2025

### **RECOMMENDATION**

That Council notes the information provided in the report.

## M2. Recission Motion - Urgent Action Required to Secure the Future of Rural Aged Care Facilities

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	<ul style="list-style-type: none"> <li>- Recission Motion, dated 26<sup>th</sup> September 2025</li> <li>- Mayora Minute - Urgent Action Required to Secure the Future of Rural Aged Care Facilities</li> </ul>

### INTRODUCTION

Council has received a recission motion from Cr Geoff Chapman.

### COMMENTARY

Council has received a recission motion (see attached) from Cr Geoff Chapman following the Mayoral Minute presented to the September 2025 meeting regarding 'Urgent Action Required to Secure the Future of Rural Aged Care Facilities'.

A copy of the mayoral minute is also attached for information.

For Council's consideration.

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<b>Civic Leadership</b> 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance 4.1.2 Monitor and evaluate Council's strategic planning documents 4.1.3 Be environmentally responsible in decision making 4.1.4 Council will seek to continuously improve 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.1 Provide an advocacy role on behalf of the community
<b>FINANCIAL IMPLICATION</b>	N/A
<b>LEGISLATIVE IMPLICATION</b>	N/A
<b>POLICY IMPLICATION</b>	N/A
<b>ASSET IMPLICATION</b>	N/A
<b>RISK IMPLICATION</b>	N/A

### RECOMMENDATION

For Council's consideration.



**NOTICE TO RESCIND A MOTION**

**TITLE:** M2 - Urgent Action Required to Secure the Future of Rural Aged Care Facilities

**Councillor:** Cr Geoff Chapman

**Summary:**

The motion should be rescinded as writing to the Aged Care Quality and Safety Commissioner offers little value, with limited benefit from investigating Haydays Retirement Hostel's past governance and management. Writing to the Prime Minister is unlikely to be effective, as correspondence is routinely redirected to the responsible federal department. Similarly, writing to the NSW Premier is ineffective, as aged care is a federal responsibility.

**Proposed Resolution:**

That Council:

- (i) Writes to the Federal Minister for Aged Care, The Hon Mark Butler, the Minister for Aged Care and Seniors of Australia, The Hon Sam Rae, the Federal Minister for Regional Development, Local Government and Territories, The Hon Kristy McBain, and the Shadow Minister for Health and Aged Care, The Hon Anne Ruston, to make immediate funding for rural aged care compliance and upgrades a national priority.
- (ii) Notes that a meeting was held 16th September 2025 with our Federal Member, Sussan Ley, to ensure this matter is taken to Canberra without delay.
- (iii) Advocates to NSW Country Mayors Association to lead a coordinated campaign including case studies from other councils and collecting quantitative evidence that demonstrate the scale and urgency of the crisis in aged care service sustainability in rural and regional NSW; and develops a joint advocacy strategy to collectively lobby the Federal Government for a coordinated and adequately resourced national response.

Signed:   
Cr Geoff Chapman

Supporting Councillors:

Signed:   
Cr Will Miller

Date: \_\_26<sup>th</sup> September 2025\_\_

Signed:   
Cr Darren Tapper

Date: \_\_26<sup>th</sup> September 2025\_\_

**COPY OF SEPTEMBER 2025 REPORT****M2. Mayoral Minute****Urgent Action Required to Secure the Future of Rural Aged Care Facilities**

<b>REPORTING OFFICER</b>	Mayor Cr Carol Oataway
<b>ATTACHMENTS</b>	Nil

**INTRODUCTION**

This Mayoral Minute highlights a critical issue: the sustainability of small, community-run aged care in rural NSW. In Hay, both facilities are full, with 14 residents on a waiting list, and one operates from a 1968 building that no longer meets modern standards. Without urgent investment, its closure would leave families without local care, deny residents the right to age in place, and place unsustainable pressure on the remaining service.

**COMMENTARY**

I bring this Mayoral Minute to Council to address an issue of the highest urgency — the sustainability and compliance of small, community-run aged care facilities in rural and regional New South Wales. This is not a distant concern; it is a crisis unfolding here in Hay.

Our community, like many across rural NSW, has an ageing population with growing demand for residential aged care. Both of our local facilities are at full capacity, and as I understand one has a waiting list of 14 people. This waiting list represents real people — our parents, grandparents, neighbours, and lifelong residents of Hay — who cannot access the care they need in their own community.

The situation is compounded by the fact that one of our facilities, the privately operated service, is housed in a building constructed in 1968. This building is now well past its intended life cycle and is not fit-for-purpose under modern aged care standards. More importantly, it does not meet compliance requirements set by the Aged Care Quality and Safety Commission. Without significant grant funding and capital investment, this facility faces the increased risk of not being able to continue to operate into the future.

The consequences of such a closure would be devastating:

- Families would be compelled to move their elderly loved ones hundreds of kilometres away from Hay.
- Lifelong residents would be denied the right to age in place with dignity and community connection.
- The remaining facility would face unsustainable pressure, risking its long-term viability as well.

The reality is clear: without immediate and targeted Federal investment, rural communities like Hay could lose essential aged care services. The Federal Government must recognise and address the disproportionate challenges faced by small, community-run facilities in meeting compliance standards. Failure to act will leave rural Australians without access to basic aged care — a situation that is both unacceptable and unjust.

## COPY OF SEPTEMBER 2025 REPORT

It is recommended that Council:

- (i) Writes to the Federal Minister for Aged Care, The Hon Mark Butler, the Minister for Aged Care and Seniors of Australia, The Hon Sam Rae, the Federal Minister for Regional Development, Local Government and Territories, The Hon Kristy McBain, and the Shadow Minister for Health and Aged Care, The Hon Anne Ruston, to make immediate funding for rural aged care compliance and upgrades a national priority.
- (ii) Requests an immediate meeting with our Federal Member, Sussan Ley, to ensure this matter is taken to Canberra without delay.
- (iii) Advocates to NSW Country Mayors Association to lead a coordinated campaign including case studies from other councils and collecting quantitative evidence that demonstrate the scale and urgency of the crisis in aged care service sustainability in rural and regional NSW; and develops a joint advocacy strategy to collectively lobby the Federal Government for a coordinated and adequately resourced national response.

This is a matter of urgency. Our elderly residents cannot wait, and Hay cannot afford to lose critical aged care services. Federal action is not optional — it is essential.

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

**COPY OF SEPTEMBER 2025 REPORT**

**RECOMMENDATION**

That Council:

- (i) Writes to the Federal Minister for Aged Care, The Hon Mark Butler, the Minister for Aged Care and Seniors of Australia, The Hon Sam Rae, the Federal Minister for Regional Development, Local Government and Territories, The Hon Kristy McBain, and the Shadow Minister for Health and Aged Care, The Hon Anne Ruston, to make immediate funding for rural aged care compliance and upgrades a national priority.
- (ii) Notes that a meeting was held 16<sup>th</sup> September 2025 with our Federal Member, Sussan Ley, to ensure this matter is taken to Canberra without delay.
- (iii) Advocates to NSW Country Mayors Association to lead a coordinated campaign including case studies from other councils and collecting quantitative evidence that demonstrate the scale and urgency of the crisis in aged care service sustainability in rural and regional NSW; and develops a joint advocacy strategy to collectively lobby the Federal Government for a coordinated and adequately resourced national response.

# Delegate Report

## **D1.** Cr Chapman: MDA Annual Conference

**D1 – Delegates Report – MDA Annual Conference**

<b>REPORTING OFFICER</b>	Cr Geoff Chapman
<b>ATTACHMENTS</b>	<ul style="list-style-type: none"> <li>- 2025 MDA Annual Conference Summary Report</li> <li>- Letter from Tanya Plibersek, dated 3<sup>rd</sup> October 2025</li> <li>- MDA response to Tanya Plibersek letter regrading motion on compensate local government and communities for lost rate income</li> </ul>

**INTRODUCTION**

Report on the recent Murray Darling Association (MDA) Annual Conference held in Griffith.

**COMMENTARY**

The Murray Darling Association (MDA), the peak body representing local government across four states within the Murray Darling Basin, held its annual conference in Griffith. I had the privilege of representing Hay Shire Council at this event, which brought together a diverse cross-section of basin communities, stakeholders, and government representatives to discuss water management, regional development, and environmental policy over 4 days. A summary report is attached for further information.

The conference included a comprehensive study tour showcasing the Murrumbidgee Valley's diverse water uses and infrastructure investments:

- Murrumbidgee Irrigation: A \$500 million investment in efficiency and upgrades was highlighted, demonstrating significant progress in water delivery and management.
- Kooba Station: The scale of operations at this property underscored the agricultural reliance on secure water access.
- Aquana Fish Farms: The passion and innovation in aquaculture were evident, emphasizing sustainable water use.
- SunRice: The size and sophistication of this operation illustrated the economic importance of irrigation to the region.

These visits provided a valuable overview of how water supports a wide range of industries and livelihoods in the Murrumbidgee Valley.

The MDA's AGM was held during the conference. While there remains a divergence of views on water policy, it was encouraging to see open dialogue among basin communities. The engagement was meaningful, and participants left better informed and more connected.

Most presentations were tailored and informative, offering localized insights into water management and policy. Some were recorded and missed the opportunity to have a meaningful message.

A notable session was the presentation on the National Carp Control Plan by the Chief Environmental Biosecurity Officer. It detailed the development process for controlling European carp, including the proposed release of a carp virus. Many attendees expressed concern over the lengthy

assessment timeline, with indications that at least two more years of research are required before a decision is made.

In a conversation with the Acting CEO of the Murray Darling Basin Authority, I suggested that engagement efforts should involve MDBA talking with basin communities rather than to them. Encouragingly, she noted that staff has been directed to engage with communities—symbolically through “hundreds of cups of tea”—as part of the upcoming Basin Plan review. This shift in tone suggests an attempt to a more inclusive approach to stakeholder engagement.

The conference was well attended by mayors and general managers from across the basin. Water was consistently identified as a critical issue for the sustainability and prosperity of their shires. I valued the opportunity to connect with fellow councillors and general managers, sharing experiences and challenges not only related to water but across broader local government concerns.

I took the opportunity to follow up on last year’s motion regarding conservation areas and rate compensation. Correspondence on this matter from Tanya Plibersek and MDA response is attached for reference.

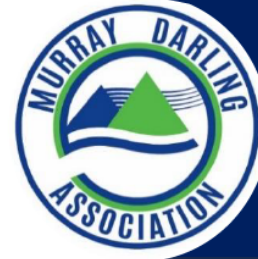
<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<b>Environmental</b> 2.2 Our Community is resilient and adaptive 2.2.1 Support business with climate risk adaptation and best practice 2.3 Celebrate and Promote our unique natural environment 2.2.2 Support local community groups, first nations groups, and other agencies working with the natural environment 2.5 Our community is inclusive and sustainable 2.5.3 Advocate for water security and practices 2.5.5 Facilitate and support sustainable practices across our community <b>Civic Leadership</b> 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.1 Provide an advocacy role on behalf of the community 4.2.2 Inform and empower community input into decision making
<b>FINANCIAL IMPLICATION</b>	Nil
<b>LEGISLATIVE IMPLICATION</b>	Nil
<b>POLICY IMPLICATION</b>	Nil
<b>ASSET IMPLICATION</b>	Nil
<b>RISK IMPLICATION</b>	Nil

## RECOMMENDATION

That Council notes the information provided in the report.

# MURRAY DARLING ASSOCIATION INC.

# 2025 NATIONAL CONFERENCE



# 2025

## SUMMARY REPORT

## A NOTE FROM THE CEO



Addressing Basin Collaboration in our communities and our environment, the 2025 National Conference brought together attendees and representatives from across the Basin, reflecting interests in Irrigation, Industry, Local Government, biosecurity, and the Environment.

At its 2025 AGM, Members discussed and reviewed 14 motions ranging from water storage and weir management, meaningful Federal engagement with Basin communities, the long-term impacts of growth on river resources, sustainable water resource planning, as well as broader Basin representation.

Taking advocacy in stride, the MDA has already begun engaging with State and Federal Governments and entities, and are exploring further engagement opportunities for the year ahead!

## STRATEGIC PLAN 2025

During the 2025 National Conference, the Murray Darling Association unveiled its new Strategic Plan.

The 2025 Strategic Plan builds on the direction of Vision 2025, with targeted, and direct, strategic objectives:

- Advocate for Sustainable Water Management
- Strengthen Community and Stakeholder Engagement
- Promote Indigenous Water Rights and Participation
- Enhance Policy and Research Capacity
- Advocate for Climate-Resilient Water Infrastructure

To implement and monitor progress of the new Strategic Plan, the MDA will:

- Annually develop detailed Action Plans,
- Measuring of Performance Indicators, and
- Measuring and evaluating feedback, strategies, reviews, as well as Basin community impacts.

By focusing on these strategic objectives, the Murray Darling Association can play a pivotal role in shaping water policy and advocacy in the Murray–Darling Basin. This plan aligns with the MDA's Vision and provides a roadmap for achieving sustainable and equitable water management across the region.

## ABOUT THE MDA

The [Murray Darling Association](#) is the peak body representing Local Government across the Murray-Darling Basin, with our membership base divided into 12 separate regions in which Councils have common interests.

- Regions 1, 2, 3, and 4 represent councils in Victoria and New South Wales,
- Regions 5, 6, 7, and 8 represent councils in South Australia,
- Regions 9, 10, and 11 represent councils in New South Wales,
- Region 12 represents councils in Queensland.

## MDA VISION STATEMENT

### *Our Vision*

A healthy Murray Darling Basin supports thriving communities, economic development, and sustainable productivity.

### *Our Purpose*

To provide effective representation of local government and communities at state and federal level in the management of Basin resources by providing:

- Information,
- Facilitating debate,
- Seeking to influence government policy.

### *Our Objectives*

To achieve our purpose, we will:

- Advocate on behalf of Basin communities,
- Use local knowledge and expertise to fully understand regional issues,
- Act as a two-way conduit for information and discussion between our communities and governments,
- Encourage and facilitate debate about the things that matter for the Basin's future,
- Explore options to achieve sound solutions to regional issues,
- Test information to ensure a sound base for those options,
- Be an educational resource for the Basin.

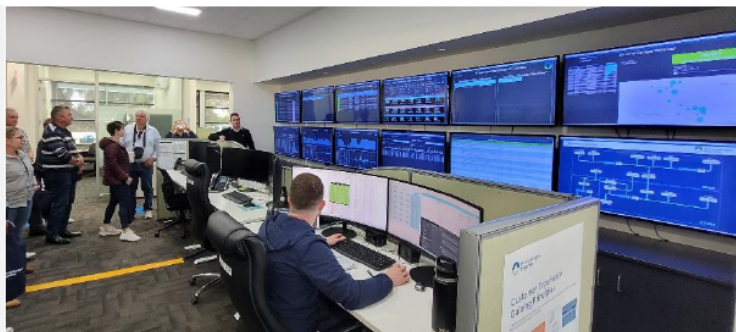


## WELCOME RECEPTION 29/9/25

The Murray Darling Association welcomed Conference Attendees to Griffith at the Exie's Club.

Situated in the heart of Griffith, the Exie's Club, operating since 1938, played host to a relaxed networking evening kicking off the MDA's 2025 National Conference.

During the evening, brief welcomes were offered by Griffith City Council Mayor Doug Curran, MDA National President, Griffith City Councillor, Cr Shari Blumer, as well as MDA CEO, Mr Mark Lamb.



### MURRUMBIDGEE IRRIGATION CONTROL ROOM

Continuing the focus on sustainably sourced local produce, the Study Tour took attendees next to one of the Region's [Aquna Sustainable Murray Cod](#) fish farms, where Aquna's immense fish farm infrastructure was showcased.

Exploring the fish breeding infrastructure, representatives from Aquna outlined their efforts to ensure minimum waterloss, consistent water quality, fish breeding, as well as how (with using a land-based aquaculture model) Aquna's approach provided one of the lowest environmental footprints in the industry.

## STUDY TOUR 30/9/25

Departing from the heart of Griffith, attendees of the Study Tour explored the Riverina Region, focussing on the local industries, innovative farming, irrigation, as well as the value of water to the Riverina region.

Attendees first met with staff at the Murrumbidgee Irrigation (MI) Griffith headquarters, where MI staff presented on, and showcased their irrigation infrastructure in the Region, as well as the technology and surge reservoirs used to manage water during high flow periods.

During this presentation, Murrumbidgee Irrigation indicated that while its network in the Riverina was vast, majority of their irrigation network consisted of open channels, with only 200kms consisting of piped networks.

Future planning for the irrigation entity includes the exploration of technology to make their processes more autonomous, and to better integrate on-farm, and off-farm.

Following the meeting with Murrumbidgee irrigation, Attendees met with researchers from the One Basin CRC Griffith Hub, who provided a brief overview of the Griffith Hub's goals, research, and benefit to the Riverina Region.

The Study Tour's next port of call was the expansive Kooba Station, where station representatives joined the Study Tour as Attendees drove through Kooba Station's vast fields of syphon irrigated plantations, with highlights on the farm's irrigation infrastructure, as well as on-site water storage. Station representatives provided context to infrastructure and plantations, and their benefits to the local communities.

While serving as the ideal halfway mark, Attendees were welcomed by the Whitton Malt House General Manager, Kaitlin Leonard, for a magnificent lunch that showcased local produce, and delved into the history of the Malt House, its location, development, use of local produce and promotion of local industry and community.

Concluding the Study Tour, Attendees were invited to tour the Leeton SunRice Rice Mill and explore the efforts of Rice Breeding Australia to future-proof the Rice industry in Australia.

Rice Breeding Australia indicated to Attendees that they were currently breeding a variety of rice that would be less susceptible to cold weather, requiring less flooding to protect from colder weather elements, a potential game changer in water usage in the industry.

Rice Breeding Australia estimated that they could take up to 6 – 10 years to breed a variety of Rice for commercial sale.

Finally, the SunRice Rice Mill tour showcased the process from truck to finish that locally grown rice underwent in the to be prepared and sold on Australian, and international, shelves in stores.

Attendees were provided the rare opportunity to tour the entire Rice Mill, from loading bays, to husking machines and quality controls, as well as sorters and packers, including a newly installed packing machine undergoing testing during the site visit.



RICE SEED PACKETS DESTINED FOR TESTING AND PLANTING



# NATIONAL CONFERENCE

## DAY 1: 1/10/25

Held at the Yoogali Club, the MDA's Conference proper kicked off on the 1<sup>st</sup> October 2025.

Attendees heard from, and engaged with a great selection of guest speakers, including:

- Matthew Dadswell (DCCEEW, Division Head)
- Janet Anstee (CSIRO, Head of Aquawatch Australia)
- Dr David Post (CSIRO, Research Scientist)
- Prof. Mike Stewardson (One Basin CRC, CEO)
- Hon Rose Jackson MLC (NSW Water Minister)
- Ms Jacqui Hickey (MDBA, A/g CEO)
- Hon Troy Grant (Inspector-General of Water Compliance), and
- Dr Simon Banks (Commonwealth Environmental Water Holder)



THE MDA OPENED ITS DOORS ON CONFERENCE DAY 1 TO OVER 150 ATTENDEES, FACILITATING NETWORKING WITH SPEAKERS, REPRESENTATIVES AND SPONSORS ALIKE.

## 2025 ANNUAL GENERAL MEETING: 1/10/25

14 Motions were raised at the MDA's 2025 AGM.

These motions ranged from water storage and weir management, meaningful Federal engagement with Basin communities, the long-term impacts of growth on river resources, sustainable water resource planning, as well as broader Basin representation.

Of these 14 Motions;

- 9 were passed
- 2 were withdrawn,
- 1 received revisions before being passed
- 2 were lost

## MDA GALA DINNER: 1/10/25

The 2025 Gala Dinner was held at the Piccolo Family Farm. Overlooking the farmlands, plantations and rolling plains surrounding Griffith, Attendees were welcomed with Canapes, woodfired pizzas, and drinks to celebrate and network following a successful conclusion of the Conference's first day proper.

The Gala Dinner Sponsor, Murray-Darling Basin Authority's A/g CEO, Ms Jacqui Hickey, shared a few words with attendees, outlining a collaborative, inclusive, and combined approach to the future of the Basin, drawing focus on the importance of the MDBA and the MDA's partnership, and the benefits that have come from, and would come in future, of the collaboration of the Authority and Association on Basin matters and the representation of Local Government, Communities, and Industries across the Basin.

At the Gala Dinner, MDA CEO Mark Lamb acknowledged and thanked past MDA Board members for their hard work and representation of their Basin communities.



INSPECTOR-GENERAL OF WATER COMPLIANCE, HON TROY GRANT, SPOKE ON THE PROGRESS OF REGULATION ACROSS THE BASIN, AS WELL AS RESOURCES FOR BASIN

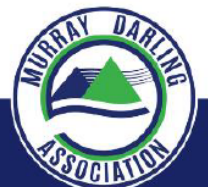
Guest speakers addressed the overarching theme of Basin Collaboration in our communities, and our environment via:

- 6 presentations focussing on the Basin Plan implementation and the future of the Plan, Water quality in the Basin, Governance at a State level, and the usage and management of environmental water
- 2 recordings from State and Federal Ministers, and
- 2 dedicated Panel Sessions addressing Water Quality and Management in the Basin, and the Future of Basin Policy.

**CONTACT THE MURRAY  
DARLING ASSOCIATION**

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# NATIONAL CONFERENCE

## DAY 2: 2/10/25

Returning to the Yoogali Club for the second Conference day on the 2<sup>nd</sup> October 2025, attendees engaged with another significant line up of guest speakers, including:

- Federal Shadow Water Minister, Sen. Ross Cadell
- Dr Bertie Hennecke (Australian Chief Environmental Biosecurity Officer, DAFF)
- NSW Shadow Water Minister, Steph Cooke MP
- SA Shadow Water Minister, Hon Nicola Centofanti MLC
- Member for Murray, Mrs Helen Dalton MP
- Prof. Mike Stewardson (One Basin CRC, CEO)
- Jeremy Cass (Riverina Winegrape Growers, CEO)
- Elizabeth Stott (Cotton Australia, Chair)
- Nathan Crowley (Rice Growers Association)



HON NICOLA CENTOFANTI MLC SPOKE TO ATTENDEES, FOCUSING ON OPPORTUNITIES FOR COMMUNITIES AND INDUSTRIES TO ENSURE A PROSPEROUS BASIN.



DR BERTIE HENNECKE, AUSTRALIA'S CHIEF BIOSECURITY OFFICER, PRESENTED ON BIOCONTROL IN THE BASIN.

The Day's presentations and Panel Sessions Focussed on Basin Collaboration and engagement, with Sen. Cadell raising the importance of collaborating with Government to ensure that meaningful progress is made in the Basin.

Dr Hennecke drew on the MDA's recent advocacy regarding the management of the European Carp in the Basin's waterways, focussing their presentation on the Carp Biological Control Program and Biosecurity in Australia's waterways.

Presentations, and a combined Panel Session of Shadow Ministers Ms Steph Cooke MP and Hon Nicola Centofanti MLC, as well as Member for Murray Mrs Helen Dalton MP brought focus on the opportunities, and challenges faced in the Basin states and regions in futureproofing communities, industries and the environment.

Prof. Mike Stewardson drew on the importance of collaboration, presenting the One Basin CRC's 5 ideas for the next phase of the Basin Plan:

- Set clear metrics for success
- Enable local partnerships
- Coordinate government investment
- Widen the system boundaries to broaden the benefits
- Innovate our approaches

Additionally, Prof. Stewardson raised the Basin's water challenges, water sharing, the declining trust in institutions across Australia, the outline of the One Basin CRC's partnership and project management as a broader network, sidelining the traditional *silo* approach, as well as an outline of the CRC's current projects and demonstration sites

Finally, attendees engaged with the conference's final Panel Session, addressing Food and Fibre in the basin. Engaging with Elizabeth Stott, Cotton Australia Chair, CEO Jeremy Cass, Riverina Winegrape Growers, and Nathan Crowley, Rice Growers Association, attendees and presenters discussed the challenges in their respective industries, including market demand, water availability, erratic climates, as well as success stories and opportunities, including technological advancements, practice and policy improvements, resilience through breeding, as well as lessons and practices learnt that could be taught and exported to the world.

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## GREATER SHEPPARTON CITY COUNCIL TO HOST 2026 NATIONAL CONFERENCE!

The Murray Darling Association is delighted to announce that the 2026 National Conference, its 82<sup>nd</sup> annual event, will be held in, and hosted by the Greater Shepparton City Council!

Keep your eyes peeled! Targeting a date at the end of August 2026, the MDA is delighted to bring the conference to the Goulburn Valley!

## THE MDA IS IDEALLY POSITIONED TO BE THE GO-TO ORGANISATION FOR GOVERNMENTS AND OTHERS IN RELATION TO BASIN POLICY.

*The MDA is committed to providing high-value, high-quality services to members, and to contributing to the evidence that supports a healthy, vibrant and thriving Basin.*

By enabling and providing opportunities for our members and others to learn and share knowledge, the MDA contributes to longer-term positive impacts for our Basin communities.



The MDA is continuing to develop its legitimate, effective and respected leadership, and ensure its leadership reflects the diversity and expertise of our communities.

Our strong and effective leadership on Basin matters enables us to effectively engage with internal and external stakeholders.

## THANK YOU TO OUR SPONSORS



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Fisheries and Forestry







**THE HON TANYA PLIBERSEK MP**

MINISTER FOR THE ENVIRONMENT AND WATER

MC24-017140

Mr Mark Lamb  
Chief Executive Officer  
Murray Darling Association Inc  
PO Box 323  
ALBURY NSW 2640

[m.lamb@mda.asn.au](mailto:m.lamb@mda.asn.au)

Dear Mr Lamb

Thank you for your correspondence about compensation for local councils when areas are declared as conservation areas.

The government has committed to fixing Commonwealth environmental laws so they better protect nature and deliver faster, clearer decisions for business. As part of these reforms, the government is looking at how regional planning can help achieve these goals.

The current focus of work on regional planning is on improving data about the environmental value of land, including the location and prevalence of threatened species. This information can help the communities, landowners and developers make better decisions about what areas are most suitable for development and what areas they want to use for conservation and recreation.

Thank you again for bringing your concerns to my attention.

Yours sincerely

A handwritten signature in blue ink that reads 'Tanya Plibersek'.

TANYA PLIBERSEK

3.10.24

**Motion**

That the Murray Darling Association request the Commonwealth make provisions in their funding to compensate local government and communities for lost rate income when areas are declared conservation areas primarily through the application of environmental water.

Further to your message, I have attached correspondence from Hon Tanya Plibersek MP.

Dated 3/10/24, the letter notes the following:

- ***“The Government has committed to fixing Commonwealth environmental laws so they better protect nature and deliver faster, clearer decisions for business. As part of these reforms, the government is looking at how regional planning can help achieve these goals.”***

***“The current focus of work on regional planning is on improving data about the environmental value of land, including the location and prevalence of threatened species. This information can help the communities, landowners and developers make better decisions about what areas are more suitable for development and what areas they want to use for construction and recreation.”***

We are continuing to advocate - this is the information to date.

Best regards,

Mark  
*Chief Executive Officer*

---

**Mark Lamb**

**Murray Darling Association**

553 Kiewa Street, Albury, NSW, 2640

Contact: [\(03\) 5480 3805](tel:0354803805), (mobile) 0490143214

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# General Manager's Report

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## Actions Required from Council &amp; Committee Meeting

**Month: September****Ordinary Meeting 23<sup>rd</sup> September**

<b>Res No</b>	<b>Officer</b>	<b>Item</b>	<b>Resolution</b>	<b>Complete</b>
25-123	GM	<b>Mayoral Minute – Aged Care Reform</b>	<p>Writes to the Prime Minister, The Hon Anthony Albanese, the Federal Minister for Aged Care, The Hon Mark Butler, the Minister for Aged Care and Seniors of Australia, The Hon Sam Rae, the Federal Minister for Regional Development, Local Government and Territories, The Hon Kristy McBain, the Shadow Minister for Health and Aged Care, The Hon Anne Ruston, and the NSW Premier, The Hon Chris Minns, to make immediate funding for rural aged care compliance and upgrades a national priority.</p> <p>(ii) Requests an immediate meeting with our Federal Member, Sussan Ley, to ensure this matter is taken to Canberra without delay.</p> <p>(iii) Advocates to NSW Country Mayors Association to lead a coordinated campaign including case studies from other councils and collecting quantitative evidence that demonstrate the scale and urgency of the crisis in aged care service sustainability in rural and regional NSW; and develops a joint advocacy strategy to collectively lobby the Federal Government for a coordinated and adequately resourced national response.</p> <p>(iv) Writes to the Aged Care Quality and Safety Commissioner formally requesting that the Commissioner undertake an investigation into the governance, administration, and overall management practices of Haydays Retirement Hostel over the past twenty (20) years with a view to improve the future operation of the facility.</p> <p><b>Response:</b> Letters drafted. Action ceased due to receipt of Recission Motion.</p>	No
25-124	GM	<b>Cr Geoff Chapman Notice of Motion - Support for the National Carp Strategy</b>	Supports, in principle, the Murray Darling Association's urgent call for the Federal Government to fund and implement the National Carp Control Plan and its recommendations.	Yes



## HAY SHIRE COUNCIL

			<p>b) Writes to the Minister for Agriculture, Fisheries and Forestry, the Hon Julie Collins MP, with a copy to be sent to the MDA for their records.</p> <p><b>Response:</b> Completed.</p>	
25-125	EM - P&C	<b>DA2025-14 – Refurbishment of Service Station at 164-170 Lachlan St, Hay</b>	<p>DA2025-14 for Demolition of ancillary buildings and awning, refurbishment of existing showroom building, installation of a new underground petroleum storage system, new fuel canopy and construction and use of a service station complete with a convenience store and drive through coffee and hot food outlet at 164-170 Lachlan St, Hay (Lot 2 DP 413386) be approved with conditions:</p> <p><b>Response:</b> DA approved.</p>	Yes
25-127	EM-P&C	<b>Companion Animal and Livestock Management Policy</b>	<p>a. Places the Draft Hay Shire Council Companion Animal and Livestock Management Policy, dated 17<sup>th</sup> September 2025 on public exhibition for a minimum of 28 days; and</p> <p>b. A further report be brought to Council in due course.</p> <p><b>Response:</b> Currently on public exhibition.</p>	No
25-129	EM – P&G	<b>Draft Policies</b>	<p>a. Adopts the Australia Day Policy as presented;</p> <p>b. Adopts the <b>Child Safe Policy</b>, inclusive of the <b>Child Safe Code of Conduct</b>, as presented;</p> <p>c. Adopts the Data Management Governance Policy as presented; and</p> <p>d. Places the draft Library Policy and draft Debt Management and Hardship Policy on public exhibition for a period of no less than 28 days to allow for community feedback, and a further report be brought to Council.</p> <p><b>Response:</b> (d) Polices currently on public exhibition.</p>	No
25-130		<b>Tourism &amp; Economic Development August/September 2025</b>	<p>Adopts the Hay Region Economic Transition Roadmap - Early Insights Paper - August 2025</p> <p><b>Response:</b> No further action required.</p>	Yes
25-131	EM – E&O	<b>Operations Monthly Update Report</b>	<p>Allocates \$29,000 towards hazard reduction from the current roads budget, as successful funding to be received from RFS being only \$21,000.00.</p> <p><b>Response:</b> Included in budget.</p>	Yes
25-134	EM – P&C	<b>Aerodrome Licenses</b>	<p>(a) Notes the information provided in the report;</p> <p>(b) Submit proposed licence agreements to tenants of Hangars 3,4,5 and 7 for an amount of \$2/m<sup>2</sup> (as per Council's Revenue Policy)</p>	No

## HAY SHIRE COUNCIL

		<p>(c) Negotiate with Paraway Pastoral Company (or any prospective buyer of the relevant property) with Hangar 6 and the used by Council in the Southwestern corner of the Aerodrome, utilised by Council.</p> <p>(d) Submit a proposed licence agreement to the Hangar 8 tenant (where Council owns the Hangar) for an amount of \$4/m<sup>2</sup>.</p> <p>(e) Submit a proposed licence agreement to tenants of Site 9 for an amount of \$2/m<sup>2</sup> (as per Council's Revenue Policy)</p> <p>(f) Create a new hangar lease area (marked as 10 in the figure to the right) and put out on EOI to prospective tenants.</p> <p>(g) Submit proposed licence agreements to tenants of Agricultural Sites 11 and 12 for an amount of \$0.50/m<sup>2</sup>.</p> <p>(h) Go out on EOI for sites 13-15.</p> <p>(i) All the above will be for a period of 30 days.</p> <p>(j) A further report brought back to Council after the 30-day period.</p> <p><b>Response:</b> No further progress at this stage.</p>	
--	--	--	--

**Month: August 2025**

**Ordinary Meeting 26<sup>th</sup> August**

Res No	Officer	Item	Resolution	Complete
25-105	EM – P&C	<b>Hay Shire Housing Facilitation Project - Planning Proposal PP2024-1037</b>	<p>1. Receives the post exhibition report and endorses Planning Proposal PP- 2024-1037 to amend the Hay Local Environmental Plan 2011:</p> <p>Remove the current 550sqm minimum lot size applicable to land located within the RU5 Village Zone (both North and South Hay).</p> <p>a. Rezone land identified as 229 Bourke Street (Lot 2, DP448476 and Lot 135, DP756755) and 41 Cemetery Road (Lot 168, DP756755) from RU1 Primary Production to R2 Low Density Residential Zone.</p> <p>b. Reduce the minimum lot size of land identified as 229 Bourke Street (Lot 2, DP448476 and Lot 135, DP756755) and 41 Cemetery Road (Lot 168, DP756755) from 90ha to 1,500sqm.</p> <p>c. Introduce a new land use zone within the Land Use Table of the LEP, being the R2 Low Density Residential zone.</p> <p>2. Requests the NSW Department of Planning, Housing and Infrastructure to draft and finalise the amendment to the Hay Local Environmental Plan 2011.</p>	No

			<b>Response:</b> Motions submitted and letter sent. Submitted all paperwork to the Department. At parliamentary council for LEP change.	
25-108	GM	<b>Planning Agreements Policy</b>	(a) Places the draft Planning Agreements Policy, V1.2 dated August 2025 on public exhibition for a minimum of 28 days; and (b) A further report be brought to Council in due course.  <b>Response:</b> Out on public exhibition. See further report to Council.	Yes
25-110	GM	<b>Maude Cemetery</b>	(b) Calls for Expressions of Interest (EOI) for land management of Lot 7018 DP 1019632 and Lot 7003 DP 1019633 at the Maude Cemetery. (c) A further report is brought back to Council in due course.  <b>Response:</b> Preparing EOI.	No
25-113		<b>Swimming Pool Management</b>	Readvertises the Expression of Interest (EOI) to lease the pool canteen for the 2025/2026 season.  <b>Response:</b> Recalled EOI. See further report to Council.	Yes
25-117		<b>Library Report</b>	1. Ceases new enrolments in the Imagination Library from 31 August 2025, while ensuring currently enrolled children continue to receive books until June 2026 as currently funded. 2. Reviews its library programs and develops new, innovative programs in collaboration with HCS that align with best practice in early literacy and maximise family participation in library services. 3. At the next Quarterly Budget Review considers the Library Budget allocation following the review in (2) above; including 1000 Books Before School, Storytime, Baby Rhyme Time, and family literacy workshops, with improved incentives and enrolment strategies. 4. Updates and diversifies the children's book collection to support social, emotional, and educational development, ensuring resources remain relevant to the needs of regional families. 5. Promotes equity of access by encouraging extended loans and outreach support for families who are geographically isolated or unable to attend library programs regularly.	No

## HAY SHIRE COUNCIL

			<b>Response:</b> Imagination Library advised of decision. Staff reviewing library programs.	
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**Extraordinary Meeting 31<sup>st</sup> July 2025**

Res No	Officer	Item	Resolution	Complete
25-99	GM	<b>Hay Sewage Treatment Plant</b>	(b) Authorises expenditure as outlined in the report funded from the Sewer Fund Reserve.  <b>Response:</b> Ongoing.	No

**Ordinary Meeting 22<sup>nd</sup> July 2025**

25-90	GM	<b>Waste Management Update</b>	(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.  <b>Response:</b> Trial hours have commenced.	No
25-91	GM	<b>Kay Hull Centre – Meeting Room Refurbishment</b>	(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.  <b>Response:</b> Project moving to full design and documentation stage. Updated design plans being reviewed by staff. Finalising design plans and costings.	No
25-92	GM	<b>Swimming Pool Management</b>	(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.  <b>Response:</b> Advertised for lifeguards. Applications have closed and arranging interviews. Unsupervised pool entry system being developed. Obtained security quotes. EOI called for lease of canteen. Recalled EOI. See further report to Council.	Yes

**Ordinary Meeting: 19<sup>th</sup> June 2025**

Res No	Officer	Item	Resolution	Complete
<b>Month: May 2025</b> <b>Ordinary Meeting: 27<sup>th</sup> May 2025</b>				

25-66	EM-E&O	<b>Tree Removal Requests</b>	<p>(i) Removes tree at 325 Macauley Street and replace it with Crepe Myrtle.</p> <p>(ii) Removes tree at 393 Balaclava Street and replace it with Manchurian Pear.</p> <p>(iii) Removes tree at 255 Piper Street and replace it with Crepe Myrtle.</p> <p>(iv) Removes tree at 405 Church Street and replace it with a Crepe Myrtle.</p> <p>(v) Removes tree at 59 – 69 Lachlan Street and replace it with a Bottlebrush.</p> <p>(vi) Removes tree at 392 Murray Street and replace it with Manchurian Pear.</p> <p>(vii) Removes tree at the old goal, Church Street and replace it with a Manchurian Pear.</p> <p><b>Response:</b> In progress. (iii) done. the rest of the trees have been removed and replacements ordered.</p>	No
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**Month: April 2025**

**Ordinary Meeting: 22<sup>nd</sup> April 2025**

25-44	GM	<b>RAMJO Update</b>	<p>a) Does not accept or pay the \$30,000 fee requested by RAMJO for the 2025/2026 financial year; and</p> <p>(b) Writes to the Minister for Local Government seeking a release from RAMJO.</p> <p><b>Response</b> email sent to RAMJO EO advising decision; and letter sent to Minister Hoeing seeking release.</p>	No
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**Month: March 2025**

**Ordinary Meeting: 25<sup>th</sup> March 2025**

25-40	DGM	<b>Sale of Land for Overdue Rates</b>	<p>a. Sell the nominated land for overdue rates pursuant to Division 5 of the Local Government Act, 1993;</p> <p>b. Fix the time for sale thereof by public auction on the 19<sup>th</sup> September 2025 and the place for the public auction as the Council Chambers, 134 Lachlan Street,</p> <p>c. Give notice of the proposed public auction by advertisement in the NSW Government Gazette and the Riverine Grazier newspaper in the prescribed form;</p> <p>d. Appoint an Auctioneer for the proposed sale;</p> <p>e. Where practicable after publication of the notice referred to in Clause (c) hereof, give notice to any person who, according to</p>	Yes
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		<p>the relevant land title search, has an interest in any of the land; and</p> <p>f. An administration fee of \$500 to be charged to each rate assessment.</p> <p>g. That the General Manager be authorised to set reasonable reserve prices for the respective properties.</p> <p>h. that the owners be advised that formal arrangements will commence if they do not immediately satisfy the debt or make satisfactory arrangement to pay their rates.</p> <p><b>Response:</b>          Process commenced. Advert placed Grazier 16/04 &amp; NSW Gazette 02/05.          Three properties have had rates paid in full. One property still outstanding.          Auctioneer and solicitor engaged.          Auction set for 19<sup>th</sup> September 2025.  <b>Auction held and land sold.</b></p>	
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**Month: February 2025**

**Ordinary Meeting: 25<sup>th</sup> February 2025**

25-12	DGM	<b>Wheelchair accessible vehicle</b>	<p>That Council</p> <ol style="list-style-type: none"> <li>Enters into a lease for a five-seater vehicle with wheelchair accessibility;</li> <li>Sells the existing bus and hire a bus if needed from an external provider;</li> <li>Conducts the service during normal business hours with the potential to service clients requiring wheelchair accessibility outside of normal house subject to driver availability.</li> </ol> <p><b>Response:</b>          Discussions ongoing. Credit approved by supplier. Details of lease still being finalised.          Lease finalised. Waiting on delivery of vehicle.</p>	No

**Month: October 2024**

**Ordinary Meeting: 22<sup>nd</sup> October 2024**

Res No.	Officer	Item	Resolution	Complete
24-109		Tree Removal Requests	<p><b>Resolved</b> That Council:</p> <ol style="list-style-type: none"> <li>Removes the Gum Tree at 238 Bourke Street and replace with a suitable species; Tree removed.</li> <li>Prunes the Christmas Bush at 133 Lachlan Street to reduce the height; Complete</li> <li>Removes three Claret Ash Trees at 422 Orson Street and replace with suitable species; Completed.</li> </ol>	Yes

			<p><b>d)</b> Prunes the Claret Ash tree in front of 190-192 Lachlan Street away from the awning. Complete</p> <p><b>Response:</b></p> <p>a) Tree removed with no replacement.</p> <p>b) Completed</p> <p>c) Completed</p> <p>d) Completed</p>	
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**Month: August 2024**

**Extraordinary Meeting: 12<sup>th</sup> August 2024**

Res No.	Officer	Item	Resolution	Complete
24-85	EM O&P	Tree Removal Requests	<p><b>Resolved</b> 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; Trees Removed</p> <p>d) Retains the Silky Oak tree at 366 Cadell St.</p> <p><b>Response:</b> a) &amp; b) complete. C) trees removed, no replacement. No action for d)</p>	Yes
24-87	GM	Update on Housing Proposal & Childcare in Hay	<p><b>Resolved</b> 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 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 regard to property for childcare as outlined in the report and execute Contracts of Sale of property, under Council Common Seal as required.</p>	Yes



			<b>Response:</b> In progress and ongoing. Contracts in progress. Negotiations close to being finalised. <b>See further report to Council.</b>	
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**Month: June 2024**

**Ordinary Meeting: 25<sup>th</sup> June 2024**

<b>Res No.</b>	<b>Officer</b>	<b>Item</b>	<b>Resolution</b>	<b>Complete</b>
24-059	EM-PC	Bishops Lodge Subdivision	<b>Resolved that:-</b> (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 value of the land at sale subject to the valuation and escalated by Annual CPI. Any changes to covenant(s) on Certificate of Title are subject to approval by Hay Shire Council; (e) That in the event that Argyle Housing Inc is unable to attract funding the develop the subdivision lots within 4-years from date of transfer, the land returns to the full	No



## HAY SHIRE COUNCIL

			<p>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><b>Response:</b></p> <p>Ongoing. In discussions with Argyle Housing and Homes NSW.</p> <p>Contract conditions agreed on Bishops Lodge subdivision and expect execution to occur shortly. Waiting on updated land valuations. Land valuations received. Expect to exchange contracts very shortly.</p>	
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**Month: April 2024**

**Ordinary Meeting: 23<sup>rd</sup> April 2024**

<b>Res No.</b>	<b>Officer</b>	<b>Item</b>	<b>Resolution</b>	<b>Complete</b>
24-032		Hay Shire Housing Facilitation Project	<p><b>Resolved</b></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> <p><b>Response:</b></p> <p>Gateway submitted to Department. Ongoing. Drafting clauses for LEP amendment.</p> <p>In final stages of gazettal.</p> <p><b>See resolution 25-105.</b></p>	<b>Yes</b>

**Month: March 2024**

**Ordinary Meeting: 26<sup>th</sup> March 2024**

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

**Month: February 2024**

**Ordinary Meeting: 27<sup>th</sup> February 2024**

## HAY SHIRE COUNCIL

Res. No	Officer	Item	Resolution	Complete
24-009	EM-EO	Tree Removal Requests	<p>Resolved that Council</p> <ol style="list-style-type: none"> <li>Removes two Gum trees in Pal Richards Park and replace with two Ornamental Pear Trees.</li> <li>Removes the Pine tree at 321 Macauley Street and replace with a crepe Myrtle Tree.</li> <li>Remove two Claret Ash trees at 471 Cadell Street and replace with two Crepe Myrtle Trees.</li> <li>Remove 2 x Claret Ash from 322 Church Street and replace with two Ornamental Pear Trees, and</li> <li>Removes Pepper Corn tree Corner of Cadell and Lachlan and replace with a Manchurian Pear. Tree removed</li> <li>Retain the California Ash at 348 Cadell Street.</li> <li>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).</li> <li>Heavy prune 12 Claret Ash Trees at the John Houston Memorial Pool carpark.</li> <li>Additional to the replacement trees suggested, Council plant trees within Hay Parks to achieve ten trees planted for every removal.</li> </ol> <p><b>Response:</b></p> <p>(a), (b), (c), (d), (e) &amp; (g) complete  (f) <b>no action</b> &amp; (h) trees removed and replacements ordered. (h) &amp; (i) <b>Complete</b></p>	No

**Month: February 2023**

**Ordinary Meeting: 28<sup>th</sup> February 2023**

Res No	Officer	Item	Resolution	Complete
23-011	GM	Request to Purchase Council Land	<p><b>Resolved</b> that Council</p> <ol style="list-style-type: none"> <li>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</li> <li>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.</li> </ol> <p><b>Response:</b></p>	No

## HAY SHIRE COUNCIL

			Council has completed its phase of part (a). Hay Street – Applicant has adjacent land for land for sale; would assume upon sale the application is closed.	
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**Month: April 2021**

**Ordinary Meeting 27<sup>th</sup> April 2021**

<b>Res. No.</b>	<b>Officer</b>	<b>Item</b>	<b>Resolution</b>	<b>Complete</b>
21-052	DCCS	Potential Land Acquisition	<p><b>Resolved</b> 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><b>Response:</b></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 15<sup>th</sup> December 2020**

<b>Res. No.</b>	<b>Officer</b>	<b>Item</b>	<b>Resolution</b>	<b>Complete</b>
20-170	DCCS	Realignment of the Suburb of One Tree	<p><b>Resolved</b> that Council:</p> <p>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</p> <p>ii.) Council advertises its decision for public comment;</p> <p>iii.) Seek comment from affected landowners; and</p> <p>iv.) Liaise with the NSW Geographical Names Board.</p> <p><b>Response:</b> In progress Ongoing Engaging contractor to produce mapping To assist with owner notification</p>	No

**Month: July 2020**

**Ordinary Meeting 28<sup>th</sup> July 2020**

<b>Res. No.</b>	<b>Officer</b>	<b>Item</b>	<b>Resolution</b>	<b>Complete</b>
20-084	DCCS	Classification of Crown Reserve 150036	<p><b>Resolved</b> 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><b>Response:</b></p>	No

<b>Res. No.</b>	<b>Officer</b>	<b>Item</b>	<b>Resolution</b>	<b>Complete</b>
			Matter is on hold pending Aboriginal land claim determination.	
20-090	GM	IC 1 – Railways Lands - IN COMMITTEE	<p><b>IC 1 Resolved that Council:</b></p> <p>(a) Commences negotiation to terminate Agreement 206.2523 and enter into a new agreement which includes Lot 4 DP 812034; and</p> <p>(b) A further report be brought to Council in due course.</p> <p><b>Response:</b> Letter written to JHR. Ongoing. Staff liaising with new railway land managers. Discussions still ongoing.</p>	No

**Month: March 2020**

**Ordinary Meeting 24<sup>th</sup> March 2020**

<b>Res. No.</b>	<b>Officer</b>	<b>Item</b>	<b>Resolution</b>	<b>Complete</b>
20-038	DCCS	Road Name	<p><b>Resolve that Council:</b></p> <p>a. Endorses the name of road as “Kiernan Lane”.</p> <p>b. Continues with naming the unnamed road in accordance with Geographical Names Board requirements; and</p> <p>c. Continues with the formalising of the road corridors for Yankee Crossing Road and unnamed road.</p> <p><b>Response:</b> 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 formalisation.</p> <p>Matter is on hold due to Aboriginal land claim travelling stock route.</p>	No

**C1 – ARIC 2024/25 Annual Report and Attestation**

<b>REPORTING OFFICER</b>	Executive Manager – People & Governance
<b>ATTACHMENTS</b>	General Manager's Attestation 2024/25 Audit Risk and Improvement Committee Annual report

**INTRODUCTION**

In accordance with the Office of Local Government (OLG) Risk Management and Internal Audit Guidelines, the General Manager is required to provide the Audit, Risk and Improvement Committee (ARIC) with an annual attestation. Similarly, ARIC is required to prepare an annual report for presentation to Council.

**COMMENTARY**

Councils must include in their annual report an attestation (a formal statement) by the General Manager, indicating whether, for the preceding financial year, the council's ARIC, risk-management framework and internal audit function complied with the Guidelines.

The General Manager provided the annual attestation (copy attached) to the ARIC at its meeting held 11<sup>th</sup> September 2025 where it was accepted by the Chairman and endorsed by ARIC for presentation to Council.

The ARIC Chair Mr John Batchelor prepared and presented the ARIC annual report to the ARIC meeting held 23<sup>rd</sup> October 2025. The Committee endorsed the 2024/25 ARIC Annual Report for presentation to Council.

The 2024/25 ARIC Annual Report provides information on the ARIC's activities over the financial year including membership details, activities undertaken, key findings, observations and recommendations, assessment of council's systems and frameworks.

The purpose of the annual report and attestation is to increase accountability and transparency of local government governance, risk management and audit functions.

ARIC Chair Mr John Batchelor will be in attendance at the Ordinary meeting to meet Council and present his report.

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<b>Civic Leadership</b> 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance 4.1.2 Monitor and evaluate Council's strategic planning documents 4.1.4 Council will seek to continuously improve 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.3 Our community has access to Council information, services and facilities 4.3 Our Council is inclusive and sustainable 4.3.3 Ensure a financially sound Council that is responsible and sustainable
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<b>FINANCIAL IMPLICATION</b>	Nil
<b>LEGISLATIVE IMPLICATION</b>	OLG Guidelines for Audit, Risk and Improvement Committees
<b>POLICY IMPLICATION</b>	Legislative Compliance Policy 2023
<b>ASSET IMPLICATION</b>	Nil
<b>RISK IMPLICATION</b>	Compliance

#### RECOMMENDATION

That Council:-

- a.** Accepts the ARIC's 2024/25 Annual Report; and
- b.** Endorses the General Manager's attestation for inclusion in the Council's 2024/25 Annual Report.

## Internal audit and risk management attestation statement for the 2024-2025 financial year for Hay Shire Council

I am of the opinion that Hay Shire Council has an audit, risk and improvement committee, risk management framework and internal audit function that operate in compliance with the following requirements except as may be otherwise provided below:

### Audit, risk and improvement committee

	Requirement	Compliance
1.	Council has appointed an audit, risk and improvement committee that comprises of an independent chairperson and at least two independent members (section 428A of the <i>Local Government Act 1993</i> , section 216C of the <i>Local Government (General) Regulation 2021</i> ).	Compliant
2.	The chairperson and all members of council's audit, risk and improvement committee meet the relevant independence and eligibility criteria prescribed under the <i>Local Government (General) Regulation 2021</i> and have not exceeded the membership term limits prescribed under the Regulation (sections 216D, 216E, 216F, 216G of the <i>Local Government (General) Regulation 2021</i> ).	Compliant
3.	Council has adopted terms of reference for its audit, risk and improvement committee that are informed by the model terms of reference approved by the Departmental Chief Executive of the Office of Local Government and the committee operates in accordance with the terms of reference (section 216K of the <i>Local Government (General) Regulation 2021</i> ).	Compliant
4.	Council provides the audit, risk and improvement committee with direct and unrestricted access to the general manager and other senior management and the information and resources necessary to exercise its functions (section 216L of the <i>Local Government (General) Regulation 2021</i> ).	Compliant
5.	Council's audit, risk and improvement committee exercises its functions in accordance with a four-year strategic work plan that has been endorsed by the governing body and an annual work plan that has been developed in consultation with the governing body and senior management (Core requirement 1 of the Office of Local Government's <i>Guidelines for Risk Management and Internal Audit for Local Government in NSW</i> ).	Compliant

## HAY SHIRE COUNCIL

6.	Council's audit, risk and improvement committee provides the governing body with an annual assessment each year, and a strategic assessment each council term of the matters listed in section 428A of the <i>Local Government Act 1993</i> reviewed during that term (Core requirement 1 of the Office of Local Government's <i>Guidelines for Risk Management and Internal Audit for Local Government in NSW</i> ).	Non-Compliant – An annual assessment including a survey of committee members and other relevant stakeholders has not yet been undertaken but will occur in the 2025-2026 reporting year with the results compiled and submitted to Council. An appropriate timeframe to meet with Councillors for a strategic assessment has not yet been determined but will be discussed at an upcoming meeting of ARIC members.
7.	The governing body of council reviews the effectiveness of the audit, risk and improvement committee at least once each council term (Core requirement 1 of the Office of Local Government's <i>Guidelines for Risk Management and Internal Audit for Local Government in NSW</i> ).	Non-Compliant - An appropriate timeframe to meet with Councillors for a strategic assessment has not yet been determined but will be discussed at an upcoming meeting of ARIC members.

### Membership

The chairperson and membership of the audit, risk and improvement committee are:

Chairperson	John Batchelor	1 July 2025	30 June 2029
Independent member	Leanne Austin	1 July 2025	30 June 2029
Independent member	Sarah Donnelly	1 July 2025	30 June 2029
Independent member	Derek Francis	1 July 2025	30 June 2029
Independent member	Jasen Crighton	1 July 2025	30 June 2029
Councillor member	Cr John Perry	October 2024	September 2028

### Risk Management

	Requirement	Compliance
8.	Council has adopted a risk management framework that is consistent with current Australian risk management standard and that is	Compliant



## HAY SHIRE COUNCIL

	appropriate for the [council's/joint organisation's] risks (section 216S of the <i>Local Government (General) Regulation 2021</i> ).	
9.	Council's audit, risk and improvement committee reviews the implementation of its risk management framework and provides a strategic assessment of its effectiveness to the governing body each council term (section 216S of the <i>Local Government (General) Regulation 2021</i> ).	Non-Compliant – An annual assessment including a survey of committee members and other relevant stakeholders has not yet been undertaken but will occur in the 2025-2026 reporting year with the results compiled and submitted to Council. An appropriate timeframe to meet with Councillors for a strategic assessment has not yet been determined but will be discussed at an upcoming meeting of ARIC members.

### Internal Audit

	Requirement	Compliance
10.	Council has an internal audit function that reviews the council's operations and risk management and control activities (section 216O of the <i>Local Government (General) Regulation 2021</i> ).	Compliant
11.	Council's internal audit function reports to the audit, risk and improvement committee on internal audit matters (sections 216M, 216P and 216R of the <i>Local Government (General) Regulation 2021</i> ).	Compliant
12.	Council's internal audit function is independent and internal audit activities are not subject to direction by the Council (section 216P of the <i>Local Government (General) Regulation 2021</i> ).	Compliant
13.	Council has adopted an internal audit charter that is informed by the model internal audit charter approved by the Departmental Chief Executive of the Office of Local Government and the internal audit function operates in accordance with the charter (section 216O of the <i>Local Government (General) Regulation 2021</i> ).	Compliant

# HAY SHIRE COUNCIL

	Requirement	Compliance
14.	Council has appointed a member of staff to direct and coordinate internal audit activities or is part of a shared arrangement where a participating Council has appointed a staff member to direct and coordinate internal audit activities for all participating councils (section 216P of the <i>Local Government (General) Regulation 2021</i> ).	Compliant
15.	Internal audit activities are conducted in accordance with the International Professional Practices Framework (Core requirement 3 of the Office of Local Government's <i>Guidelines for Risk Management and Internal Audit for Local Government in NSW</i> ).	Compliant
16.	Council provides the internal audit function with direct and unrestricted access to staff, the audit, risk and improvement committee, and the information and resources necessary to undertake internal audit activities (section 216P of the <i>Local Government (General) Regulation 2021</i> ).	Compliant
17.	Council's internal audit function undertakes internal audit activities in accordance with a four-year strategic work plan that has been endorsed by the governing body and an annual work plan that has been developed in consultation with the governing body and senior management (Core requirement 3 of the Office of Local Government's <i>Guidelines for Risk Management and Internal Audit for Local Government in NSW</i> ).	Compliant
18.	Council's audit, risk and improvement committee reviews the effectiveness of the internal audit function and reports the outcome of the review to the governing body each council term (section 216R of the <i>Local Government (General) Regulation 2021</i> ).	Non-Compliant – An annual assessment including a survey of committee members and other relevant stakeholders has not yet been undertaken but will occur in the 2025-2026 reporting year with the results compiled and submitted to Council. An appropriate timeframe to meet with Councillors for a strategic assessment has not yet been determined but will be discussed at an upcoming meeting of ARIC members.

**Non-compliance with the *Local Government (General) Regulation 2021***

I advise that Hay Shire Council has not complied with the following requirements prescribed under the *Local Government (General) Regulation 2021* with respect to the operation of its audit, risk and improvement committee, risk management and internal audit processes:

<b>Non-compliance</b>	<b>Reason</b>	<b>Alternative measures being implemented</b>	<b>How the alternative measures achieve equivalent outcomes</b>
6. Hay Shire Council audit, risk and improvement committee provides the governing body with an annual assessment each year, and a strategic assessment each council term of the matters listed in section 428A of the <i>Local Government Act 1993</i> reviewed during that term (Core requirement 1 of the Office of Local Government's <i>Guidelines for Risk Management and Internal Audit for Local Government in NSW</i> ).	At this point in time the ARIC has not prepared an annual assessment program including a survey of committee members and other relevant stakeholders. This is planned for the 2025-2026 reporting year with the results compiled and submitted to Council. Similarly, an appropriate timeframe to meet with Councillors for a strategic assessment has not yet been determined but will be discussed at an upcoming meeting of ARIC members.	The Chairperson has traditionally prepared an annual report of the activities of ARIC which is presented by the Chairperson direct to the members and is presented as part of the Annual Report. The Chairperson has access to the General Manager to discuss any concerns, similarly the Councillor member has the opportunity to discuss matters of concern with the General Manager.	Issues of concern can be brought to the attention of the General Manager for discussion and resolution. The activities of ARIC are reported to Council and the community annually through the Annual Report.
7. The governing body of Hay Shire Council reviews the effectiveness of the audit, risk and improvement committee at least once each council term (Core requirement 1 of the Office of Local Government's <i>Guidelines for Risk Management and Internal Audit for Local Government in NSW</i> ).	The ARIC has not held a strategic meeting with the current Councillors elected September 2024, but will be discussed at an upcoming meeting of ARIC members.	The Chairperson has traditionally prepared an annual report of the activities of ARIC which is presented by the Chairperson direct to the members and is presented as part of the Annual Report. The Chairperson has access to the General Manager to discuss any concerns, similarly the Councillor member has the opportunity to discuss matters of concern with the General Manager.	Issues of concern can be brought to the attention of the General Manager for discussion and resolution.

# HAY SHIRE COUNCIL

9. Hay Shire Council's audit, risk and improvement committee reviews the implementation of its risk management framework and provides a strategic assessment of its effectiveness to the governing body each council term (section 216S of the <i>Local Government (General) Regulation 2021</i> ).	The ARIC has not held a strategic meeting with the current Councillors elected September 2024, but will be discussed at an upcoming meeting of ARIC members.	The Chairperson has traditionally prepared an annual report of the activities of ARIC which is presented by the Chairperson direct to the members and is presented as part of the Annual Report. The Chairperson has access to the General Manager to discuss any concerns, similarly, the Councillor member has the opportunity to discuss matters of concern with the General Manager.	Issues of concern can be brought to the attention of the General Manager for discussion and resolution.
18. Hay Shire Council's audit, risk and improvement committee reviews the effectiveness of the internal audit function and reports the outcome of the review to the governing body each council term (section 216R of the <i>Local Government (General) Regulation 2021</i> ).	The ARIC has not held a strategic meeting with the current Councillors elected September 2024, but will be discussed at an upcoming meeting of ARIC members.	The Chairperson has traditionally prepared an annual report of the activities of ARIC which is presented by the Chairperson direct to the members and is presented as part of the Annual Report. The Chairperson has access to the General Manager to discuss any concerns, similarly the Councillor member has the opportunity to discuss matters of concern with the General Manager.	Issues of concern can be brought to the attention of the General Manager for discussion and resolution.

These processes, including the alternative measures implemented, demonstrate that Hay Shire Council has established and maintained frameworks, systems, processes and procedures for appropriately managing audit and risk within Council.



David Webb

General Manager

5<sup>th</sup> September 2025



## **Audit Risk and Improvement Committee and Internal Audit Annual Report to Council 2024-2025**



This Annual Report documents the operation and activities of the Audit, Risk and Improvement Committee (the Committee) of the Hay Shire Council from 1<sup>st</sup> July 2024 to 30<sup>th</sup> June 2025.

This is the first Annual Report following the introduction of the Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023.

The Regulation sets out how the Committee is to operate, the resource support to be provided by Council, and responsibilities of the Committee to meet the requirements as set out under Section 428A(2) of the Local Government Act 1993 as follows-

- *Compliance,*
- *Risk management,*
- *Fraud control,*
- *Financial management,*
- *Governance,*
- *Implementation of the strategic plan, delivery program and strategies,*
- *Service reviews,*
- *Collection of performance measurement data by the Council, and*
- *Any other matters prescribed by the regulations.*

*In addition, under Section 428A(3) the Committee is also to provide information to Council for the purpose of improving the Council's performance of its functions.*

The role of the Committee is to provide independent assurance to Council by monitoring, reviewing, and providing advice about Council governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

The Committee operates under a formal Charter approved by Council, and meets four (4) times a year. One of these meetings includes the review and endorsement of the annual audited financial reports and external audit opinion.

Additional meetings may be held to consider and/ or review reports or other matters as required

### **Terms of Reference and Internal Audit Charter**

The Terms of Reference and Charter approved by Council will be reviewed again in 2025/26 to ensure currency and appropriateness.

### **Membership**

The Committee comprised the following membership during the reporting period –

#### **Voting Independent External Members**

	<u>Meetings Attended</u>
John Batchelor (Chairperson)	3
Ms Leanne Austin	3
Mr Derek Francis	3
Mr Jasen Crighton	1
Ms Sarah Donnelly	3

#### **Non-Voting Council Representatives**

	<u>Meetings Attended</u>
Cr John Perry	1

#### **Non-Voting Attendees**

Senior Management of Council  
Corporate Support staff

Representatives from the NSW Audit Office and Council's external auditors were invited to the ordinary meetings and attended using digital technology.

The Internal Auditor, Mr Keith Coates, was also invited to the ordinary meetings and attended in person where possible, otherwise attendance was by using digital technology.

### **Committee Meetings Held During the Period**

The Committee met on the following dates –

- 16th October 2024
- 4<sup>th</sup> December 2024
- 13<sup>th</sup> May 2025
- The scheduled meeting proposed for 18<sup>th</sup> June 2025 was deferred

### **Internal Audit Program**

Mr Keith Coates continues to provide Internal Audit services and has been engaged to continue in this role until 30th June 2028.

During 2024-2025 the Committee approved the scopes for the following Internal Audit reports:-

- ***Companion Animals*** – Report considered at the meeting held 4<sup>th</sup> December 2024
- ***Physical Security Review*** – Report considered at the meeting held 13<sup>th</sup> May 2025
- ***Aerodrome Management and Compliance*** - (Audit work commenced in June 2024 and the report will be presented to the Committee once finalised )
- ***Fraud and Corruption Prevention*** – (Audit work commenced in June 2024 and the report will be presented to the Committee once finalised)

A programme of proposed audits for following years are shown below –

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 acknowledges that the implementation of recommendations from these reports requires the commitment of significant resources, particularly at senior officer level. The Committee continues to take an active role in the scoping of internal audit assignments with a view to more precise targeting of assignments to specific areas of risk. It is anticipated that this will reduce the range and number of recommendations that require the attention of senior staff.

The Committee has continued to monitor management actions in relation to issues raised in previous Internal Audit Reports, and also those issues raised by the external auditors in their Management Letters after each audit.

In addition to the above it is also recognised by the Committee that management -

- *Issues reminders to key staff in relation to the importance of identifying risks and then recording options to deal with these risks to ensure that they are within acceptable risk parameters,*
- *Monitors identified risks and reports any significant incidents or near misses to the Committee,*
- *Develops and reviews key strategic documents such as the Strategic Internal Audit Plan in consultation with the Committee and the internal auditor. This annual review allows the Committee or internal auditor to identify emerging risks and the opportunity to assess current controls.*

## **ARIC Assessments of Key Responsibilities for 2024/25**

### ***Compliance:***

Specific areas of compliance are well established including work, health and safety, and financial reporting. Comprehensive council-wide compliance risk framework remains under continuing development.

### ***Risk Management:***

Enterprise Risk Management is continuing development with maturity increasing noted by the Committee. There is a commitment by management to a strong risk culture. The Committee is pleased with the progress of a comprehensive audit program for monitoring and managing cyber risks.

Council reviewed its Risk Management Framework during 2024/25 and the Committee complimented Council's staff involved in compiling the document on the simplicity in language and understanding.

### ***Fraud Control:***

Control of potential fraud is in continual development and implementation. Council's policy and systems are reviewed on a regular basis to ensure possible risk exposures are identified and mitigated.

The Committee endorsed Council's Fraud and Corruption Framework and Policy during 2024/25.

### ***Governance:***

Governance frameworks are continuing to evolve and compliance with legislative requirements addressed.

The Committee has an approved Annual Work Plan, and a Four (4) Year Strategic Work Plan is being developed for endorsement by Council in early 2025/26.

In addition the Committee has considered and adopted a Risk Management Plan and this has been approved by Council.

At each meeting the Committee receives a verbal update from the General Manager on issues relating to risk management, WHS matters, and compliance / non-compliance issues.

### ***Financial Management:***

Council is aware of its tight fiscal constraints with current budget projections included in the Long Term Financial Plan (LTFP). The Committee continues to provide advice to Council in support of budget control and careful processes of due diligence relating to new expenditure proposals.

The Committee has kept a focus on risks relating to capital works expenditures and the cost of legislative non-compliance in operational areas throughout 2024/25.



***Strategic Plan, Delivery Program & Strategies:***

Appropriate reporting of outcomes against plan objectives has been received and noted by the Committee, including Delivery Program KPI's.

***Service Reviews:***

The Committee notes that a program has been developed for 2025/26 to 2027/28 as follows -

Water and Sewer	2026
Community	2026
Recreation and Culture	2027
Roads and Transport	2027
Other	2028

It is noted that Service Reviews have been carried in 2023 to 2025 out as follows:

Community Services and Tourism  
Recreation and Culture  
Roads and Transport

***Performance Measurement Data:***

Performance measurement such as WHS statistics, trends and other survey data have been reviewed by the Committee. Other data has been reviewed indirectly during other key responsibility areas where information has been presented.

**Overall Assessment of the Committee's Key Responsibility Areas:**

Council's Committee has been in operation for a number of years now and has been operating within the Office Local Government Guidelines since their inception. This has culminated in a smooth transition to the legislative requirements now in place requiring the Committee to address the above key responsibility areas.

As in past years, the audit recommendations both from internal audit and external audits which are linked to the above key responsibility areas require focus with particular attention to addressing the high risk items.

**Improvements Recommended by the Committee:**

Recommendations from the reports by the Internal Auditor on the Physical Security Review and Companion Animals have been supported by the Committee for implementing by Council.

**Key Message to Council from the Committee:**

- The provision of infrastructure and services across the shire area continues to present challenges in the allocation of resources. The allocation of these resources, both physical and more particularly financial, creates a testing environment for Council to make decisions.

From this perspective the Committee is pleased to support Council's initiative in updating the following Asset Management Plans during 2024/25 –

- Transport
- Drainage and Flood Mitigation
- Water
- Sewer
- Buildings
- Recreation and Other Assets

The Plans provide critical information on the current state of each asset category, risk profile, and includes maintenance and capital expenditure forecast for the ensuing ten (10) years and is contained as part of Council's LTFP.

- Council continues to provide levels of service consistent with community expectations and the Committee supports this position based on its continuing satisfactory financial position.

**Conclusion**

During 2024/25 the Committee has achieved its objective to provide independent assurance and assistance to the Council on key aspects of its operations by fulfilling all of its responsibilities under the Charter.

On behalf of the Committee I wish to acknowledge the professionalism and support of Council's senior management team, the internal audit coordinator and other Council officers who contribute to the work of the Committee.

Finally I wish to thank the Mayor, the internal auditor, fellow committee members and the Audit Office of NSW for their participation, diligence, professionalism and contributions throughout 2024/25.

John Batchelor  
Chairperson  
Audit Risk and Improvement Committee  
Hay Shire Council

**C2 - DA2025-45– Shed at 332 Macauley Street, Hay**

<b>REPORTING OFFICER</b>	Executive Manager Planning and Compliance
<b>ATTACHMENTS</b>	A. Development Application and attachments

**INTRODUCTION**

Hay Shire Council received an application for a new shed at 332 Macauley Street, Hay (Lot 5 Section 26 DP 758507).

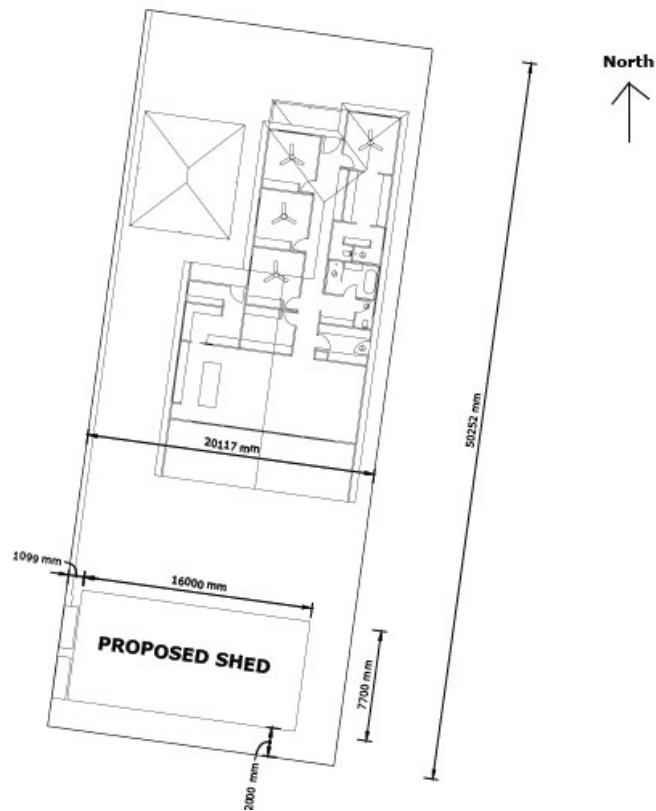
Owner: A J Mullins & C J McDonald  
 Applicant: Aidan Mullins  
 Zoning: RU5 Village  
 Shed size: Shed

The lot is 1010m<sup>2</sup> in size and is a residential block, with a current development approval to demolish the existing dwelling and construct a new dwelling. The proposal is to construct a residential shed.



*Aerial view & proposed location of shed at 332 Macauley St, Hay*

**SITE PLAN**  
332 Macauley street  
Hay NSW 2711



## COMMENTARY

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

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 proposal is permitted with consent.

Environmental, Social and Economic Impacts

The proposed development has minimal environmental impact.

Site Suitability

The site is suitable for the proposed development as it is a residential block. There are no visual or overshadowing impacts. It must be kept in mind that there is a laneway adjacent to the shed, not a residential lot.

Submissions

The proposal was notified to immediate neighbours for a period of 14 days due to not meeting the Shed Policy. There were no submissions received.

Public Interest

The proposed development is contrary to the Hay Shire Sheds and Shipping Containers in Residential Areas Policy for the following reasons:

- Blocks less than 1012m<sup>2</sup> must not exceed a floor space of 100m<sup>2</sup>— This shed is 123.2m<sup>2</sup> in floor area.

The exceedance of the policy seems to be minimal in nature and will not impact neighbours.

Staff recommend approval of the development application with conditions.

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<p><b>Environmental</b></p> <p>2.1 Council is resilient and adaptive</p> <p>2.1.1 Council considers climate change resilience in our services, and the maintenance and management of our buildings, public spaces and infrastructure.</p> <p><b>Economic</b></p> <p>3.1 Our community welcomes new and innovative industry to support our future</p> <p>3.1.1 Future Ready Businesses</p> <p>3.1.2 Strengthen Business Support Services</p> <p>3.1.3 Business Attraction and Investment Growth</p> <p>3.1.4 Facilitate growth industries including workforce development and skills</p> <p>3.1.5 Identify opportunities to grow the agricultural sector</p> <p>3.1.6 Identify opportunities to grow the renewable energy sector</p> <p><b>Civic Leadership</b></p> <p>4.1 Our Council leads by example</p> <p>4.1.1 Implement and promote best practice governance</p> <p>4.1.2 Monitor and evaluate Council's strategic planning documents</p> <p>4.1.3 Be environmentally responsible in decision making</p> <p>4.1.4 Council will seek to continuously improve</p> <p>4.2 Our community is supported by a strong and resilient Council that is responsive to its needs</p> <p>4.2.1 Provide an advocacy role on behalf of the community</p> <p>4.2.2 Inform and empower community input into decision making</p> <p>4.2.3 Our community has access to Council information, services and facilities</p>
<b>FINANCIAL IMPLICATION</b>	N/A
<b>LEGISLATIVE IMPLICATION</b>	Environmental Planning & Assessment Act 1979 Hay Local Environmental Plan 2011
<b>POLICY IMPLICATION</b>	Notification and Advertising of a Development Application Policy Sheds & Shipping Containers in Residential Areas Policy
<b>ASSET IMPLICATION</b>	N/A
<b>RISK IMPLICATION</b>	N/A

**RECOMMENDATION**

DA2025-45 for a shed at 332 Macauley 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 A, B, C, D, E & F for 332 Macauley 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.*

**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. Boundary Clearance:**

A minimum distance of 900mm shall be provided between the external walls of the dwelling/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.*

**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.*

**11. Use of Building – Non-Residential Uses Only:**

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

**12. 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.*



## Pre-Lodgement Application Form

Portal Application number: PAN-573568

## Applicant contact details

First given name	Aidan
Other given name/s	
Family name	Mullins
Contact number	0458149553
Email	aidanmullins@outlook.com.au
Address	330 MACAULEY STREET HAY 2711
Application on behalf of a company, business or body corporate	

## Owner/s of the development site

Owner/s of the development site	There are multiple owners of the development site and I am one of them
Owner #	1
Title	
First given name	Aidan
Other given name/s	
Family name	Mullins
Contact number	0458149553
Email	aidanmullins@outlook.com.au
Address	330 MACAULEY STREET HAY 2711
Owner #	2
Title	
First given name	Courtney
Other given name/s	
Family name	McDonald
Contact number	
Email	court_mcdonald95@hotmail.com
Address	330 MACAULEY STREET HAY 2711

I declare that I have shown this document, including all attached drawings, to the owner(s) of the land, and that I have obtained their consent to submit this application. - Yes

Note: It is an offence under Section 10.6 of the Environmental Planning and Assessment Act 1979 to provide false or misleading information in relation to this application.

## Site access details

Are there any security or site conditions which may impact the person undertaking the inspection? For example, locked gates, animals etc.	No
---	----

## Developer details

ABN	
ACN	
Name	
Trading name	
Address	
Email Address	

## Development details

## HAY SHIRE COUNCIL

Application type	Development Application
Site address #	1
Street address	332 MACAULEY STREET HAY 2711
Local government area	HAY
Lot / Section Number / Plan	5/26/DP758507 <input checked="" type="checkbox"/>
Primary address?	Yes
Planning controls affecting property	Land Application LEP Hay Local Environmental Plan 2011  Land Zoning RU5: Village  Height of Building NA  Floor Space Ratio (n:1) NA  Minimum Lot Size 550 m²  Heritage NA  Land Reservation Acquisition NA  Foreshore Building Line NA

### Proposed development

Selected common application types	Erection of a new structure
Selected development types	Shed
Description of development	Construction of new shed
Dwelling count details	
Number of dwellings / units proposed	
Number of storeys proposed	
Number of pre-existing dwellings on site	
Number of dwellings to be demolished	
Existing gross floor area (m2)	0
Proposed gross floor area (m2)	123
Total site area (m2)	0
What is the estimated development cost, including GST?	\$19,000.00
Estimated development cost	\$19,000.00
Do you have one or more BASIX certificates?	
Subdivision	
Number of existing lots	
Proposed operating details	
Number of staff/employees on the site	

### Number of parking spaces

Number of loading bays	
Is a new road proposed?	No
Concept development	
Is the development to be staged?	No, this application is not for concept or staged development.

## HAY SHIRE COUNCIL

Crown development	
Is this a proposed Crown development?	No

### Related planning information

Is the application for integrated development?	No
Is your proposal categorised as designated development?	No
Is your proposal likely to significantly impact on threatened species, populations, ecological communities or their habitats, or is it located on land identified as critical habitat?	No
Is this application for biodiversity compliant development?	No
Does the application propose a variation to a development standard in an environmental planning instrument (eg LEP or SEPP)?	
Is the application accompanied by a Planning Agreement ?	
Section 68 of the Local Government Act	
Is approval under s68 of the Local Government Act 1993 required?	No
10.7 Certificate	
Have you already obtained a 10.7 certificate?	
Tree works	
Is tree removal and/or pruning work proposed?	No
Local heritage	
Does the development site include an item of environmental heritage or sit within a heritage conservation area.	No
Are works proposed to any heritage listed buildings?	No
Is heritage tree removal proposed?	No
Affiliations and Pecuniary interests	
Is the applicant or owner a staff member or councillor of the council assessing the application?	No
Does the applicant or owner have a relationship with any staff or councillor of the council assessing the application?	No
Political Donations	
Are you aware of any person who has financial interest in the application who has made a political donation or gift in the last two years?	No
Please provide details of each donation/gift which has been made within the last 2 years	

### Sustainable Buildings

Is the development exempt from the <a href="#">State Environmental Policy (Sustainable Buildings) 2022</a> Chapter 3, relating to non-residential buildings?	Yes
--	-----

## HAY SHIRE COUNCIL

Provide reason for exemption. Is the development any of the following:	Development that is wholly residential
--	--

### Payer details

Provide the details of the person / entity that will make the fee payment for the assessment.

The *Environmental Planning and Assessment Regulation 2021* and Council's adopted fees and charges establish how to calculate the fee payable for your development application. For development that involves building or other works, the fee for your application is based on the estimated cost of the development.

If your application is for integrated development or requires concurrence from a state agency, additional fees will be required. Other charges may be payable based on the Council's adopted fees and charges. If your development needs to be advertised, the Council may charge additional advertising fees.

Once this application form is completed, it and the supporting documents will be submitted to the Council for lodgement, at which time the fees will be calculated. The Council will contact you to obtain payment. Note: When submitting documents via the NSW Planning Portal, credit card information should not be displayed on documents attached to your development application. The relevant consent authority will contact you to seek payment.

The application may be cancelled if the fees are not paid:

First name	Aidan
Other given name(s)	
Family name	Mullins
Contact number	0458149553
Email address	aidanmullins@outlook.com.au
Billing address	330 MACAULEY STREET HAY 2711

### Application documents

The following documents support the application.

Document type	Document file name
Site Plans	332 Macauley street shed - PDF
Statement of environmental effects	STATEMENT OF ENVIRONMENTAL EFFECTS FORM electronic.pdf - 332 Macauley shed

### Applicant declarations

I declare that all the information in my application and accompanying documents is , to the best of my knowledge, true and correct.	Yes
I understand that the development application and the accompanying information will be provided to the appropriate consent authority for the purposes of the assessment and determination of this development application.	Yes
I understand that if incomplete, the consent authority may request more information, which will result in delays to the application.	Yes
I understand that the consent authority may use the information and materials provided for notification and advertising purposes, and materials provided may be made available to the public for inspection at its Offices and on its website and/or the NSW Planning Portal	Yes
I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Government Information (Public Access) 2009 (NSW) (GIPA Act) under which it may be required to release information which you provide to it.	Yes
I agree to appropriately delegated assessment officers attending the site for the purpose of inspection.	Yes
I have read and agree to the collection and use of my personal information as outlined in the Privacy Notice	Yes
I confirm that the change(s) entered is/are made with appropriate authority from the applicant(s).	



## Pre-Application Submission Form

Certificate Case Number CFT-819849

## Apply for certificate

Select the certificate action you would like to apply for	Construction certificate
Select the type of certificate you wish to apply for	Certificate for the full development
Is the application for modification of a current construction certificate?	No
Which approval type is this certificate in relation to?	
Please enter the DA number that the consent authority has provided (e.g. DA/22/2023).	
Was the DA applied for via the NSW Planning Portal?	Yes
Please provide the portal application reference number (PAN)	PAN-573568
Has the DA been determined?	No
Is the development exempt from the <a href="#">State Environmental Planning Policy (Sustainable Buildings) 2022 Chapter 3</a> relating to non-residential buildings, for any of the following reasons? <ul style="list-style-type: none"> <li>The DA was submitted on the NSW Planning Portal before 1st October 2023</li> <li>The DA was submitted on the NSW Planning Portal on or after 1st October 2023 but was deemed exempt due to the reasons outlined in Chapter 3.1.</li> </ul>	Yes
Site address #	1
Street address	332 MACAULEY STREET HAY 2711
Local government area	HAY
Lot / Section Number / Plan	5/26/DP758507 <input checked="" type="checkbox"/>
Primary address?	Yes
Planning controls affecting property	Land Application LEP Land Zoning Height of Building Floor Space Ratio (n:1) Minimum Lot Size Heritage Land Reservation Acquisition Foreshore Building Line Land near Electrical Infrastructure

## Applicant details

Title	
First given name	Aidan
Other given name/s	
Family name	Mullins
Contact number	0458149553
Email	aidanmullins@outlook.com.au

## HAY SHIRE COUNCIL

Address	330 MACAULEY STREET HAY 2711
Is the applicant a company?	No

### Developer details

Name	
ABN	
ACN	
Trading Name	
Email	
Address	

### Land owner details

Owner/s of the Development Site	There are multiple owners of the development site and I am one of them
Owner Builder?	No
Title	
First given name	Aidan
Other given name/s	
Family name	Mullins
Contact number	
Email	aidanmullins@outlook.com.au
Address	330 MACAULEY STREET HAY 2711
Company name (if applicable)	
ABN/ACN	
Owner Builder?	No
Title	
First given name	Courtney
Other given name/s	
Family name	McDonald
Contact number	
Email	court_mcdonald95@hotmail.com
Address	330 MACAULEY STREET HAY 2711
Company name (if applicable)	
ABN/ACN	
I declare that I have shown this document, including all attached drawings, to the owner(s) of the land, and that I have obtained their consent to submit this application.	
Who will be doing the building work?	Licensed Builder

### Builder or Principal contractor details

Builder Type	A Company , business , government entity or other similar body
Company Name	MULLINS BUILDING PTY LTD
ABN	59678491720
ACN	678491720
Trading Name	
Billing Address	
Email Address	

### Long Service Levy

Have you paid the Long Service Levy?	NA
Are there any security or site conditions which may impact on the person undertaking the inspection? eg: locked gates, dogs, animals etc	No
Provide details	

### Payer details

This application form was submitted via the Online Certificate service, accessed via the NSW Planning Portal to the relevant council. For further information please contact council.



# HAY SHIRE COUNCIL

Payer Type	Individual
Company Name	
ABN	
ACN	
Trading Name	
Billing Address	
Email ID	
Title	
First given name	Aidan
Other given name/s	
Family name	Mullins
Contact number	0458149553
Email	aidanmullins@outlook.com.au
Billing address	330 MACAULEY STREET HAY 2711

## Proposed development details

Selected common application types	Erection of a new structure
Selected development types	Shed
Class of development	Class 10a
Please provide a detailed description of the development	Construction of new shed
Estimated Development Cost	\$19,000.00
Please provide the estimated development cost including GST	\$19,000.00

## Information to be collected for the Australian Bureau of Statistics

Total site area (m2)	0
Existing gross floor area (m2)	0
Total Net Lettable Area (m2))	0
Proposed gross floor area (m2)	123
What are the current uses of all parts of the building(s)/ land? (if vacant please state)	Residential
What is the proposed use of all parts of the building(s)/ land?	Residential
Is the proposed building is attached, detached (i.e. free standing) or semi-detached?	

Ultimate height of the development (m)	4.462
Number of pre-existing dwellings on site	1
Number of storeys proposed in the new building(s)	1
Number of proposed lots	

## Fire safety measures

Are you proposing to carry out alterations/modifications to existing 'relevant fire safety systems'?	No
Are proposed fire safety measures to be installed in the building?	No

## Registered certifier

The applicant has selected the following certifying organisation to assess this application

Company name	HAY SHIRE COUNCIL
Trading name	HAY SHIRE COUNCIL
ABN	84075604155
ACN	
Address	134 LACHLAN STREET HAY 2711

## HAY SHIRE COUNCIL

Email	planning@hay.nsw.gov.au
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### Principal certifier

The applicant has selected the following certifying organisation to assess this application

Company name	HAY SHIRE COUNCIL
Trading name	HAY SHIRE COUNCIL
ABN	84 075 604 155
ACN	
Address	134 LACHLAN STREET HAY 2711
Email	planning@hay.nsw.gov.au

### Declarations

I declare that all the information in the application and checklist is, to the best of my knowledge, true and correct	Yes
I agree to the appropriately delegated assessment officers attending the site for the purpose of inspection	Yes
I/we own the subject land, consent to this application and consent to Council officers entering the premises during normal office hours for the purpose of conducting inspections relative to this application. I accept that all communication regarding this application will be through the nominated applicant. In the case of an owners corporation, a seal is required, or if crown land, written authorisation of the relevant statutory authority.	Yes
I have read and agree to the collection and use of my personal information as outlined in the Privacy Notice.	Yes
I declare that all works that are the subject of the relevant consent have been completed and that all conditions that are required to be satisfied prior to the issue of this certificate have been satisfied	Yes
I agree to pay any required NSW Planning Portal Service Fee/s specified under Part 9, Schedule 4 of the Environmental Planning and Assessment Regulation 2021 to the Department of Planning, Housing and Infrastructure.	Yes

## STATEMENT OF ENVIRONMENTAL EFFECTS TEMPLATE

If unsure about any of the details required it is recommended that you contact Council's Planning Department by calling Hay (02) 6990 1100 and make an appointment to discuss your proposal with an assessment officer.

### Property Details

Lot(s)	5 Section 6	DP	758507
House Number (s)	332	Street	Macauley street
Town	Hay		

### Description of The Site and Locality

The Site	Residential block of land

### Details of the Proposed Development

Proposal	Construction of shed

### Matters for Consideration

(Matters for consideration pursuant of the *Environmental Planning & Assessment Act 1979 Section 4.15*)

a) Is the development permissible within its zone? Yes ☒ No ☐

b) Likely impacts of the development, including environmental impacts on both the natural and built environments, as well as social and economic impacts in the locality.

	Yes	No
(i) Will the proposal result in the loss/damage of any vegetation from the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) Are any landscaping works proposed on the land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iii) If yes, please describe the proposed works and detail what existing trees/vegetation to be removed/ retained or show details on the site plan.		

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# HAY SHIRE COUNCIL

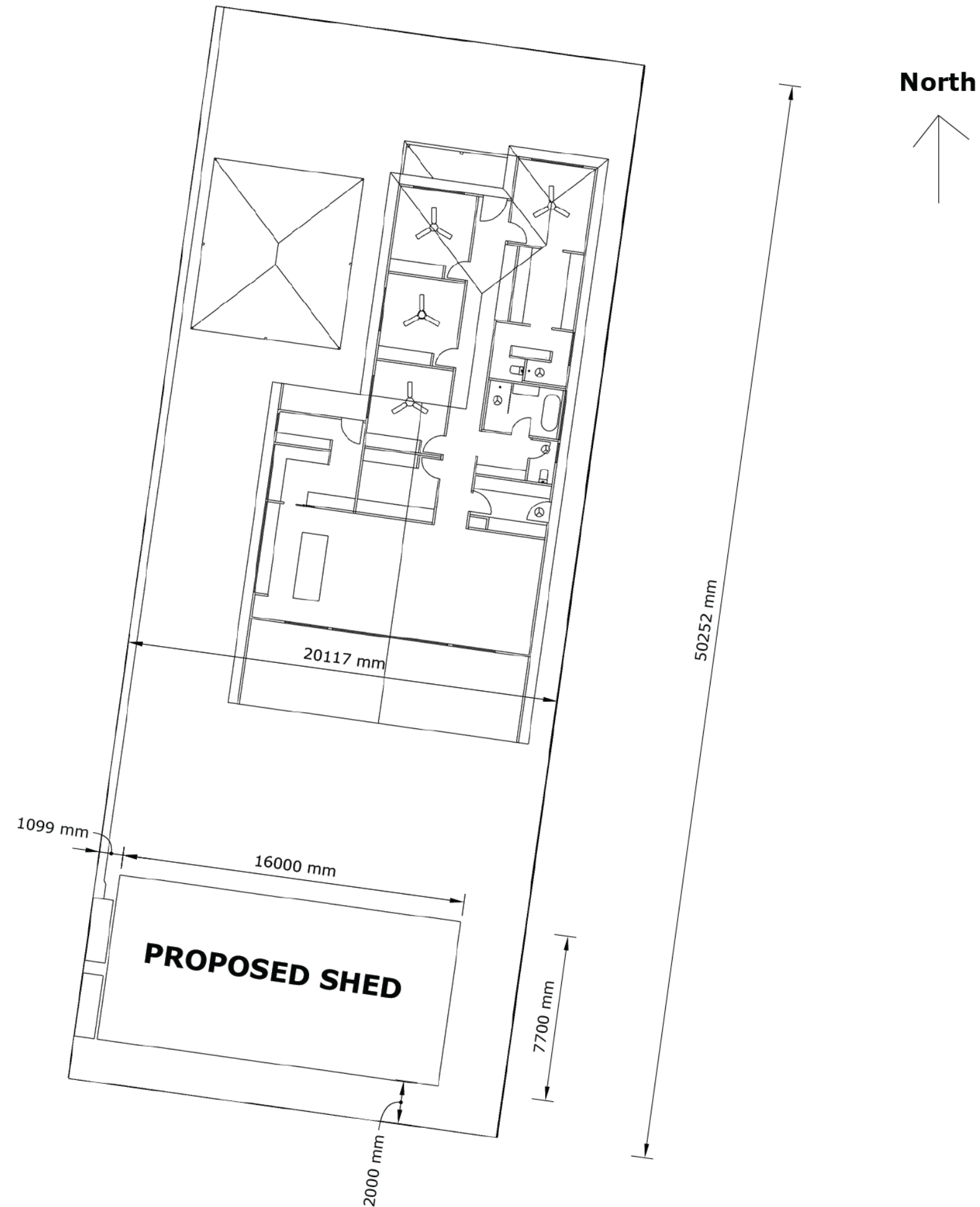
	Yes	No
(iv) Does the proposal involve excavation or filling of the site? If yes, outline details and/ or identify on plans. Digging of piers, fill low areas of block with dirt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/>		
(v) Is vehicular access available from the street? Outline details of vehicular access and parking arrangements (ie location, car parking, etc)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/>		
(vi) Will the proposal impact on adjoining residences? Could be proximity to neighbours, noise, traffic generation, odours, etc	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<hr/>		
(vii) Will the proposal have any social and/or economic impacts? If yes, outline details	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<hr/>		
<hr/>		
<b>c) Suitability of the site for the development</b>		
(i) Is the area an established residential area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Are existing utility services available and adequate to serve the development (ie water, sewerage, telephone, gas, stormwater and garbage)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) If no, what alternative arrangements are proposed?		
<hr/>		
<hr/>		
(iv) Are there any other matters relating to your proposed development or use, such as management details, operating or construction hours, noise etc?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(v) If yes, please specify.		
<hr/>		
<hr/>		

**PLEASE PROVIDE HOURS OF OPERATION if relevant OR for commercial and/or industrial developments (required)**

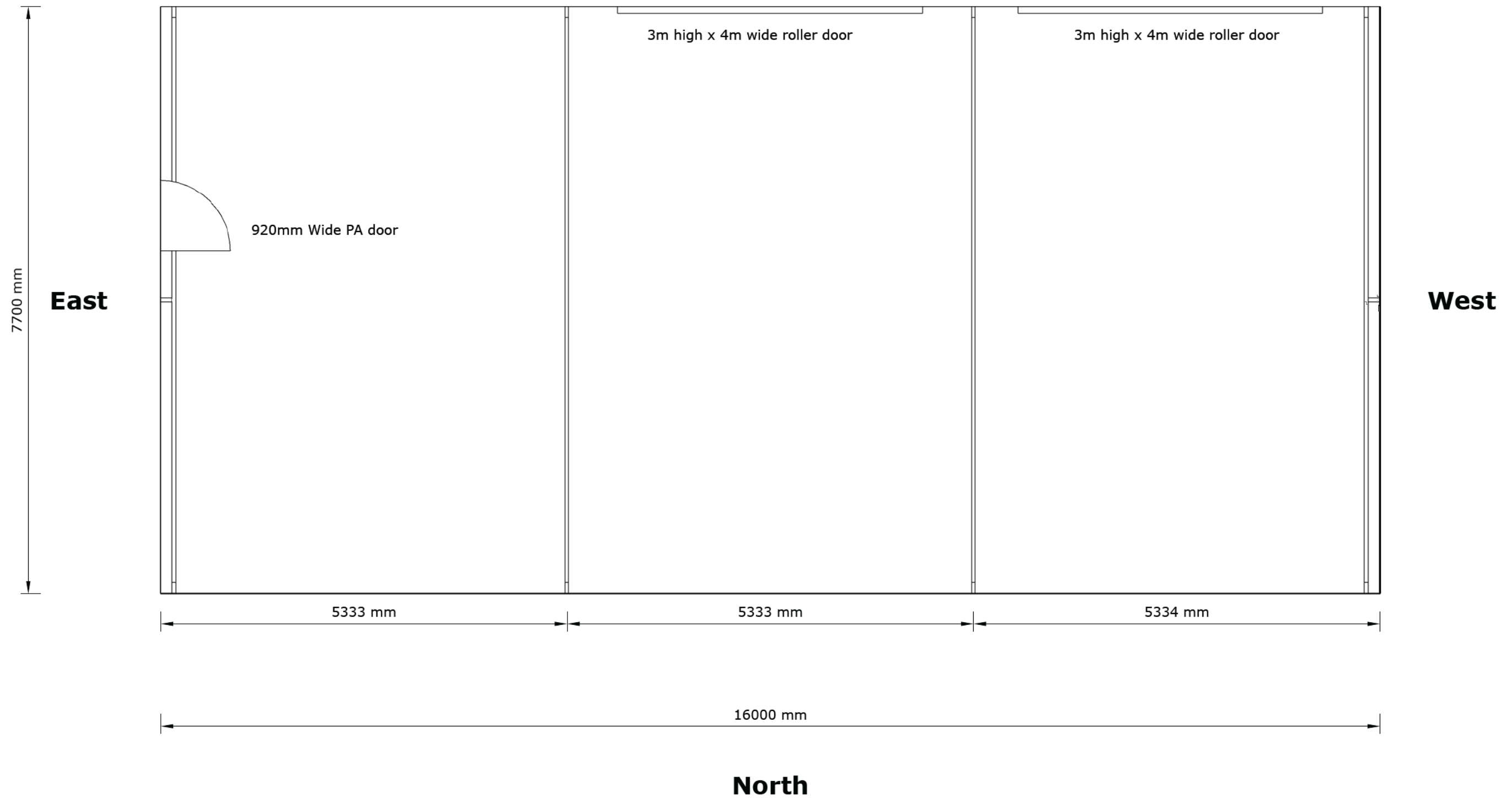
Days of Operation	Hours of Operation	Days of Operation	Hours of Operation
Monday – Friday	7.....to.....6.....	Monday	.....to.....
Saturday	7.....to.....6.....	Tuesday	.....to.....
Sunday	8.....to.....6.....	Wednesday	.....to.....
Public Holidays	8.....to.....6.....	Thursday	.....to.....
		Friday	.....to.....

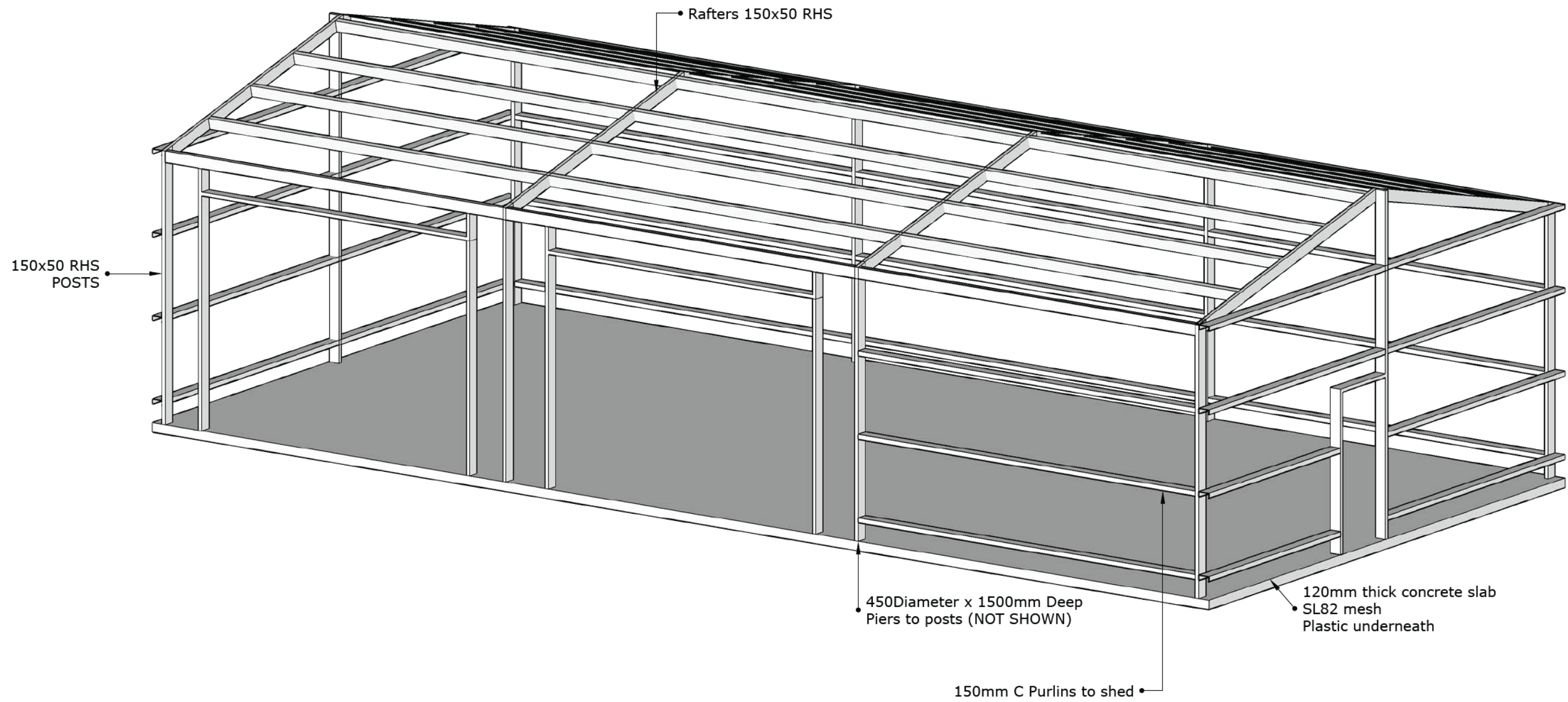
**Please attach additional pages for extended answers**

**SITE PLAN**  
**332 Macauley street**  
**Hay NSW 2711**



**REAR LANE  
South**







## Elevations - North

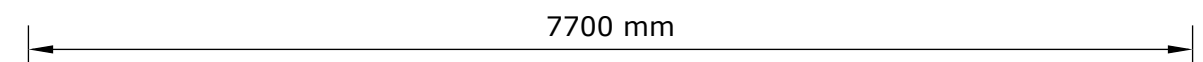
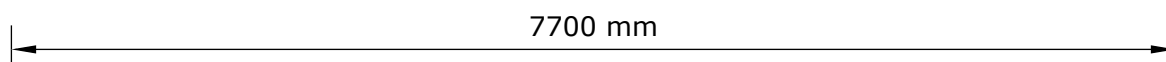
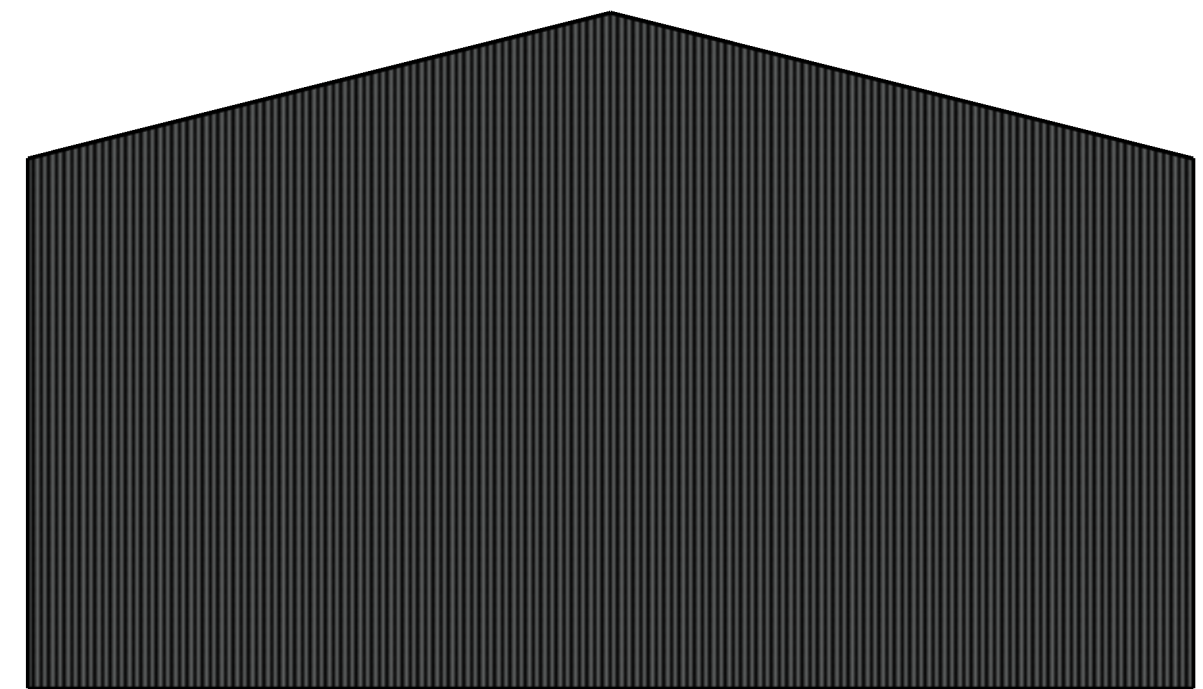
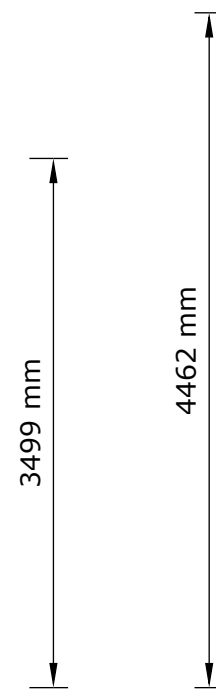
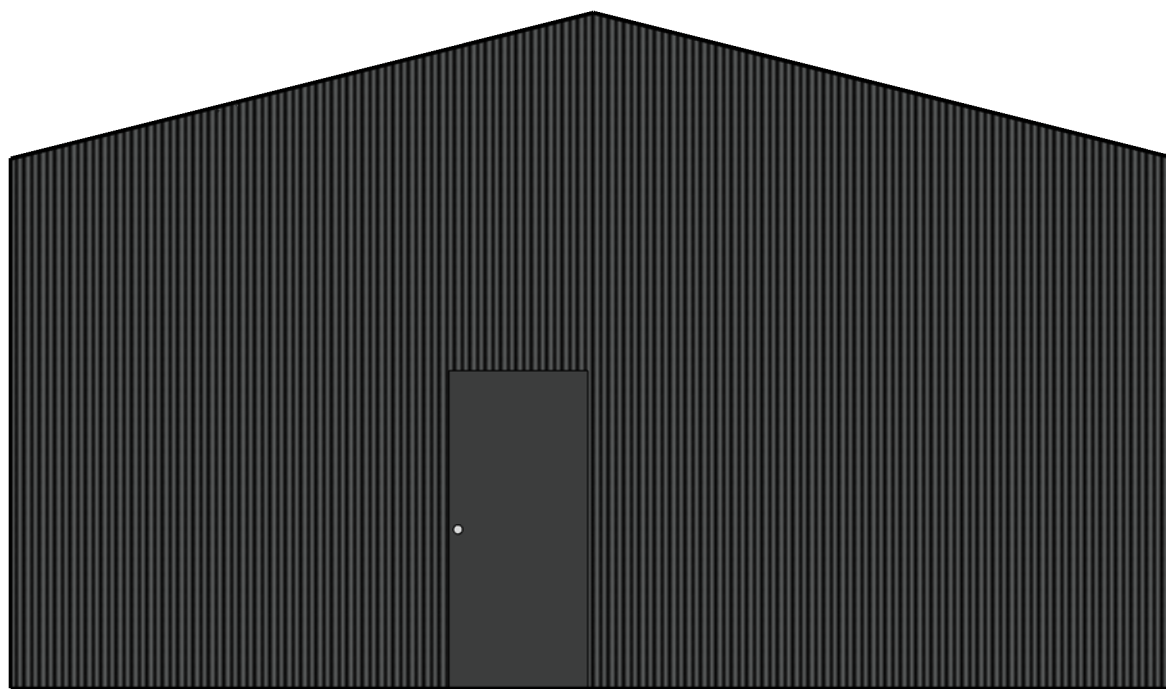


## Elevations - South



## Elevations - East

## Elevations - West



**C3 – Resignation of Cr Darren Tapper**

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	<ul style="list-style-type: none"> <li>- Email, dated 11 October 2025, from Cr Darren Tapper</li> <li>- NSW Electoral Commission – Countback elections process</li> <li>- NSW Election commission – Countback Election Calendar, received 17<sup>th</sup> October 2025</li> </ul>

**INTRODUCTION**

Cr Darren Tapper has formally advised of his resignation from Council.

**COMMENTARY**

Cr Darren Tapper has formally advised of his resignation from Council effective from 30 November 2025. Cr Tapper raised three children in Hay and has been very involved in the community over the years.

As resolved at its meeting October 2024, Council has elected to use a countback to elect a replacement for a vacancy. The NSW Electoral Commission sheet on the process involved in a countback is attached for information. The previous cost to Council to undertake a countback election in 2023 was \$5,413.

The General Manager has notified the Electoral Commissioner of the casual vacancy as required under the Regulation. The NSW Electoral Commission has provided a Countback Election Calendar (attached) and it is anticipated the process to fill the vacancy will be completed prior to Christmas 2025.

Once the vacancy is filled, Council will need to reassign Cr Tapper delegation on the various committees he was currently serving, being the Bushfire Advisory Committee and Shear Outback.

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<b>Civic Leadership</b> <ul style="list-style-type: none"> <li>4.1 Our Council leads by example <ul style="list-style-type: none"> <li>4.1.1 Implement and promote best practice governance</li> <li>4.1.2 Monitor and evaluate Council's strategic planning documents</li> <li>4.1.3 Be environmentally responsible in decision making</li> <li>4.1.4 Council will seek to continuously improve</li> </ul> </li> <li>4.2 Our community is supported by a strong and resilient Council that is responsive to its needs <ul style="list-style-type: none"> <li>4.2.1 Provide an advocacy role on behalf of the community</li> <li>4.2.2 Inform and empower community input into decision making</li> <li>4.2.3 Our community has access to Council information, services and facilities</li> </ul> </li> </ul>
<b>FINANCIAL IMPLICATION</b>	Minimal

<b>LEGISLATIVE IMPLICATION</b>	Local Government Act 1993 - Fill vacancies using a by-election (section 291A of the Act) - Section 291A of the Act and directs the General Manager to notify the NSW Electoral Commission of the Councillor's decision within 7 days of the decision
<b>POLICY IMPLICATION</b>	N/A
<b>ASSET IMPLICATION</b>	N/A
<b>RISK IMPLICATION</b>	Minimal

#### **RECOMMENDATION**

That Council:

- (a) Notes the information in the report and process to elect a replacement councillor; and
- (b) Writes a thank you letter to Cr Darren Tapper for his service to Council and the community of Hay.

**David Webb**

---

**From:** Cr Darren Tapper  
**Sent:** Saturday, 11 October 2025 1:37 PM  
**To:** David Webb; Cr Carol Oataway  
**Subject:** Resignation

Dear Madam Mayor & General Manager,

It is with mixed emotions that I resign as a Councillor of the Hay Shire Council.

I have accepted a position as a Station Manager based in Cunnamulla QLD and will be commencing in December 2025.

I am unsure of the notice period that needs to be given so I will be guided by yourselves, though I am happy to see it to the end of November.

I would like to thank you both, I have enjoyed my short time on Council and firmly believe that it is in good hands to see Hay develop and prosper into the future.

We have raised our three children here and have been very involved in the community over the years and made some very special friends.

If there is anything that I need to do prior to leaving, please let me know.

Thank you

Kindest Regards

Darren

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# Countback elections

Countback elections are described in Schedule 9A of the *Local Government (General) Regulation 2021*.

A countback election is used to elect a councillor to fill a single vacancy, where the vacating councillor was elected under the proportional representation method (i.e. where two or more candidates were elected at a local government ordinary election). If there are multiple vacancies, a separate countback election is held for each vacancy.

The returning officer contacts all unelected candidates from the local government ordinary election who may still qualify to be elected to the office of councillor. Where the candidate is interested, they must submit a formal application to the returning officer. All candidates who submit and do not withdraw their application, become eligible candidates.

## Timeline

The timeline for a countback election is:

1. The Electoral Commissioner is notified of a casual vacancy, within seven days of it occurring.
2. A Returning Officer is appointed within 14 days of the notification of the vacancy.
3. Casual vacancy notices are issued within 14 days of the appointment of the returning officer.
4. Where a candidate is interested, they must submit a formal application to the returning officer. The application period closes after 10 days of the notices being issued.
5. The countback is conducted at least 14 days from when the vacancy notices are issued and no more than 49 days from when the casual vacancy occurred.

If there are no eligible candidates, an attendance by-election must be held. If there is only one eligible candidate, that candidate is elected. If there are multiple eligible candidates, a countback



election is conducted.

## How votes are counted

The countback election will be run using the same ballot papers from, and the same proportional representation voting count system as, the general election.

The countback election is run with all ineligible candidates (e.g. councillors who have vacated their seat) being disregarded and their preferences reallocated accordingly. In other words, each ballot paper with that candidate as a preference would be allocated to the candidate with the next highest preference on that ballot paper.

In the case of groups, if the first candidate in a group is vacating their seat, the Above The Line preferences for that group would be allocated to the second candidate in that group, as would any Below The Line preferences that marked the first candidate in that group as 1 and the second candidate in that group as 2.

When the countback election is conducted, the same number of candidates will be “elected” as there were vacancies at the general election (because the same voting count system is used). Of these, the first newly “elected” candidate (i.e. not a sitting councillor) will be the candidate to be elected.

If a non-participating candidate (i.e. a candidate who did not want to be considered for election in this countback election) was elected, their status is changed to ineligible and the countback is run again. This newly ineligible candidate will be disregarded and their preferences reallocated accordingly. This process will continue until an eligible candidate is elected.

Eligible candidates and the council are then notified of the result.

At a countback election, a sitting councillor cannot be unelected, and non-eligible candidates cannot be elected.

## Countback election calendar

COUNCIL	Hay Shire
WARD (if applicable)	N/A
Vacancy - seat vacated by:	Darren TAPPER

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
30-Nov	1-Dec	2-Dec	3-Dec	4-Dec	5-Dec	6-Dec
Casual vacancy occurred	NSWEC notified of vacancy			Returning Officer appointed		
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
7-Dec	8-Dec	9-Dec	10-Dec	11-Dec	12-Dec	13-Dec
	Casual vacancy notices issued Candidate Applications open					
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
14-Dec	15-Dec	16-Dec	17-Dec	18-Dec	19-Dec	20-Dec
				12noon: Candidate Applications close & Close of Rolls		
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
21-Dec	22-Dec	23-Dec	24-Dec	25-Dec	26-Dec	27-Dec
	10am: Declare eligible candidates	Countback Election day 10am: Count starts Results published				

**C4 – Application for Leave of Absence**

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	- Correspondence from Cr Martyn Quinn dated 5 <sup>th</sup> October 2025

**INTRODUCTION**

Correspondence has been received from Cr Martyn Quinn requesting a leave of absence.

**COMMENTARY**

Cr Martyn Quinn has requested a leave of absence effective from the 22<sup>nd</sup> to 29<sup>th</sup> November 2025, for personal reasons.

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

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<b>Civic Leadership</b> 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance
<b>FINANCIAL IMPLICATION</b>	Nil
<b>LEGISLATIVE IMPLICATION</b>	Local Government Act 1993 Section 234 1(d)
<b>POLICY IMPLICATION</b>	Nil
<b>ASSET IMPLICATION</b>	Nil
<b>RISK IMPLICATION</b>	Nil

**RECOMMENDATION**

That Council grants leave of absence to Cr Martyn Quinn for the period 22<sup>nd</sup> to 29<sup>th</sup> November 2025.

**David Webb**

---

**From:** Cr Martyn Quinn  
**Sent:** Sunday, 5 October 2025 11:17 AM  
**To:** Councillors; Cr Carol Oataway; Cr Martyn Quinn; David Webb  
**Cc:** Martyn Quinn; Martyn Quinn  
**Subject:** Request for Leave of Absence – November Council Meeting

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Dear Mayor, Councillors, and General Manager,

I wish to formally request a leave of absence from the November Ordinary Meeting of Council due to personal reasons.

This request is made in accordance with Section 234(1)(d) of the *Local Government Act 1993 (NSW)*, which provides for a councillor to be granted leave of absence by resolution of the Council.

I apologise for any inconvenience my absence may cause and will ensure that any matters requiring my attention are addressed or delegated prior to the meeting.

Thank you for your understanding and consideration of this request.

Kind regards,

**C5 – Annual Disclosure of Interest Returns 2024-2025**

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	Returns to be tabled at the meeting

**INTRODUCTION**

Council is required to table the Register of Annual Disclosure of Interest Returns for the period 1<sup>st</sup> July 2024 to 30<sup>th</sup> June 2025 and Returns of any new Councillors or Senior Staff after 1<sup>st</sup> June 2024.

**COMMENTARY**

The Register is available for any councillors or members of the public wishing to view them on Council's website and at its Administration Centre.

Returns have been lodged by the following;

- Cr Geoff Chapman
- Cr Lionel Garner
- Cr Will Miller
- Cr Carol Oataway
- Cr John Perry
- Cr Paul Porter
- Cr Martyn Quinn
- Cr Darren Tapper
- David Webb
- Mark Dowling
- Alison McLean
- Greg Stewart
- Jack Terblanche
- Kirstyn Thronder

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<b>Civic Leadership</b> 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance
<b>FINANCIAL IMPLICATION</b>	Nil

<b>LEGISLATIVE IMPLICATION</b>	Local Government Act s445
<b>POLICY IMPLICATION</b>	Nil
<b>ASSET IMPLICATION</b>	Nil
<b>RISK IMPLICATION</b>	Non-Compliance with Local Government Act s445

**RECOMMENDATION**

That Council notes the tabling of the Register of Annual Disclosure of Interest Returns for 2024-2025.

**C6 – 2024/2025 Financial Statements**

<b>REPORTING OFFICER</b>	Deputy General Manager
<b>ATTACHMENTS</b>	1. General Purpose Financial Statements (under separate cover) 2. Special Purpose Financial Statements (under separate cover) 3. Special Schedules (under separate Cover)

**INTRODUCTION**

Council's 2024/2025 Financial Statements are submitted for certification.

**COMMENTARY**

Under separate cover are Councils completed General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules.

The 2024/2025 Financial Statements have been completed. There is a major change to the format of the Statements this year with the financial ratios not included pending a review of the ratios for future years reports. This does make comparison with previous years results a little difficult.

**Highlights of 2024/2025 Results**

• Operating result before capital Grants	(\$4,634,000)
• Net Operating result	\$631,000
• Operating result excluding depreciation	\$5,764,000
• Value of infrastructure PPE	\$249,712,000
• Increase in value of Infrastructure PPE	\$30,409,000
• Cash and Equivalents at 30/6/2025	\$21,521,000
• Net change in cash and equivalents	(\$704,000)
• Asset write Offs	\$1,459,000
• Outstanding rates charges and Interest increase	\$72,000

In accordance with Section 413(2) of the Local Government Act and clause 215 of the Local Government (General) Regulation, the Mayor, General Manager, Responsible Accounting Officer and one other Councillor must sign the following declaration.

1. *In our opinion the General Purpose Financial Statements and the Special Purpose Financial Statements for the period ended 30 June 2025;*
  - a) *Have been drawn up in accordance with the following:-*
    - *the Local Government Act 1993 and the Local Government Regulation; and*
    - *the Local Government Code of Accounting Practice and Financial Reporting; and*
    - *the Australian Accounting Standards and professional pronouncements; and*
  - b) *they present fairly the Council's financial position as at 30 June 2025, and its operating result for the period then ended in accordance with the requirements set out in paragraph (a) above; and*
  - (c) *they are in accord with the Council's accounting and other records.*
2. *We know nothing that would make the financial reports for the period ended 30 June 2025 false or misleading in any way.*

The completed Statements will be presented by the external auditors at the November 2025 ordinary meeting.



<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<p><b>D Governance and Organisational Performance</b></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>
<b>FINANCIAL IMPLICATION</b>	High
<b>LEGISLATIVE IMPLICATION</b>	Local Government Act 1993, Financial Regulations
<b>POLICY IMPLICATION</b>	Asset Management Policy
<b>ASSET IMPLICATION</b>	Council needs to provide resources and manage its assets to ensure service provision and long life of its assets
<b>RISK IMPLICATION</b>	If Councils finances and assets are not properly managed it can increase financial, service provision, reputation, personal injury and compliance risk.

**RECOMMENDATION**

That Council:

- (a) Adopts the Financial Statements for the year ending 30<sup>th</sup> June 2025;
- (b) Authorises the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to sign the Statements by Council on its opinion of the accounts, and
- (c) Delegates authority to the General Manager to authorise the issue of the accounts on receipt of the auditor's reports and set the date for the public meeting.

**C7 – Australia Day 2026**

<b>REPORTING OFFICER</b>	Deputy General Manager
<b>ATTACHMENTS</b>	- Nil

**INTRODUCTION**

This report provides an update on proposed Australia Day activities for 2026.

**COMMENTARY**

Arrangements have commenced for Australia Day 2026, with nominations due to be called for the for the following awards with nominations accepted up to Friday 12<sup>th</sup> December 2025.

- Hay Citizen of the year
- Hay Junior Citizen of the year
- Gavin Johnston Vocational Award
- Hay Special Achievement award

Council has also been successful in its application for funding under the Australia Day Community events grant program. This is for a “Dive into Australia Day” activity at the new John Houston Memorial Swimming Pool. This will be an excellent opportunity to showcase and celebrate our new pool facility.

It is proposed to have an Australia Day committee meeting in the new year to consider nominations and finalise arrangements for the Australia Day awards ceremony at the Hay Gaol Museum.

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<b>Social</b> 1.3 Our community is connected 1.3.1 Enhance public and community transport options 1.3.2 Build a connected, collaborative community 1.5 Our community is inclusive and sustainable 1.5.1 Residents of all abilities and cultures have access to public facilities 1.5.2 Inclusive and Empowered Communities 1.5.5 Facilitate access public spaces for cultural and community events
<b>FINANCIAL IMPLICATION</b>	- Minimal. Successful with grant funding to hold event at the pool.
<b>LEGISLATIVE IMPLICATION</b>	Nil
<b>POLICY IMPLICATION</b>	Australia Day Policy

<b>ASSET IMPLICATION</b>	Nil
<b>RISK IMPLICATION</b>	Minimal

**RECOMMENDATION**

That Council notes the information provided and actions being undertaken.

## C8 – Code of Meeting Practice

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	<ul style="list-style-type: none"> <li>- OLG Circular 25-20 - 2025 Model Meeting Code – 29<sup>th</sup> August 2025</li> <li>- OLG2025 Model Meeting Code – FAQ – August 2025</li> <li>- Draft 2025 Code of Meeting Practice with Tracked Changes</li> <li>- Heritage Advisors Report, dated September 2025</li> </ul>

### INTRODUCTION

Following extensive consultation, the new 2025 Model Code of Meeting Practice for Local Councils in NSW (2025 Model Meeting Code) has been finalised. The new code must be publicly exhibited and adopted by 31 December 2025.

### COMMENTARY

#### ***Model Code of Meeting Practice:***

The new 2025 Model Meeting Code has been published in the Government Gazette and is expected to be prescribed under the Local Government (General) Regulation 2021 (the Regulation) shortly. While it has been watered down somewhat since the initial draft earlier this year, there are still some changes that need to be considered by Council.

Among other changes, the mandatory provisions of the 2025 Model Meeting Code will prohibit pre-meeting briefings.

Councils must also livestream meetings of the council and committees comprising wholly of councillors from 1 January 2026 using an audio-visual recording. Recordings of meetings must be published on the council's website for the balance of the council term or for 12 months, whichever is the later date.

The provisions governing attendance by councillors at meetings by audio-visual link have been made mandatory and the option to attend meetings by audio-visual link has been restricted to where councillors are prevented from attending a meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.

Councils may determine standards of dress for councillors when attending meetings. The draft presented includes the standard of dress is to be business attire including councillor jackets and ties. Additionally, where physically able to, councillors and staff are encouraged to stand when the mayor enters the chamber and when addressing the meeting.

Councils will no longer have the option of reducing the duration of speeches to less than 5 minutes.

Consistent with the Independent Commission Against Corruption's (ICAC) recommendations, a council or a council committee must not make a final planning decision at a meeting without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision. Where the council or a council committee makes a planning decision that is

inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.

In the interests of simplifying the code, the rules governing representations by the public on the closure of meetings have been removed. Consistent with ICAC's recommendation, the general manager must publish business papers for items of business considered during meetings that have been closed to public on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential. Before publishing this information, the general manager must consult with the council and any other affected persons and provide reasons for why the information has ceased to be confidential.

More detailed information about the changes to council meeting practices made by the 2025 Model Meeting Code is provided in the attached OLG Circular and FAQ's.

A marked up copy of the new Code, reflecting the current practice of Council, is attached for discussion.

Under section 361 of the Local Government Act 1993 (the Act), before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.

### ***Upgrade of Council Chambers:***

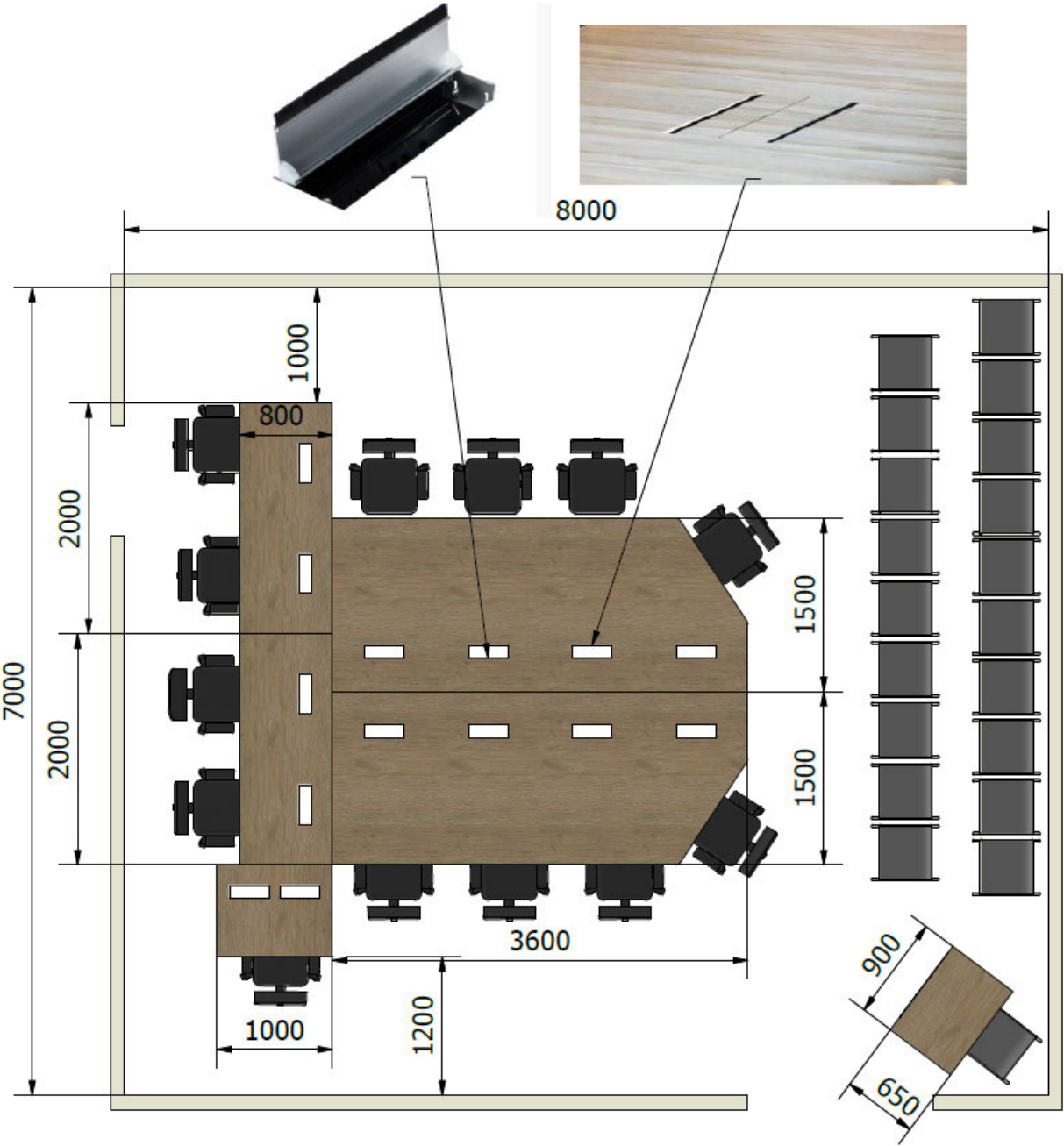
To accommodate livestream meetings of the council and committees comprising wholly of councillors from 1 January 2026 using an audio-visual recording, an upgrade to chambers technology is recommended. Staff have investigated and workshopped options with suppliers to undertake these upgrades.

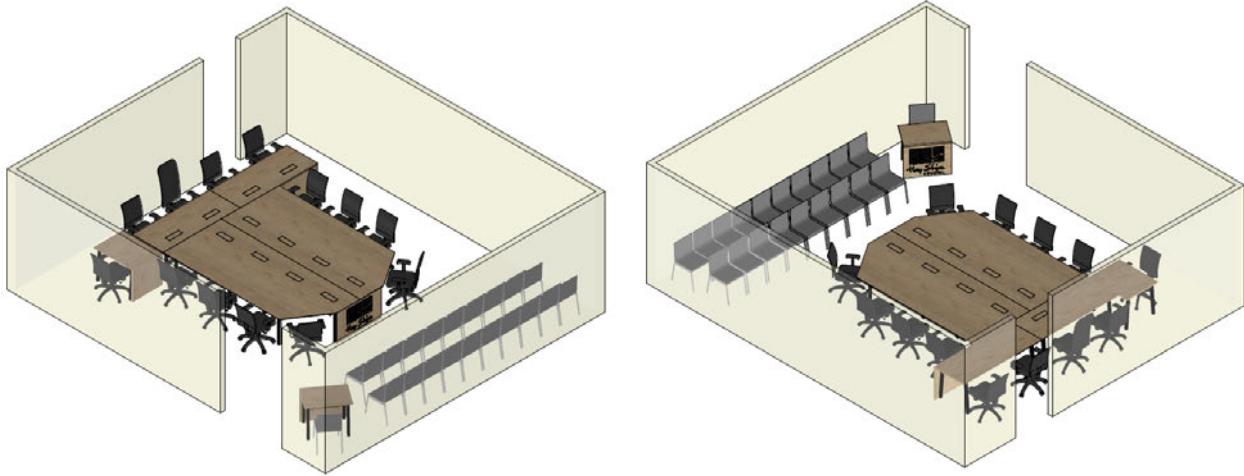
A Heritage Advisor Report of suggested building changes is attached for information. These buildings works will enhance the wayfinding to the Chambers as well as modernise and highlight the importance of the space. These works can be covered by the current 2025/26 building budget allocation and are in the process of being arranged.

As can be seen in the Chambers, the furniture and technology is no longer fit for purpose. Again, for Council to comply with the new livestreaming requirements as well as make the space more functional and in keeping with the professional nature and importance of the Chambers, a full refurbishment is recommended.

A design of the layout has been undertaken. A new fully digital integrated furniture as shown below along with:

- ✓ Removal lectern placed on main table for meetings
- ✓ 3 x fixed PTZ cameras for livestreaming of council meetings
- ✓ Individual microphones for councillors, staff and lectern (controllable from mayor and EA seats)
- ✓ In-built speakers to room synchronised to system for livestreaming
- ✓ Individual 15-inch screens for councillors and staff
- ✓ Controller – one touch system - at EA's seat
- ✓ 2 x fixed 86inch screens behind mayor and gallery
- ✓ Councillors, staff and screens to be synchronised with EA PC





#### MAXHUB XCore Kit Pro for Microsoft Teams Rooms

MAXHUB XCore Kit Pro is a Microsoft Teams Rooms conferencing solution designed for medium to large meeting rooms. It includes a touch-screen (11.6-inch) control panel and a mini-PC (12th gen Intel Core i5 processor) running Microsoft Teams Rooms for seamless collaboration. With wireless content sharing and dual-screen display capabilities, it offers a comprehensive and user-friendly conferencing experience.



The works have been fully scoped and costed, with a total budget requirement of \$150,000. Upon completion, the project will deliver a modern, fully functional public space that appropriately reflects the significance and civic stature of the Council Chambers.

It is recommended that the chambers proceed and to be funded from the Infrastructure Reserve.

#### **Other Technology Initiatives:**

Staff have been investigating other technology initiatives to enhance customer interaction as well as improve efficiencies. These include:

- **Snap Send Solve:** <https://www.snapsendsolve.com/> Snap Send Solve is a mobile and web-based platform that enables community members to easily report local issues such as potholes, graffiti, litter, and damaged infrastructure directly to Council. The system streamlines customer requests by capturing the location, photos, and details of the issue, automatically routing them to the appropriate Council team for action. This improves response times, enhances community engagement, and supports more efficient asset management and service delivery. An agreement has been entered and expect a roll out in 2026.

- **Payble:** <https://payble.com.au/> Payble is a digital payment platform that enables councils to offer flexible and user-friendly payment options for rates and other services. It allows residents to set up instalment plans, receive reminders, and manage payments through a secure online system. By integrating with existing Council systems, Payble helps reduce payment arrears, improve cash flow, and enhance the overall customer experience through greater convenience and accessibility. We are currently waiting for final proposal for consideration before entering into an agreement.
- **Asset AI:** <https://rtd.org.au/projects/asset-ai/> Asset AI is a new digital tool supporting asset maintenance teams in the planning, management and repair of our roads. This enables the early detection of road defects, streamlining and accelerating road maintenance, and improving the safety of road users. The system integrates into Council's maintenance management system, Reflect, which is currently being established. Asset AI uses data from sensors, cameras, and inspections to detect issues such as road defects or asset deterioration in real time. The system analyses this data to predict maintenance needs, prioritise works, and support evidence-based decision-making, ultimately improving asset performance, extending asset life, and optimising maintenance budgets. Staff are currently obtaining cost for the cameras, with the system itself funded by the NSW Government. This can be funded for the existing roads budget.

Staff will continue with the research and implementation of these technology initiatives as resourcing permits.

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<b>Civic Leadership</b> 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance 4.1.4 Council will seek to continuously improve 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.2 Inform and empower community input into decision making
<b>FINANCIAL IMPLICATION</b>	Nil
<b>LEGISLATIVE IMPLICATION</b>	Local Government Act 1993
<b>POLICY IMPLICATION</b>	Code of Conduct Code of Meeting Practice
<b>ASSET IMPLICATION</b>	Nil
<b>RISK IMPLICATION</b>	Compliance

## RECOMMENDATION

That Council:

- (a) Places the draft 2025 Code of Meeting Practice, as amended, on public exhibition for minimum 28 days and open for comment for minimum 42 days;
- (b) Authorises the proposed upgrade to the Council Chambers and Administration Building as outlined in the report, to be funded from the Infrastructure Reserve; and
- (c) Notes the technology initiatives being implemented.



## Circular to Councils

Subject/title	2025 Model Meeting Code
Circular Details	Circular No 25-20 / 29 August 2025 / A975455
Previous Circular	<u>Council Circular 24-23 Consultation on reforms to council meeting practices</u>
Who should read this	Mayors / Councillors / General Managers / Joint Organisation Executive Officers / Council governance staff
Contact	Council Governance Team / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
Action required	Council to Implement

### What's new or changing?

- Following extensive consultation, the new 2025 Model Code of Meeting Practice for Local Councils in NSW (2025 Model Meeting Code) has been finalised.
- The new 2025 Model Meeting Code has been published in the Government Gazette and is expected to be prescribed under the Local Government (General) Regulation 2021 (the Regulation) shortly.
- The new 2025 Model Meeting Code is available on the Model Code of Meeting Practice for Local Councils in NSW webpage on the Office of Local Government's (OLG) website at [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au).
- Among other changes, the mandatory provisions of the 2025 Model Meeting Code will prohibit pre-meeting briefings.
- Councils must also livestream meetings of the council and committees comprising wholly of councillors from 1 January 2026 using an audio-visual recording. Recordings of meetings must be published on the council's website for the balance of the council term or for 12 months, whichever is the later date.
- More detailed information about the changes to council meeting practices made by the 2025 Model Meeting Code is provided in the FAQ attached to this circular and available

on the [Model Code of Meeting Practice for Local Councils in NSW](#) webpage on OLG's website.

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### What will this mean for council?

- Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code no later than 31 December 2025.
- Transitional provisions in the Regulation will provide that if a council does not adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code by 31 December 2025, from 1 January 2026, any provision of the council's code of meeting practice that is inconsistent with a mandatory provision of the 2025 Model Meeting Code will be automatically overridden by the relevant mandatory provision of the 2025 Model Meeting Code.
- Under section 361 of the *Local Government Act 1993* (the Act), before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.

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### Key points

- The 2025 Model Meeting Code has two elements:
  - mandatory provisions (indicated in black font), and
  - non-mandatory provisions (indicated in red font) covering areas of meeting practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what OLG sees as best practice for the relevant area of practice.
- The 2025 Model Meeting Code also applies to meetings of the boards of joint organisations and county councils. The provisions that are specific to meetings of boards of joint organisations are indicated in blue font.
- In adopting the 2025 Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".
- In adopting the 2025 Model Meeting Code, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

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## Where to go for further information

- The 2025 Model Meeting Code is available on the Model Code of Meeting Practice for Local Councils in NSW webpage of OLG's website at [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au).
- More information about the 2025 Model Meeting Code and guidance on its adoption is provided in the FAQ attached to this circular and available on the Model Code of Meeting Practice for Local Councils in NSW webpage of OLG's website.
- A webinar will be held in October to support councils in adopting the new Model Code of Meeting Practice. Notice will be provided to enable councils to register.
- For more information, contact the Council Governance Team by telephone on 02 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).

A handwritten signature in blue ink, appearing to read "Brett Whitworth".

**Brett Whitworth**  
Deputy Secretary  
Office of Local Government

# 2025 Model Meeting Code - FAQ

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## Implementation of the 2025 Model Meeting Code

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### **When must the 2025 Model Meeting Code be adopted?**

- Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code no later than 31 December 2025.

### **What happens if the 2025 Model Meeting Code is not adopted by 31 December 2025?**

- Transitional provisions in the Local Government (General) Regulation 2021 (the Regulation) provide that if a council does not adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code by 31 December 2025, then from 1 January 2026, any provision of the council's code of meeting practice that is inconsistent with a mandatory provision of the 2025 Model Meeting Code will be automatically overridden by the relevant mandatory provision of the 2025 Model Meeting Code.

### **Are councils required to adopt the non-mandatory provisions of the 2025 Model Meeting Code?**

- No. The non-mandatory provisions of the 2025 Model Meeting Code cover areas of meeting practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what OLG sees as best practice for the relevant area of practice.
- Councils are free to omit the non-mandatory provisions or to adapt them to meet their needs.

### **Can councils include supplementary provisions in their adopted code of meeting practice?**

- Yes. There is nothing to prevent councils from including supplementary provisions in their adopted code of meeting practice to meet their needs, provided the supplementary provisions are not inconsistent with the mandatory provisions of the 2025 Model Meeting Code.

## Are joint organisations and county councils required to adopt the 2025 Model Meeting Code?

- Yes. The 2025 Model Meeting Code also applies to meetings of the boards of joint organisations and county councils.
- The provisions of the 2025 Model Meeting Code that are specific to meetings of boards of joint organisations are indicated in blue font.
- In adopting the 2025 Model Meeting Code, joint organisations should adapt it to substitute the terms “board” for “council”, “chairperson” for “mayor”, “voting representative” for “councillor” and “executive officer” for “general manager”.
- In adopting the 2025 Model Meeting Code, county councils should adapt it to substitute the term “chairperson” for “mayor” and “member” for “councillor”.

## What consultation must councils do before adopting a code of meeting practice?

- Under section 361 of the *Local Government Act 1993* (the Act), before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.
- This requirement does not apply to joint organisations.

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## What are the key changes?

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A key focus of the changes made to the 2025 Model Meeting Code is to ensure meetings are conducted in a dignified and orderly way befitting to a chamber of democracy and to promote community confidence in councils and their decisions.

The following is a summary of the key changes. It is not an exhaustive list of all the changes that have been made.

### Extraordinary meetings

- The mayor may now call an extraordinary meeting without the need to obtain the signature of two councillors.

### Dealing with urgent business at meetings

- The process for dealing with urgent business at both ordinary and extraordinary meetings has been simplified.
- Business may be considered at a meeting at which all councillors are present, even though due notice has not been given of the business, if the council resolves

to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council. The resolution must state the reasons for the urgency.

- If all councillors are not present at the meeting, the chairperson must also rule that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.

### **Prohibition on pre-meeting briefing sessions**

- The 2025 Model Meeting Code prohibits briefing sessions being held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.
- The prohibition on briefing sessions does not prevent a councillor from requesting information from the general manager about a matter to be considered at a meeting, provided the information is also available to the public. The information must be provided in a way that does not involve any discussion of the information.

### **Public forums**

- The public forum provisions are now mandatory but leave it to councils to determine whether to hold public forums before council and committee meetings.
- Councils are also free to determine the rules under which public forums are to be conducted and when they are to be held. OLG will be issuing model best practice public forum rules that councils can use if they choose to.
- Public forums must be livestreamed.

### **Councillors' attendance at meetings by audio-visual link**

- The provisions governing attendance by councillors at meetings by audio-visual link have been made mandatory and the option to attend meetings by audio-visual link has been restricted to where councillors are prevented from attending a meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.

### **Absences from council meetings**

- Changes have been made to the provisions governing absences from meetings.
- Where councillors are unable to attend one or more meetings of the council or committees of the council, the new provisions encourage them to:
  - submit an apology for the meetings they are unable to attend,
  - state the reasons for their absence from the meetings, and



- request that the council grant them a leave of absence from the relevant meetings.
- Where a councillor makes an apology, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting. Councils are required to act reasonably when deciding whether to grant a leave of absence to a councillor. To ensure accountability, if the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.

### **Livestreaming meetings**

- As of 1 January 2026, councils are required to livestream their meetings using an audio-visual recording.
- Recordings of meetings must be published on the council's website for the balance of the council's term or for 12 months, whichever is the later date.
- OLG will be issuing updated guidance on the livestreaming of meetings.

### **New rules of etiquette at meetings**

- Councils may determine standards of dress for councillors when attending meetings.
- Where physically able to, councillors and staff are encouraged to stand when the mayor enters the chamber and when addressing the meeting.
- The 2025 Model Meeting Code prescribes modes of address.

### **Mayoral minutes**

- The restrictions on mayoral minutes under the previous code have been removed. A mayoral minute may be put to a meeting without notice on any matter or topic that the mayor determines should be considered at the meeting.

### **Rules of debate**

- The rules of debate have been simplified and the rules governing the foreshadowing of motions and amendments have been removed. It remains open to councillors to foreshadow that they intend to move an amendment during the debate, but there are no longer formal rules governing this.
- An amendment has been made to clarify that there is nothing to prevent a further motion from being moved at a meeting on the same item of business where the original motion is lost, provided the motion is not substantially the same as the one that was lost.

- Councils will no longer have the option of reducing the duration of speeches to less than 5 minutes. However, councils continue to have other options to expedite business at meetings such as moving that a motion be put where the necessary conditions have been satisfied and to resolve to deal with items by exception.

### **Voting on planning decisions**

- Consistent with the Independent Commission Against Corruption's (ICAC) recommendations, a council or a council committee must not make a final planning decision at a meeting without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.
- Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.

### **Representations by the public on the closure of meetings**

- In the interests of simplifying the code, the rules governing representations by the public on the closure of meetings have been removed. However, there is nothing to prevent councils from adopting their own rules on this. OLG will be issuing model best practice rules for public representations that councils can use if they choose to.

### **Making information considered at closed meetings public**

- Consistent with ICAC's recommendation, the general manager must publish business papers for items of business considered during meetings that have been closed to public on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- Before publishing this information, the general manager must consult with the council and any other affected persons and provide reasons for why the information has ceased to be confidential.

### **Dealing with disorder**

- Councils will be required to determine on the adoption of the new code and at the commencement of each council term, whether to authorise the person presiding at a meeting to exercise a power of expulsion.
- The definition of acts of disorder by councillors have changed. The following constitute acts of disorder under the Regulation and the 2025 Model Meeting Code:



- contravening the Act, the Regulation, or the council's code of meeting practice,
  - assaulting, or threatening to assault, another councillor or person present at the meeting,
  - moving or attempting to move a motion or an amendment that has an unlawful purpose, or deals with a matter that is outside the jurisdiction of the council or committee or addressing or attempting to address the council or committee on or such a motion, amendment or matter,
  - using offensive or disorderly words,
  - making gestures or otherwise behaving in a way that is sexist, racist, homophobic or otherwise discriminatory, or if the behaviour occurred in the Legislative Assembly, would be considered disorderly,
  - imputing improper motives, or unfavourably personally reflecting, on another council official or a person present at the meeting, or
  - saying or doing anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.
- Where a councillor fails to remedy an act of disorder at the meeting at which it occurs, they can be required to do so at each subsequent meeting until they remedy the act of disorder. On each occasion the councillor fails to comply with a direction by the chairperson to remedy an act of disorder, they can be expelled from the meeting and each subsequent meeting until they comply.
- Members of the public can be expelled from meetings for engaging in disorderly conduct. Disorderly conduct includes:
  - speaking at meetings without being invited to,
  - bringing flags, signs or protest symbols to meetings,
  - disrupting meetings,
  - making unauthorised recordings of meetings.
- The 2025 Model Meeting Code notes that failure by a councillor or members of the public to leave a meeting when expelled is an offence under section 660 of the Act. Section 660 provides that a person who wilfully obstructs a council, councillor, employee of a council or a duly authorised person in the exercise of any function under the Act, or Regulation is guilty of an offence. An offence under section 660 carries a maximum fine of \$2,100.

## Committees

- Meetings of committees of a council whose membership comprises only of councillors must be conducted in accordance with the council's adopted meeting code. Such committees will no longer have the option of determining that rules under the council's meeting code do not apply to them.

# **MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW**

**2025**

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## 1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Model Meeting Code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

The provisions of the Model Meeting Code that are not mandatory are indicated in **red font**.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

The Model Meeting Code also applies to meetings of the boards of joint organisations and county councils. The provisions that are specific to meetings of boards of joint organisations are indicated in **blue font**.

In adopting the Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

In adopting the Model Meeting Code, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

## 2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

*Transparent:* Decisions are made in a way that is open and accountable.

*Informed:* Decisions are made based on relevant, quality information.

*Inclusive:* Decisions respect the diverse needs and interests of the local community.

*Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.

*Trusted:* The community has confidence that councillors and staff act

ethically and make decisions in the interests of the whole community.

*Effective:* Meetings are well organised, effectively run and skilfully chaired.

*Orderly:* Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

**Note:** The Office of Local Government has issued a guideline on free speech in local government in NSW. The Guideline provides practical guidance to councils on what free speech means in the context of NSW local government, including in relation to council meetings. The Guidelines have been issued under section 23A of the Act meaning councils must consider them when exercising their functions at meetings.

### 3 BEFORE THE MEETING

#### Timing of ordinary council meetings

##### 3.1

Ordinary meetings of the council will be held on the following occasions: Fourth Tuesday of each month at 1pm at the Hay Shire Council Chambers.~~The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.~~

**Note:** Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

**Note:** Under section 396 of the Act, county councils are required to meet at least four (4) times each year.

**Note:** Under section 400T of the Act, boards of joint organisations are required to meet at least four (4) times each year, each time in a different quarter of the year.

**Note:** Under clause 13 of Schedule 11 of the Act, councils that have been designated as a rural and remote council under the Regulation are required to meet at least four (4) times each year, each time in a different quarter of the year.

#### Extraordinary meetings

3.2 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

**Note:** Clause 3.2 reflects section 366 of the Act.

- 3.3 The mayor may call an extraordinary meeting without the need to obtain the signature of two (2) councillors.

Notice to the public of council meetings

- 3.4 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings, and of each meeting of committees of the council.

**Note: Clause 3.4 reflects section 9(1) of the Act.**

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council must be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.7 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

**Note: Clause 3.7 reflects section 367(1) of the Act.**

- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, unless the council determines otherwise, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

**Note: Clause 3.8 reflects section 367(3) of the Act.**

Notice to councillors of extraordinary meetings

- 3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

**Note: Clause 3.9 reflects section 367(2) of the Act.**

Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted ~~within such reasonable~~ second Tuesday of the month ~~time~~ before the meeting ~~is to be held~~ is to be held as determined by the council.

- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

Questions with notice

- 3.12 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.13 A councillor is not permitted to ask a question with notice under clause 3.12 that would constitute an act of disorder.
- 3.14 The general manager or their nominee may respond to a question with notice submitted under clause 3.12 by way of a report included in the business papers for the relevant meeting of the council.

Agenda and business papers for ordinary meetings

- 3.15 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.16 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
  - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
  - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
  - (d) any business of which due notice has been given under clause 3.10.
- 3.17 Nothing in clause 3.16 limits the powers of the mayor to put a mayoral minute to a meeting without notice under clause 9.7.
- 3.18 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.19 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and



- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

**Note: Clause 3.19 reflects section 9(2A)(a) of the Act.**

- 3.20 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.21 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

**Note: Clause 3.21 reflects section 9(2) and (4) of the Act.**

- 3.22 Clause 3.21 does not apply to the business papers for items of business identified under clause 3.19 as being likely to be considered when the meeting is closed to the public.

**Note: Clause 3.22 reflects section 9(2A)(b) of the Act.**

- 3.23 For the purposes of clause 3.21, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

**Note: Clause 3.23 reflects section 9(3) of the Act.**

- 3.24 A copy of an agenda, or of an associated business paper made available under clause 3.21, may in addition be given or made available in electronic form unless the council determines otherwise.

**Note: Clause 3.24 reflects section 9(5) of the Act.**

Agenda and business papers for extraordinary meetings

- 3.25 The council must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.26 Nothing in clause 3.25 limits the powers of the mayor to put a mayoral minute to an extraordinary meeting without notice under clause 9.7.
- 3.27 Despite clause 3.25, business may be considered at an extraordinary meeting of the council at which all councillors are present, even though due notice has not been given of the business, if the council resolves to deal with the business

on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council. A resolution adopted under this clause must state the reasons for the urgency.

- 3.28 A motion moved under clause 3.27 can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with. Despite any other provision of this code, only the mover of a motion moved under clause 3.27, and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 3.29 If all councillors are not present at the extraordinary meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 3.27 and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 3.30 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29 on whether a matter is urgent.

#### Prohibition of pre-meeting briefing sessions

- 3.31 Briefing sessions must not be held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.

**Note: The prohibition on the holding of briefing sessions under clause 3.31 reflects the intent of Chapter 4, Part 1 of the Act which requires business of the council to be conducted openly and transparently at a formal meeting of which due notice has been given and to which the public has access. Pre-meeting briefing sessions are inconsistent with the principles of transparency, accountability and public participation and have the potential to undermine confidence in the proper and lawful decision-making processes of the council.**

- 3.32 Nothing in clause 3.31 prevents a councillor from requesting information from the general manager about a matter to be considered at a meeting, provided the information is also available to the public. Information requested under this clause must be provided in a way that does not involve any discussion of the information.

## **4 PUBLIC FORUMS**

- 4.1 The council may hold a public forum prior to meetings of the council and committees of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to meetings of other committees of the council.
- 4.2 The council may determine the rules under which public forums are to be conducted and when they are to be held.
- 4.3 The provisions of this code requiring the livestreaming of meetings also apply to public forums.

## 5 COMING TOGETHER

### Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

**Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.**

- 5.2 The council ~~may have~~ determined ~~the~~ standards of dress for councillors when attending meetings ~~is business attire including council jackets and ties-~~

- 5.3 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.

- 5.4 ~~The board of the joint organisation may, if it thinks fit, transact any of its business at a meeting at which representatives (or some representatives) participate by telephone or other electronic means, but only if any representative who speaks on a matter before the meeting can be heard by the other representatives. For the purposes of a meeting held in accordance with this clause, the chairperson and each other voting representative on the board have the same voting rights as they have at an ordinary meeting of the board.~~

~~**Note: Clause 5.4 reflects section 397G of the Regulation. Joint organisations may adopt clause 5.4 and omit clause 5.3. Councils must not adopt clause 5.4.**~~

- 5.5 Where a councillor is unable to attend one or more meetings of the council or committees of the council, the councillor should submit an apology for the meetings they are unable to attend, state the reasons for their absence from the meetings and request that the council grant them a leave of absence from the relevant meetings.

- 5.6 The council must not act unreasonably when considering whether to grant a councillor's request for a leave of absence.

- 5.7 Where a councillor makes an apology under clause 5.5, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting for the purposes of section 234(1)(d) of the Act. If the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.

- 5.8 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned,

unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

**Note: Clause 5.8 reflects section 234(1)(d) of the Act.**

The quorum for a meeting

- 5.9 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

**Note: Clause 5.9 reflects section 368(1) of the Act.**

- 5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

**Note: Clause 5.10 reflects section 368(2) of the Act.**

- 5.11 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
  - (b) within half an hour after the time designated for the holding of the meeting, or
  - (c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date, and place fixed:
- (a) by the chairperson, or
  - (b) in the chairperson's absence, by the majority of the councillors present, or
  - (c) failing that, by the general manager.
- 5.13 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at

the next ordinary meeting of the council or at an extraordinary meeting called by the mayor under clause 3.3.

Meetings held by audio-visual link

- 5.16 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.
- 5.17 Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the general manager must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
  - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
  - (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

**Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.**

Attendance by councillors at meetings by audio-visual link

- 5.19 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.
- 5.20 Clause 5.19 does not apply to meetings at which a mayoral election is to be held.
- 5.21 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.22 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one

meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.21.

- 5.23 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.24 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.25 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state the meetings the resolution applies to.
- 5.26 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.27 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link.
- 5.28 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.29 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.30 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.31 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

- 5.32 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

**Note: Clause 5.32 reflects section 10(1) of the Act.**

- 5.33 Clause 5.32 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.34 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

**Note: Clause 5.34 reflects section 10(2) of the Act.**

- 5.35 On the adoption of this code and at the commencement of each council term, the council must determine whether to authorise the person presiding at a meeting to exercise a power of expulsion.

**Note: If adopted, clauses 15.15 and 15.16 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.15 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.16 authorises chairpersons to expel persons other than councillors from a council or committee meeting.**

Livestreaming of meetings

- 5.36 Each meeting of the council or a committee of the council is to be recorded by means of an audio-visual device.

- 5.37 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:

- (a) the meeting is being recorded and made publicly available on the council's website, and
- (b) persons attending the meeting should refrain from making any defamatory statements.

- 5.38 The recording of a meeting is to be made publicly available on the council's website at the same time as the meeting is taking place.

- 5.39 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting or for the balance of the council's term, whichever is the longer period.

- 5.40 Clauses 5.36 - 5.39 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

**Note: Clauses 5.36 – 5.40 reflect section 236 of the Regulation.**

- 5.41 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

~~Note: Joint organisations are not required to livestream their meetings but may choose to do so by adopting clauses 5.36-5.40. Joint organisations that choose not to livestream their meetings may omit clauses 5.36-5.40.~~

#### Attendance of the general manager and other staff at meetings

- 5.42 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

**Note: Clause 5.42 reflects section 376(1) of the Act.**

- 5.43 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

**Note: Clause 5.43 reflects section 376(2) of the Act.**

- 5.44 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

**Note: Clause 5.44 reflects section 376(3) of the Act.**

- 5.45 The attendance of other council staff at a meeting, (other than as members of the public) shall be determined by the general manager in consultation with the mayor.

## **6 THE CHAIRPERSON**

#### The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

**Note: Clause 6.1 reflects section 369(1) of the Act.**

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

**Note: Clause 6.2 reflects section 369(2) of the Act.**



Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted:
- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
  - (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.
- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:
- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
  - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:
- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
  - (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

**7 MODES OF ADDRESS**

- 7.1 Where physically able to, councillors and staff should stand when the mayor enters the chamber and when addressing the meeting.
- 7.2 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor', 'Madam Mayor' or 'Mayor'.
- 7.3 If the chairperson is the deputy mayor, they are to be addressed as 'Mr Deputy Mayor', or 'Madam Deputy Mayor' or 'Deputy Mayor'.
- 7.4 Where the chairperson is not the mayor or deputy mayor, they are to be

addressed as either 'Mr Chairperson' or 'Madam Chairperson' or 'Chair'.

7.5 A councillor is to be addressed as 'Councillor [surname]'.

7.6 A council officer is to be addressed by their official designation or as Mr/Ms/Mx [surname].

## 8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

**8.1** ~~8.1~~ At a meeting of the council, the general order of business is as fixed by resolution of the council.

The general order of business for an ordinary meeting of the council shall be:

- 01 Opening meeting
- 02 Council prayer & acknowledgement of country
- 03 Apologies and applications for a leave of absence by councillors
- 04 Address by special guests
- 05 Confirmation of minutes
- 05 Disclosures of interests
- 06 Mayoral minute(s)
- 07 Delegate Reports (other than Council committees)
- 08 Address from members of the public on items on the agenda
- 09 Reports to council
- 10 Notices of motions/Questions with notice
- 11 Reports of committees & committee delegates
- 12 Confidential matters
- 13 Conclusion of the meeting

8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

**Note: If adopted, Part 13 allows council to deal with items of business by exception.**

8.3 Despite any other provision of this code, only the mover of a motion referred to in clause 8.2 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

## 9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

### Business that can be dealt with at a council meeting

9.1 The council must not consider business at a meeting of the council:

- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
- (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.

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- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
  - (b) is the election of a chairperson to preside at the meeting, or
  - (c) is a matter or topic put to the meeting by way of a mayoral minute, or
  - (d) is a motion for the adoption of recommendations of a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council at which all councillors are present even though due notice has not been given of the business to councillors, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting. A resolution adopted under this clause must state the reasons for the urgency.
- 9.4 A motion moved under clause 9.3 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 9.3 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 9.5 If all councillors are not present at a meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 9.3, and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 9.6 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.5.

#### Mayoral minutes

- 9.7 The mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that the mayor determines should be considered at the meeting.
- 9.8 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The mayor may move the adoption of a mayoral minute without the motion being seconded.
- 9.9 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

#### Staff reports

- 9.10 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

#### Reports of committees of council

- 9.11 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.

- 9.12 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

#### Questions

- 9.13 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.12, unless the council determines otherwise in accordance with this code.
- 9.14 A councillor may, through the chairperson, ask another councillor about a matter on the agenda.
- 9.15 A councillor may, through the mayor, ask the general manager about a matter on the agenda. The general manager may request another council employee to answer the question.
- 9.16 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.17 Councillors must ask questions directly, succinctly, and without argument.
- 9.18 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

### **10 RULES OF DEBATE**

#### Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

#### Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it, they may request its withdrawal at any time. If the notice of motion is withdrawn after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the chairperson is to note the withdrawal of the notice of motion at the meeting unless the council determines to consider the notice of motion at the meeting.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:

- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
- (b) the chairperson may defer consideration of the motion until the next meeting of the council.

#### Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

#### Amendments to motions

- 10.8 An amendment to a motion must be moved and seconded before it can be debated.
- 10.9 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.10 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.11 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.12 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.13 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.14 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

#### Limitations on the number and duration of speeches

- 10.15 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation

to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

- 10.16 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.17 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.18 Despite clause 10.17, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.19 Despite clauses 10.15 and 10.16, a councillor may move that a motion or an amendment be now put:
  - (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
  - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.20 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.19. A seconder is not required for such a motion.
- 10.21 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.15.
- 10.22 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.23 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.24 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.
- 10.25 Clause 10.24 does not prevent a further motion from being moved on the same item of business where the original motion is lost provided the motion is not substantially the same as the one that is lost.

~~Participation by non-voting representatives in joint organisation board meetings~~

~~10.26 Non-voting representatives of joint organisation boards may speak on but must not move, second or vote on any motion or an amendment to a motion.~~

~~————— **Note: Under section 400T(1)(c) of the Act, non-voting representatives of**~~

~~joint organisation boards may attend but are not entitled to vote at a meeting of the board.~~

~~Note: Joint organisations must adopt clause 10.26. Councils must not adopt clause 10.26.~~

## 11 VOTING

### Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.

**Note: Clause 11.1 reflects section 370(1) of the Act.**

~~Note: Under section 400T(1) of the Act, voting representatives of joint organisation boards are entitled to one (1) vote each at meetings of the board.~~

- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

**Note: Clause 11.2 reflects section 370(2) of the Act.**

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

- ~~11.4 A motion at a meeting of the board of a joint organisation is taken to be lost in the event of an equality of votes.~~

~~Note: Clause 11.4 reflects section 397E of the Regulation. Joint organisations must adopt clause 11.4 and omit clauses 11.2 and 11.3. Councils must not adopt clause 11.4.~~

~~Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 11.4 must be adapted to reflect those requirements.~~

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### Voting at council meetings

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

- 11.6 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.

- 11.7 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.

- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

~~11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment (including the use of the casting vote) being recorded.~~

~~Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.15 may be omitted.~~

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#### Voting on planning decisions

- 11.12 The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.
- 11.13 Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.
- 11.14 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.15 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.16 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.17 Clauses 11.14–11.16 apply also to meetings that are closed to the public.

**Note: Clauses 11.14–11.17 reflect section 375A of the Act.**

**Note: The requirements of clause 11.14 may be satisfied by maintaining a register of the minutes of each planning decision.**



## 12 COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.

**Note: Clause 12.1 reflects section 373 of the Act.**

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches and encouraging councillors and staff to stand when addressing the meeting.

**Note: Clauses 10.15 – 10.25 limit the number and duration of speeches.**

**Note: Clause 7.1 encourages councillors and staff to stand when addressing the meeting where they can.**

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

## 13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution where it considers it necessary to expedite the consideration of business at a meeting.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.2.

- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1.

## 14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

### Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
  - (b) the personal hardship of any resident or ratepayer,
  - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
  - (d) commercial information of a confidential nature that would, if disclosed:
    - (i) prejudice the commercial position of the person who supplied it, or
    - (ii) confer a commercial advantage on a competitor of the council, or
    - (iii) reveal a trade secret,
  - (e) information that would, if disclosed, prejudice the maintenance of law,
  - (f) matters affecting the security of the council, councillors, council staff or council property,
  - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
  - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
  - (i) alleged contraventions of the council's code of conduct.

**Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.**

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

**Note: Clause 14.2 reflects section 10A(3) of the Act.**

### Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

**Note: Clause 14.3 reflects section 10B(1) of the Act.**

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice,
- (c) are fully discussed in that advice, and
- (d) are subject to legal professional privilege.

**Note: Clause 14.4 reflects section 10B(2) of the Act.**

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

**Note: Clause 14.5 reflects section 10B(3) of the Act.**

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
  - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
  - (ii) cause a loss of confidence in the council or committee.

**Note: Clause 14.6 reflects section 10B(4) of the Act.**

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

**Note: Clause 14.7 reflects section 10B(5) of the Act.**

Notice of likelihood of closure not required in urgent cases

14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.19 as a matter

that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
  - (i) should not be deferred (because of the urgency of the matter), and
  - (ii) should take place in a part of the meeting that is closed to the public.

**Note: Clause 14.8 reflects section 10C of the Act.**

#### Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

**Note: Clause 14.9 reflects section 10A(4) of the Act.**

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Despite clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in clause 14.1.
- 14.12 Where the matter has been identified in the agenda of the meeting under clause 3.19 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in a manner determined by the council.

#### Expulsion of non-councillors from meetings closed to the public

- 14.13 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.14 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

**Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.**

Obligations of councillors attending meetings by audio-visual link

- 14.15 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.16 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
  - (b) the matter that is to be discussed during the closed part of the meeting,
  - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**Note: Clause 14.16 reflects section 10D of the Act.**

Resolutions passed at closed meetings to be made public

- 14.17 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.18 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.17 during a part of the meeting that is livestreamed where practicable.
- 14.19 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 14.20 The general manager must consult with the council and any other affected persons before publishing information on the council's website under clause 14.19 and provide reasons for why the information has ceased to be confidential.

## 15 KEEPING ORDER AT MEETINGS

### Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

### Questions of order

- 15.3 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.4 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.5 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.6 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

### Motions of dissent

- 15.7 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.8 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.9 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

### Acts of disorder

- 15.10 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act, the Regulation or this code, or

- (b) assaults or threatens to assault another councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) uses offensive or disorderly words, or
- (e) makes gestures or otherwise behaves in a way that is sexist, racist, homophobic or otherwise discriminatory, or, if the behaviour occurred in the Legislative Assembly, would be considered disorderly, or
- (f) imputes improper motives to or unfavourably personally reflects upon any other council official, or a person present at the meeting, except by a motion, or
- (g) says or does anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.

**Note: Clause 15.10 reflects section 182 of the Regulation.**

**Note: The Legislative Assembly's Speaker's Guidelines state that "Members are not to use language, make gestures, or behave in any way in the Chamber that is sexist, racist, homophobic or otherwise exclusionary or discriminatory. Such conduct may be considered offensive and disorderly, in accordance with Standing Order 74".**

15.11 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.10(a), (b), (d), (e), or (g), or
- (b) to withdraw a motion or an amendment referred to in clause 15.10(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.10(d), (e), (f) or (g).

**Note: Clause 15.11 reflects section 233 of the Regulation.**

15.12 A failure to comply with a requirement under clause 15.11 constitutes a fresh act of disorder for the purposes of clause 15.10.

15.13 Where a councillor fails to take action in response to a requirement by the chairperson to remedy an act of disorder under clause 15.11 at the meeting at which the act of disorder occurred, the chairperson may require the councillor to take that action at each subsequent meeting until such time as the councillor complies with the requirement. If the councillor fails to remedy the act of disorder at a subsequent meeting, they may be expelled from the meeting under clause 15.18.

#### How disorder at a meeting may be dealt with

15.14 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not.

This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

#### Expulsion from meetings

15.15 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

~~15.16 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.~~

~~————— **Note: Councils may use either clause 15.15 or clause 15.16.**~~

15.17 Clause [15.15/15.16] ~~[delete whichever is not applicable]~~, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

15.18 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.11 or clause 15.13. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

**Note: Clause 15.18 reflects section 233(2) of the Regulation.**

15.19 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

15.20 Members of the public attending a meeting of the council:

- (a) must remain silent during the meeting unless invited by the chairperson to speak,
- (b) must not bring flags, signs or protest symbols to the meeting, and
- (c) must not disrupt the meeting.

15.21 Without limiting clause 15.19, a contravention of clause 15.20 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Members of the public may, as provided by section 10(2) of the Act, be expelled from a meeting for a breach of clause 15.20.

15.22 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.23 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person



presiding, may, by using such force as is reasonably necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

**Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.**

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.24 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.25 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.26 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.27 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.28 Without limiting clause 15.19, a contravention of clause 15.27 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Any person who contravenes or attempts to contravene clause 15.27, may, as provided for under section 10(2) of the Act, be expelled from the meeting.
- 15.29 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

**Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.**

**16 CONFLICTS OF INTEREST**

- 16.1 All councillors and, where applicable, all other persons, must declare and manage conflicts of interest they have in matters being considered at meetings

of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest must be recorded in the minutes of the meeting at which the declaration was made.

- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

## 17 DECISIONS OF THE COUNCIL

### Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

**Note: Clause 17.1 reflects section 371 of the Act in the case of councils and section 400T(8) in the case of joint organisations.**

~~Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 17.1 must be adapted to reflect those requirements.~~

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

### Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given in accordance with this code.

**Note: Clause 17.3 reflects section 372(1) of the Act.**

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

**Note: Clause 17.4 reflects section 372(2) of the Act.**

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with this code.

**Note: Clause 17.5 reflects section 372(3) of the Act.**

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

**Note: Clause 17.6 reflects section 372(4) of the Act.**

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

**Note: Clause 17.7 reflects section 372(5) of the Act.**

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

**Note: Clause 17.8 reflects section 372(7) of the Act.**

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than ~~4-day~~24 hours after the meeting at which the resolution was adopted.

- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

**Note: Clause 17.11 reflects section 372(6) of the Act.**

- ~~17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:~~

- ~~(a) a notice of motion signed by three councillors is submitted to the chairperson at the meeting, and~~  
~~(b) the council resolves to deal with the motion at the meeting on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council.~~

- ~~17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.12(b) and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.~~

- ~~17.14 A resolution adopted under clause 17.12(b) must state the reasons for the urgency.~~

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#### Recommitting resolutions to correct an error

~~17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:~~

- ~~(a) to correct any error, ambiguity or imprecision in the council's resolution, or~~
- ~~(b) to confirm the voting on the resolution.~~

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~~17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.~~

~~17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.~~

~~17.18 A motion moved under clause 17.15 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.15 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.~~

~~17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.~~

~~17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.~~

#### **18 TIME LIMITS ON COUNCIL MEETINGS**

~~18.1 Meetings of the council and committees of the council are to conclude at a time the council may from time to time determine.~~

~~18.2 If the business of the meeting is unfinished at the time the council has determined, and the council does not resolve to extend the meeting, the chairperson must either:~~

- ~~(a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or~~
- ~~(b) adjourn the meeting to a time, date and place fixed by the chairperson.~~

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~~18.3 Clause 18.2 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.~~

~~18.4 Where a meeting is adjourned under clause 18.2 or 18.3, the general manager must:~~

- ~~(a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and~~
- ~~(b) publish the time, date and place at which the meeting will reconvene on the~~

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~~council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.~~

## 19 AFTER THE MEETING

### Minutes of meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

**Note: Clause 19.1 reflects section 375(1) of the Act.**

- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a council meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

**Note: Clause 19.3 reflects section 375(2) of the Act.**

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

**Note: Clause 19.5 reflects section 375(2) of the Act.**

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

### Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

**Note: Clause 19.8 reflects section 11(1) of the Act.**

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

**Note: Clause 19.9 reflects section 11(2) of the Act.**

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

**Note: Clause 19.10 reflects section 11(3) of the Act.**

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

#### Implementation of decisions of the council

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

**Note: Clause 19.12 reflects section 335(b) of the Act.**

## **20 COUNCIL COMMITTEES**

### Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

### Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
  - (b) if the council has not decided a number – a majority of the members of the committee.

### Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
  - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Non-members entitled to attend committee meetings

- 20.8 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
  - (b) to move or second a motion at the meeting, or
  - (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 20.9 The chairperson of each committee of the council must be:
- (a) the mayor, or
  - (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
  - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.10 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.11 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.12 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting. If neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.13 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council.

20.14 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.13.

~~20.15 A motion at a committee of a joint organisation is taken to be lost in the event of an equality of votes.~~

~~**Note: Clause 20.15 reflects section 397E of the Regulation. Joint organisations must adopt clause 20.15 and omit clause 20.14. Councils must not adopt clause 20.15.**~~

20.16 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

#### Mayoral minutes

20.17 The provisions of this code relating to mayoral minutes also apply to meetings of committees of the council in the same way they apply to meetings of the council.

#### Closure of committee meetings to the public

20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.

20.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is livestreamed where practicable.

20.21 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.

20.22 The general manager must consult with the committee and any other affected persons before publishing information on the council's website under clause 20.21 and provide reasons for why the information has ceased to be confidential.



### Disorder in committee meetings

- 20.23 The provisions of the Act, the Regulation, and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way they apply to meetings of the council.

### Minutes of council committee meetings

- 20.24 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

- ~~20.25 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.~~

- 20.26 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.

- 20.27 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 20.28 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

- 20.29 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

- 20.30 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

## **21 IRREGULARITIES**

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or

- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

**Note: Clause 21.1 reflects section 374 of the Act.**

**22 DEFINITIONS**

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.10 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.9 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and any other person exercising functions on behalf of the council
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
livestream	a video broadcast of a meeting transmitted across the internet concurrently with the meeting
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan, a planning agreement or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act

quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
year	means the period beginning 1 July and ending the following 30 June



*Design advice for this small and overcrowded lobby includes: rationalise the display into 5 museum-quality storyboards; attach the bronze plaque over new double door entry; remove the unused coffee table; relocate memorabilia to a place that can be enjoyed by the public (public council entry lobby) and update the ply veneer wall lining.*



*Design advice for the cluttered interior of the Council Chamber includes: reduce footprint of the main pieces of furniture; formalise the furniture into a symmetrical layout; paint an accent colour over the flag display wall; for the block off the servery opening; reglaze the highlight windows with natural ventilation.*

## Design Advice for Refurbishment Hay Shire Council Chambers

Report to Hay Shire Council  
September 2025

ISSUE	DESCRIPTION	DATE	ISSUED BY
A	Draft for Review	29/09/2025	PK

## DESIGN RECOMMENDATION – COUNCIL CHAMBER REFURBISHMENT

This design proposes a cost-effective refurbishment to upgrade the approach, entry, foyer, and interior of the Council Chamber. It follows the visitor journey from the street entrance through to the Council Chamber itself.

### 1. STREET GATE & EXTERNAL ENTRY

#### Architect's appraisal:

The current entry from the street is poorly defined. Signage is unclear, the view to the entrance is partly obstructed, and there is no clear visual progression towards the foyer door. The spear-point balustrade appears decorative only and is a "faux heritage" element. The outdoor breakout area is underutilised and poorly furnished.

#### Recommendations:

1. Install a printed Alupanel plaque on the masonry gate pier featuring the Council logo (matching the bronze plaque design) and the text "Council Chambers".
2. Install three historical photo murals printed on Alupanel (approx. A0 size, to be confirmed on site) along the FH wall of the Council building between windows.
3. Relocate wheelie bins to the council carpark.
4. Conceal air-conditioning units and plumbing with a vertical timber slatted screen incorporating a concealed maintenance door.
5. Retain the existing handrail on the right-hand side of the ramp and repaint it brown to match the steel posts.
6. Remove the left-hand spear-point balustrade and replace it with a stainless steel or brown-painted pipe handrail.
7. Seal cracks and repaint the feature wall displaying the "Hay Shire Council" lettering and bronze plaques. Use a matt accent colour to complement the Australian flag (Dulux "Blue Flag S38", subject to sample confirmation). Alternatively, repaint to match the existing colour or lighten it to match the Council Chamber walls (Dulux Lexicon Quarter).
8. In the outdoor seating area, remove the picnic table and benches. Install an additional cast-metal bench (to match the existing) and a small round cast-iron table with a stone top.



Attach Council Chamber entry plaque to gate post.



Mark the entry with three historic photos of Hay.



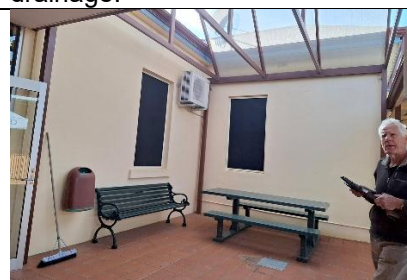
Relocate rubbish bins and screen off the air con units and exposed drainage.



Replace the unused faux-heritage balustrade with a simple handrail.



Create a focal point by repainting this sign wall in an accent colour.



Remove the park bench and rubbish bin and provide an additional cast metal bench with small round table.












## 2. FOYER TO COUNCIL CHAMBERS

### Architect's appraisal:

The foyer walls are overcrowded with framed photos. The right-hand wall is cluttered with memorabilia that is difficult to view and appreciate. The coffee table is redundant, as is the COVID hand sanitiser station. The faux-timber plywood wall lining appears dated.

### Recommendations:

1. Remove the plywood veneer on the right-hand wall and replace it with plasterboard painted to match the existing light wall colour (likely Dulux Lexicon Quarter, subject to sample confirmation).
2. Remove the unused coffee table.
3. Remove the unused COVID hand sanitiser stand.
4. Relocate memorabilia (trophyes and gifted plaques) to the front public entry foyer (see below).
5. Digitise all framed photos at high resolution and consolidate them into five A1-sized posters in silver frames (portrait orientation):
  - o Nineteenth Century Hay Municipal Council Mayors
  - o Twentieth Century Hay Municipal Council Mayors
  - o Hay Shire Council Presidents
  - o Waradgery Shire Council Presidents
  - o Council Group Photos

	 <p>Storyboard 1</p>  <p>Storyboard 2</p>  <p>Storyboard 3</p>  <p>Storyboard 4</p>  <p>Storyboard 5</p>	
<p>Design advice for this small and overcrowded lobby includes: rationalise the display into 5 museum-quality storyboards; attach the bronze plaque over new double door entry; remove the unused coffee table; relocate memorabilia to a place that can be enjoyed by the public (public council entry lobby) and update the ply veneer wall lining.</p>		<p>Relocate memorabilia, which currently is overcrowded, into new glass display cases in the public entry lobby.</p> <p>Remove the unused coffee table.</p> <p>Replace the ply veneer wall lining</p>
 <p>Relocate plaque over new double doors.</p>	 <p>Remove the unused Covid hand sanitiser</p>	




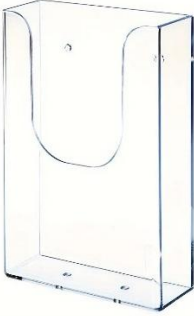

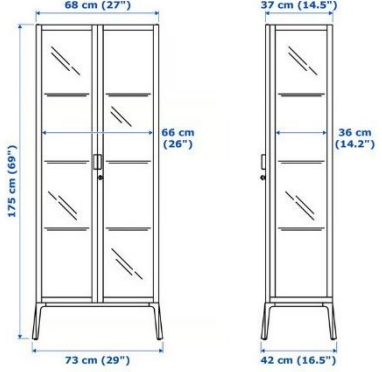

3. FRONT ENTRY FOYER

Architect’s appraisal:

Although small, the public entry foyer is highly visible and ideal for displaying memorabilia gifted to Council.

Recommendations:

- 1. Relocate the quilt display to the front wall and raise it by 300 mm to allow space for two waiting chairs below.
- 2. Remove the coffee table and replace it with four A4-size clear acrylic brochure holders, or an IKEA magazine holder (Cat. No. 001.640.96).
- 3. Install two standard glass display cabinets (approx. 730 mm W x 1750 mm H x 420 mm D, IKEA Cat. No. 906.167.77) for memorabilia currently stored in the foyer to the Council Chambers.
- 4. Make good any wall damage and repaint.

 <p>Move quilt to other wall.</p>	 <p>Replace coffee table with four wall-mounted clear acrylic brochure holders.</p>	 <p>Arreange memorabilia display in two glass cabinets (e.g. Ikea “Milsbo”).</p>
 <p>Glass cabinet.</p>	 <p>Glass cabinets must be lockable.</p>	

#### 4. COUNCIL CHAMBER

##### Architect's appraisal:

The Council Chamber is constrained by the oversized circular ("donut") meeting table, which wastes floor space. Natural light is adequate, and light wall colours enhance it. The dark brown servery shutter is visually dominant and should be replaced with a white shutter or removed entirely. The crossed Australian flags are effective but would have greater impact if centrally located on an accent wall.

##### Recommendations:

1. Install a new double door to the Chamber.
2. Commission a custom-built meeting table with integrated microphones. The new table should be significantly smaller than the existing one to create a more spacious interior.
3. Fill in the servery wall opening and remove the shutter.
4. Replace fixed glazing in the highlight window with an operable window.
5. Provide a small media table.
6. Install two screens: one wall-mounted and one movable.
7. Rope off a small section of gallery seating at one end of the Chamber.
8. Relocate two Australian flags and a portrait of the King to a central position on the wall behind the Mayor's chair. Paint this wall in a matt accent colour that complements the flag (Dulux "Blue Flag S38").
9. Repaint all other walls in a light "blank canvas" shade (likely Dulux Lexicon Quarter, subject to sample confirmation).



Design advice for the cluttered interior of the Council Chamber includes: reduce footprint of the main pieces of furniture; formalise the furniture into a symmetrical layout; paint an accent colour over the flag display wall; for the block off the servery opening; reglaze the highlight windows with natural ventilation.



Install a more inviting new double door to the Chamber.



Provide a more dignified and spacious character to the Chamber by reducing the furniture footprint and painting the flag display wall in an accent colour which harmonises with the Australian flag's royal blue.



Reglaze the windows with openable sashes for natural ventilation and fill in the servery opening.

If you have any questions or need any drawings or details about any aspect of this report, please email [peterkabaila1@gmail.com](mailto:peterkabaila1@gmail.com) .

A handwritten signature in black ink, appearing to read 'Peter Kabaila', with a stylized, flowing script.

Dr Peter Kabaila, Heritage consultant, Black Mountain Projects Pty Ltd

## C9 – Planning Agreements Policy

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	- Draft Planning Agreements Policy, V1.2 dated August 2025 - Submission from Annette Smith

### INTRODUCTION

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

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

The draft Planning Agreement Policy has now been public exhibited.

### COMMENTARY

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

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

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

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

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

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

- Rezoning requests (planning proposals);

- Development applications (DAs); and
- Modifications to existing consents.

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

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

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

The purpose of this Policy is to:

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

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

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

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

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

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

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

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

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

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

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

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

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

All planning agreements will be:

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

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

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

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

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

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

At its August 2025 meeting, it was resolved that Council:

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

The draft policy was placed on public exhibition for minimum of 28 days, with one submission received (see attached). With regards to the comments made in the submission, staff can advise:

- There will be regular oversight of renewable energy projects. In addition, staff have developed the SW REZ Framework, which is due to come to Council for adoption next month, which outlines in detail how these projects will be managed and monitored, including co-ordination and oversight of projects to achieve the best outcomes for the community.
- For the projects associated with the SW REZ (i.e. Pottinger Windfarm) there will a community consultative committee established for any Renewable Energy Planning Agreement (REPA), as this is a requirement of the SW REZ and the benefits sharing guidelines; known at a Community Benefit Fund Governance Committee.

The Planning Agreements Policy is now presented to Council for adoption.

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


## RECOMMENDATION

That Council adopts the Planning Agreements Policy, V1.2 dated August 2025.



# Hay Shire Council Policy



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

## Purpose

<b>Trim Number:</b>		<b>Hay Shire Council</b> Page 1 of 11
<b>Date Printed:</b>	12 August 2025	
<b>File Path:</b>	O:\David\Economic Development\Renewable Energy - Windfarms\VPAs\Hay Shire Council Policy - Planning Agreements V1.2 - August 2025.docx	

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

The purpose of this Policy is to:

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

### Overview

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

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

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

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

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

### Scope

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

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

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

<b>Trim Number:</b>		<b>Hay Shire Council</b> Page 2 of 11
<b>Date Printed:</b>	12 August 2025	
<b>File Path:</b>	O:\David\Economic Development\Renewable Energy - Windfarms\VPAs\Hay Shire Council Policy - Planning Agreements V1.2 - August 2025.docx	

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

### **Policy Statement**

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

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

### **The statutory scheme for PAs**

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

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

### **Departmental Practice Notes and Directions**

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

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

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

### **Corporate strategic planning context**

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

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

The four key directions in Council's CSP are:

- Social

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- Environmental
- Economic
- Civic Leadership

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

### Land use planning context

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

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

### Council's objectives for the use of PA's

This policy aims to:

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

### Guiding principles for use of PAs

All planning agreements must:

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

### Acceptability test

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

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

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

### Types of Contributions

Planning agreements may include the provision of:

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

### Purpose of contributions

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

Public purposes include, without limitation,

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

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

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

### Negotiation Process

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

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

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

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

#### **Assessment Criteria**

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

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

#### **Commencement of PA**

A PA commences when:

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

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

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

#### **Indexation**

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

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

#### **Pooling of Development Contributions**

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

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

### **Land dedication**

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

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

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

### **Security for performance**

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

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

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

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

### **Registration**

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

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**Indemnity**

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

**Notations on section 10.7 Planning Certificate**

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

**Monitoring and review**

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

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

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

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

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

**Amendment**

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

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**Discharge of PA**

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

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

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

**Preparation and form of PA**

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

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

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

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

**Council's costs of negotiating, entering into, monitoring and enforcing a PA**

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

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

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

**Dispute resolution**

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

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**Hand-Over of Works**

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

**Developer not the owner**

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

**Public Disclosure and Register**

All planning agreements will be:

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

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

**Explanatory Notes**

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

The Explanatory Note must:

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

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

### **Probity Matters**

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

To this end, the following practices will apply:

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

### *Separation of staff responsibilities within the Council*

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

### *Involvement of Councillors in PA negotiation process*

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

### **Delegations**

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

### **Review**

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

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13 October 2025

Mr David Webb  
General Manager  
Hay Shire Council  
[mail@hay.nsw.gov.au](mailto:mail@hay.nsw.gov.au)

**SUBMISSION**  
**DRAFT PLANNING AGREEMENT POLICY**

**Notations on section 10.7 Planning Certificate**

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

**Monitoring and review**

The Council will continuously monitor the performance of the Developer's obligations under a PA.

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

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

*In acknowledgment of local & regional opponents to the SW Renewable Energy project developments, of which 26 people objected to the SSD Pottinger Wind Farm, it would have been judicious to ensure that the Pottinger Wind Farm operation has a Planning Agreement augmented by the establishment of a Community Consultative Committee.*

**Commented [as1]:** How will it be monitored & how often reported.

**Commented [as2]:** will



*The NSW Independent Planning Commission has approved Pottinger Wind Farm (SSD-59235464) subject to eight conditions, noting 22-30: financial, environmental, native species and waste management, traffic & road damage, decommissioning & rehabilitation of land.*

*E.g. Section 22. Pottinger Wind Farm. Community benefit sharing annual contribution of up to \$535,500 per annum to both Hay Shire and Edward Council over the life of the project (depending on final size) over the operational life of the project.*

*The conditions of this approval are noteworthy to being overseen by the formation of a Community Consultative Committee during the lifespan of the Planning Agreement.*

*Since this has not been proposed to my knowledge, I would like to suggest that Council considers expanding the contributions committee to ensure that a forum continues for discussion between the proponent of the Pottinger SSD project and other forthcoming projects with representatives of the community, stakeholder groups and the local council on issues relating directly to specific projects.*

*It is my opinion that local investment opportunities from financial contributions of this scale and any other future contributions from developers will require further consideration in view of the changing demands in our economy.*

*Thank you for the opportunity to comment,*

*Kind regards*

*Annette M Smith*

**C10 – Swimming Pool Management**

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	- Pool Canteen EOI from Mara on Food, dated 17 <sup>th</sup> September 2025

**INTRODUCTION**

Update on the management of the swimming pool for the upcoming season.

**COMMENTARY**

As reported to the June 2025 meeting, the construction of the new John Houston Memorial Swimming Pool is progressing well and is due for completion in December 2025. Council is required to determine how it wishes to manage the swimming pool for the upcoming season, as Council's contract to manage the swimming pool has expired.

As reported in 2022, Council has, for quite some time, managed the pool with its own staff. The last time this was reviewed prior to 2022 was in 2012 where Council resolved to continue managing the pool with its own staff. Experience has shown that this may not be the most cost-effective solution. In addition, Council has had difficulty in obtaining casual pool staff. This is a common problem across rural LGA's with many councils' reporting difficulty in attracting staff or contractors to manage their local pools.

The John Houston Memorial Swimming Pool is free of charge and has operated the following hours:

Tuesday - 3pm to 6pm  
Other Weekdays - 3pm to 7pm  
Saturday and Sunday - 12pm to 7pm  
Morning swimming – Monday to Friday – 6am to 8am

There is no plan to reduce the opening hours or implement an entry fee.

Council has engaged Lifeguarding Services Australia (Lane Cove, NSW) for the past three seasons to manage the pool on Council's behalf. Other than the issue around swimming lessons, the contractor performed satisfactorily. In addition, Council set the management fee of \$40,000 per season (20 weeks).

With the new pool build to have heating, it is proposed that the pools be open for six months (26 weeks). Accordingly, any retainer for a contractor is recommended to be set at \$60,000 for the season. This has been included in the 2025/26 pool budget.

In regard to swimming lessons, the Pool Management Contract can be strengthened to ensure there is no repeat issues.

If Council wishes to bring the lifeguarding and management of the pools back in-house, other than employing pool lifeguards, there are other activities that would need to be managed that the contractor undertook as part of their contract:

- Cleaning of the pools
- Testing/monitoring/backwashing of the pool water
- Cleaning of the amenities and site

- Mowing of the site

Bringing the management and lifeguarding back in house would require a minimum of 55 hours/week of staff time. Allowing for casual lifeguards, supervision and mowing, it is estimated that it would cost Council \$119,000 for the season, in lieu of \$60,000 for a contractor.

Any cost either for a contractor or internal staff would be pro-rata based on the length of the 2025/26 season, which most likely will be four months due to the construction of the new pools.

Staff have investigated the potential to have the pool operated unsupervised, as is becoming increasingly common in rural areas due to resourcing constraints. Cabonne Shire Council appears to have a sound arrangement where their pools are unsupervised 6am to 7pm every day and have lifeguards on duty during the busier times.

It should be noted that you must have another person present with you at the facility when you swim, and only people 18 years of age or older are able to obtain the pass to enter unsupervised, however patrons are able bring children along provided the person is an unsupervised pool entry pass holder.

For the John Houston Memorial Swimming Pool, it could be operated unsupervised 7am to 7pm seven days a week, with lifeguards on duty (supervision) as follows:

3pm to 7pm – Monday to Friday; except Tuesdays being 3pm to 6pm

12pm to 7pm – Saturday and Sunday, school holidays and public holidays (except Christmas Day and Boxing Day)

Staff would be on site 6am to 8am, as well as 7pm to 8pm each day for cleaning and water monitoring, as well managing the splash park facility. The mowing and other activities would occur during the day during the unsupervised periods. It would be proposed that the pools would be available to morning swimmers from 7am unsupervised.

Like Cabonne, unsupervised access would not be available during groups use such as school and swimming club bookings. In the event of staff being unavailable, then access to the pool would only be available to unsupervised pool entry pass holders.

For unsupervised entry, a FOB system and App would need to be implemented, with a budget of \$10,000 being required for the set up and purchase of the FOB's. It would be proposed that the FOB's are issued free, however a fee be set for a replacement FOB.

Options for the swimming pool management to consider are:

1. Employ staff to manage the pool complex as it has in the past, where a minimum of three casuals is typically required to service the season.
2. Advertise an Expression of Interest (EOI) for a contractor to manage the complex during the season.
3. Have the pool unsupervised. This would be at a high risk, and Council would still need to undertake the cleaning of the pools & amenities, water testing and control, and mowing.
4. Combination of Options 1 or 2 above with Option 3. Staff feel this would be the preferred option and provide an increased availability of the new pools to the public.

It should also be noted that failure to attract either a contractor or staff could result in the pool not opening at the commencement of the upcoming season.

Additionally, Council may wish to consider leasing the pool canteen as a potential revenue source. An Expression of Interest (EOI) could be called to gauge interest and likely lease fee that could be paid to Council.

Council at its July 2025 meeting, resolved that Council:

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

Since the July meeting, staff have:

- Notified the community via the Council Snippets of the proposed change to the pool management for the 2025/26 season;
- Advertised for **Pool Attendants** for the upcoming season;
- Prepared rules and a user agreement around the unsupervised pool entry system;
- Commenced engagement of a security company to supply and install an unsupervised pool entry system; and
- Called for EOI for the lease of the pool canteen. The EOI closed 18<sup>th</sup> August 2025 will no submissions received.

At the August meeting, Council resolved:

- (a) Notes the information provided in the report and actions being undertaken; and
- (b) Readvertises the Expression of Interest (EOI) to lease the pool canteen for the 2025/2026 season.

Since the August meeting, staff have:

- Continued to advertise for **Pool Attendants** – Applications have closed and staff are commencing interviews and onboarding successful applicants.
- Finalised rules and a user agreement around the unsupervised pool entry system. This will require further refinement once FOB system is determined, with likely a refundable deposit for initial issue of FOB and a fee for a replacement FOB;
- Establishing booking and management systems for the complex;
- Finalising engagement of a security company to supply and install an unsupervised pool entry system; and
- Re-called EOI for the lease of the pool canteen. Again, at time of writing this report, there has been the one enquiry.

Since the September meeting, staff have:

- Onboarded four (4) **Pool Attendants** and with applicable lifeguarding training scheduled to occur on weekend of 25/26 October.
- Placed order with security company for unsupervised pool entry system with contractor expected on site in the coming weeks.
- Refreshed and procured additional first kits, oxygen systems and rescue buoys ; and
- Closed EOI for lease of pool canteen, with one submission received (see attached). The submission received from “Mara on Food” has been assessed as suitable and staff recommend awarding the lease to the applicant. In addition, in discussion with the schools and the swimming club, they will run their own canteen/refreshments during point score evenings, school and club carnivals. This has been discussed with the applicant, and they have advised “*no impact on us and we support if the schools or swimming club had their own canteen for their events*”.

Staff are continuing to work on establishing its pool management systems and processes in readiness for the opening of the refurbished complex in mid-December 2025.



<p><b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b></p>	<p><b>Social</b></p> <p>1.2 Recreational, Civic Spaces, and Infrastructure that meet community needs</p> <p>1.2.1 Enhance public recreation areas and facilities</p> <p>1.2.2 Placemaking with purpose</p> <p>1.2.3 Deliver infrastructure that are responsive to the community's needs</p> <p>1.2.4 Create a safe, inclusive, and resilient community where all members feel secure, supported, and empowered to thrive</p> <p><b>Environmental</b></p> <p>2.1 Council is resilient and adaptive</p> <p>2.1.1 Council considers climate change resilience in our services, and the maintenance and management of our buildings, public spaces and infrastructure.</p> <p>2.1.2 Foster sustainable energy solutions and practices to reduce Council's footprint.</p> <p>2.1.3 Climate change risks and opportunities are embedded in our decision making process.</p> <p>2.3 Celebrate and Promote our unique natural environment</p> <p>2.2.3 Implement sustainable and eco friendly tourism initiatives</p> <p>2.4 Enhance the built environment</p> <p>2.4.1 Maintain and beautify urban areas.</p> <p>2.4.3 Provision of sustainable infrastructure that is adaptive to changing needs, suitability, betterment and funding levels.</p> <p><b>Economic</b></p> <p>3.2 Our community values its history and tourism</p> <p>3.2.1 Increase tourism and visitor spend</p> <p>3.2.4 Showcase our open space, recreation and cultural facilities</p> <p><b>Civic Leadership</b></p> <p>4.1 Our Council leads by example</p> <p>4.1.1 Implement and promote best practice governance</p> <p>4.1.2 Monitor and evaluate Council's strategic planning documents</p> <p>4.1.3 Be environmentally responsible in decision making</p> <p>4.1.4 Council will seek to continuously improve</p> <p>4.2 Our community is supported by a strong and resilient Council that is responsive to its needs</p> <p>4.2.1 Provide an advocacy role on behalf of the community</p> <p>4.2.2 Inform and empower community input into decision making</p> <p>4.2.3 Our community has access to Council information, services and facilities</p> <p>4.3 Our Council is inclusive and sustainable</p> <p>4.3.1 Enable an engaged workforce with suitable skills, available in the right place at the right time</p> <p>4.3.2 Build a strong, collaborative, and supportive team culture</p> <p>4.3.3 Ensure a financially sound Council that is responsible and sustainable</p>
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<b>FINANCIAL IMPLICATION</b>	Moderate – Council's pool operations and maintenance budget for 2025/26 is \$319,000, which includes Contractor budget of \$60,000 for the upcoming season.
<b>LEGISLATIVE IMPLICATION</b>	Local Government Act 1993
<b>POLICY IMPLICATION</b>	Asset Management Policy and Strategy John Houston Memorial Swimming Pool Master Plan Risk Management Policy Signs as Remote Supervision Policy
<b>ASSET IMPLICATION</b>	Major – the new swimming pool complex will be one of Council's largest single assets
<b>RISK IMPLICATION</b>	Moderate – reputational and safety

**RECOMMENDATION**

That Council:

- (a) Notes the information provided in the report and actions being undertaken; and
- (b) Awards the lease of the pool canteen for the 2025/26 season to 'Mara on Food' and authorises the General Manager to execute the lease accordingly.

General Manager  
Hay Shire Council  
241-249 Lachlan St,  
Hay NSW 2711

17<sup>th</sup> September 2025

Dear General Manager

***Re: Expression of Interest, Lease of John Houston Memorial Swimming Pool Canteen***

We are please to submit our intertest in the lease and operate the John Houston Memorial swimming pool canteen for the months of mid December 2025 through to April 2026.

We both have several years' experience between us in food service operations, local community engagement, a commitment to safe, efficient and customer-focused service.

Our proposal offers a variety of foods and hopefully will be seen as something different or currently not offered locally. We are happy to be flexible with trading hours that are aligned to peak pool usage, and robust compliance with food safety and workplace regulations.

***Name and contact details –***

Tara Dixon- 0488 570 798 and Megan Griffiths- 0418 695 633 – T/A “Mara On Food”

email- [maraoncleaning@gmail.com](mailto:maraoncleaning@gmail.com)

***Relevant Experience –***

Tara owns and managers her own catering cupcake and cake business and has many years' experiences working in commercial kitchens such as Mobil and Caltex Roadhouses.

Meg managed The Convent Café for 3 years cooking as well as managing staff front and back of house.

Tara and Meg both have their Food Safety Supervisor Certificates- can be supplied upon request.

***Proposed use and operating model-***

Hours of trade to start with would be as follows and may be subject to change.

Tuesdays - 3:00pm to 6:00pm

Weekdays - 3:00pm to 6.30pm

Weekends - 12pm to 7:00pm

School Holidays

Tuesdays - 12:00pm to 6:00pm

Weekdays - 12:00pm to 6:30pm

Weekends - 12pm to 6.30pm

Staffing will be by Tara and Meg, other senior staff and also youth over 16years age.

Proposed Menu – Menu may change depending on what is favourable/ popular with customers.

**Hot Foods:** Chips and Gravy with signature salt, Chicken burger, Mara Burger, Curly Fries  
Dim Sims fried or steamed, Nuggets, Wedges w/ sour cream & chilli sauce, Nachos, Loaded  
fries, Toasties, Pizza Slices- Burgers will be offered on weekends

**Cold snacks:** Fresh fruit salad, sandwiches signature style (limited selection)

**Snacks:** Packet Chips, lollies, homemade goods

**Drinks:** Bottled water, juice boxes, cans of soft drink plus sugar free options, limited sports  
drinks, fresh juice from griffith

**Ice cream and Icy poles:** Gelato in a cup x 3-4 flavours from Griffith, retro icy poles, snow  
cone/slushie

***Proposed Lease Fee –***

\$200 per week including electricity excluding GST

***Public liability insurance-*** Yes, it will be under Mara On Cleaning. Insurance is up to date and  
can be supplied upon request.

**C11 – Update on Childcare in Hay**

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	<ul style="list-style-type: none"> <li>- Proposed new lease for Council properties with Hay Children's Services</li> <li>- Letter from Hay Children's Services, dated 16<sup>th</sup> September 2025</li> </ul>

**INTRODUCTION**

Update on childcare in Hay following recent workshops and discussion with relevant State Agencies.

**COMMENTARY**

As reported to the August 2024 extra ordinary meeting, Hay has one early childcare provider, Hay Children's Services (HCS), with space for 24 children/day. There is a current wait list of over 90 spaces at the time. The service is unable to provide additional spaces due to their floor space restrictions. This is having a significant impact on the town's workforce availability. The RDA 'Childcare in the Riverina Preliminary Report' provided at the meeting evidences the current shortfall of spaces in Hay, demonstrating Hay has one of lowest ratios of places to children in the region.

The potential relocation to the NPWS building has not come to fruition with National Parks wishing to retain the building for its own use.

To expand the current footprint of the early childcare provider, staff proposed:

1. re-purposing of 1 x council owned house at 342 Church Street
2. re-purposing of 1 x NSW Police owned house at 236 Coke Street

Council owns the building in which the childcare is currently housed at 344 Church Street. Council also owns the adjacent house at 342 Church Street (shown by the red outline below). The HCS owned pre-school site at 350 Church Street is shown by yellow outline below. Staff propose to offer the council owned house to Hay Children's Services to assist with expansion. This would occur in last quarter 2024 when the current council staff member vacates the property. However, additional space will be required to meet even the current childcare demand.

Homes NSW manages the NSW Police housing portfolio in Hay. There are currently six NSW Police Houses in Hay in total with five currently occupied. NSW Police also have a dual occupancy development approved by Council in Meakes Street. This would bring their total portfolio to eight, meeting their demand data/research for Hay requiring an additional 2 new homes.

One of the houses owned is at 236 Coke Street (shown by blue outline below) which is adjacent to the existing Childcare facility. Staff initiated discussions with Homes NSW about the potential to swap 236 Coke Street for another dwelling, either within the Bishops Lodge Development or an existing Council owned building.

Due to strict housing requirements on Police Housing, the Bishops Lodge development was deemed out of scope. However, Homes NSW confirmed following a briefing to NSW Police "they are in principle supportive of council's plan to expand the childcare as long as we can replace / swap the property like for like." The proposal and likely scenario would be as follows:

1. Transfer 236 Coke Street for one of two Council owned residence in Murray Street
2. Council “leases” the Murray Street property from Homes NSW until Bishops Lodge development is complete at which time the current tenants could move to one of the new Council houses. (This ensures least disruption for current tenants)

The police tenant at 236 Coke Street could be temporarily tenanted in a vacant teacher house until such time as Meakes Street development was completed. This detail is yet to be confirmed by Homes NSW along with timing of any transfer if properties.

This would allow for the inclusion of 236 Coke Street into the expanded Childcare footprint.



At the time, Council’s staff house at 342 Church Street was due to become vacant and it was recommended Council sets aside its property for childcare.

Additionally, the Executive Manager Economic Development & Tourism and the General Manager met with Minister Clare in Canberra in early July 2024, discussing the childcare situation in Hay, along with seeking financial assistance for the repurposing of the dwellings. Minister Clare was very supportive of the initiative, and it is expected his office will make contact shortly in regards to childcare infrastructure program funding opportunities.

It was resolved at the meeting that Council:

- (a) Notes the information in the report and the initiatives undertaken by staff to address the critical childcare shortage in Hay.
- (c) Sets aside the staff house at 342 Church Street when it becomes vacant for childcare; and

- (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.

Since the August 2024 meeting, staff have been assisting in improving childcare spaces in Hay. It is understood that the current wait list is now over 130 and this is impacting the economic development of the region.

The council house at 342 Church Street was vacated by the staff member at the end of 2024 as planned and is currently occupied by the pool contractor up until the end of 2025. HCS would like to proceed with repurposing this property for childcare and have inspected the property recently.

The Hay LGA has been fortunate to have been included in the announced of \$4.39m in funding for Childcare for Hay, Carrathool and Warrumbungle. Funding is for infrastructure, workforce and service improvements and is only for existing Childcare. HCS is preparing an application for the repurposing of 342 Church Street property among other initiatives for service enhancements.

As part of the grant application process, HCS requires to demonstrate it is either the owner or has a lease of the properties at 342 and 344 Church Street. The original lease was undertaken in 2003 and has not been updated since this time. A new proposed lease is attached for Council's endorsement. The new lease is the same as the old lease, just tidied up, reformatted and now includes the second property at 342 Church Street.

In addition, Hay Children's Services has written to Council requesting the reduction or waiving of the property insurance at 344 Church Street for 2025/26 year. The cost of the cover for this year is \$3,005. This is for Council's determination.

Finally, with regards to the swap of properties with Homes NSW (Police House at 236 Coke Street), these discussions are ongoing. An in-principle agreement has been reached, however, due to need to resolve ALC's and other matters, it is not anticipated that this will be ready to formally occur for another 12-18 months.

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<p><b>B. Liveable and vibrant community</b></p> <p><i>B2 Our Community has available housing options</i></p> <p>B2.1 Improve access to diverse range of housing opportunities</p> <p><b>D Governance and Organisational Performance</b></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>
<b>FINANCIAL IMPLICATION</b>	Minor
<b>LEGISLATIVE IMPLICATION</b>	Local Government Act 1993
<b>POLICY IMPLICATION</b>	Housing Strategy

<b>ASSET IMPLICATION</b>	N/A
<b>RISK IMPLICATION</b>	Minor – reputational if we are unable to assist in relieving both housing childcare stress for the community.

**RECOMMENDATION**

That Council:

- (a)** Notes the information in the report and the initiatives undertaken by staff to address the critical childcare shortage in Hay.
- (b)** Endorses the new lease with Hay Children's Services, including the property at 342 Church Street, and authorises to the General Manager to execute the lease accordingly;
- (c)** Determines if it wishes to reduce or waive the property insurance at 344 Church Street for 2025/26 year; and
- (d)** Authorises the General Manager or his delegate to continue the negotiations with Homes NSW in regards to the property for childcare as outlined in the report and execute Contracts of Sale of property, under Council Common Seal as required.





# LICENCE TO OCCUPY

## Parties

### Legal Owner:

Hay Shire Council (ABN 84 075 604 155)  
134 Lachlan Street, HAY NSW 2711

### Occupier:

Hay Children's Services Inc. (ABN 26 553 005 269)  
344 Church Street, HAY NSW 2711

## Recitals

- A. The Legal Owner is the registered proprietor of the land described in Item 1 of the Schedule (*Premises*).
- B. The Legal Owner has agreed to grant to the Occupier a licence to occupy the Premises on the terms and conditions set out in this Licence.
- C. The parties acknowledge that this Licence is, by its nature, revocable by the Legal Owner, subject to the provisions herein.

## Operative Provisions

### 1. Grant of Licence

The Legal Owner grants to the Occupier a non-exclusive licence to occupy and use the Premises subject to the terms and conditions of this Licence and the particulars set out in the Schedule.

### 2. Permitted Use

- (a) The Occupier shall use the Premises solely for the purpose specified in Item 2 of the Schedule.
- (b) The Occupier may also use the Premises for ancillary activities reasonably related to the Permitted Use, including working bees and fetes.

### 3. Occupation Fee

The Occupier shall pay the annual licence fee specified in Item 3 of the Schedule in the manner and at the times set out therein.



#### **4. Outgoings**

The Occupier shall punctually pay all outgoings and charges payable in respect of the Premises as set out in Item 4 of the Schedule.

#### **5. Maintenance and Repair**

- (a) The Occupier shall keep the Premises in good repair, having regard to their condition at the commencement of this Licence.
- (b) The Occupier shall not be liable for structural repairs, except where required by the Occupier's act, neglect, or default.
- (c) The Occupier shall maintain external fencing as specified in Item 5 of the Schedule.

#### **6. Alterations**

The Occupier shall not materially alter, modify, or add to the Premises without the prior written consent of the Legal Owner, and be at the cost of the Occupier.

#### **7. Pest Control**

The Occupier shall take reasonable measures to control pests and vermin within the Premises.

#### **8. Compliance with Laws**

The Occupier shall comply with all statutes, regulations, ordinances, and lawful requirements relating to the Premises or its use and shall indemnify the Legal Owner against all loss, penalties, or liabilities arising from any breach.

#### **9. Insurance**

- (a) The Occupier shall effect and maintain:

- Public liability insurance for an amount not less than \$20,000,000; and
- Workers' compensation insurance for all employees and contractors as required by law.

- (b) The Occupier shall not do or permit anything which may render void, voidable, or unenforceable any insurance policy relating to the Premises, or which may cause an increase in the premium.

- (c) All insurance policies required to be effected by the Occupier shall be placed with an insurer acceptable to the Legal Owner.

- (d) The Occupier shall lodge duplicate or certified copies of all policies, renewal certificates, and endorsements with the Legal Owner upon request.

- (e) The Occupier shall punctually pay all premiums in respect of such policies. In addition, the Occupier shall, on demand or at such other times as the Legal Owner may specify (but not



less than annually), pay to the Legal Owner the cost of the Property Insurance maintained by the Legal Owner.

## **10. Risk and Indemnity**

- (a) The Occupier occupies and uses the Premises at its sole risk.
- (b) To the maximum extent permitted by law, the Legal Owner shall not be liable for any loss, damage, injury, or death occurring in or about the Premises, except to the extent caused by the negligence of the Legal Owner.
- (c) The Occupier indemnifies and shall keep indemnified the Legal Owner against all actions, claims, demands, losses, damages, costs, and expenses arising out of the Occupier's use of the Premises, except to the extent caused by the negligence of the Legal Owner.

## **11. Assignment and Dealings**

The Occupier shall not assign, transfer, sublet, part with possession, or otherwise deal with its interest in this Licence without the prior written consent of the Legal Owner.

## **12. Prohibited Uses**

The Occupier shall not permit any noxious, immoral, offensive, or illegal activity on the Premises and shall not cause nuisance, damage, or disturbance to adjoining owners or occupiers.

## **13. Legal Relationship**

Nothing in this Licence shall create a relationship of landlord and tenant, partnership, joint venture, or agency between the parties.

## **14. Revocation and Termination**

- (a) If the Occupier breaches any term of this Licence, the Legal Owner may revoke this Licence by giving fourteen (14) days' written notice to the Occupier.
- (b) Either party may revoke this Licence for any reason other than breach by giving three (3) months' written notice to the other party.

## **15. Entry and Inspection**

The Legal Owner may enter the Premises for inspection on giving the Occupier not less than twenty-four (24) hours' written notice.



## Schedule



Item	Details
1. Premises	Lot 122 in Deposited Plan 1121655 (344 Church Street, Hay) and Lot 123 in Deposited Plan 1121655 (342 Church Street, Hay)
2. Permitted Use	Operation of a childcare centre and related childcare services for the Hay community, including ancillary activities such as working bees and fetes
3. Licence Fee	\$1.00 per annum, payable yearly in advance
4. Outgoings	All outgoings in respect of the Premises, including council rates, water and sewer charges, electricity, telephone, internet, and other service charges
5. Maintenance	Occupier to maintain Premises in good repair (fair wear and tear excepted), and maintain external fences to ensure the safety of children
6. Insurance	Public Liability Insurance (\$20,000,000 minimum), Workers' Compensation Insurance as required by law, Property Insurance maintained by Legal Owner (Occupier to reimburse annually)
7. Term	Rolling licence commencing on execution date, continuing until revoked by either party in accordance with clause 14. Three (3) months' notice to revoke or fourteen (14) days in case of breach by Occupier

## Execution

### Executed as a Licence

Executed by Hay Shire Council by its authorised officer in the presence of:

<b>Witness</b>	<b>Authorised Officer</b>
Signature: _____	Signature: _____
Name: _____	Name: _____
Date: _____	Position: _____

Executed by Hay Children's Services Inc. in accordance with its constitution in the presence of:

<b>Witness</b>	<b>Authorised Officer</b>
Signature: _____	Signature: _____
Name: _____	Name: _____
Date: _____	Position: _____



PO Box 154, Hay NSW 2711  
02 6993 1757 | [admin@haycs.com.au](mailto:admin@haycs.com.au)

16<sup>th</sup> September 2025

David Webb  
General Manager  
Hay Shire Council  
134 Lachlan Street  
PO Box 141  
Hay NSW 2711

Dear David,

Re: Insurance for 344 Church Street

Hay Children's Services Board of Management submit a request to Council for consideration to a reduction or waiver of the Property Insurance for 344 Church Street, Hay. Council were kind enough to waive the cost of the 2023-2024 Property Insurance for which we are most appreciative.

Being a not-for-profit organisation, it is important for us to maintain our operating expenses for the Early Learning Service based at 344 Church Street. Could a review of the insurance charged to HCS be undertaken please?

Yours faithfully

Kelley Townsend  
Administration Supervisor  
On behalf of the HCS Board of Management

**C12 - Circulars and other Government Correspondence**

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	<i>(i) IPART - Rate pegs for NSW councils for 2026-27, dated 30 September 2025</i> <i>(ii) Letter from Sally Bishop - Aged Care Workforce Branch, dated 1<sup>st</sup> October 2025</i> <i>(iii) Letter from Sussan Ley, dated 8<sup>th</sup> October 2025</i> <i>(iv) Letter from Griffith City Council, dated 13<sup>th</sup> October 2025</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) IPART - Rate pegs for NSW councils for 2026-27, dated 30 September 2025*  
IPART has released the maximum rate peg for the 2025/26 year. Hay has been set at 4.8%, which is at the higher end of the range approved.
- (ii) Letter from Sally Bishop - Aged Care Workforce Branch, dated 1st October 2025*  
A response from the Minister Butler's office has been received in regards to the attraction and retention of Registered Nurses (RNs) in rural and remote aged care settings.
- (iii) Letter from Sussan Ley, dated 8th October 2025*  
Sussan Ley has provided a copy of her letter to Minister for Aged Care and Seniors advocating on behalf of Haydays for funding support.
- (iv) Letter from Griffith City Council, dated 13th October 2025*  
The new General Manager of Griffith City Council has written to advise of its council decision around concerns of the standard of health care in Griffith and the wider western region. The Mayor and General Manager recently met with MLHD to discuss health service provision in Hay and the region, with discussion being quite positive. Through the LHAC and NSW Country Mayors Association we will continue to advocate for addressing workforce shortages and improved health services for our community.

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<b>Civic Leadership</b> 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance 4.1.2 Monitor and evaluate Council's strategic planning documents 4.1.3 Be environmentally responsible in decision making
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	<p>4.1.4 Council will seek to continuously improve</p> <p>4.2 Our community is supported by a strong and resilient Council that is responsive to its needs</p> <p>4.2.1 Provide an advocacy role on behalf of the community</p> <p>4.2.2 Inform and empower community input into decision making</p> <p>4.2.3 Our community has access to Council information, services and facilities</p> <p>4.3 Our Council is inclusive and sustainable</p> <p>4.3.1 Enable an engaged workforce with suitable skills, available in the right place at the right time</p> <p>4.3.2 Build a strong, collaborative, and supportive team culture</p> <p>4.3.3 Ensure a financially sound Council that is responsible and sustainable</p>
<b>FINANCIAL IMPLICATION</b>	Major – majority of risk identified Council is unable to have insurance cover.
<b>LEGISLATIVE IMPLICATION</b>	<p>Local Government act 1993</p> <p>Local Government (General) Regulation 2005</p> <p>Environmental Planning &amp; Assessment Act 1979</p> <p>Companion Animals Act 1998</p>
<b>POLICY IMPLICATION</b>	Nil
<b>ASSET IMPLICATION</b>	Nil
<b>RISK IMPLICATION</b>	Minimal

## RECOMMENDATION

That Council notes the information provided in the report.



# Rate pegs for NSW councils for 2026-27

30 September 2025

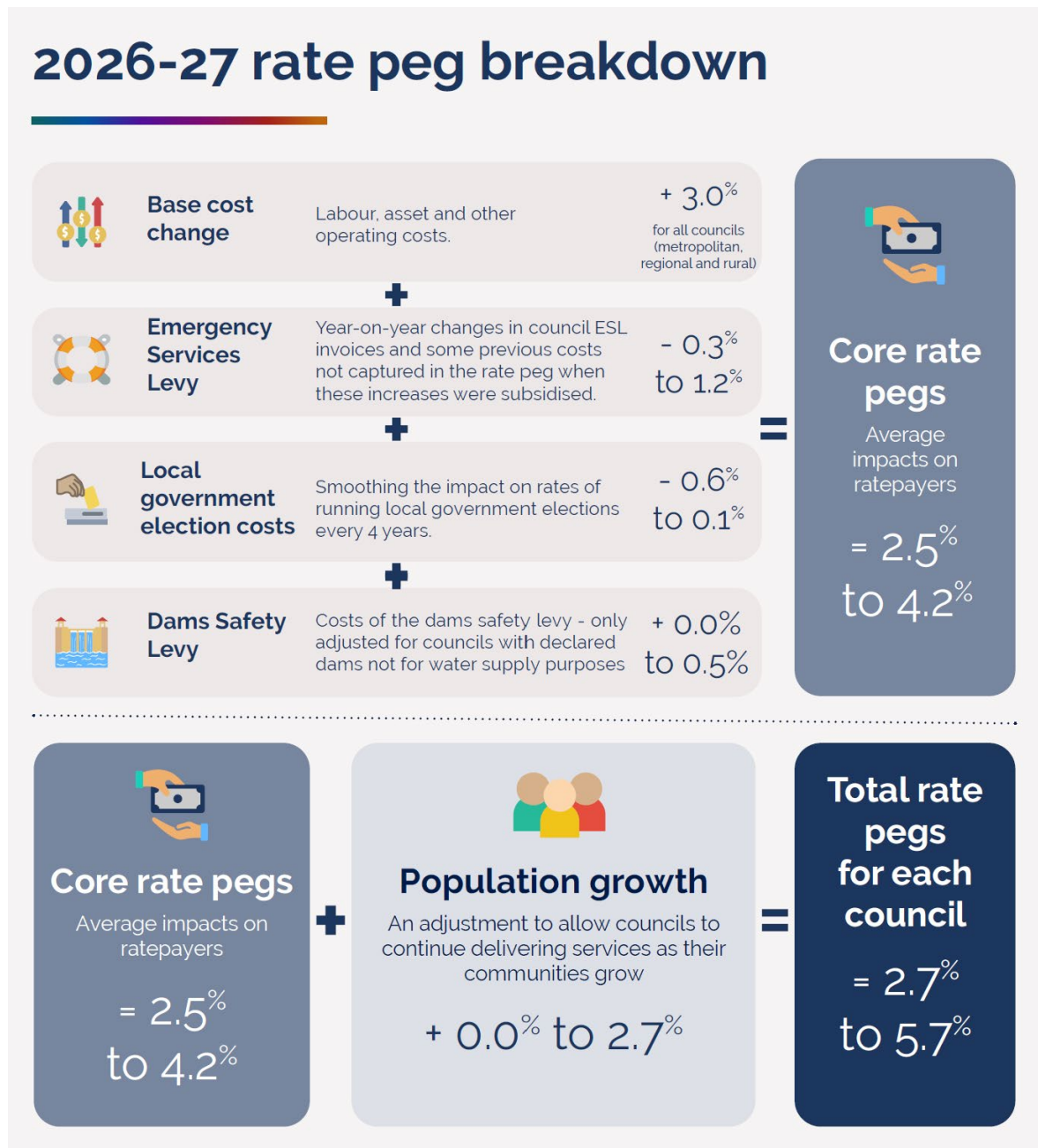
## 1 We have set the rate peg for 2026-27

IPART has set the rate pegs for the 2026-27 financial year. These are the maximum amounts by which each NSW council can automatically increase its general income from 1 July 2026 to 30 June 2027 (unless the council has an approved special variation to exceed its rate peg). The rate pegs do not apply to individual rates.

We used our rate peg methodology (revised in 2023) and consulted with stakeholders to inform our rate peg decisions. In making these decisions, we balanced the impacts on ratepayers recognising the current cost of living pressures, and the need for councils to provide services and cover increases in existing costs.

The rate pegs for 2026-27 range from 2.5% to 4.2% before adjusting for each council area's population growth (i.e. the core rate pegs). When this adjustment is made, the total rate pegs range from 2.7% to 5.7%. These rate pegs reflect the forecast increases and actual changes in the main cost components shown below.





See **Table 2** from page 11 for the 2026-27 rate pegs for each council.

The **core rate pegs** provide a better indication of the average impacts on ratepayers than the total rate pegs because they exclude the population factor. The population factor is applied to allow councils to increase their total income to cover the costs of providing the same level of services to additional people and businesses. It aims to ensure councils maintain their rates income on a per capita basis as their population grows.

The core rate pegs for 2026-27 are lower than those for last year (2.5% to 4.2% compared with 3.6% to 5.1%).

### Box 1 We consulted with stakeholders to inform our rate peg decisions

In 2023, IPART reviewed the rate peg methodology and consulted extensively with stakeholders. As a result of our review, we decided to engage in ongoing consultation with ratepayers, councils and other stakeholders by:

- holding ratepayer workshops for ratepayers and other stakeholders to provide their feedback and views on the rate peg methodology and any proposed adjustments, and for us to share any new developments.
- establishing a council reference group to advise on the implementation of our rate peg methodology, and to identify and address current and emergent issues related to the rate peg.

### We held a ratepayer workshop

On 25 August 2025, we held an online ratepayer workshop to hear from ratepayers and community members on issues we should consider when setting the rate pegs for 2026-27. This workshop was open to the public to attend. We published registration details for the workshop on our website and included those details in our newsletter, which was distributed to our subscription lists.

The workshop provided an opportunity for ratepayers and community members to raise issues and have their say through an open forum. It also included an information session on the rate peg methodology, a presentation on our proposed adjustments for the 2026-27 rate peg and an open forum discussion on the proposed adjustments and any other issues related to the rate peg.

Ratepayers raised issues including the high cost of living and the impacts of rate increases, the special variations process and oversight of councils' accountability.

See our [summary](#) of issues raised at the workshop.

### We consulted with the Council Reference Group

In July 2024, we established the Council Reference Group (CRG), appointing 14 members. These were based on nominations from the Office of Local Government (OLG) and Local Government NSW (LGNSW). We held 3 CRG meetings during 2025, where the CRG met first to prioritise then discuss the issues it wanted the Tribunal to consider for the 2026-27 rate peg and future years. Issues ranged from components in the rate peg methodology and increased costs to broader local government issues.

See our [website](#) for more information, including the Terms of Reference for the CRG, and a summary of issues discussed in relation to the 2026-27 rate pegs.

## 2 What is the rate peg?

The rate peg is the maximum percentage amount by which a council may increase its general income (for most councils, this is rates income) for the year. IPART sets the rate peg under delegation from the Minister for Local Government and has done so since 2010. The rate peg has 2 purposes:

1. It allows all councils to automatically increase their general income each year to keep pace with the estimated change in the costs of providing their current services and service levels to their community.
2. It also limits the impact of these automatic increases on ratepayers, by ensuring councils cannot increase their rates income by more than the estimated change in their costs, without consulting with their communities through the special variation process.

Councils can increase their general income by up to the rate peg. They may decide to increase their general income by less than the rate peg (or reduce their income) and consult with their communities on rates and service trade-offs that may be needed. If a council increases its rates income by less than the rate peg, it has up to 10 years to catchup this shortfall.<sup>a</sup> A council can only increase its general income by more than the rate peg, if it has an approved special variation (SV) or is catching up on previously foregone increases.

The rate peg (or SV) does not apply to individual rates. As long as the increase in total general income does not exceed the rate peg (or SV), some rates may increase by more than or by less than the rate peg. Councils have discretion when setting rates to distribute the impact of rate changes among ratepayers.

We understand some stakeholders do not agree with councils increasing their income, for various reasons. However, not allowing income to increase in line with changes to their business-as-usual costs could have negative impacts on communities through trade-offs in the services ratepayers rely on.

### 2.1 The rate peg is like a price index

Our approach is to set the rate peg like a price index, similar to the consumer price index (CPI). The difference is we measure the change in the price of a 'basket' of goods and services that councils typically purchase rather than households. For example, these include employees, roads and other assets.

We estimate the change in this 'basket' from a mix of forecasts, estimates and actual cost changes. We set the rate peg in line with this estimated change.

The rate pegs reflect changes in business-as-usual costs – they do not provide for changes in the quantity or quality of services councils decide on.

We do not assess each councils' performance, spending priorities and decisions and consultation with the community. We also do not and cannot audit council finances. The rate peg is not based on a review of individual council spending.

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<sup>a</sup> The catch-up provisions are specified in section 511 of the Local Government Act 1993.

## 2.2 The rate peg does not limit all council income

The rate peg does not limit increases to income from rates and charges for water supply, wastewater, domestic waste management and some other services. Councils must keep income from these rates and charges separate to ensure they are used for the purpose for which they are collected. Rates income, which is capped by the rate pegs, represents on average around one third of NSW councils' combined total income.

## 3 How did we set the rate peg?

We calculated each council's rate peg using the methodology set out in the formula below:

$$\text{Rate peg} = \text{Base Cost Change (BCC)} - \text{productivity factor} + \text{population factor} \\ + \text{Emergency Services Levy (ESL) factor} + \text{other adjustments}$$

We have set the Base Cost Change (BCC), productivity, population and the Emergency Services Levy (ESL) factors consistent with our methodology, and have also included 'other adjustments' to better respond to changes in council costs for the 2026-27 financial year. These include:

- an adjustment to allow councils to catch-up on some of the historical increases in the ESL not captured in previous rate pegs when increases in the ESL were subsidised
- an adjustment for the new dams safety levy that was introduced on 1 July 2025 by Dams Safety NSW. This only applies to councils with declared dams that are not used for water supply purposes.
- an adjustment to smooth the impact of the costs of running council elections, which happen every 4 years, by recovering 25% of the costs each year.

Our decisions are discussed below. For more details on our methodology, see our [Final Report](#) on our 2023 Review of the rate peg methodology.



See **our 2026-27 rate peg model** and how we calculated the rate pegs for each council.

### 3.1 We forecast councils' base costs to increase by 3.0% on average

We used our BCC model to estimate cost increases in councils' business-as-usual costs for 2026-27. The BCC model measures the percentage change in 3 main council costs:

- Employee costs – estimated using the Reserve Bank of Australia's forecast for the change in the Wage Price Index. This approach is consistent with the rate peg methodology we developed in consultation with stakeholders in which we decided to measure the change in employee costs using annual wage increases prescribed by the Local Government State (NSW) Award when known, and using changes in the forecast Wage Price Index when the Award increase is not available. We will consider the new Local Government (State) Award from 1 July 2026, which was not available at the time of writing, when we set the rate peg next year.
- Asset costs – measured using the Reserve Bank of Australia's (RBA) forecast change in the CPI plus an adjustment that reflects the average difference between actual CPI (All groups, Sydney) and actual Producer Price Index (PPI) (Road and bridge construction, NSW) over the past 5 years. We derive a forecast because there is currently no forecast for the PPI for road and bridge construction, and we consider the change in the PPI is the best measure for changes in asset costs.
- Other operating costs – measured by the RBA's forecast change in the CPI.

We use separate BCC models for the different council groups (metropolitan, regional and rural) to better reflect the diversity of NSW councils. Each of these separate models weighs the 3 cost components according to the spending pattern of the average council in each group. Although the components vary in weight for each group, we apply the same measures of change to each component. For example, while asset costs might have larger weight for rural councils than metropolitan councils, both asset costs components would be forecast to change by the same amount.

The BCC for 2026-27 is 3.0% for each council group, which is lower than last year (3.6%). The BCCs for each group were the same (after rounding) because the differences between council spending patterns and the differences between changes in each cost component were relatively small. This was also the case for the 2025-26 rate peg. Table 1 shows the change in BCC components and their weights. For the 2026-27 financial year:

- employee costs are forecast to rise by 2.9%
- asset costs are forecast to rise by 3.5%
- other operating costs are forecast to rise by 2.8%.



Table 1 We calculate base cost changes weighted by council group spending

	Employee costs	Asset costs	Other operating costs
Change in costs	2.9% <sup>a</sup>	3.5% <sup>b</sup>	2.8% <sup>c</sup>
<b>Weightings by council group</b>			
Metropolitan	39%	18%	43%
Regional	35%	22%	43%
Rural	32%	24%	44%

a. The increase of 2.9% is estimated from the forecast change in the Wage Price Index (WPI) based on the average of Reserve Bank of Australia's forecasts to December 2026 and June 2027, from the August 2025 Statement on Monetary Policy. There are no changes in the superannuation guarantee (remains at 12%).

b. This is based on the average of RBA forecasts to December 2026 and June 2027 from the August 2025 Statement on Monetary Policy of 2.8% and an 0.8% adjustment based on the average difference between the PPI (Road and bridge construction, NSW) and the CPI (All groups, Sydney) over the most recent 5-year period.

c. We use the average of the RBA's forecast change in the CPI to December and June for the year the rate peg applies.

### 3.2 We allowed increases of up to 1.2% to reflect Emergency Service Levy costs

Councils make payments – known as the Emergency Service Levy (ESL) – to the State Government to support emergency services (Fire and Rescue NSW, State Emergency Service, Rural Fire Service). Councils currently fund 11.7% of the costs of these services<sup>b</sup>. We allow councils to recover changes in the ESL so they can meet their ESL obligations without diverting funds required to maintain service levels and infrastructure for their communities.

For the 2026-27 rate peg we have:

- set ESL factors consistent with our methodology
- made a further ESL adjustment to allow councils to catch-up on some of the historical increases in the ESL not captured in previous rate pegs when they were subsidised. We previously made this adjustment for some councils in the 2025-26 and 2024-25 rate pegs.

Overall, the changes to income reflecting ESL costs range from -0.3% to 1.2%. Only one council had a change to income from ESL costs that was negative, after the catch-up adjustment for its ESL subsidy costs

#### 3.2.1 Most councils had outstanding Emergency Services Levy costs to catch up on

As in the 2025-26 and 2024-25 rate pegs, we allowed a further adjustment to capture some of the past increases in the Emergency Services Levy (ESL) costs that were previously subsidised by the NSW Government and therefore not captured by the rate peg. The NSW Government subsidised increases in council ESL contributions between 2019-20 and 2022-23. In 2023-24 the subsidy was discontinued leading to increases in council ESL costs. We decided to phase in the costs that were subsidised in the rate peg over time, after considering the impact on ratepayers.

<sup>b</sup> Revenue NSW collects funds from local councils, insurance companies and foreign insured policy holders to support the work of emergency services in NSW. Revenue NSW, [Emergency Services Levy](#), accessed September 2025

The 2026-27 rate peg will be the third year of the catch-up.

All but one council received ESL subsidy adjustments for 2026-27, up to 0.9%. We decided on the adjustment amounts to ensure most councils will have recovered at least 75% of their subsidised increases. One council received the full amount in 2025-26 and 4 other councils will receive the full outstanding amount in 2026-27.

The only councils that will have recovered less than 75% are those with an expired special variation who have not previously received any catch-up<sup>c</sup>, and 2 rural councils where the impact on ratepayers of a 75% catchup, in combination with the ESL factor, would be significant.

### 3.3 We smoothed the impact of council election costs on rates

NSW councils must fund the costs of running local government elections. Elections are mostly run by the NSW Electoral Commission (NSWEC) but can also be run by private operators. We consider that the rate peg should allow councils to recover these costs to avoid trade-offs with current services.<sup>d</sup>

For the 2025-26 rate peg, we included a temporary council-specific adjustment to help councils cover the costs of running the 2024 local government elections.

Local Government elections occur every 4 years. Instead of removing 100% of the temporary election cost adjustment, and then adding it back in 4 years, we have decided to smooth the impact of election costs on rates. To do this, we made an adjustment to allow councils to recover 25% of the election costs each year of the 4 year cycle. This means that the rate pegs now include a smaller allowance each year to cover election costs rather than a larger increase and adjustment every four years.

All but 2 councils will experience a negative adjustment ranging from -0.6% to 0.0%. The other 2 councils did not receive the temporary election cost adjustment for the 2025-26 rate peg, because they did not have elections.<sup>e</sup> We have allowed for a positive adjustment factor of up to 0.1%, because we expect these councils will be required to fund their 2028 elections.

This approach was supported by the CRG and there were no objections to this approach raised at the ratepayer workshop.

<sup>c</sup> IPART previously decided that the subsidy catch-up would be deferred for councils with a multi-year special variation already approved from 2023-24 or earlier, before our new rate peg methodology came into effect. This is because the special variation amount replaces their rate peg and, as a result, these councils would not receive any catch-up for the ESL subsidy until the SV expires. As a result, 12 councils have not yet received any subsidy catch-up.

<sup>d</sup> The election cost adjustment factor only funds the increase in costs since the 2016 or 2017 elections, adjusted for inflation, not the full cost of the election. In 2020 the NSWEC increased the amount it charged to councils. It covers the costs of running elections, not campaign costs.

<sup>e</sup> The elections were uncontested and they were not required to run by-elections.

### 3.4 We included an adjustment to account for the new dams safety levy

Dams Safety NSW introduced a levy on declared dams<sup>f</sup> from 1 July 2025. Declared dams are assessed by Dams Safety NSW as representing significant potential danger to life, infrastructure or the environment downstream in the event of failure.

Declared dams can be used for water supply purposes or other reasons such as recreational, irrigation or flood control.

Councils have limited control over the cost of the dams safety levy. We have allowed an adjustment for councils with declared dams that are not used for water supply purposes (as those costs are better recovered through a council's water charges).

This adjustment applies to 31 councils and ranges from 0.0% to 0.5%. However, only 11 of these councils will receive an adjustment factor of 0.1% or more.

This approach was supported by the CRG and there were no objections to this approach raised at the ratepayer workshop.

### 3.5 We allowed increases of up to 2.7% to account for population growth

We allow councils to increase their income to cover the costs of population growth. We do this by setting a population factor that gives councils additional income needed to maintain income collected per person (before inflation) as populations grow. The population factor reflects year-on-year population growth lagged by 3 years.<sup>9</sup> Importantly, our methodology does not reduce council income when population falls. This is because in an area of falling population a council still needs to maintain its infrastructure and provide services, so its costs may not decline correspondingly.

For the 2026-27 rate peg we have allowed a population factor adjustment of up to 2.7% for 83 councils. This range is lower than last year when population factors were up to 3.8%.

### 3.6 We maintained the 0% default for productivity

Since 2011, our rate peg methodology has included an explicit factor to account for productivity gains in the local government sector. In 2018-19, we set the productivity factor to zero as a default to recognise that productivity gains were reflected in ABS data we used in our methodology at the time. In 2023, following our review of the rate peg methodology, we decided to keep the productivity factor and set it at 0% as a default, unless we had evidence to depart from this approach.

<sup>f</sup> Dams Safety NSW's website has a [definition](#) of what a dam is as well as a [map of declared dams](#) to show where they are in the state.

<sup>9</sup> Population growth includes the change in estimated resident population less prison populations and less the change in supplementary valuations. The latest information on the estimated resident population is from 2023.



We have maintained the default of 0% for the productivity factor in the rate peg for the 2026-27 financial year. We consider that further analysis is required to develop measures of productivity. This includes considering the outcomes of the Government response to the NSW Parliamentary Inquiry on the ability of local governments to fund infrastructure and services and the work the Office of Local Government is completing around council performance benchmarking.

While a default is in place, we consider there is merit to further investigate how productivity gains can be incentivised but recognise this may include avenues broader than the rate peg. Before we consider any departure from the default of zero, we will further consult with stakeholders.

## 4 What can councils do if they want a higher increase?

If councils want or need to increase their general income by more than the rate peg – for example so they can introduce new services, improve service quality or to become more financially sustainable they can apply to IPART for a special variation (SV). This would allow them to increase general income above the rate peg on a temporary or permanent basis for a specified number of years. Councils can also apply to IPART to increase their minimum rates above the statutory limit (MR increase). However, increases to minimum rates do not increase total general income but change the way rates are distributed.

Councils applying for an SV or MR increase must consult with their communities and satisfy the criteria listed in the OLG's SV/MR increase Guidelines. IPART assesses applications for an SV or MR increase in accordance with those [Guidelines](#).

Councils applying for an SV or MR increase for 2026-27 must apply to IPART by early February 2026. IPART's website also includes general information on the requirements and recent applications from councils.

## 5 What can ratepayers do if they are concerned about the impacts?

Ratepayers who find it difficult to pay their rates should contact their council in the first instance and ask about what support they may provide and their hardship policy. This may include assistance or flexible payment arrangements tailored to ratepayers and their circumstances. Also, ratepayers can visit the [NSW Ombudsman's website](#) for further guidance and resources, which may help ratepayers understand their rights and access additional support.

Table 2 Final rate pegs for all councils for 2026-27

Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Productivity factor	Dams safety levy adjustment	Election cost adjustment	Core rate peg	Change in population	Supplementary valuations percentage	Population factor	Final rate peg
Albury	3.0%	0.0%	0.1%	0.0%	0.1%	-0.1%	3.0%	1.4%	0.8%	0.6%	3.6%
Armidale Regional	3.0%	0.0%	0.4%	0.0%	0.0%	-0.2%	3.2%	0.2%	0.6%	0.0%	3.2%
Ballina	3.0%	-0.1%	0.1%	0.0%	0.0%	-0.1%	2.9%	1.4%	0.9%	0.5%	3.4%
Batman	3.0%	0.2%	0.7%	0.0%	0.0%	-0.1%	3.8%	0.8%	0.0%	0.8%	4.6%
Bathurst Regional	3.0%	0.1%	0.3%	0.0%	0.0%	-0.2%	3.1%	0.9%	0.9%	0.0%	3.1%
Bayside	3.0%	0.0%	0.0%	0.0%	0.0%	-0.1%	2.9%	1.6%	0.6%	1.0%	3.9%
Bega Valley	3.0%	0.0%	0.2%	0.0%	0.0%	-0.2%	3.0%	0.9%	0.4%	0.5%	3.5%
Bellingen	3.0%	0.1%	0.9%	0.0%	0.0%	-0.1%	3.8%	0.4%	0.9%	0.0%	3.8%
Berrigan	3.0%	0.1%	0.3%	0.0%	0.0%	-0.6%	2.8%	0.3%	0.3%	0.0%	2.8%
Blacktown	3.0%	0.0%	0.2%	0.0%	0.0%	-0.1%	3.0%	3.0%	0.6%	2.4%	5.4%
Bland	3.0%	0.2%	0.6%	0.0%	0.0%	-0.2%	3.6%	-0.2%	0.1%	0.0%	3.6%
Blayney	3.0%	0.0%	0.3%	0.0%	0.0%	-0.1%	3.2%	1.6%	0.1%	1.5%	4.7%
Blue Mountains	3.0%	0.1%	0.3%	0.0%	0.0%	-0.1%	3.2%	0.6%	0.1%	0.5%	3.7%
Bogan	3.0%	0.2%	0.4%	0.0%	0.0%	-0.2%	3.4%	-0.5%	0.6%	0.0%	3.4%
Bourke	3.0%	0.3%	0.8%	0.0%	0.0%	0.0%	4.1%	-0.6%	0.0%	0.0%	4.1%
Brewarrina	3.0%	0.5%	0.8%	0.0%	0.0%	-0.6%	3.6%	-0.2%	0.0%	0.0%	3.6%
Broken Hill	3.0%	0.2%	0.2%	0.0%	0.0%	-0.1%	3.2%	-0.5%	0.0%	0.0%	3.2%
Burwood	3.0%	0.0%	0.1%	0.0%	0.0%	-0.1%	2.9%	2.0%	0.8%	1.2%	4.1%
Byron	3.0%	0.0%	0.1%	0.0%	0.0%	-0.1%	3.0%	1.9%	0.3%	1.6%	4.6%
Cabonne	3.0%	0.1%	0.4%	0.0%	0.0%	-0.2%	3.3%	0.1%	0.0%	0.1%	3.4%
Camden	3.0%	-0.4%	0.1%	0.0%	0.0%	-0.2%	2.5%	4.7%	2.6%	2.1%	4.6%

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Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Productivity factor	Dams safety levy adjustment	Election cost adjustment	Core rate peg	Change in population	Supplementary valuations percentage	Population factor	Final rate peg
Campbelltown	3.0%	0.0%	0.1%	0.0%	0.0%	-0.1%	3.1%	1.9%	1.4%	0.6%	3.7%
Canada Bay	3.0%	0.1%	0.5%	0.0%	0.0%	-0.2%	3.4%	1.0%	0.2%	0.8%	4.2%
Canterbury-Bankstown	3.0%	0.0%	0.2%	0.0%	0.0%	-0.1%	3.0%	1.5%	0.3%	1.1%	4.1%
Carrathool	3.0%	0.2%	0.6%	0.0%	0.0%	-0.1%	3.7%	0.1%	0.8%	0.0%	3.7%
Central Coast	3.0%	0.0%	0.2%	0.0%	0.0%	-0.2%	3.0%	0.8%	0.6%	0.2%	3.2%
Central Darling	3.0%	0.5%	0.8%	0.0%	0.0%	0.0%	4.2%	0.6%	0.0%	0.6%	4.8%
Cessnock	3.0%	0.0%	0.2%	0.0%	0.0%	-0.2%	3.0%	2.7%	1.9%	0.8%	3.8%
Clarence Valley	3.0%	0.0%	0.3%	0.0%	0.0%	-0.2%	3.1%	1.2%	0.0%	1.2%	4.3%
Cobar	3.0%	0.2%	0.5%	0.0%	0.0%	0.1%	3.7%	-1.5%	0.0%	0.0%	3.7%
Coffs Harbour	3.0%	0.0%	0.2%	0.0%	0.1%	-0.2%	3.1%	1.0%	0.4%	0.6%	3.7%
Coolamon	3.0%	0.1%	0.8%	0.0%	0.0%	-0.4%	3.5%	1.4%	0.0%	1.4%	4.9%
Coonamble	3.0%	0.1%	0.3%	0.0%	0.0%	-0.1%	3.2%	0.3%	0.0%	0.3%	3.5%
Cootamundra-Gundagai Regional	3.0%	0.1%	0.4%	0.0%	0.0%	-0.4%	3.2%	0.0%	0.0%	0.0%	3.2%
Cowra	3.0%	0.1%	0.4%	0.0%	0.5%	-0.3%	3.8%	0.2%	0.1%	0.0%	3.8%
Cumberland	3.0%	0.0%	0.0%	0.0%	0.0%	-0.1%	2.8%	2.9%	1.3%	1.6%	4.4%
Dubbo Regional	3.0%	0.1%	0.2%	0.0%	0.0%	-0.3%	3.0%	0.7%	1.0%	0.0%	3.0%
Dungog	3.0%	0.1%	0.5%	0.0%	0.0%	-0.2%	3.3%	1.4%	0.8%	0.7%	4.0%
Edward River	3.0%	0.1%	0.4%	0.0%	0.0%	-0.5%	3.0%	-0.2%	0.2%	0.0%	3.0%
Eurobodalla	3.0%	0.1%	0.3%	0.0%	0.0%	-0.2%	3.1%	0.6%	0.5%	0.0%	3.1%
Fairfield	3.0%	0.0%	0.2%	0.0%	0.1%	-0.2%	3.0%	1.2%	0.2%	1.0%	4.0%
Federation	3.0%	0.0%	0.4%	0.0%	0.0%	-0.3%	3.1%	1.0%	0.1%	1.0%	4.1%
Forbes	3.0%	0.1%	0.4%	0.0%	0.0%	-0.4%	3.1%	0.0%	0.2%	0.0%	3.1%

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Georges River	3.0%	0.0%	0.2%	0.0%	0.0%	-0.1%	3.0%	2.3%	0.5%	1.8%	4.8%
Gilgandra	3.0%	0.2%	0.5%	0.0%	0.0%	-0.1%	3.5%	-0.1%	0.0%	0.0%	3.5%
Glen Innes Severn	3.0%	0.1%	0.5%	0.0%	0.0%	-0.2%	3.4%	0.2%	0.0%	0.2%	3.6%
Goulburn Mulwaree	3.0%	0.0%	0.2%	0.0%	0.0%	-0.1%	3.1%	1.7%	0.2%	1.5%	4.6%
Greater Hume	3.0%	0.1%	0.5%	0.0%	0.0%	-0.2%	3.3%	1.2%	0.4%	0.8%	4.1%
Griffith	3.0%	0.0%	0.2%	0.0%	0.0%	-0.2%	2.9%	0.8%	0.5%	0.3%	3.2%
Gunnedah	3.0%	0.0%	0.1%	0.0%	0.0%	-0.3%	2.8%	0.9%	0.0%	0.9%	3.7%
Gwydir	3.0%	0.2%	0.4%	0.0%	0.0%	-0.1%	3.4%	-1.0%	0.0%	0.0%	3.4%
Hawkesbury	3.0%	0.0%	0.2%	0.0%	0.0%	-0.1%	3.1%	0.8%	1.4%	0.0%	3.1%
Hay	3.0%	0.2%	0.7%	0.0%	0.0%	-0.2%	3.7%	1.1%	0.0%	1.1%	4.8%
Hilltops	3.0%	0.1%	0.5%	0.0%	0.0%	-0.4%	3.2%	0.2%	0.3%	0.0%	3.2%
Hornsby	3.0%	0.1%	0.4%	0.0%	0.0%	-0.1%	3.3%	0.5%	0.2%	0.3%	3.6%
Hunters Hill	3.0%	0.2%	0.2%	0.0%	0.0%	-0.6%	2.7%	0.2%	0.0%	0.2%	2.9%
Inner West	3.0%	0.0%	0.2%	0.0%	0.0%	-0.1%	3.0%	1.4%	0.0%	1.4%	4.4%
Inverell	3.0%	0.0%	0.2%	0.0%	0.1%	-0.1%	3.2%	0.1%	0.2%	0.0%	3.2%
Junee	3.0%	0.1%	0.4%	0.0%	0.0%	-0.4%	3.0%	0.9%	0.1%	0.8%	3.8%
Kempsey	3.0%	0.0%	0.2%	0.0%	0.0%	-0.1%	3.1%	0.6%	0.7%	0.0%	3.1%
Kiama	3.0%	0.0%	0.1%	0.0%	0.1%	-0.1%	3.1%	0.7%	0.7%	0.1%	3.2%
Ku-ring-gai	3.0%	0.2%	0.3%	0.0%	0.0%	-0.2%	3.3%	1.1%	0.0%	1.1%	4.4%
Kyogle	3.0%	0.0%	0.4%	0.0%	0.0%	-0.2%	3.2%	1.2%	0.0%	1.2%	4.4%
Lachlan	3.0%	0.2%	0.5%	0.0%	0.0%	-0.2%	3.4%	-0.5%	N/A	0.0%	3.4%
Lake Macquarie	3.0%	0.1%	0.2%	0.0%	0.0%	0.0%	3.2%	1.2%	1.5%	0.0%	3.2%
Lane Cove	3.0%	0.1%	0.2%	0.0%	0.0%	-0.1%	3.0%	2.5%	0.7%	1.7%	4.7%

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Leeton	3.0%	0.0%	0.2%	0.0%	0.0%	-0.5%	2.7%	0.1%	0.1%	0.0%	2.7%
Lismore	3.0%	0.1%	0.2%	0.0%	0.0%	-0.2%	3.1%	-0.3%	0.2%	0.0%	3.1%
Lithgow	3.0%	0.1%	0.3%	0.0%	0.1%	-0.2%	3.1%	-0.2%	0.3%	0.0%	3.1%
Liverpool	3.0%	0.0%	0.2%	0.0%	0.1%	-0.2%	3.0%	2.9%	1.9%	1.1%	4.1%
Liverpool Plains	3.0%	0.1%	0.4%	0.0%	0.1%	-0.1%	3.5%	0.1%	0.0%	0.1%	3.6%
Lockhart	3.0%	0.0%	0.8%	0.0%	0.0%	-0.3%	3.5%	2.3%	0.1%	2.2%	5.7%
Maitland	3.0%	0.0%	0.1%	0.0%	0.0%	0.0%	3.1%	2.3%	2.2%	0.1%	3.2%
Mid-Coast	3.0%	0.0%	0.2%	0.0%	0.0%	-0.1%	3.1%	0.7%	0.7%	0.0%	3.1%
Mid-Western Regional	3.0%	0.0%	0.2%	0.0%	0.0%	-0.1%	3.2%	1.1%	0.7%	0.4%	3.6%
Moree Plains	3.0%	0.1%	0.2%	0.0%	0.0%	-0.1%	3.1%	-0.4%	0.0%	0.0%	3.1%
Mosman	3.0%	0.4%	0.3%	0.0%	0.0%	-0.1%	3.5%	0.6%	0.0%	0.6%	4.1%
Murray River	3.0%	0.1%	0.4%	0.0%	0.0%	-0.3%	3.2%	1.8%	2.8%	0.0%	3.2%
Murrumbidgee	3.0%	0.1%	0.7%	0.0%	0.0%	-0.3%	3.5%	1.4%	0.0%	1.4%	4.9%
Muswellbrook	3.0%	0.0%	0.2%	0.0%	0.0%	-0.2%	3.1%	0.1%	0.3%	0.0%	3.1%
Nambucca	3.0%	0.0%	0.3%	0.0%	0.0%	-0.2%	3.2%	1.0%	0.8%	0.3%	3.5%
Narrabri	3.0%	0.1%	0.3%	0.0%	0.0%	-0.3%	3.1%	0.3%	0.0%	0.3%	3.4%
Narrandera	3.0%	0.1%	0.3%	0.0%	0.0%	-0.1%	3.3%	-0.1%	0.0%	0.0%	3.3%
Narromine	3.0%	0.1%	0.5%	0.0%	0.0%	-0.2%	3.4%	-0.2%	0.6%	0.0%	3.4%
Newcastle	3.0%	0.1%	0.1%	0.0%	0.0%	-0.1%	3.0%	1.5%	0.3%	1.2%	4.2%
North Sydney	3.0%	0.1%	0.2%	0.0%	0.0%	-0.2%	3.0%	1.2%	0.3%	1.0%	4.0%
Northern Beaches	3.0%	0.1%	0.2%	0.0%	0.0%	-0.1%	3.1%	1.1%	0.1%	1.0%	4.1%
Oberon	3.0%	0.2%	0.6%	0.0%	0.0%	-0.6%	3.2%	0.1%	0.0%	0.1%	3.3%
Orange	3.0%	0.0%	0.2%	0.0%	0.0%	-0.2%	3.0%	0.8%	1.3%	0.0%	3.0%

# HAY SHIRE COUNCIL

Information Paper

Rate pegs for NSW councils for 2026-27

Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Productivity factor	Dams safety levy adjustment	Election cost adjustment	Core rate peg	Change in population	Supplementary valuations percentage	Population factor	Final rate peg
Parkes	3.0%	0.1%	0.3%	0.0%	0.0%	-0.2%	3.1%	-0.1%	0.2%	0.0%	3.1%
Parramatta	3.0%	0.1%	0.0%	0.0%	0.0%	-0.1%	3.0%	2.1%	0.3%	1.8%	4.8%
Penrith	3.0%	0.0%	0.1%	0.0%	0.0%	-0.2%	3.0%	1.9%	1.2%	0.7%	3.7%
Port Macquarie-Hastings	3.0%	0.0%	0.2%	0.0%	0.0%	-0.2%	2.9%	1.4%	0.9%	0.5%	3.4%
Port Stephens	3.0%	0.0%	0.3%	0.0%	0.0%	-0.2%	3.0%	1.5%	0.4%	1.1%	4.1%
Queanbeyan-Palerang Regional	3.0%	-0.1%	0.3%	0.0%	0.0%	-0.1%	3.1%	2.3%	2.7%	0.0%	3.1%
Randwick	3.0%	0.1%	0.1%	0.0%	0.0%	-0.1%	3.1%	1.9%	0.0%	1.9%	5.0%
Richmond Valley	3.0%	0.0%	0.3%	0.0%	0.0%	-0.1%	3.1%	0.8%	0.2%	0.6%	3.7%
Ryde	3.0%	0.1%	0.2%	0.0%	0.0%	-0.2%	3.1%	2.5%	0.4%	2.0%	5.1%
Shellharbour	3.0%	0.0%	0.1%	0.0%	0.1%	-0.1%	3.1%	2.3%	1.1%	1.2%	4.3%
Shoalhaven	3.0%	-0.1%	0.2%	0.0%	0.0%	-0.1%	3.0%	0.7%	0.6%	0.1%	3.1%
Singleton	3.0%	0.0%	0.3%	0.0%	0.0%	-0.1%	3.2%	1.2%	0.2%	1.0%	4.2%
Snowy Monaro Regional	3.0%	0.1%	0.9%	0.0%	0.0%	-0.1%	3.9%	0.5%	0.2%	0.3%	4.2%
Snowy Valleys	3.0%	0.1%	0.4%	0.0%	0.0%	-0.4%	3.1%	0.2%	0.3%	0.0%	3.1%
Strathfield	3.0%	0.2%	0.3%	0.0%	0.0%	-0.1%	3.3%	1.4%	1.5%	0.0%	3.3%
Sutherland	3.0%	0.0%	0.2%	0.0%	0.0%	-0.1%	3.1%	1.5%	0.5%	1.1%	4.2%
Sydney	3.0%	0.0%	0.1%	0.0%	0.0%	-0.1%	2.9%	2.7%	0.0%	2.7%	5.6%
Tamworth Regional	3.0%	0.0%	0.2%	0.0%	0.0%	0.0%	3.2%	1.0%	1.0%	0.0%	3.2%
Temora	3.0%	0.2%	0.7%	0.0%	0.0%	-0.6%	3.4%	-0.1%	0.8%	0.0%	3.4%
Tenterfield	3.0%	0.0%	0.5%	0.0%	0.0%	-0.1%	3.5%	1.6%	0.0%	1.6%	5.1%
The Hills	3.0%	0.0%	0.2%	0.0%	0.0%	-0.1%	3.0%	3.7%	2.0%	1.7%	4.7%
Tweed	3.0%	0.0%	0.1%	0.0%	0.0%	-0.1%	2.9%	0.8%	0.6%	0.2%	3.1%

# HAY SHIRE COUNCIL

Information Paper

Rate pegs for NSW councils for 2026-27

Council	BCC	ESL factor	ESL subsidy catch-up adjustment	Productivity factor	Dams safety levy adjustment	Election cost adjustment	Core rate peg	Change in population	Supplementary valuations percentage	Population factor	Final rate peg
Upper Hunter	3.0%	0.1%	0.5%	0.0%	0.0%	-0.2%	3.4%	0.5%	0.4%	0.1%	3.5%
Upper Lachlan	3.0%	0.1%	0.6%	0.0%	0.0%	-0.1%	3.5%	2.0%	0.5%	1.4%	4.9%
Uralla	3.0%	0.0%	0.3%	0.0%	0.0%	-0.3%	3.0%	0.8%	0.1%	0.7%	3.7%
Wagga Wagga	3.0%	0.0%	0.2%	0.0%	0.0%	-0.1%	3.1%	0.4%	0.3%	0.1%	3.2%
Walcha	3.0%	0.0%	0.5%	0.0%	0.0%	-0.1%	3.4%	0.7%	0.0%	0.7%	4.1%
Walgett	3.0%	0.2%	0.5%	0.0%	0.0%	-0.3%	3.3%	-0.4%	0.0%	0.0%	3.3%
Warren	3.0%	0.1%	0.3%	0.0%	0.0%	-0.2%	3.2%	0.4%	0.0%	0.4%	3.6%
Warrumbungle	3.0%	0.2%	0.6%	0.0%	0.0%	0.1%	3.8%	0.1%	0.0%	0.1%	3.9%
Waverley	3.0%	0.3%	0.1%	0.0%	0.0%	-0.1%	3.2%	2.0%	0.0%	2.0%	5.2%
Weddin	3.0%	0.3%	0.8%	0.0%	0.4%	-0.3%	4.2%	-0.2%	0.0%	0.0%	4.2%
Wentworth	3.0%	0.1%	0.5%	0.0%	0.0%	-0.4%	3.2%	1.5%	3.0%	0.0%	3.2%
Willoughby	3.0%	0.1%	0.1%	0.0%	0.0%	-0.2%	3.0%	2.2%	0.0%	2.2%	5.2%
Wingecarribee	3.0%	0.0%	0.1%	0.0%	0.0%	-0.1%	3.0%	0.8%	0.5%	0.3%	3.3%
Wollondilly	3.0%	0.0%	0.2%	0.0%	0.0%	-0.1%	3.0%	3.8%	2.2%	1.6%	4.6%
Wollongong	3.0%	0.1%	0.1%	0.0%	0.0%	-0.1%	3.1%	1.3%	0.4%	0.8%	3.9%
Woollahra	3.0%	0.6%	0.2%	0.0%	0.0%	-0.2%	3.6%	0.9%	0.0%	0.9%	4.5%
Yass Valley	3.0%	0.1%	0.4%	0.0%	0.0%	-0.2%	3.4%	1.0%	2.6%	0.0%	3.4%

**Notes:**

The core rate peg is the rate peg before the population factor, and the final rate peg is the rate peg including the population factor.

Our methodology does not reduce council income when population falls. This is because in an area of falling population a council still needs to maintain its infrastructure and provide services, so its costs may not decline correspondingly.

Figures may not add due to rounding. Only the core rate pegs, population factors and final rate pegs are rounded.





**Australian Government**

**Department of Health, Disability and Ageing**

Ref No: MC25-016769

Mr David Webb  
General Manager  
Hay Shire Council  
[mail@hay.nsw.gov.au](mailto:mail@hay.nsw.gov.au).

Dear Mr Webb

Thank you for your correspondence of 29 August 2025 to the Minister for Health and Ageing and the Minister for Disability and the National Disability Insurance Scheme, the Hon Mark Butler MP on policy reforms to support the attraction and retention of Registered Nurses (RNs) in rural and remote aged care settings. The Minister has asked me to reply.

As you are aware, the Government's commitment to the 24/7 RN requirement is intended to ensure residents always have access to clinical care when they need it. Evidence also indicates that almost half of all ambulance transfers from an aged care home to a hospital emergency department occur after hours. This requirement allows RNs to manage some issues as first responders, therefore improving resident safety and preventing unnecessary trips to hospital.

The Government recognises that ongoing workforce shortages continue to impact the ability of some aged care homes in rural and remote areas to attract and retain enough RNs to meet the 24/7 RN requirement. You may be interested to know that small aged care homes in these areas can apply for an exemption to this requirement for up to 12 months at a time. You can find more information about exemptions can be found at [www.health.gov.au/our-work/care-minutes-registered-nurses-aged-care/24-7-rns/exemption](http://www.health.gov.au/our-work/care-minutes-registered-nurses-aged-care/24-7-rns/exemption).

The Aged Care Quality and Safety Commission also takes a risk-based approach to compliance with this requirement, including for homes that are not eligible for an exemption and are unable to provide 24/7 RN care. In these circumstances, homes must ensure they have appropriate alternative clinical care arrangements in place, such as access to on-call RNs, to ensure residents continue to receive safe clinical care, in the absence of an RN.

The Government acknowledges the additional costs of providing 24/7 RN care can be an impediment to some aged care homes and has been providing a 24/7 RN supplement since July 2023 to help eligible providers employ extra RNs at their aged care homes to meet the requirement to always have an RN onsite and on duty. You can find further information about the supplement at [www.health.gov.au/topics/aged-care/providing-aged-care-services/funding-for-aged-care-service-providers/247-registered-nurse-supplement](http://www.health.gov.au/topics/aged-care/providing-aged-care-services/funding-for-aged-care-service-providers/247-registered-nurse-supplement).



Regarding recognition of overseas qualified nurses, the Australian Government agreed to fund and implement the health-related recommendations from the Final Report of the *Independent Review of Australia's Regulatory Settings Relating to Overseas Health Practitioners (Kruk Review)*. These reforms seek to streamline administrative processes for overseas trained nurses and other professions enabling them to work and practice in Australia quickly and help address shortages in recognised area of need. Recommendations include:

- Introduction of specialist expedited registration pathways for eligible medical and nursing professions from countries with comparable health care systems to Australia.
- Reducing migration barriers and providing flexibility for visa requirements to enable skilled health practitioners to work in acknowledged areas of shortage.

More information about the Kruk Review, and the final report, can be found at [www.health.gov.au/our-work/independent-review-of-health-practitioner-regulatory-settings](http://www.health.gov.au/our-work/independent-review-of-health-practitioner-regulatory-settings).

The Australian Government funds a range of initiatives, including Fee-Free TAFE, which enables personal care workers to undertake nationally recognised qualifications such as the Certificate III in Individual Support. These programs are designed to reduce financial barriers and support workforce development across the sector, including in smaller communities. In addition to Fee-Free TAFE, the Government offers a variety of free training aimed at building the skills of aged care workers. Further details can be found at [www.health.gov.au/resources/publications/free-training-opportunities-for-aged-care-workers?language=en](http://www.health.gov.au/resources/publications/free-training-opportunities-for-aged-care-workers?language=en).

You may also be interested to know that the Government funds the Aged Care Nursing Scholarship Program which is supporting workers to complete formal qualifications in nursing and develop management skills to advance their careers in aged care. Further details on how to apply can be found at [www.acnp.org.au/ansp](http://www.acnp.org.au/ansp).

Government remains committed to supporting the aged care workforce and welcomes ongoing feedback to ensure that training pathways remain accessible and relevant to the needs of rural and remote communities.

Thank you for writing on this matter.

Yours sincerely



Sally Bishop  
Director  
Aged Care Workforce Branch  
1 October 2025

Ref: SL/sas

8 October 2025



THE HON.  
**SUSSAN LEY** MP  
FEDERAL MEMBER FOR FARRER



The Hon Sam Rae MP  
Minister for Aged Care and Seniors  
Parliament House  
Canberra ACT 2600

Dear Minister,

I write to respectfully bring to your attention the urgent need for funding to support upgrades at the Haydays Retirement Hostel in Hay, New South Wales, in my electorate. Haydays was originally built in 1968 for independent living but is now a not-for-profit aged care facility providing a vital service to senior Australians in Hay and the surrounding rural and remote community.

Haydays currently accommodates 23 residents and is managed by a dedicated volunteer board. It is the only local aged care option of its kind in the Hay region - without it, residents would be forced to relocate hundreds of kilometres away from their families and support networks. The facility is also an essential part of the broader health system in Hay, supporting the McFarlane Wing at the local hospital facing a waiting list of 16 people for aged care beds, including those requiring dementia care.

However, Haydays faces significant compliance and safety challenges that can no longer be delayed. For example, bathrooms require towels on the floor to prevent slips, there is no nurses' station, the plumbing system cannot support a bedpan steriliser, and hallways are merely covered verandas that are not climate controlled. Additionally, uneven walkways, low ceilings, and narrow doorways prevent stretcher access and compromise both the safety and dignity for residents, employees and healthcare workers. As a result, Haydays risks falling short of the standards required by the Aged Care Quality and Safety Commission and jeopardises the future viability of this vital service. At present, there is also no dementia care or respite care in Hay, leaving families with limited options and adding pressure to the hospital system.

Haydays Retirement Hostel has applied twice unsuccessfully for a grant through the Aged Care Capital Assistance Program (most recently in the funding announced on 18 September 2025). This requested funding is critical for Haydays to undertake the required renovations to ensure the facility maintains compliance with existing regulations and to ensure its long-term sustainability.

The people who built and sustained the town of Hay deserve to age with dignity and security in their community. The findings of the Hay Shire's Aging Study confirm the growing demand for local aged care, which will increase into the future. A 2024 NSW Government analysis of aged care in the Hay Local Government Area states that '[t]he number of people in care has also increased significantly in the last 5 years. If this keeps apace with the project[ed] population growth, more or alternate care services will be required for the area'. Accordingly, without this much-needed capital assistance

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**ALBURY NSW 2640**  
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152 Banna Avenue  
(PO Box 1093)  
**GRIFFITH NSW 2680**  
Tel: (02) 6964 1212

HAY SHIRE COUNCIL

investment, the Hay community risks losing an essential service for senior Australians, placing further strain on an already stretched health network.

I respectfully urge you to give full consideration to the funding request for Haydays Retirement Hostel. Federal support is vital to ensure this facility can continue to provide safe, compliant, and dignified care for older Australians in our rural and remote regions.

Yours sincerely



**SUSSAN LEY MP**  
**Federal Member for Farrer**





David Webb  
General Manager  
Hay Shire Council  
134 Lachlan Street  
HAY NSW 2711  
mail@hay.nsw.gov.au

Dear David

I am writing to you to inform that at a recent Griffith City Council Ordinary Meeting Council resolved to take a number of actions in relation to concerns regarding the provision of health services in Griffith and the wider Western Riverina.

Council has been deeply engaged with our community on this matter, particularly following the opening of the new Griffith Base Hospital. While the facility represents an important investment in regional health infrastructure, there remains widespread concern in the community about the adequacy of health service governance, transparency in decision-making, and the resourcing provided under the current Murrumbidgee Local Health District model.

While Council has no direct jurisdiction over health service delivery, we believe we have a duty to ensure that our community's voice is heard, respected, and constructively brought forward to Government. The resolution attached sets out Council's considered position. It acknowledges community concerns, outlines a program of engagement with residents, health professionals, and First Nations leaders.

Council is committed to approaching this matter in a spirit of collaboration, recognising the complexity of health system governance while strongly advocating for the best interests of our community. To ensure that this is the case well into the future, Council has requested that the NSW State Government commit to an independent review into the governance of health services in the Western Riverina.

I have also written to the NSW Minister for Health, the Hon. Ryan Park to request a meeting with him at the earliest practicable time to discuss this matter and I have also written to the Shadow Minister for Health, Kellie Sloane MP to raise these matters.

I bring this information regarding the actions taken by Griffith City Council to your attention. If there is anything that you would like to raise with regard to this matter please contact me by email [scott.grant@griffith.nsw.gov.au](mailto:scott.grant@griffith.nsw.gov.au) or by phone 0457 567 496.

Yours sincerely,

**SCOTT GRANT**  
**GENERAL MANAGER**  
Griffith City Council, Wiradjuri Country, PO Box 485, Griffith NSW 2680, 1 Benerambah Street, Griffith NSW 2680  
Ph: 1300 176 077 • ABN: 81 274 100 792  
Email: [admin@griffith.nsw.gov.au](mailto:admin@griffith.nsw.gov.au) • Web: [www.griffith.nsw.gov.au](http://www.griffith.nsw.gov.au)

## Attachment – Resolution of Council

*Resolved on the motion of Councillors Doug Curran and Jenny Ellis that Council:*

1. **Acknowledge** the significant concerns within the community regarding the adequacy of health service governance under the current Murrumbidgee Local Health District arrangements.
2. **Note** the advocacy in the community for the establishment of a Western Riverina Local Health District, and recognise the merit of those views.
3. **Undertake** community and stakeholder engagement, including a survey of residents and consultation with local health professionals and First Nations leaders, to obtain evidence of community preferences regarding governance of Griffith Base Hospital and health services in the Western Riverina, to close Friday 31 October 2025.
4. **Write** to the NSW Minister for Health, the Premier of NSW, local Members of Parliament, Chief Executive of MLHD, NSW Shadow Minister for Health, and other Councils in the current Murrumbidgee Local Health District to:
  - Request a meeting with NSW Minister for Health, The Hon. Ryan Park, MP as soon as practicable;
  - Advise them of Council's concerns and the actions it is taking to gather evidence; and
  - Request that the State Government commit to an independent review into the governance of health services in the Western Riverina.
5. **Receive** a report within two months outlining the results of the community engagement and consultation, and consider at that time whether to adopt a formal advocacy position in favour of the establishment of a Western Riverina Local Health District.

**C13 - Tree Removal Requests**


<b>REPORTING OFFICER</b>	Executive Manager Engineering and Operations
<b>ATTACHMENTS</b>	Applications for the Removal of Street Trees

**INTRODUCTION**

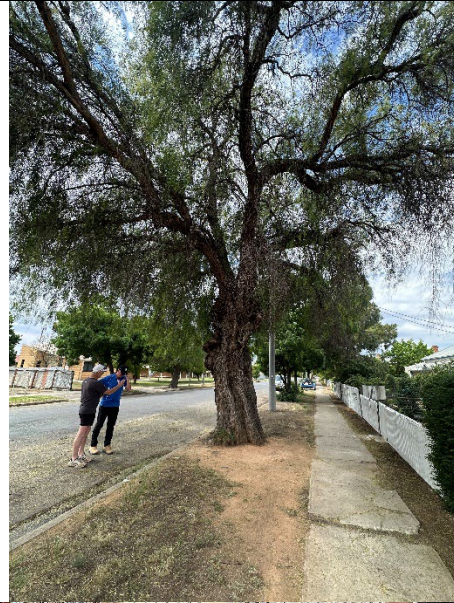
Council received numerous requests for Tree Removals.

**COMMENTARY**



Find below the relevant tree assessments.

Application for Tree Removal – 436 Orson Street		
Address	436 Orson Street	
Tree Number	2	
Species	Peppercorn	
Crown and Branches		
Dead Branches	YES	
Cracks/Codominant/Weak Attachments.	YES	
Trunk		
Missing Bark	YES	
Decay	YES	
Lean	YES	
Root Damage	YES	
Services		
Footpath/Kerb Damage	YES	
Trip Hazard	YES	
Overhead Powerlines	YES	
Other Services Damage	Unknown	
Analysis		
Prone to Diseases/Pests	YES	
Likelihood of Failure	MEDIUM	
Removal or Prune	Remove and Stump grid	
Replacement	Crepe Myrtle	












		 
<b>Staff Comments</b>		
<p>This request was received in person. Resident requested a site visit to discuss.</p> <ul style="list-style-type: none"><li>• This tree has multiple surface roots that create trip hazards to pedestrians.</li><li>• This tree has roots that are damaging the pedestrian footpath.</li><li>• This tree has roots that are damaging house foundations.</li><li>• This tree has roots that are damaging the gutter and causing pooling of water.</li><li>• This tree has large root knots that are unappealing.</li><li>• This tree has signs of damage due to white ants</li></ul>		



Application for Tree Removal – 339 Lang Street	
Address	339 Lang Street
Tree Number	1
Species	Cedar
Crown and Branches	
Dead Branches	YES
Cracks/Codominant/Weak Attachments.	NO
Trunk	
Missing Bark	NO
Decay	NO
Lean	NO
Root Damage	UNKNOWN
Services	
Footpath/Kerb Damage	NO
Trip Hazard	NO
Overhead Powerlines	YES
Other Services Damage	UNKNOWN
Analysis	
Prone to Diseases/Pests	Yes
Likelihood of Failure	LOW
Removal or Prune	REMOVE
Replacement	Manchurian Pear



		
		
<b>Staff Comments</b>		
<ul style="list-style-type: none"><li>• Resident communicated that the tree causes her allergies during flower</li><li>• Resident commented that the tree drops fruit on the lawn and makes a mess</li><li>• Resident commented about the smell of the tree</li><li>• The top of the tree touches the powerline</li></ul>		



<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<p><b>A Environmental Sustainability</b></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>B Liveable and vibrant community</b></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><b>E Our Infrastructure</b></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>
<b>FINANCIAL IMPLICATION</b>	\$1800
<b>LEGISLATIVE IMPLICATION</b>	Nil
<b>POLICY IMPLICATION</b>	Compliance with Street Tree Policy and Circular Economy Strategy: For every tree removed, Council plants 10 new trees.
<b>ASSET IMPLICATION</b>	Significant progress in protection of assets.
<b>RISK IMPLICATION</b>	Lowering risk to Council

## RECOMMENDATIONS

That Council:

1. Remove two Peppercorn Trees at 436 Orson Street and replace with Crepe Myrtles.
2. Remove the Cedar Tree at 339 Lang Street and replace with Manchurian Pear Tree.



Hay Shire Council  
134 Lachlan Street  
HAY NSW 2711  
Telephone: (02) 6990 1100  
[www.hay.nsw.gov.au](http://www.hay.nsw.gov.au)  
[mail@hay.nsw.gov.au](mailto:mail@hay.nsw.gov.au)

## APPLICATION FOR THE REMOVAL OF STREET TREES

**OFFICE USE ONLY**  
Date Received \_\_\_\_\_

Ref No. \_\_\_\_\_

The General Manager  
Hay Shire Council  
HAY NSW 2711

Dear Sir,

I [REDACTED] hereby request for Council to remove ( 1 ) Cedar  
(Name) (No. of trees) (Species if known)  
street tree/s on the nature strip of my property at 339 Lang St South Hay  
(Address)

To assist with Council's decision, please provide information below to support this request.

I am allergic to the tree when it's in  
flower. I've had 2 days off work as  
I've been so sick & the smell coming  
from the tree has made things worse,  
to the point I can barely function having  
to take antihistamine daily to cope.

**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.

[REDACTED] 20/10/25 [REDACTED]  
(Signature) (Date) (Contact number/email)

OFFICE USE ONLY		
Received by: _____	Referred to: _____	Date: ____/____/____

Approved: Director Infrastructure and Planning	Date Issued: 29 September 2021	Status: Approved	Version: 003
Document ID: FORM T.06			Page: 1 of 1

**C14 - Monthly Financial Report – September 2025**

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	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 30<sup>th</sup> September 2025 and the Reconciliation Statement has been entered in the Cash Book.

**2. STATEMENT OF CASH BOOK BALANCES**

Listed hereunder is the Statement of Cash Book Balances for all funds and accounts for the period ending 30<sup>th</sup> September 2025.

<b>Fund</b>	<b>June</b>	<b>July</b>	<b>August</b>	<b>September</b>
General	7,154,545.56	4,282,816.93	4,413,237.77	4,294,265.51
Water	2,372,311.16	2,289,249.65	2,289,440.07	2,164,001.24
Sewer	1,324,395.48	1,060,711.54	1,400,276.50	1,362,098.63
Pool Community Funds	320,519.33	320,519.33	320,519.33	320,519.33
Dunera	55,645.21	56,048.01	56,434.41	56,434.41
<b>Total</b>	<b>11,227,416.74</b>	<b>8,009,345.46</b>	<b>8,479,908.08</b>	<b>8,197,319.12</b>

**3 RATE COLLECTIONS**

Net Rates levied on 30/9/2025      \$5,057,834.46

#### 4 **RESERVES**

Council's Reserve funds are listed below: -

	30/09/2025
<b>GENERAL FUND</b>	
Computer Replacement Reserve	31,919.75
Leave Reserve	670,474.44
Aerodrome Reserve	52,274.20
HACC	459,188.23
Financial Assistance Grant	2,402,202.00
Swimming Pool	6,000.00
Carry over Works	-
Capital Works	1,113,352.58
Land Development Reserve	61,168.49
Waste Services	100,000.00
Youth Services	3,014.29
Levee Bank Reserve	624,931.85
Library reserve	13,927.28
LEP reserve	3,677.22
Plant Reserve	284,147.07
Hay Gaol Museum	93,475.91
Bishops Lodge Museum	98,177.70
Long Paddock	7,260.00
Duval Scholarship	20,266.20
<b>Total General Fund</b>	<b>6,045,457.21</b>
<b>WATER FUND</b>	
Renewals Reserve	820,176.31
<b>Total Water Fund</b>	<b>820,176.31</b>
<b>SEWER FUND</b>	
Renewals Reserve	214,583.55
Future Requirements Reserve	1,635,021.21
<b>Total Sewer Fund</b>	<b>1,849,604.76</b>
<b>TOTAL RESERVES</b>	<b>8,715,238.28</b>
<b><i>Funds Invested other than Reserves</i></b>	
<i>General Working Funds</i>	1,680,829.22
<b>TOTAL FUNDS INVESTED</b>	<b>10,396,067.50</b>

## 5. RECORD OF INVESTMENTS

Council's Current Investments are listed below:-

Financial Institution	Date Invested	Date Due	Interest Rate per Annum	No. of Days	Amount of Interest \$	Amount Invested \$
CBA	29-07-2025	27-10-2025	4.21	90	18,519.92	1,784,051.15
CBA	25-08-2025	24-11-2025	4.07	91	28,436.67	2,802,436.97
NAB - 164525911	31-08-2025	29-11-2025	4.10	90	8,778.34	868,316.89
NAB - 171325926	31-08-2025	29-11-2025	4.10	90	3,446.76	340,938.71
NAB - 808501318	04-09-2025	03-12-2025	4.10	90	26,356.44	2,607,072.76
I.M.B. - 48169	10-07-2025	10-10-2025	4.20	92	8,263.61	780,594.79
Bendigo - 2619308	11-09-2025	11-12-2025	3.90	91	3,679.60	378,431.87
Westpac - 146449	13-09-2025	13-12-2025	3.91	91	8,132.20	834,224.36
<b>Total Investments</b>						10,396,067.50

### CERTIFICATION

*I hereby certify that all investments as of 30<sup>th</sup> September 2025 have been made in accordance with the Local Government Act 1993, the Local Government Regulations and Council's Investment Policy.*

Mark Dowling  
Deputy General Manager

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<b>D Governance and Organisational Performance</b> <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.
<b>FINANCIAL IMPLICATION</b>	High Importance
<b>LEGISLATIVE IMPLICATION</b>	Local Government General Regulation 2005 Local Government Act 1993
<b>POLICY IMPLICATION</b>	Investment Policy
<b>ASSET IMPLICATION</b>	The level of cash reserves needs to be considered in Councils asset management activities
<b>RISK IMPLICATION</b>	The risk is insignificant in relation to reporting of Cash and Investments

### RECOMMENDATION

That Council receives and notes the report provided.



**C15 – Library Report September 2025**

<b>REPORTING OFFICER</b>	Library Team Leader
<b>ATTACHMENTS</b>	- Nil

**INTRODUCTION**

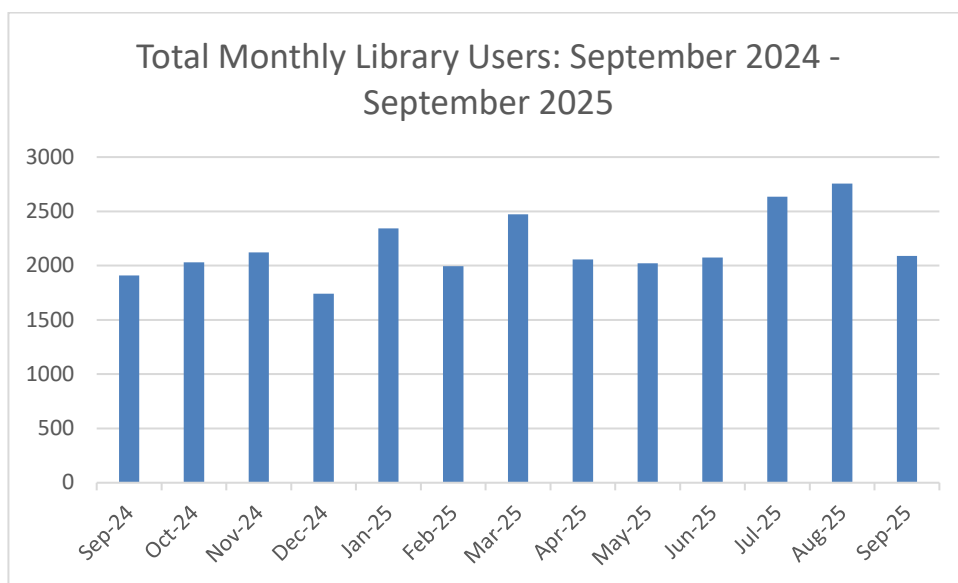
Update on Library news and use for the month of September 2025.

**COMMENTARY****LIBRARY STATISTICS – MEMBERSHIPS, LIBRARY USE AND LOANS****Membership**

10 new members were welcomed to the Hay Shire Library and two members were deleted in the month of September. As of 30<sup>th</sup> September, the library has 1,748 registered members.

**Total Library Visitors**

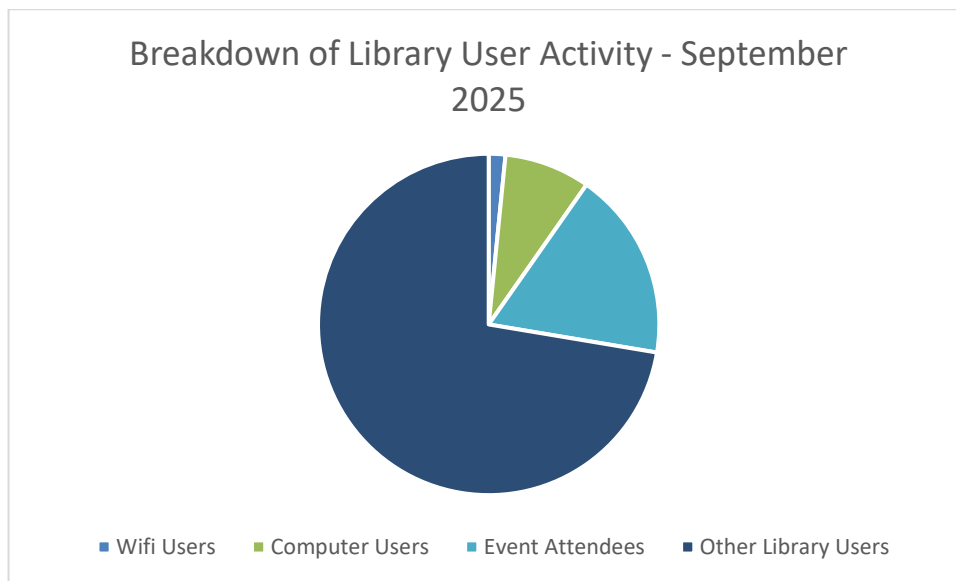
In September 2025, the library recorded a total of 2,088 onsite visitors, as measured by the door counter. 28,251 people have utilised the library in the 12-month period from September 2024 – September 2025. As per the figure below, library visitation increased by 9.32% in September 2025 compared to the same month in 2024, rising from 1,910 to 2,088.



*Figure 1: Total Library Users data (September 2024 – September 2025)*

### **Breakdown of Library Use**

In September, the Hay Shire Library recorded strong community engagement, welcoming 374 participants across events and activities. Computer use remained steady with 170 users, highlighting the continued importance of library technology and digital access. Staff provided Wi-Fi assistance to 33 people and delivered computer and technology support averaging approximately 12 jobs per day, demonstrating the library's vital role in assisting patrons with printing, online services, and digital literacy. Overall, these figures reflect the library's ongoing role as a vibrant and accessible hub for learning, connection, and community participation.



*Figure 2: Breakdown of Library Users (September 2025)*

Attendance throughout September was spread across a diverse mix of programs supporting literacy, creativity, and community connection.

- Early childhood programs remained strong, with Story Time sessions engaging 123 children and educators in songs, stories, and early literacy activities. The Hay Children's Service participated in extended Story Time sessions that included reading, dancing, singing, craft, and hands-on activities linked to each book or theme. Highlights included hunting for spiders and spider webs, creating "rain" and rain sticks, and watching educational videos that deepened engagement with the stories.
- Adult engagement continued through the popular Knitting and Scrabble sessions, attracting 57 participants across the month and fostering ongoing social connection, creativity, and lifelong learning.

- School partnerships contributed significantly to participation, with class visits from Hay Public School and Hay Children's Service involving 112 students. These sessions provided opportunities for children to become familiar with the library space, learn about borrowing systems, and explore resources independently, helping build confidence and sustained interest in reading.
- The monthly Cuppa and a Chat brought together 22 adults for a relaxed morning of conversation and shared storytelling, supporting wellbeing and intergenerational connection.
- A rock painting holiday activity attracted 60 attendees, encouraging creative expression and family participation through hands-on artmaking and social engagement.

Overall, September reflected balanced participation across all age groups and programs, reinforcing the library's role as an inclusive and vibrant community hub for learning, creativity, and connection.

### **Loans**

A total of 1,216 items were loaned, including renewals from the Hay library for the month of September. Members returned 1,272 and 78 items were reserved and allocated from our collection to both our local members and other members in other localities for the Western Riverina Libraries region.

### **Total Items Count – Library Collection**

- 241 new items were added based on library user interest and popularity along with generous donations from community members; 35 outdated, lost or damaged items were discarded and donated to the community from both the Hay Library and Haystack collections.
- Total collection size as of September 2025: 22,665 physical items. These include fiction and non-fiction books, Children's 'Easy' picture books, Readers classified by reading level, DVD's, Audio Books, Magazines and Local History Resources.

**EVENT OF THE MONTH – Story Time – Ongoing Program for Children Aged 0-5**

Story Time continued to be one of the library's most popular and engaging early childhood programs throughout September, running weekly every Tuesday at 10:30 am for children aged 0–5 years and their parents or carers. The program supports early literacy and school-readiness by fostering children's language, listening, and communication skills through stories, songs, dancing, and creative activities. It also builds confidence, imagination, and social interaction, while providing parents and carers with ideas to encourage learning and literacy at home.

September began with a special Father's Day-themed Story Time, celebrating dads, father figures and special people. Children enjoyed listening to stories about families and creating their own Father's Day cards to take home as gifts. The remaining sessions for the month explored the theme of Weather, which included reading books about sunshine, rain, wind, and rainbows; singing and dancing to weather-themed songs; and engaging in sensory rain play. Craft activities included making rain sticks, paper suns, rainbow collage and decorating and recreating characters from stories including wombats, each designed to encourage creativity, colour recognition, and fine-motor skill development while reinforcing the monthly theme.

Attendance remained strong throughout the month, with families commenting on the welcoming environment and how much their children look forward to attending each week. Story Time continues to be a cornerstone of the library's early learning and community engagement programs - providing a warm, inclusive, and stimulating space where children and their carers can connect through storytelling, creativity, and play.

Each week, a multitude of books are borrowed during Story Time sessions, reflecting the enthusiasm families have for reading together. Encouraging young children to become familiar and comfortable in the library environment helps them develop confidence to explore the shelves, follow their own interests, and discover the joy of reading. These early experiences foster imagination, curiosity, and a lifelong love of books - laying a strong foundation for literacy and learning.

Importantly, families from surrounding rural properties and isolated areas often attend Story Time to connect with others in a welcoming community setting. For many, the sessions provide a rare opportunity for social interaction, peer play, and shared experiences that support both children's development and parents' wellbeing. The program continues to strengthen community ties, reduce isolation, and highlight the vital role of the library as a hub for learning, connection, and belonging.



*Figures 3 & 4: Children at Story Time making sensory 'Rain Sticks' out of old water bottles, dyed pasta and legumes, feathers, paddle pop sticks and pipe cleaners. This allowed children to take the soothing sound of rain home with them and improved fine motor skills.*



*Figure 5: Children at Story Time socialising, reading and making Father's Day cards.*





*Figure 6: Children at Story Time socialising, creating sun craft, playing with blocks and puzzles and dancing.*

### **Cuppa & A Chat – September Event**

The September session of Cuppa & a Chat was held on Monday 22 September from 10:30 am to 12:00 pm at the Hay Shire Library, welcoming 22 attendees for a morning rich in storytelling, shared memories, and meaningful social connection. This month's theme explored how the Hay community has celebrated events and milestones over the years — from parades and the Hay Show to local balls, bands, and other much-loved gatherings that shaped the town's identity and social fabric.

Attendees were invited to browse a wonderful collection of articles, photographs, and memorabilia showcasing Hay's proud community history. The Hay Show Committee kindly contributed display materials, including historical boards and the Miss Showgirl shield, which prompted lively storytelling and reflection. Participants reminisced about local balls and the very special Governor's Ball, recalling the elegance, music, and community spirit that characterised those events. Others shared memories of the Hay Show, beloved dances, and the vibrant local bands that once filled town halls and showgrounds with life and laughter.

Adding to the sense of nostalgia and pride, Robyn Howard proudly wore her Ballerina of the Ball sash from 1966, while Cherryl Hurst donned her Belle of the Ball sash from 1967, bringing along her exquisite winning gown for everyone to admire. These personal artefacts sparked heartfelt discussions about fashion, tradition, and the changing nature of community celebration in Hay over the decades. The group's reflections offered a fascinating intergenerational perspective — comparing how people celebrated in years past with the ways we now gather and connect.

A delicious free morning tea of slices, scones, cakes, biscuits, tea, and coffee added warmth and hospitality to the event, encouraging conversation and companionship among attendees. For many, particularly those from rural and isolated properties, the gathering provided a rare and valuable opportunity to socialise, reconnect, and participate in community life.

Cuppa & a Chat directly supports key objectives of Hay Shire Council's Strategic Plan, including strengthening community wellbeing, fostering lifelong learning, and reducing social isolation among seniors and adults. The program aligns closely with Council's commitment to building an inclusive, resilient, and connected community by providing accessible, welcoming spaces for residents to engage meaningfully with one another.

For older residents in particular, these sessions offer more than just a social outing — they nurture mental stimulation, emotional wellbeing, and a sense of belonging, all of which are vital to healthy ageing. Each conversation shared contributes to the preservation of Hay's living history, ensuring that the stories, wisdom, and experiences of past generations are celebrated and remembered.

By blending conversation, culture, and connection, Cuppa & a Chat continues to affirm the Hay Shire Library's role as a central hub for community engagement, creativity, and lifelong learning. The program exemplifies how simple, low-cost initiatives can deliver significant social value enriching lives, strengthening community bonds, and keeping Hay's unique stories alive for generations to come.





*Figure 7: Robyn Howard and Cherryl Hurst wearing their winning sashes from 1966 and 1967 respectively with Cherryl's award-winning dress.*

<p><b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b></p>	<p><b>Social</b></p> <p>1.2 Recreational, Civic Spaces, and Infrastructure that meet community needs</p> <p>1.2.1 Enhance public recreation areas and facilities</p> <p>1.2.2 Placemaking with purpose</p> <p>1.2.3 Deliver infrastructure that are responsive to the community's needs</p> <p>1.2.4 Create a safe, inclusive, and resilient community where all members feel secure, supported, and empowered to thrive</p> <p>1.4 Our youth and aged are supported</p> <p>1.4.1 Advocate for greater capacity for local based child care services</p> <p>1.4.2 Support youth and aged services and initiatives</p> <p>1.5 Our community is inclusive and sustainable</p> <p>1.5.1 Residents of all abilities and cultures have access to public facilities</p> <p>1.5.2 Inclusive and Empowered Communities</p> <p>1.5.3 Enhance educational pathways and opportunities</p> <p>1.5.4 Promote inclusion and education of all abilities workers in community and business sector</p> <p>1.5.5 Facilitate access public spaces for cultural and community events</p> <p>1.5.6 Support cultural programs and initiatives, including First Nations</p> <p><b>Civic Leadership</b></p> <p>4.1 Our Council leads by example</p> <p>4.1.1 Implement and promote best practice governance</p> <p>4.1.2 Monitor and evaluate Council's strategic planning documents</p> <p>4.1.3 Be environmentally responsible in decision making</p> <p>4.1.4 Council will seek to continuously improve</p> <p>4.2 Our community is supported by a strong and resilient Council that is responsive to its needs</p> <p>4.2.1 Provide an advocacy role on behalf of the community</p> <p>4.2.2 Inform and empower community input into decision making</p> <p>4.2.3 Our community has access to Council information, services and facilities</p> <p>4.3 Our Council is inclusive and sustainable</p> <p>4.3.1 Enable an engaged workforce with suitable skills, available in the right place at the right time</p> <p>4.3.2 Build a strong, collaborative, and supportive team culture</p>
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	4.3.3 Ensure a financially sound Council that is responsible and sustainable
<b>FINANCIAL IMPLICATION</b>	Minor
<b>LEGISLATIVE IMPLICATION</b>	Library Act 1939 Local Government Act 1993
<b>POLICY IMPLICATION</b>	N/A
<b>ASSET IMPLICATION</b>	Minor
<b>RISK IMPLICATION</b>	Minor

**RECOMMENDATION**

That Council notes the information provided in the report.

**C16 - Tourism & Economic Development September October 2025**

<b>REPORTING OFFICER</b>	Executive Manager Economic Development and Tourism
<b>ATTACHMENTS</b>	- Nil

**INTRODUCTION**

Monthly update on the activities of Economic Development and Tourism

**COMMENTARY****Visitor Information Centre (VIC)**

The Visitor Information Centre assisted 1692 visitors during September 2025. There has been a 8.1% increase in visitors to Hay compared to this time last year according to Destination Riverina Murray figures.

The family segment dominated the visitor numbers as expected given the September school holidays.

Statistics below reflect the percentage of Hay VIC visitors who attended Hay attractions:

- Shear Outback attracted 987 visitors in September.
- 14% visited Dunera Museum with 242 visitors.
- 31% visited Hay Gaol with 534 visitors
- 10% visited Bishop's Lodge with 168 visitors
- 41% of visitors were from NSW
- 26% of visitors from Victoria
- 12% of visitors from SA

**Tap and Go**

The Tap and Go (payWave) option at our museums accounted for 65% of all transactions at the Hay Gaol, Bishop's Lodge and Dunera Museum in September.

**Cycle Hay**

The Cycle Hay experience attracted 19 bike hires for the month of September.

Feedback from Angela, Leichhardt – *"Thank you very much for the use of the bikes. We really enjoyed the river trails. Came to Hay for 2 nights on the strength of it!"*

**LOVE Hay Program**

The LOVE Hay Gift Card program continues to be well supported by the community. The total number of cards loaded to date is 10126 for a total value of **\$676 517**.

- Number of cards sold: 196
- Total loaded on cards: \$11 930
- Total redemptions: 209 cards for a total of \$9260.00

**Hay Glow - St Pauls Time Capsule Opening**

A large crowd gathered for the annual Hay Glow event held on 20 of September. The event included the opening of the St Pauls Time Capsule. The event featured markets, food vans, live music, lantern workshops, silent disco and fire sculpture. The event received very positive feedback.

Of the existing envelopes, 95% have been distributed. Community interest in the 2050 time capsule has been significant with approx. 400 new envelopes being distributed. The 2050 time capsule will close on 31 October.

A special thanks to the Hay Youth Taskforce who provided invaluable support on the night, running the lantern workshops and silent disco as well as assisting with the pack down.





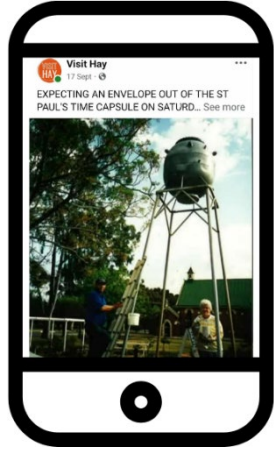
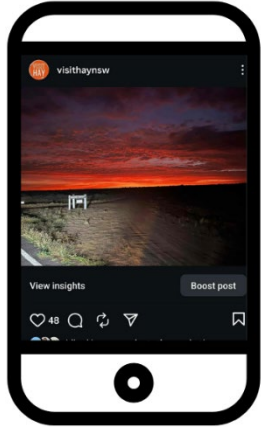
**TED Team providing assistance/or delivery to the following events:**

**Upcoming Events**

- 1 November Business Excellence Award
- 7 November Active Farmers Fun Run
- 7-10 November Hay Rust & Dust Rally
- 13-16 November Rainbow on the Plains Festival
- 15 November Hay Clothing Market
- 22 November Hay Races
- 29 November Hay Rust & Dust Rally Tally Night
- 17 December LOVE Hay Christmas

Digital Channel	Reach	Top Content
Website	<ul style="list-style-type: none"> <li>• 12 236 views to the Visithay website</li> <li>• 4889 new visits to the website in September. 1425 referrals to website from Visit Hay Facebook.</li> <li>• Landing page is most visited page on the visithay website for September</li> </ul>	

## HAY SHIRE COUNCIL

Digital Channel	Reach	Top Content
Facebook	<ul style="list-style-type: none"> <li>4854 followers of the visithay Facebook page.</li> <li>98436 Impressions for the month of September, this indicates how many times our Facebook page was seen in the month of September.</li> <li>Expecting an envelope in the time capsule post was top post with 89 interactions, 6 shares reaching 10384 people.</li> <li>57 025 impressions as a result of digital marketing.</li> </ul>	
Instagram	<ul style="list-style-type: none"> <li>1640 followers in September, showing a steady increase.</li> <li>Top city for visithay Instagram followers are from Sydney 307ppl.</li> <li>Booligal Station Sunset was the top post for September with 49 interactions, 834 views with 425 accounts reached.</li> </ul>	

### 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:

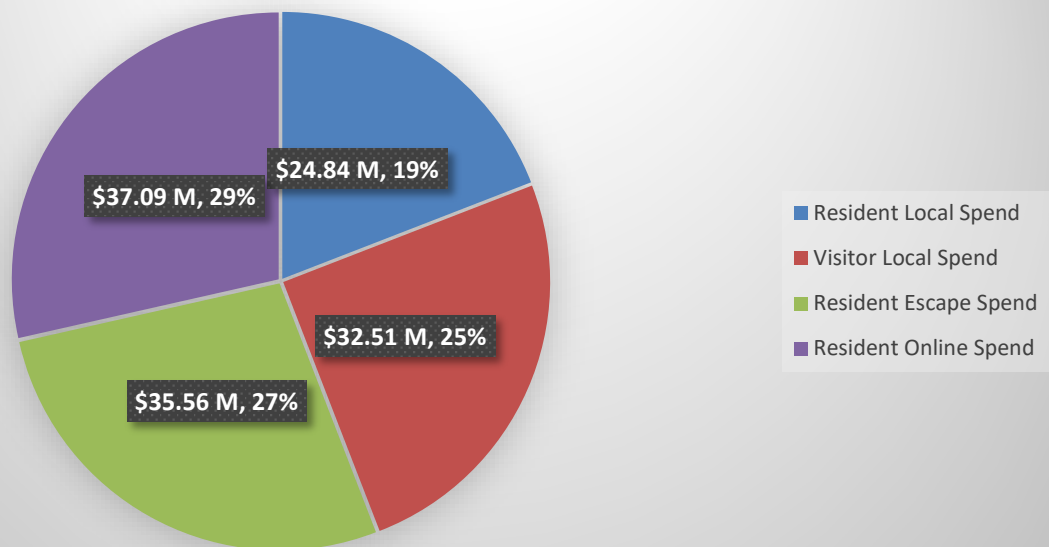
Item Number	Outcome/Indicator	Action this month
Action 4.3	Continue to implement and promote existing events program and consider new events to expand visitor economy	Targeted digital marketing campaign goal of increasing Top 5 landing page on website by 10%. Currently exceeding goal of 861 visits to 6745 visits.
Action 6.2	Strengthen collaboration across LGA boundaries as well as with the important stakeholders such as DNRM, DNSW and other Regional Tourism organisations	Attendance at Visit Riverina meeting to deliver Riverina focused touring map.
Action 6.4	Allocate resources to measure and interpret visitor data on an annual basis, including on numbers of visitors, spend and market segments	Year to date (September 24 – September 25) visitor spend up accounted for 56.5% of all spend

## Economic Analysis - Monthly Analysis

Local economic activity for the quarter

Category	April	May	June	July	August	Sept
Total Spend	\$4.76M	\$4.39M	\$4.2M	\$4.33M	\$4.45M	\$4.7M
Resident Local Spend	\$1.85M	\$1.99M	\$1.84M	\$1.82M	\$1.82M	\$1.88M
Visitor Local Spend	\$2.91M	\$2.39M	\$2.37M	\$2.51M	\$2.62M	\$2.84M
Resident Escape Spend	\$2.71M	\$2.67M	\$2.44M	\$2.99M	\$2.32M	\$2.51M
Resident online spend	\$2.54M	\$2.77M	\$3.07M	\$3.10M	\$3.00M	\$2.97M

### Total Spend September 24 - September 25



## South West Renewable Energy Zone

The Policy framework, including a Community Benefit Framework is currently in legal review to ensure that the policies are reflected in planning agreements.

The seven councils located in the South West REZ have formed a Regional Renewable Energy Response Committee. The Committee has been funded by EnergyCo to engage a Regional Energy Manager (REM). In order to facilitate the engagement, Hay Shire Council will auspice the funding from Energy Co on behalf of the Committee. Recruitment for the REM is underway. The REM will be employed by Hay Shire Council with direct line of reporting to the RERC.

Proponent	Project Title	Turbine no. *	Generation	Type	No Jobs @ peak construction	Operational workforce	Status
Someva Renewables	<a href="#">Pottinger Energy Park</a>	115	831.2 MW	Wind BESS	550	35 jobs	APPROVED VPA discussion



## HAY SHIRE COUNCIL

Proponent	Project Title	Turbine no. *	Generation	Type	No Jobs @ peak construction	Operational workforce	Status
(Hay, Edward River)							
Bay-We (Hay, Edward River)	<a href="#">Bullawah Wind Farm</a>	46-48	262.3 MW	Wind	180	35 jobs	Assessment VPA discussion
Non REZ Access Developments							
Goldwind (Hay, Edward and Murray)	Baldon Wind Farm	162	1000MW	Wind BESS	-	-	Assessment
Neoen	Tchelery Wind Farm	74	577MW	Wind BESS	-	-	Response to Submission

\* Final turbine numbers will be determined by during Detailed Design

### Country Change

Staff will host a stand at the first Country Change expo in Griffith on Saturday 25 October. The expo aims to connect people who want to move to regional areas, like Hay, with local employers, schools, housing, and community services. It provides a platform for "tree-changers" to get information, meet locals, and explore opportunities for a lifestyle change. The event also allows regional organisations to showcase their services and attract new residents and skilled professionals.

### Regional University Study Hub Funding

The CUC Hay Centre Manager has developed a website to encourage expressions of interest to attend the CUC. To date two expressions of interest have been received. CUC and staff continue to work with TAFE NSW to finalise detail of the partnership arrangements.

### Hay Legacy Housing - Design, Construct and Investment Pathway

An Investment Logic Map has been developed, and stakeholder interviews have been conducted to further investigate the opportunity around the Hay Health Precinct.

### Regional Drought Resilience Plan – Hay Region Economic Transition Roadmap

Following a Working Group workshop on 20<sup>th</sup> October 2025, a community forum will be held on Monday 27<sup>th</sup> October to share, test and refine potential priority actions for inclusion in the roadmap around the focus areas of housing, primary production transformation, future ready businesses and local leadership. The forum will include a presentation by Rob Little of Pytheus Consulting who will discuss priority emerging new industry opportunities for Hay, and Karen Kain from the Latrobe Valley Authority will share lessons on how regions manage change for positive futures. Draft screening criteria that can be used to filter and prioritise opportunities into the future, and make decisions that fit with the community's goals, will also be presented for feedback.

## Youth Development

### Life Ready

Four young people attended an essential government services session at Intereach designed to assist them with the transition to independent living for work or study. Pat Undy of Services Australia shared information about the different support available to young people, eligibility and how to access different government services. Participants were then given individual tailored assistance to access and link online government services.

### Wellbeing

Hay Shire Council was successful in obtaining a Murrumbidgee Primary Health Network Community Wellbeing and Suicide Prevention Grant of \$23,273. The project aims to strengthen our ability as a community to boost our youth and our people more broadly through a suite of proactive Resilience First Aid Training Initiatives. Through the training, we are aiming to develop and embed community resilience champions – people that are on the ground supporting resilience through natural everyday interactions, using supportive language and showing how practical skills can be put into action.

### Community

#### Community Participation

Youth Taskforce members joined with other young people and Landcare volunteers to establish a community vegetable patch at the Landcare community garden site. Thank you to Local Landcare Coordinator Jenny Dwyer for consulting with the Taskforce to plan the school holiday activity, and for organising and delivering the event. A community garden was an idea discussed at the Youth and Community Forum held earlier this year.



#### Recreational and Social Activities

The Youth Taskforce and Intereach once again partnered to deliver two Hay Lego Masters sessions on Monday 29<sup>th</sup> September.



#### Spring Holiday Break – Shepparton Fun Planet

Twenty seven young people enjoyed a Spring Holiday Break trip to Shepparton Fun Planet where they enjoyed ten pin bowling, rock climbing, mini golf, arcade games, dodgem cars, laser tag and pixel. The trip was supported by the NSW Government's Holiday Break Program and Hay Shire Council.





**Connectivity**

Community Connection

The Youth Taskforce assisted members of the CWA with the set-up and pack down of the recent Flower Show. To show their appreciation, CWA members provided home-baked goods for morning and afternoon tea for the Spring Holiday Break youth trip to Shepparton.

Community Recognition

The Youth Taskforce is honoured to have been nominated in the Hay Business Excellence Awards for the third year in a row.



<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<p><b>Social</b></p> <p>1.1 Our community is skilled and supported</p> <p>1.1.1 Our community has access to a range of employment opportunities</p> <p>1.1.2 Increase housing options within the community</p> <p>1.1.3 Improve access to health services</p> <p>1.1.4 Support local health initiatives and programs</p> <p>1.4 Our youth and aged are supported</p>
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## HAY SHIRE COUNCIL

	<p>1.4.1 Advocate for greater capacity for local based child care services</p> <p>1.4.2 Support youth and aged services and initiatives</p> <p>1.5 Our community is inclusive and sustainable</p> <p>1.5.1 Residents of all abilities and cultures have access to public facilities</p> <p>1.5.2 Inclusive and Empowered Communities</p> <p>1.5.3 Enhance educational pathways and opportunities</p> <p>1.5.4 Promote inclusion and education of all abilities workers in community and business sector</p> <p>1.5.5 Facilitate access public spaces for cultural and community events</p> <p>1.5.6 Support cultural programs and initiatives, including First Nations</p> <p><b>Environmental</b></p> <p>2.2 Our Community is resilient and adaptive</p> <p>2.2.1 Support business with climate risk adaptation and best practice</p> <p><b>Economic</b></p> <p>3.1 Our community welcomes new and innovative industry to support our future</p> <p>3.1.1 Future Ready Businesses</p> <p>3.1.2 Strengthen Business Support Services</p> <p>3.1.3 Business Attraction and Investment Growth</p> <p>3.1.4 Facilitate growth industries including workforce development and skills</p> <p>3.1.5 Identify opportunities to grow the agricultural sector</p> <p>3.1.6 Identify opportunities to grow the renewable energy sector</p> <p>3.2 Our community values its history and tourism</p> <p>3.2.1 Increase tourism and visitor spend</p> <p>3.2.2 Promote events and activities</p> <p>3.2.3 Actively identify, promote and enhance tourism initiatives</p> <p>3.2.4 Showcase our open space, recreation and cultural facilities</p> <p>3.3 Our community is resilient and adaptive</p> <p>3.3.1 To proactively reduce the risk and limit the impact of disasters associated with natural hazards on our community and economy</p> <p>3.3.2 Coordinated action for Climate Resilient Economic Development</p> <p>3.3.3 Reimagined Care Economy</p>
<b>FINANCIAL IMPLICATION</b>	Low
<b>LEGISLATIVE IMPLICATION</b>	Nil
<b>POLICY IMPLICATION</b>	Nil
<b>ASSET IMPLICATION</b>	Nil
<b>RISK IMPLICATION</b>	Low

### RECOMMENDATION

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

**C17 – Development and Compliance Report**

<b>REPORTING OFFICER</b>	Executive Manager– Planning and Compliance
<b>ATTACHMENTS</b>	Nil

**INTRODUCTION**

Update on the activities of the Planning and Compliance sector over the last reporting period.

**COMMENTARY****DEVELOPMENT ASSESSMENT****Development Applications – 11th September 2025 to 10th October 2025**

The following applications were lodged, approved, or are in process for the above period:

DA 2024-63 - Ramps Ridge Pty Ltd & R.N Harris & S.P Harris - Stock and domestic pipeline to provide secure water access to farm from Ravensworth to Murrumbidgee River – In process (additional information requested)

DA 2025-10 - C.I.D Electrics Pty Ltd – 33 Dunera Way, Hay – Extend office and showroom – Approved process

DA 2025-14 - Badaoui Group Pty Ltd – 164-170 Lachlan St, Hay - Service Station Refurbish – Approved

DA 2025-19 - Charlie Wythes – 413 Murray St, Hay – Two Bay Carport – Approved

DA 2025-27 - Jonty Busch – 321 Moama St, Hay – 12 Storage Sheds – Approved

DA 2025-35 - Shaun Cunningham – 256 West St, Hay – Transportable Dwelling – In process (additional information requested)

DA 2025-37 – Sheaffe Brother Pty Ltd – 577 Lachlan Valley Way, Booligal – Forestry – In process

DA 2025-39 – Paula Knight – 411 Moama St, Hay – Shed – Approved

DA 2025-40 – Jessie Deaton – 471 Cadell St, Hay – Shed and Pergola – Approved

DA 2025-41 – Travis Payne – 464 Church St, Hay – Carport – In process

DA 2025-42 – Heabra – 391 Murray St, Hay – Storage Shed – In process

DA 2025-43 – CID Services Hay – 177 Maude Rd, Hay – Subdivision – In process

DA 2025-45 – Aidan Mullins – 332 Macauley St, Hay – Shed – In process

DA 2025-46 – Chris Garner – 12243 Cobb Hwy, Hay – Shed (in association with mobile food business) – Approved

DA 2025-47 – Mark Garner – 12234 Cobb Hwy, Hay – Shed – Approved

DA 2025-48 – Jock Crighton – 323 Lang St, Hay - Extension of earthworks, retaining wall, boundary fence, shed – In process

DA 2025-49 – Kelly Sloan – 383 Moore St, Hay – Shed – In process

DA 2025-50 – Michael Booth – 353 Macauley St Carport – Approved

**Review of Development Application: 310 Moama Street, Hay South , Lot 2 DP1212081.**

Hay Shire Council has received an application to review the determination of Development Application 2024-67, which was refused on 19th June 2025. Key amendments to the layout include

a new 2.4m high acoustic fence internal to site screening the refuelling areas, 2m high screening fences to the highway frontage, increasing the landscaping and quantity of mature tree screening to the highway frontage. There is also additional supporting material from a lighting consultant to deploy a dimming strategy during potential 'curfew, and 3D renders.

The application is now being notified again and will be re-assessed and brought back to Council in due course.

### **Unauthorised Developments**

There has been an increase in the number of complaints on unauthorised developments. Council have been acting on all these complaints, and this has led to more planning applications. Council is compiling some information to publish on unauthorised developments.

## **RANGER ACTIVITIES**

Below is a summary of ranger activities:

### **Pound:**

- 5 dog/s have been placed in the pound having been picked up by the Ranger, surrendered by their owners or dumped at the pound.
- 2 Dog/s returned to their owners, after fees paid.
- 5 dogs in pound released into the re-homing program

### **Callouts attended**

- Stray animals,
- Illegal Camping,
- Stock,
- Barking Dogs,
- Air Ambulance

### **Abandoned Vehicles: 0**

### **Issued Orders:**

- Order 18: 0
- Nuisance dog order/s: 0
- Dangerous dog order/s: 0
- Menacing dog order/s: 0
- Non-Compliance Orders: 0
- Fines: 0
- Caution Letters: 0

### **Others:**

- 0 dogs destroyed over the month as dangerous.
- 0 injured dog humanely euthanised.
- 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.
- 6 cats Surrendered.

- 5 cats rehomed.
- 0 cats dumped in cage.
- 0 Sick/injured cat euthanised.

## BUILDING AND HEALTH ACTIVITIES:

### Building Asset Inspections:

- 12 Higher risk inspections completed
- 37 other risks completed

### Health Inspections:

- 18-Food Inspection completed
- Advised new operator and inspected his Mobile Van
- Inspected 'out of Town' Mobile Vendor
- Liaising with local Home-based food business

### Aerodrome:

- Manual validation Inspection and Audit completed
- Management Audit and Inspection completed
- Obstacle Limitation Survey, completed and acted upon (tree lopping and removal)
- Mandatory Inspections completed, 2 per week, with night inspections when there are call outs for the air ambulance.

### Other:

- 14 Playground Inspections
- Installed Bird Control Devices
- Splash Park operational including 5 chemical tests per week, weekly microbial tests and daily operational inspections

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<b>Civic Leadership</b> 4.2 Our community is supported by a strong and resilient Council that is responsive to its needs 4.2.1 Provide an advocacy role on behalf of the community 4.2.2 Inform and empower community input into decision making 4.2.3 Our community has access to Council information, services and facilities
<b>FINANCIAL IMPLICATION</b>	Activities undertaken in accordance with adopted Operational Plan.
<b>LEGISLATIVE IMPLICATION</b>	Environmental Planning & Assessment Act 1979 (NSW) Hay Local Environmental Plan 2011 Companion Animals Act 1998 (NSW) and Companion Animals Regulation 2018 (NSW) Impounding Act 1993 (NSW) and Impounding Regulation 2017 (NSW) Prevention of Cruelty to Animals Act 1979 (NSW) (POCTA) and associated Regulations Local Government Act 1993 (NSW)



	Biosecurity Act 2015 (NSW) and associated Regulations Public Spaces (Unattended Property) Act 2021 (NSW) Civil Aviation Act 1988 (Cth) Public Health Act 2010 (NSW) Food Act 2003 (NSW)
<b>POLICY IMPLICATION</b>	Compliance with relevant policies and legislation
<b>ASSET IMPLICATION</b>	Assets maintain and replaced as they fall due.
<b>RISK IMPLICATION</b>	Potentially high risk of litigation, and risks to air safety and public health.

**RECOMMENDATION**

That Council notes the information provided in the report.

**C18 - Major Projects Update**

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	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**

<b>Project</b>	<b>Progress</b>
<b>Hay Park Female &amp; Officials Amenities</b>	• Complete.
<b>Lachlan Street Civic Space Project (Witcombe Place)</b>	• Complete.
<b>Booligal Community Project –</b> New toilet block and installation of Public Art	• Complete.
<b>Maude Community Projects -</b> New toilet block, Re-stumping and re-roofing of hall and installation of Public Art	• Complete.
<b>Upgrade and extension to the Hay Park number 1 oval canteen</b>	• Complete.

**STRONGER COUNTRY COMMUNITY – ROUND 3 PROJECTS – COMPLETION BY END OF 2022**

<b>Water Play</b>	• Complete.
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**DROUGHT PROJECTS ROUND 1 – ALL PROJECTS EXTENDED TO JULY 2021**

<b>Dunera Museum</b>	• Complete.
<b>Hay Gaol</b>	• Complete.
<b>Recalibrate Hay</b>	• Complete.
<b>Water Tower Art</b>	• Complete.
<b>War Memorial Hall Upgrades</b>	• Complete.

**DROUGHT PROJECTS ROUND 2 –ALL PROJECTS EXTENDED TILL JULY 2021**

<b>Pocock Park</b>	• Complete.
<b>No 3 and 4 Oval Toilets</b>	• Complete.
<b>VIC Expansion</b>	• Complete.
<b>Bike Paths</b>	• Complete.
<b>Gaol Toilets Refurbishment</b>	• Complete.
<b>Shire Entrance Signs</b>	• Complete.
<b>Recalibrate Hay Phase 2</b>	• Complete
<b>Adverse Event Plan</b>	• Complete.
<b>Showgrounds</b>	• Complete.

**SHOWGROUNDS STIMILUS FUNDING ROUNDS 1 AND 2 – AND CROWN LANDS GRANT**

<b>Phase 1</b>	• Complete.
<b>Phase 2c</b>	• Complete
<b>Phase 3</b>	• Complete

**STATUS OF OTHER PROJECTS**

<b>Federal Government's 'Local Roads &amp; Community Infrastructure Funding' Phase 1</b>	• Complete
<b>Federal Government's 'Local Roads &amp; Community Infrastructure Funding' Phase 2</b>	• Complete
<b>COAG19(2) Funding</b>	• Complete.
<b>Regional Aerodrome funding (Round 1)</b>	• Complete
<b>NSW Boating Now Round 3</b>	• Complete.
<b>Heavy Vehicle Access Program</b>	• Complete.
<b>Maude Bridge</b>	• Complete.
<b>Community Resilience Grant</b>	• Complete.
<b>Integrated Water Cycle Management Plan (IWCM)</b>	• Complete.
<b>Developer Servicing Plan (DSP)</b>	• Complete.
<b>Scoping Study – Water Treatment Plant</b>	• Complete.

<b>RFS Shed - Booligal</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Streetlighting Upgrade</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Flood Risk Management Grant</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Lachlan Street Civic Space Project (Witcombe Place) – Phase 2</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Fixing Country Roads &amp; Fixing Local Roads</b>	<ul style="list-style-type: none"> <li>• FLR R1 – complete.</li> <li>• FLR R2 - complete.</li> <li>• FLR R3 – complete.</li> </ul>
<b>Bridge Renewal Program (Round 5)</b>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>
<b>Fixing Country Bridges Program</b>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>
<b>NSW Heritage Grants 2021-23</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>NSW Heritage Grants 2025-27</b>	<ul style="list-style-type: none"> <li>• Council has been successful in its application for funding for the next two years. Funding agreement signed.</li> <li>• Next visit by the heritage advisor is scheduled for late October 2025.</li> </ul>
<b>Murray Darling Basin Economic Development Program – Round 3</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>NSW Regional Sports Facility Fund (Round 1)</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Regional Airports Program (Round 2)</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Stronger Country Communities Fund - Round 4</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>2021-22 Crown Reserves Improvement Fund</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Local Roads and Community Infrastructure – Phase 3</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>NSW EPA – FOGO Infrastructure and Collection Grants</b>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>
<b>NSW EPA – Remanufacture NSW Grant Round 2</b>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>
<b>Open Spaces Program – Places to Play</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Recreational Fishing and Camping Program</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Murray Street Entrance Park</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Swimming Pool Refurbishment</b>	<ul style="list-style-type: none"> <li>• The final masterplan adopted by Council.</li> </ul>

	<ul style="list-style-type: none"> <li>The NSW Government has released a new program “Multi-Sport Community Facility Fund” in which the swimming pool replacement fits nicely. Staff to make application for \$3M under this program, with application submitted. Grant application successful. Storage shed to be moved with this funding to “commence” the project in accordance with funding agreement. Works have commenced in moving the storage shed. Discussing with funding body regarding carrying funds to 2023/24 year. Funds not able to be moved beyond 23/24 year. First payment has been made to Council.</li> <li>Major contracts have been let. Detailed design in complete and works are well progressed on site. See separate report to Council.</li> </ul>
<b>Growing Regions Program – Round 2</b>	<ul style="list-style-type: none"> <li>Application successful - \$4.191M. Waiting on funding deeds.</li> <li>Department approval received to commence expenditure while waiting on funding deed. Deed is now fully executed.</li> <li>See separate report to Council.</li> </ul>
<b>Bridges Renewal Program (Round 6)</b>	<ul style="list-style-type: none"> <li>The Federal Government has released the next round of the Bridges Renewal Program, with no apparent closing date.</li> <li>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.</li> <li>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.</li> <li>The mix of funding able to be 80% BRP and 20% Council.</li> <li>Applications successful.</li> <li>Budgee Creek Bridge – Complete.</li> <li>Nimmie Creek Bridge. – Complete</li> <li>Major culverts on MR319 to Sturt Highway- Delivery of culverts completed. Contractor has commenced on site and is progressing well, with 5 culvert systems nearing completion.</li> </ul>
<b>Fixing Local Roads Potholes Program – Rounds 1 and 2.</b>	<ul style="list-style-type: none"> <li>The NSW Government released a \$50M &amp; \$500M programs for funding to repair potholes in each LGA.</li> <li>Round 1 application successful - \$323,242.97– Complete.</li> <li>Round 2 application successful - \$1.716M. Heavy – Complete.</li> <li>Council received a further \$2.4M under the Regional Roads emergency Relief Program. This one has been</li> </ul>

	held over until 24-25 year and Council has three years to spend the monies. Works moved to 25/26 and 26/27 years.
<b>Strategic Business Case Fund</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Fixing Local Roads – R4</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Stronger Country Communities Fund – R5</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Regional Housing Strategic Planning Fund</b>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>
<b>Fixing Country Roads Program</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Saluting Their Service Commemorative Grants Program</b>	<ul style="list-style-type: none"> <li>• Complete</li> </ul>
<b>Integrated Water Cycle Management Plan (IWCM)</b>	<ul style="list-style-type: none"> <li>• Completed.</li> </ul>
<b>Heavy Vehicle Safety &amp; Productivity Program</b>	<ul style="list-style-type: none"> <li>• Cobb Highway intersection into aerodrome - \$1.4M, with 80% (\$1.120M) from HVSP and 20% (\$0.28M) from Council. Application successful.</li> <li>• Start up meeting held with the funding body.</li> <li>• Fully executed funding agreement received and start up meeting held.</li> <li>• Initial design sent to TfNSW for comment/approval. Initial comments received; design being finalised. TfNSW concurrence has been received for the final design. 'For Construction' drawings now finalised and REF completed. Tender for the works to occur on receipt of WAD from TfNSW. Fencing have been completed and watermain protection works to be undertaken shortly.</li> <li>• It is anticipated that main construction works will commence in February 2026.</li> </ul>
<b>Local Government Recovery Grant</b>	<ul style="list-style-type: none"> <li>• Complete. Final acquittal to be undertaken.</li> </ul>
<b>Heavy Vehicle Safety &amp; Productivity Program</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• HVRA application for truck stop in Hay - \$3.389M, with grant funding request of \$2.711M.</li> <li>• Grant successful and funding agreement signed.</li> <li>• Part 5 Environmental Assessment (REF) has been completed.</li> <li>• Design finalised 'For Construction'. Received s138 Approval from TfNSW. Fencing works completed, and services protection works to be undertaken shortly.</li> <li>• See separate report to Council.</li> </ul>

<b>Local Roads Community Infrastructure (LRCI) – Phase 4</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>
<b>Crown Reserves Improvement Fund (CRIF) 23-24</b>	<ul style="list-style-type: none"> <li>• Applications closed 17<sup>th</sup> November and Council submitted two applications:               <ul style="list-style-type: none"> <li>- Swimming Pool Replacement early works package - \$152,128</li> <li>- Maude Hall – Stage 3 refurbishment - \$153,800</li> </ul> </li> <li>• No co-contribution was required by Council.</li> <li>• Council has been successful with both applications and funding agreements signed.</li> <li>• Maude Hall - completed.</li> <li>• Swimming Pool – This will form part of the pool replacement project. Obtaining updated quotes and in discussion with PCG. Quotes obtained and materials to be ordered, with most now delivered. Extension of Time request approved by the funding body.</li> </ul>
<b>Boating Now – Asset Maintenance Program</b>	<ul style="list-style-type: none"> <li>• Complete.</li> </ul>

#### OTHER FUNDING APPLIED FOR AND PENDING

<b>Regional Precinct &amp; Partnerships Program</b>	<ul style="list-style-type: none"> <li>• Significant grant funding for major regional precinct projects. There is no closing date for applications.</li> <li>• Projects can be 100% funded.</li> <li>• Staff looking at opportunities for applications:               <ul style="list-style-type: none"> <li>- Stream 1: Hay Aerodrome – Planning</li> <li>- Stream 2: Hay RREP – Stage 2</li> </ul> </li> <li>• Nil progress to-date.</li> </ul>
<b>Community Energy Upgrades Fund Program (CEUF)</b>	<ul style="list-style-type: none"> <li>• 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"> <li>- make their facilities more energy efficient</li> </ul> </li> </ul>



	<ul style="list-style-type: none"> <li>- lower their greenhouse emissions and energy bills.</li> </ul> <p>Council unsuccessful with Round 1 application. Round 2 is now open and staff seeking feedback on Round 1 application to reapply for the same project and to also include solar/battery for the Leonard Street pump station as our largest energy use site.</p> <p>Application submitted – total project of \$154,000</p>
<b>Regional Economic Development &amp; Community Infrastructure Program</b>	<ul style="list-style-type: none"> <li>• Council resolved at the January 2025 meeting to submit an application for the full roll out of digital meters to the town water supply network.</li> <li>• Council resolved to a 25% cash co-contribution.</li> <li>• Application submitted. Total project cost was \$1,999,444.</li> </ul>
<b>Floodplain Management Program 2024/25</b>	<ul style="list-style-type: none"> <li>• Staff are working on application as reported to the March meeting for: <ul style="list-style-type: none"> <li>- North and South Hay Levee Upgrade Feasibility Study - The total cost is \$160K (ex GST) which requires a Council contribution of \$22,857; and</li> <li>- Hay and Maude Flood Warning System Review - The total cost is \$110K (ex GST) which requires a Council contribution of \$15,714.</li> </ul> </li> </ul> <p>Applications close 28<sup>th</sup> May 2025. Application has been submitted.</p>
<b>Saluting Their Service – War Memorials Grant</b>	<ul style="list-style-type: none"> <li>• Application submitted for interpretative displays and memorial works at the Showground, as per draft Master Plan.</li> <li>• Total project cost \$20,000.</li> </ul>

**Other projects** that are in the project formulation phase or that staff are looking for funding include:

<b>Project</b>	<b>Shovel Ready</b>	<b>Estimated Cost</b>	<b>Comment</b>
Stage 2 – John Houston Memorial Swimming Pool – All-inclusive playground	Yes	\$948,849	Been unsuccessful with grant applications to-date.
Lions Park upgrade	Yes	\$750,000	Create interactive and high visitor experience, tying into Hay's history
Halse Park upgrade	No	\$50,000	Low priority
Dal Wright Park	Yes	\$100,000	<ul style="list-style-type: none"> <li>• The concept of redevelopment of the park was a result of the Murrumbidgee River Master Plan,</li> </ul>

			<p>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.”</p> <ul style="list-style-type: none"> <li>The proposed park reflects the natural areas in the LGA, with suitable artworks, seating and viewing platforms.</li> </ul>
Gaol frontage and surrounds – landscaping and heritage walking trail	Yes	\$252,000	Includes gravel footpaths, landscaping, irrigation, signage, disabled access, another exhibition shed.
Refurbishment of Hay Grandstand	Yes	\$80,000	Received Heritage Advice, will need to go on quote to get estimate
Refurbishment of Hay Park Water Tower	No		Received Heritage Advice, will need to go on quote to get estimate
Administration Building – Council Chambers and EOC refurbishment	Yes	\$350,000 (excluding IT)	High priority and could attract EOC funding for the IT component
Lachlan Street Upgrade	Yes	\$3M	Upgrade of Lachlan Streetscape as determined in the Lachlan Street Masterplan.
Marking of un-marked graves at Hay Cemetery.	No	\$450,000	The Marking of the un-marked graves, including Servicemen at the Hay Cemetery.
Community Building	No	\$1M	The community building is in need of a facelift. As part of the Youth Funding, the building upgrade is currently being designed and consulted.
Museums	Yes	Unlimited	The museums will need continued expenditure to keep up with required maintenance and renewal.
Hay War Memorial Hall	Yes	\$200,000 (phase 3&4) \$150,000 (phase 5)	Phases 3&4 of the refurbishment of the Hall including supper room, storage areas and stage area. Phase 5 – stage area including sound, lighting & curtains.
Refurbishment of RSL/CWA Room – Kay Hull Centre	No	\$250,000	Draft design plans completed. Currently in consultation with user groups.

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<p><b>Social</b></p> <p>1.2 Recreational, Civic Spaces, and Infrastructure that meet community needs</p> <p>1.2.1 Enhance public recreation areas and facilities</p> <p>1.2.2 Placemaking with purpose</p> <p>1.2.3 Deliver infrastructure that are responsive to the community's needs</p> <p>1.2.4 Create a safe, inclusive, and resilient community where all members feel secure, supported, and empowered to thrive</p> <p>1.5 Our community is inclusive and sustainable</p> <p>1.5.1 Residents of all abilities and cultures have access to public facilities</p> <p>1.5.5 Facilitate access public spaces for cultural and community events</p> <p>1.5.6 Support cultural programs and initiatives, including First Nations</p> <p><b>Environmental</b></p> <p>2.3 Celebrate and Promote our unique natural environment</p> <p>2.2.2 Support local community groups, first nations groups, and other agencies working with the natural environment</p> <p>2.4 Enhance the built environment</p> <p>2.4.1 Maintain and beautify urban areas.</p> <p>2.4.2 Support and promote public art initiatives</p> <p>2.4.3 Provision of sustainable infrastructure that is adaptive to changing needs, suitability, betterment and funding levels.</p> <p>2.5 Our community is inclusive and sustainable</p> <p>2.5.1 People of all abilities have access to natural environments, cycleways and passive areas.</p> <p>2.5.2 Support cultural environmental initiatives</p> <p>2.5.3 Advocate for water security and practices</p> <p>2.5.4 Develop and implement a sustainable waste management strategy</p> <p>2.5.5 Facilitate and support sustainable practices across our community</p> <p><b>Economic</b></p> <p>3.2 Our community values its history and tourism</p> <p>3.2.4 Showcase our open space, recreation and cultural facilities</p> <p><b>Civic Leadership</b></p> <p>4.2 Our community is supported by a strong and resilient Council that is responsive to its needs</p> <p>4.2.2 Inform and empower community input into decision making</p> <p>4.2.3 Our community has access to Council information, services and facilities</p>
<b>FINANCIAL IMPLICATION</b>	<p>Minimal. Some grant programs require co-contribution, which would be funded through current budget or other grant funded programs.</p>
<b>LEGISLATIVE IMPLICATION</b>	<p>Nil</p>

<b>POLICY IMPLICATION</b>	Nil
<b>ASSET IMPLICATION</b>	Any new assets must be operated and maintained by Council into the future.
<b>RISK IMPLICATION</b>	Minimal.

**RECOMMENDATION**

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

## C19 - John Houston Memorial Swimming Pool Replacement Project

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	Nil

### INTRODUCTION

An update on the John Houston Memorial Swimming Pool Replacement Project. The swimming pool is now closed for the 2024/2025 season and construction works have commenced.

### COMMENTARY

Noting the predicted decline of the complex Council undertook community codesign process in 2020/21 to develop the JHMS Pool Masterplan. The Masterplan outlines a full refurbishment of the complex to create community focused infrastructure with a regional focus. There was overwhelming community support for the plan, and it was adopted by Council in 2021.

The JHMS Pool replacement project is a fully scoped and planned replacement of three swimming pools that will deliver a regional aquatic precinct located in Hay in southwestern NSW. The \$7.9 million project constitutes Phase 4 of the 2021 JHMS Pool Masterplan. The proposed project compliments the recently completed amenities block (Phase 3, 2023) and the adjacent Hay Splash Park (Phase 1, 2022). Phase 2 and 5 of the Masterplan are not yet commenced and are out of scope for this project.

The objective of the project is to ensure the community of Hay has access to a public swimming facility through the development of a new energy efficient pool complex. This will ensure that the JHMS Pool complex continues to be a major social hub and a regional facility.

The project includes 3 x new pools, filtration equipment, solar heating, renewable energy supply, recreational facilities and landscaping.

The outcomes of the project include:

- Provision of a high-quality accessible community focused infrastructure that improves social inclusion and community cohesion for all.
- A fit for purpose aquatic precinct that enhances the amenity and liveability of Hay, with corresponding health outcomes.
- A facility that is compliant to latest Standards and guidelines, particularly around inclusion, access, gender equity, First Nations and energy efficiency
- Increased economic activity through the provision of a regional visitor economy attraction.

Council at its meeting 26th November 2024 resolved to award a design and construct contract to ELM Aquatics to undertake the replacement of the John Houston Memorial Swimming Pools. The Hay community will be able to enjoy brand new, state of the art, swimming pools for the 2025-26 swimming season.

Works have commenced on site early March and plan is to be completed by early December 2025, weather permitting. This will mean the community will have shorter pool opening season next year.

Council was advised at the December 2024 Ordinary meeting that the Contractor has commenced design works as required, including investigating heating options for the pools.

The proposed timeline of the project is as follows:

Milestone	Start	Finish
Commence Project	16/09/2024	
Tender Documentation	16/09/2024	20/09/2024
Tendering	23/09/2024	22/11/2024
Award Contracts	25/11/2024	6/12/2024
Pools Detailed Design	9/12/2024	28/03/2025
Pool Closes – End of Season		2/03/2025
Construction Early Works	10/03/2025	16/05/2025
Construction	19/05/2025	5/12/2025
Pool Opens – Start of Season	5/12/2025	
Project Completion	6/12/2025	20/12/2025

At the December 2024 Ordinary Council meeting resolved to support the use of the community raised funds (\$320,397) for the purpose of heating the new pools; as well as form the PCG as follows:

NAME	TITLE
David Webb	HSC – General Manager
Jack Terblanche	HSC – Exec Manager Planning & Compliance
Greg Stewart	HSC – Exec Manager Engineering & Operations
Ali McLean (Alternate to GM)	HSC – Exec Manager Economic Development & Tourism
Cr Carol Oataway	Mayor
Cr Martyn Quinn	Deputy Mayor
Cr John Perry	Councillor
Mark McLean	ELM Aquatics – Pool Construction Contractor
Serena Wall	Community & Swimming Club Representative
Sarah Houston	Houston Family Representative
Ray Woods	First Nations Representative

Since the December 2024 Ordinary meeting, Council has been successful with its Growing Regions Program (GRP) grant application of \$4,191,173. This now means that Council does not to draw down on the loan with TCORP and the pool can be replaced debt free. Council's cash contribution towards the project is \$100,000. TCORP has since advised that it has cancelled the loan on learning we did not require the funding.

The project budget, following the success of the GRP grant application, is \$8,099,275 (including the community raised funds)

The project still has some risks that Council should be aware:

- A second power supply for the site is required to run the pool heating system and filtration shed. As this requires dealing and gaining approval from Essential Energy (EE) there is a risk this may take longer than planned.
- Asbestos removal – this is now complete, and the risk is mitigated.
- Unsuitable ground under the old pools – this is now known, and the risk is mitigated.
- Project construction timelines proposed by the contractor has the pool open to the public early December 2025, weather permitting. This has now been reviewed with an anticipated completion of mid-December 2025.

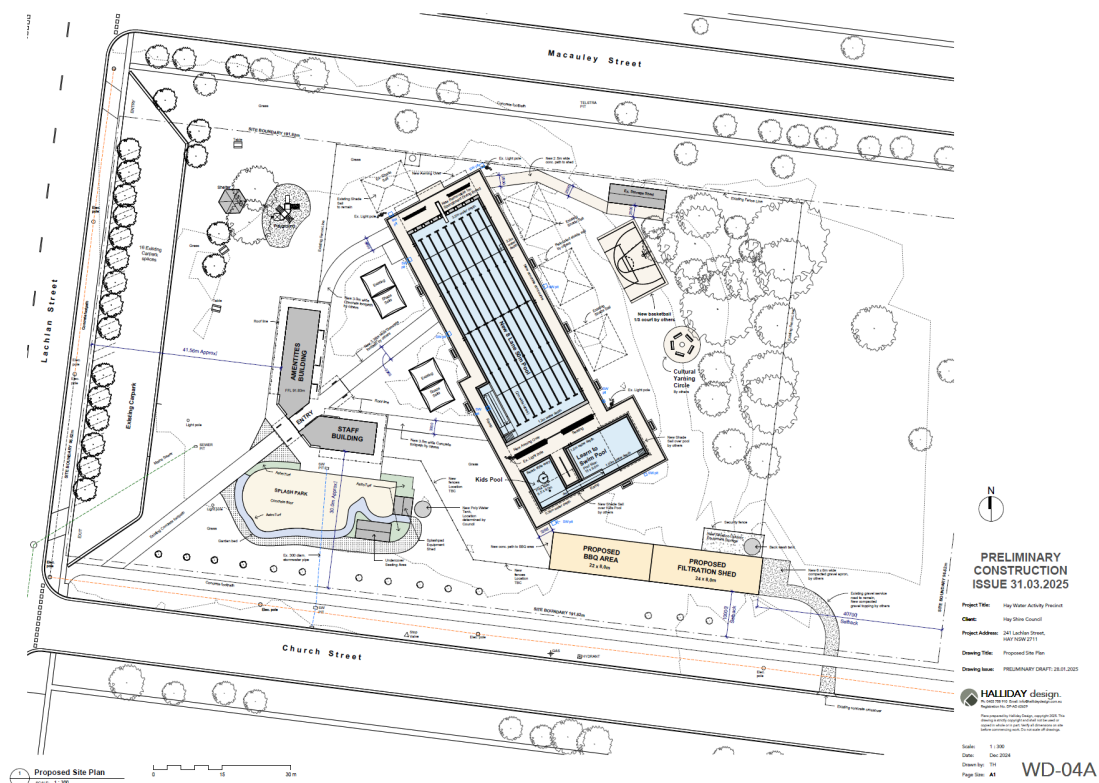
To accommodate the installation of a heating system for the pool(s) the roof area of the plant room shed will be required for the evacuated tubes. The plant room shed will require to be shade free to have an effective heating system.

At the January 2025 Extra Ordinary meeting, Council resolved to:

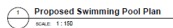
- (a) Note the information provided in the report and actions being undertaking;
- (b) Endorse the removal of the four trees and planting of ten new trees on site; and
- (c) A further report is brought to Council once the design of the heating system is completed.

The first of the PCG meetings was held on Thursday 6<sup>th</sup> February 2025. Mr Ray Woods has come onto the PCG as the local First Nations representative. The eighth PCG meeting was held on the Thursday 2<sup>nd</sup> October 2025. The next PCG meeting is scheduled for 6<sup>th</sup> November 2025.

Detailed design of the pools is now fully completed.

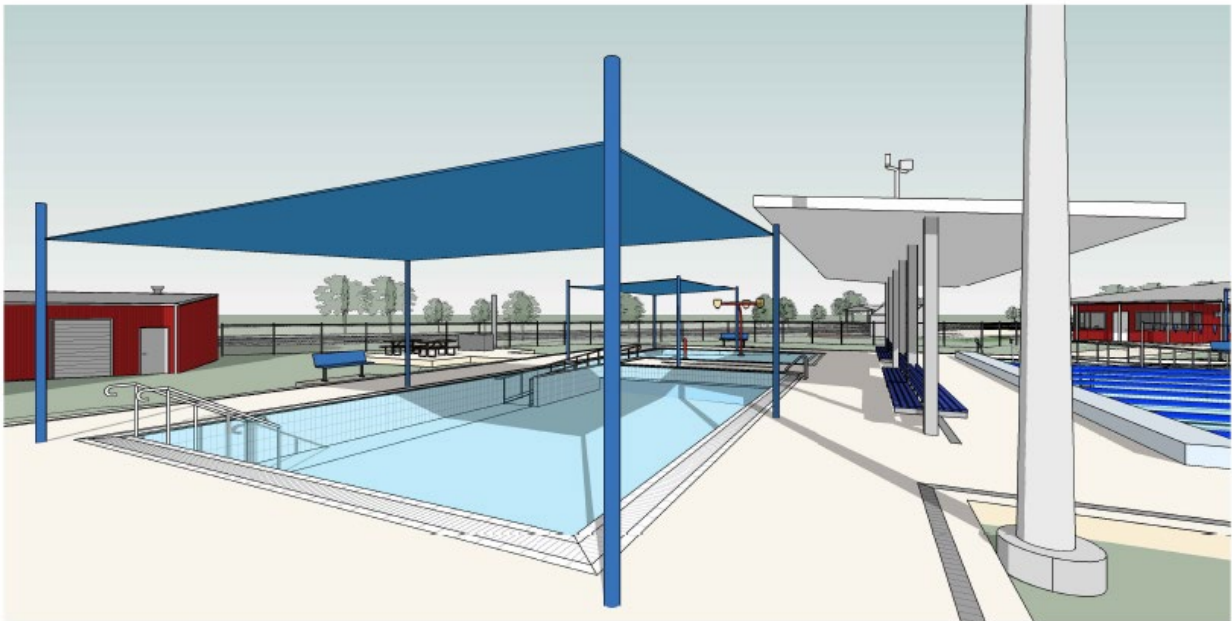




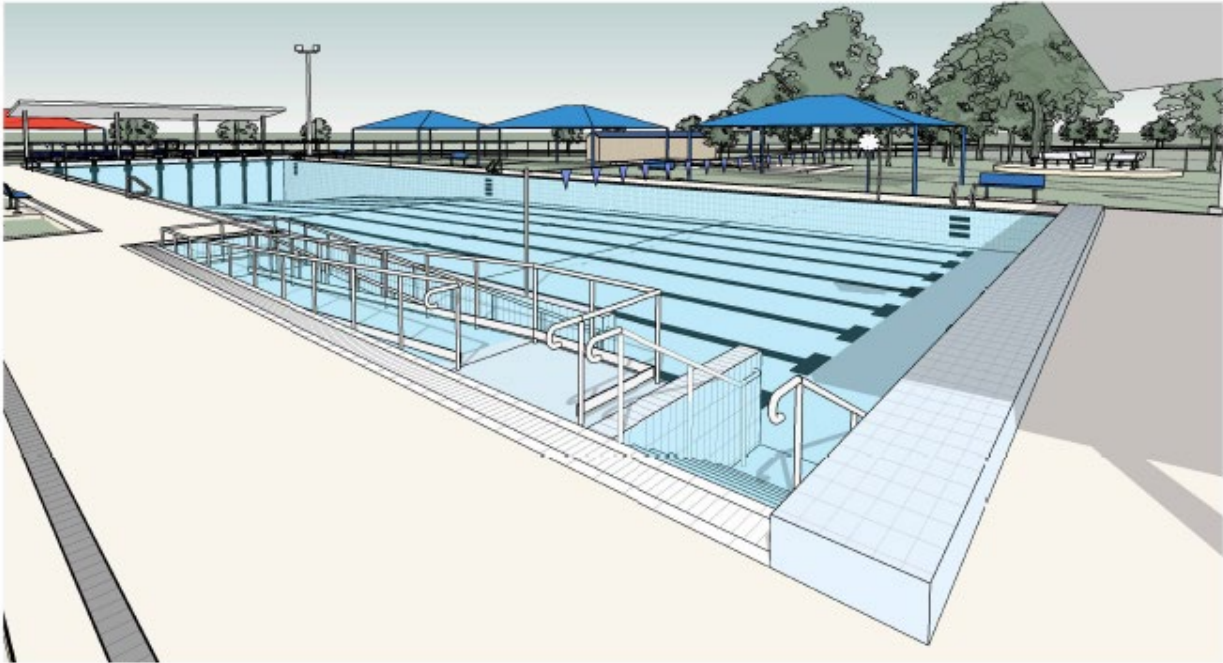




PROPOSED 3D VIEW - KIDS POOL & LTS

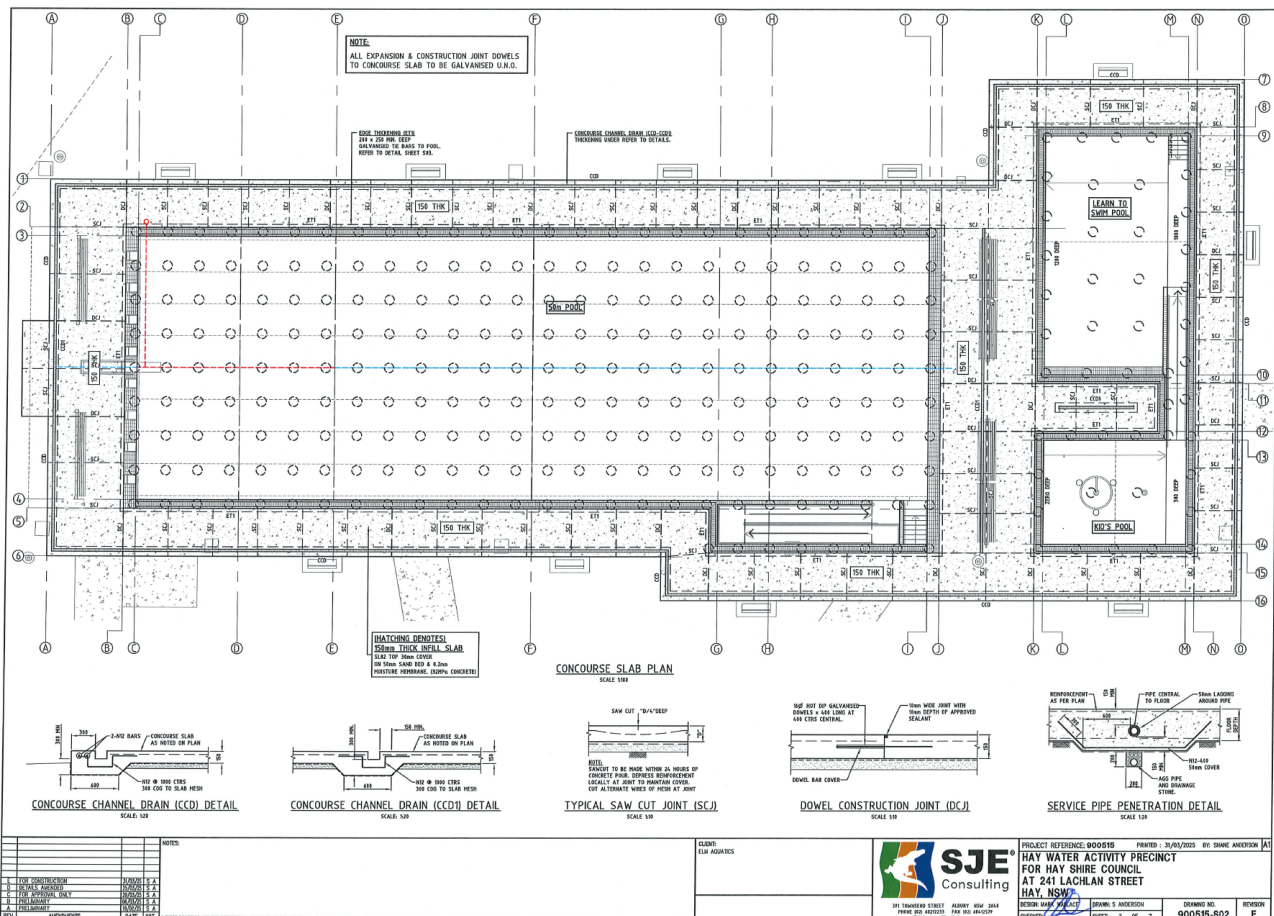


PROPOSED 3D VIEW - KIDS POOL & LTS

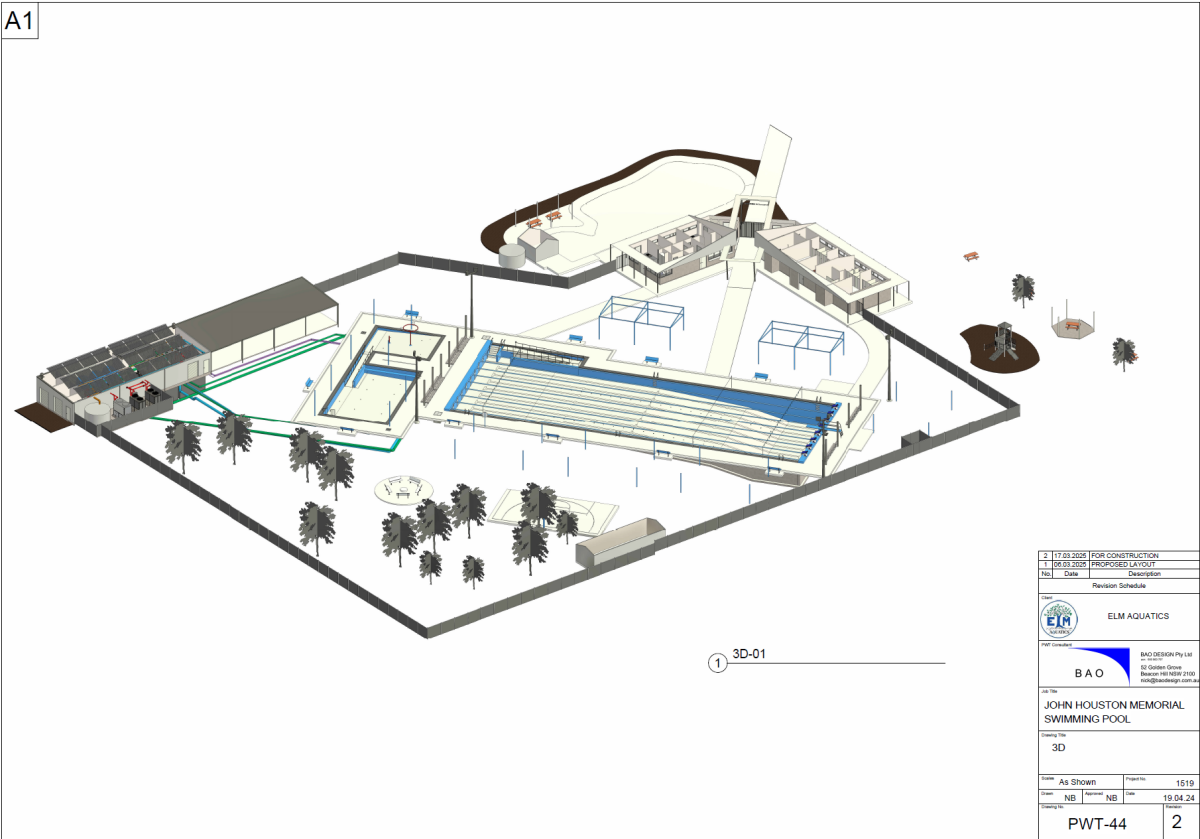




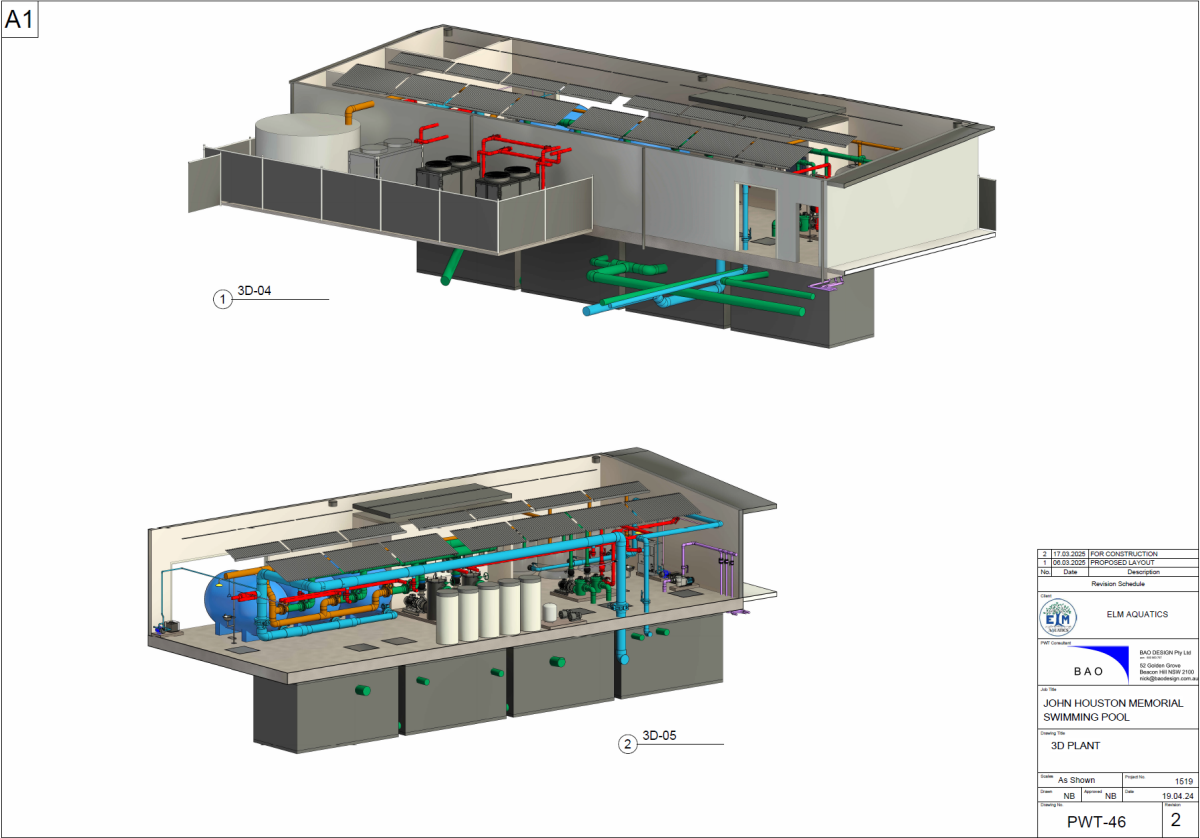
## HAY SHIRE COUNCIL



A1



A1



A pool heating specialist consultant has prepared calculations for heating of the LTS and 50m pools, with the system now designed and costed. The attached design heating calculations show for a 6-month season (October to April); 30 degrees for the LTS pool and 27 degrees for the 50m pool can be achieved.

A system of evacuated tubes and heat pumps is proposed as this provides the best heating over the 6-month season:

- Evacuated tube pool heating is a type of solar pool heating system that uses evacuated tubes to heat the pool water. The system circulates the pool water through the solar collector tubes, and the heat is then sent directly to the swimming pool, with no heat exchanger required. The evacuated tube comprises of a smaller glass tube suspended within a larger glass tube, and the air is then pumped out of the space between the small inner tube and the larger outer tube creating a vacuum thermal insulation layer.
- A pool heat pump is a simple and energy-efficient way to keep pool water warm all year round. Unlike a gas or electric pool heater, it doesn't actually generate heat. Instead, it pulls warmth from the air outside and uses it to heat your pool water. When your heat pump is on, a fan draws warm air into the heat pump's evaporator coil. The air heats up the liquid refrigerant inside, turning it into a gas. The gas then passes through a compressor that heats it further. Once it reaches a certain temperature, it moves into the heat exchanger (a tube within a tube) and heats up the pool water. When this is done, the water returns to the pool and the gas goes back to liquid form and starts the process all over again.

A solar and battery system has been designed to reduce energy consumption and operating costs for Council, based on the design loads. A separate system is proposed for the amenities building/splash park and the filtration shed/pool heating. This has now been finalised and ordered.

To accommodate the solar panels the filtration shed is required to be extended (almost doubling in length) which will create additional undercover area for BBQ, picnic settings and a social gathering space. Additionally, an outside area/enclosure for the heat pumps and backwash water tank. Furthermore, the filtration shed, due to the heat generated by the heating system and pumps, requires a cool room for the electrical equipment.

These additional works have all now been ordered.

Following the March 2025 Council meeting, the pool AI Safety System has ordered, as well as the new shade sails, furniture and ½ basketball court.

Following initial feedback from Essential Energy (EE), the design of the secondary power source resulted in additional works and the undergrounding of the mains supply, which was an unplanned additional cost. This has been ordered and costed into the project budget. The final detailed design has been submitted to EE for approval. Following a delay, EEE has now approved the detailed design. As discussed at the August 2025 meeting, Council has purchased a second large generator for a Plan B in the event the new power supply is further delayed. The new generator has been delivered. The date for outage works has now been set for 6<sup>th</sup> November 2025. New mains have been installed in readiness for the outage.

Royal Life Saving has developed a final signage layout plan for the site.

Allowing for major elements the current project budget is as follows:

- Total Budget: \$8,099,275
- Allocated expenditure: \$8,064,008
- Unallocated/contingency: \$35,267 (0.44%)



There are no outstanding larger unknown components cost for the project.

Works are progressing well on site. The structure to the 50m pool is complete, with waterproofing and tiling well progressed. The Learn to Swim (LTS) and toddler's pools structure is complete and being prepared for waterproofing and tiling. The filtration shed erection is 90% complete, along with in ground plumbing and electrical works nearing completion. Concourse works have been completed.

Project planning of the finishing activities such as miscellaneous electrical, plumbing, shade sails, irrigation and landscaping, fencing and site security is complete, with orders placed, with the majority of the works well progressed.



Photo Taken: 16<sup>th</sup> October 2025

The project remains on budget and on time to the revised schedule. The project is now due for completion mid-December 2025. A grand opening date of Friday 19<sup>th</sup> December 2025 has been set.

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<p><b>Social</b></p> <p>1.2 Recreational, Civic Spaces, and Infrastructure that meet community needs</p> <p>1.2.1 Enhance public recreation areas and facilities</p> <p>1.2.2 Placemaking with purpose</p> <p>1.2.3 Deliver infrastructure that are responsive to the community's needs</p> <p><b>Environmental</b></p> <p>2.4 Enhance the built environment</p> <p>2.4.1 Maintain and beautify urban areas.</p> <p>2.4.2 Support and promote public art initiatives</p>
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	<p>2.4.3 Provision of sustainable infrastructure that is adaptive to changing needs, suitability, betterment and funding levels.</p> <p><b>Economic</b></p> <p>3.2 Our community values its history and tourism</p> <p>3.2.1 Increase tourism and visitor spend</p> <p>3.2.4 Showcase our open space, recreation and cultural facilities</p> <p><b>Civic Leadership</b></p> <p>4.2 Our community is supported by a strong and resilient Council that is responsive to its needs</p> <p>4.2.2 Inform and empower community input into decision making</p> <p>4.2.3 Our community has access to Council information, services and facilities</p>
<b>FINANCIAL IMPLICATION</b>	<ul style="list-style-type: none"> <li>- Significant – project budget is \$8.1M</li> <li>- Council has secured \$2.99 million in funding from the State Government</li> <li>- Council has secured \$4.191 million in funding from the Federal Government</li> </ul> <p>Community raised funds for a heated swimming pool in Hay - \$320,397</p>
<b>LEGISLATIVE IMPLICATION</b>	Local Government Act 1993
<b>POLICY IMPLICATION</b>	Asset Management Strategy and Policy
<b>ASSET IMPLICATION</b>	Major – the swimming pools are at the end of their useful life
<b>RISK IMPLICATION</b>	Major – Financial and Reputational

## RECOMMENDATION

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

**C20 – Operations Monthly Update Report**

<b>REPORTING OFFICER</b>	Executive Manager Engineering & Operations
<b>ATTACHMENTS</b>	Nil

**INTRODUCTION**

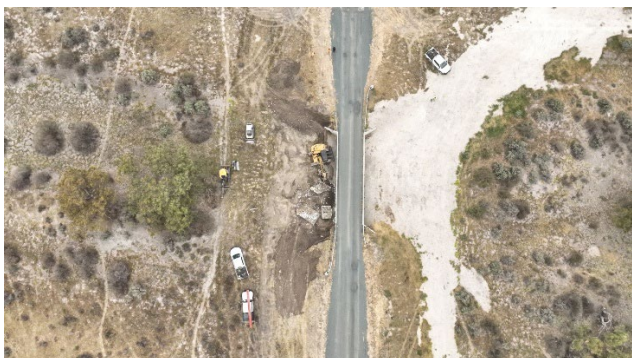
This report is an operations progress update.

**COMMENTARY**

This report outlines the operational activities of the Engineering and Operations sector over the last reporting period.

**Roads**

- Monthly road hazard inspections.
- Maintenance grading Mutherumbung Road.
- Road approach works to the first 4 major culverts on MR319 culvert widening project.
- Shoulder grading MR319
- MR319 Culverts replacements.
- Heavy patching on MR319 at Budgee Creek Bridge.











### Upcoming Roadworks

- Alma Road maintenance grading

### Plant Purchases

- Hydro Vac



Hydro Vac induction



### **Plant Disposal**

- Nil

### **Major Plant repairs/breakdowns**

- Nil

### **Aerodrome**

- Weekly inspections.
- Grounds maintenance.
- Hazard reduction slashing.
- Heavy vehicle access fencing installed.



### **Parks and Gardens**

- Regular mowing and whipper snipping of all parks.
- Bishop's Lodge Garden maintenance
- Tree planting and maintenance
- Lachlan Street maintenance including leaf removal.
- Gutter cleaning
- Cemetery Maintenance
- Regular mowing on sports ovals
- Irrigation maintenance
- Hay Glow event preparation











## Pool

- Outside ground maintenance.
- New pool construction continuing.
- Of the fifteen trees in the pool carpark, ten are dead and the other five are in decline and nearing end of life. The tree species, Claret Ash have endured hardship for years as they require a significant amount of water to flourish and were planted in the sealed section of carpark. Staff recommend replacement of these trees.
- The trees on the Macauley Street Nature strip are also an avenue of trees surrounding the pool perimeter that are nearing end of life and again, staff recommend replacing.











First Concourse Pour

### **Cemetery**

- Maintenance of the Lawn and traditional cemeteries.
- Grave digging lawn and general cemetery.

### **Waste**

- Normal operating duties at Hay Waster Transfer Station.
- Operating the Material Recycling Facility
- Transfer of waste from Waste Transfer Station site to tip site.
- Pressing cardboard and plastic.
- FOGO processing



### Town Construction

- Town Streets pothole maintenance.
- Road shoulder repairs
- Local sealed road pothole repairs
- Assisting the Water and Sewer Department.
- Tip maintenance.
- Grave digging.
- Installation of plaques in the Hay Lawn Cemetery.
- Rural signs maintenance.
- Extension of the septic line at the Booligal Rec Reserve
- Council carpark EV line marking completion.
- Hazard Reduction
- Maude traffic calming device and no parking signage.
- Heavy patching in Ashcroft's Lane



Booligal Rec Reserve Septic rubble drain being installed



Council carpark EV line marking completion.





### Utilities

- Various water meter replacements.
- Water Treatment Plant daily operations and maintenance.
- Sewer Treatment Plant daily operations and maintenance.
- Various water leak repairs.
- Stormwater pit maintenance.
- Various fire hydrant replacements.
- Fire hydrant flushing.





Change SV and non-return valves at No 2 Pump Murray St pumping station











## Staff Training

- Manual Handling – Multi- Skeletal Injuries

<p><b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b></p>	<p><b>Social</b></p> <p>1.2 Recreational, Civic Spaces, and Infrastructure that meet community needs</p> <p>1.2.1 Enhance public recreation areas and facilities</p> <p>1.2.2 Placemaking with purpose</p> <p>1.2.3 Deliver infrastructure that are responsive to the community's needs</p> <p>1.5 Our community is inclusive and sustainable</p> <p>1.5.5 Facilitate access public spaces for cultural and community events</p> <p><b>Environmental</b></p> <p>2.1 Council is resilient and adaptive</p> <p>2.1.1 Council considers climate change resilience in our services, and the maintenance and management of our buildings, public spaces and infrastructure.</p> <p>2.1.2 Foster sustainable energy solutions and practices to reduce Council's footprint.</p> <p>2.4 Enhance the built environment</p> <p>2.4.1 Maintain and beautify urban areas.</p> <p>2.4.3 Provision of sustainable infrastructure that is adaptive to changing needs, suitability, betterment and funding levels.</p> <p>2.5 Our community is inclusive and sustainable</p> <p>2.5.1 People of all abilities have access to natural environments, cycleways and passive areas.</p> <p>2.5.4 Develop and implement a sustainable waste management strategy</p> <p><b>Economic</b></p>
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	3.2 Our community values its history and tourism 3.2.4 Showcase our open space, recreation and cultural facilities <b>Civic Leadership</b> 4.1 Our Council leads by example 4.1.1 Implement and promote best practice governance 4.1.2 Monitor and evaluate Council's strategic planning documents 4.1.3 Be environmentally responsible in decision making 4.1.4 Council will seek to continuously improve
<b>FINANCIAL IMPLICATION</b>	Works undertaken in accordance with adopted Operational Plan.
<b>LEGISLATIVE IMPLICATION</b>	Nil
<b>POLICY IMPLICATION</b>	Nil
<b>ASSET IMPLICATION</b>	Assets maintain and replaced as they fall due.
<b>RISK IMPLICATION</b>	Minimal

**RECOMMENDATION**

That Council:

- a) Notes the information provided in the report; and
- b) Removes of the dead and declining trees on the Lachlan and Macauley Street frontages to the pool precinct and replaces with suitable species and irrigation.

## **MINUTES INDEX**

- Hay Showground Management Committee
- Hay LEMC
- Hay Audit Risk and Improvement Committee

# HAY SHOWGROUND MANAGEMENT COMMITTEE

## General Meeting Minutes

**Meeting Date and Time:** 15<sup>th</sup> September 2025      **Meeting Opened:** 6.00pm

**Meeting Location:** Council Chambers      **Meeting Chair:** David Webb

**Attendance:**

<b>Secretary/BNS</b>	Serena Wall
<b>Treasurer/Canassist</b>	
<b>Hay Gun Club</b>	Jason Wall
<b>Hay Jockey Club</b>	
<b>Hay Rodeo</b>	Alex Curtis
<b>Hay Show Society</b>	Jill Chapman
<b>Hay Sheep Show</b>	
<b>Ground Supervisor</b>	
<b>Council</b>	David Webb
<b>Caretaker</b>	
<b>Visitors</b>	Lionel Garner

	Agenda Items	Proposed Motions
1	<b>INTRODUCTION / WELCOME</b> 1.1 Attendance & Apologies	<b>1.1</b> Attendance noted & apologies accepted  <b>Apologies:</b> Mike Cannon, Jane Griffiths
2	<b>CONSENT AGENDA – FOR DECISION</b> 2.1 Approval of Previous Minutes 2.2 Business Arising previous minutes 2.3 Correspondence 2.4 Financial Report	<b>2.1 Motion:</b> <i>That the minutes from the meeting held 18<sup>th</sup> August 2025, are a true and correct record of that meeting.</i> <b>Moved J Chapman      Second B Nisbet</b>  <b>2.2 Business Arising</b> <ul style="list-style-type: none"> <li>• Increase has been made to the transfer limit on the bank account</li> <li>• Pavilion painting finished - looks great</li> <li>• Russell Turner demolition of the stall barrier shed completed</li> <li>• Master Plan adopted through Council</li> <li>• Pony club rooms for caretaker cottage – no action on this as of yet</li> <li>• Work on grandstand at western end has been completed</li> <li>• Camping sign still missing from front entrance – audit required of all signs in the grounds.</li> </ul> <b>2.3 Correspondence</b> <b>In</b>  Antonakas Home Hardware \$210.25  <b>Out</b>  <b>2.4 Financial Report</b> Prepared by Jane <b>Moved B Nisbet      Second J Wall</b>

SGMC 18<sup>th</sup> August 2025

# HAY SHOWGROUND MANAGEMENT COMMITTEE

## General Meeting Minutes

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		<p>Invoices to pay;  Dwyer Electrical - \$327.25  Hay Shire Council  Tree removal - \$21,500.00  Electrical &amp; Gas (July Account)- \$7,240.32  Toilet Paper (July) - \$ 116.59  <b>Approval for accounts to be paid.</b>  <b>Moved B Nisbet Second J Wall</b></p>
3	<p><b>MATTERS FOR DISCUSSION</b></p> <p><b>3.1</b> Agistment of sheep  <b>3.2</b> Kevin grease gun/Workshop  <b>3.3</b> Power Points near pavilion  <b>3.4</b> Signage for events  <b>3.5</b> WHS Issue Path Near Office  <b>3.6</b> Power supply at main entry</p>	<p><b>3.1 Agistment of Sheep/Lease paddock opportunity</b>  Raised the potential for not releasing the Rye Lane block and using this paddock as the agistment area. Currently leased at a rate of \$200 per year we have potential to generate revenue through agistment fees and will address the reoccurring issue of no sheep agistment on the grounds during peak sheep sale period.</p> <p>Raised that we need to issue a notice for EOI for lease for 2026.</p> <p><b>3.2 Lawn Mower Maintenance – Approval to purchase Grease Gun</b>  Issue was raised of Kevin going to the Council Depot workshop and wondering around without supervision. Poses some safety concerns with the pits and general work area. It has been requested that the SGMC purchase a grease gun and cartridges for Kevin to do his own maintenance.  Motion: Purchase a grease gun and cartridges from AutoGo.  Moved J Wall Second B Nisbet</p> <p><b>3.3 Request for Power Points – Pavilion end of showground</b>  Requested that power points be installed near the eastern end of the pavilion for the convenience of horse owner campers. Proposed location is not suitable for the power points. Therefore, the request was resolved, and it was decided that a review of the area will be necessary at a later date to identify an appropriate and safe placement for the electrical outlets.</p> <p><b>3.4 Signage Requirements</b>  Better signage during events is needed, dealt with situation during the Show, involving an aggressive traveller who was informed that the grounds were closed to camping. Need to do an audit for signs across the Grounds. Advisory signs ground usage, plans and for events, clear and visible signage for directing users, Speed signs also need to be installed around the grounds.</p> <p><b>3.5 WHS Issue near Show Office</b>  The narrow footpath outside the Show Office, adjacent to the ramp, is presenting a trip hazard and will need some attention. Could potentially paint it in the interim.</p>

# HAY SHOWGROUND MANAGEMENT COMMITTEE

## General Meeting Minutes

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		<p><b>3.6 Requested power points be installed at main entry</b> Ticket shed at front gate – power or lighting. Square charging etc. Will further investigate if this possible.</p> <p><b>3.7 Caretaker Roles &amp; Plan for the future</b> Just keeping on the table, the role of the caretaker and the future of the showground and caretaker.</p> <p><b>3.8 No access to Pavillion or Kiosk for general camping.</b> Should limit the camper access to the kiosk and pavilion. Resolved that no access to the kiosk and pavilion at all. Will draft a plan to for camp areas and will also discuss with Kevin.</p> <p><b>3.9 Repairs to roads on showground</b> Road base on walkways – not so good on footing. Patch near the poultry shed – had water pooling prior to the show and to eliminate the water was the best option.</p>
4	<p><b>OTHER GENERAL BUSINESS</b></p> <p>4.1 Secretary</p> <p>4.2 Hay Show</p> <p>4.3 Rodeo Club</p> <p>4.4 Hay Jockey Club</p> <p>4.5 BNS</p> <p>4.6 Ground Supervisor</p> <p>4.7 CanAssist</p> <p>4.8 Sheep Show</p> <p>4.9 Hay Gun Club</p> <p>4.10 Council</p> <p>4.11 Caretaker</p>	<p><b>4.1 Secretary</b> Do we have or can we plan where the water and power lines are around the showground. This would eliminate the issues previously had when user groups need to drive pegs or stakes. David will follow up and see if Council has anything plans on file.</p> <p><b>4.2 Hay Show Society</b> Successful show, perfect weather. Down on market stalls, wood cutting was great. 31 horses been a while since that many. Pavillion entries down but still good. Good support from the high school. Best side show alley we have had in years. Thank to Hay Shire Council for all your support for the Show.</p> <p>Speed that Kevin drives at needs to be addressed – will look at speed signage and will discuss with Kevin. Particularly during events.</p> <p><b>4.3 Hay Rodeo Club</b> Quote for the safety rail around the top of the arena is still in the works and should be presented shortly.</p> <p><b>4.4 Hay Jockey Club</b> Running rails are due to commence installation next week, pending the contractor. Track will be closed during the work and fenced the track off. Can make an access way across the track for entry to the rodeo area etc. All waste will be taken to the tip.</p> <p>Jockey Club would like to know if any warning signage or other safety equipment is required and expect work to be ongoing for</p>

# HAY SHOWGROUND MANAGEMENT COMMITTEE

## General Meeting Minutes

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		<p>about a month, which will include erection of new posts and running rails. Current signage is appropriate</p> <p><b>4.5 Hay BNS Committee</b> Nil</p> <p><b>4.6 Ground Manager</b> Ground Manager – Barry Nisbet tendered his resignation. We extended our sincerest gratitude to Barry for his many years of hard work and contribution to the Showground Management Committee. The Ground Manager position is open and will look to fill this position in the coming months.</p> <p><b>4.7 CanAssist</b> Nil</p> <p><b>4.8 Hay Sheep Show</b> Nil</p> <p><b>4.9 Hay Gun Club</b> Shoot at the end of the month, no other issues.</p> <p><b>4.10 Hay Shire Council</b> Discussed previously</p> <p><b>4.11 Caretaker</b> Nil</p>
5	<b>MEETING FINALISATION</b> 5.1 Next meeting: 6pm	<b>5.1 20<sup>th</sup> October 2025</b> , 6pm at Council Chambers

**Meeting Closed: 6.50pm**



**MINUTES OF THE HAY SHIRE COUNCIL LOCAL EMERGENCY MANAGEMENT COMMITTEE**  
**MEETING HELD ON WEDNESDAY 15<sup>TH</sup> OCTOBER 2025 AT 12.00 PM**

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1. **Welcome:** Chairperson.
2. **Attending:** David Webb (HSC Chair & LEMO), Kerry McRae (HSC), Scott Fullerton (REMO), Steve Hompes (REMO), (Sophie Warren (Reconstruction Authority), Robert Marmont (SES), Sgt Nick Moulds (Police), Brett Koshel (SES), Issac Lee (Rural Fire) Sally Ware (LLS), Rob Boyd (LLS), Dave Buchtmann (DWS) & Matthew Hunter (Fire & Rescue NSW)

**Attending via MS Teams:** Tom Wivell (TfNSW) & Simon Parr (Ambulance NSW)

3. **Apologies:** Carol Oataway (Mayor HSC), Greg Stewart (HSC), Suzie Holbery (LLS) & Andrew Long (Ambulance NSW)
4. **Confirmation of Previous Minutes:** The minutes of the Hay LEMC meeting held on 11<sup>th</sup> June 2025 were confirmed as a true and accurate record of the meeting.

Nicholas Moulds/Robert Marmont

5. **Actions arising from previous minutes:** As discussed in agenda.

6. **Agency Reports:**

**Police** *Sgt Moulds*

- 1 new Officer (Feb 2026)
- 5 General duties & 2 Highway Patrol based in Hay.

**RFS** (report attached) *Issac Lee*

- Report tabled
- RFS to review allocation to Council for maintenance budget.
- BFMC meeting held – 17<sup>th</sup> September
- Fire Trials action plan to be reviewed and updated.
- Council to review maintenance of Asset Protection Zones
- Multi Agency training exercise held in Hay in September

**SES** (report attached) *Brett Koshel*

- Report tabled
- Michael Dowd appointed Local Commander for the Riverina/MIA area

**Local Land Services** (report attached) *Sally Ware/Robt Boyd*

- Report tabled
- Hay Showground – animals safe place
- Weather Stations around the LGA – full weather data; available Farming Forecaster website/Riverina/find the site – Hay/One Tree/Carrathool. Need feeding data to the BOM

**MINUTES OF THE HAY SHIRE COUNCIL LOCAL EMERGENCY MANAGEMENT COMMITTEE**  
**MEETING HELD ON WEDNESDAY 15<sup>TH</sup> OCTOBER 2025 AT 12.00 PM**

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- Locust update provided.
- Field days – Oxley 27<sup>th</sup> October & Wyvern 28<sup>th</sup> October

**NSW Ambulance** (*Simon Parr*)

- Full complement (5) – Business as usual
- Heatwave CMG – email to Simon/Andrew

**Disaster Welfare Services** (report attached) *Dave Buchtmann*

- Report tabled
- Evacuation Centres – updated contacts to be provided by Council

**NSW Reconstruction Authority** (report attached) *Sophie Warren*

- Report tabled
- CEO appointed
- Recovery Centre Audit pretty much done

**FRNSW** (report attached) *Matthew Hunter*

- Report tabled
- 2-3 vacant positions in Hay; start recruitment shortly

**NSW Health MLHD**

- Nil update

**Department of Education**

- Nil update

**Transport for New South Wales** (report attached) *Tom Wivell*

- Report tabled
- Business as usual

**7. REMO & Riverina Murray Emergency Officer's Report** (report attached) *Scott Fullerton*

- Report tabled
- Some LEMC's have been merged.
- Draft Cool Places Guideline released
- Draft Wildlife Guideline released

**8. SAI: Emergency Risk Management**

RFS – NSP for Booligal and Maude – install water tanks at the two halls. No objection in principle, location to be agreed with Hall Management Committees. The water supply is to protect the NSP asset. Completed

**9. SAI: Local EMPLAN – Local EMPLAN**

- Updated evacuation Planning Guidelines (Presentation – Scott Fullerton)

**MINUTES OF THE HAY SHIRE COUNCIL LOCAL EMERGENCY MANAGEMENT COMMITTEE**  
**MEETING HELD ON WEDNESDAY 15<sup>TH</sup> OCTOBER 2025 AT 12.00 PM**

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- Must consider evacuation management to LEMC once a year.
- Template to be completed - Council
- Council confirmed that the Hay LALC has been invited to Hay LEMC

**10. SAI: EOC preparedness**

- Council admin building – looking at backup power vis battery and generator connection point. Works have been ordered; waiting on contractor.

**11. Agenda Item: Upcoming Events**

- November
  - Business Awards 1st
  - Rainbow on the Plains 14<sup>th</sup>-16<sup>th</sup>
  - Hay Races 22<sup>nd</sup>
- December
  - Love Hay Xmas 17<sup>th</sup>
- January
  - Hay Fishing Classic 24<sup>th</sup>-25<sup>th</sup>
  - Australia Day 26<sup>th</sup>

**12. General Business**

**Hay & Maude FRMS&P**

- David provided an updated of status of the project – now complete, been adopted by Council.
- Submitted grant applications for:
  1. Feasibility study for Hay North Levee
  2. Feasibility for early warning systems for Hay & Maude
- Backup power systems for Water & Sewer being designed. – complete. Waiting on funding
- Back up power system for Admin Building – ordered, waiting on contractor.
- Back up power/generator connections to evacuation centres ordered, waiting on contractor.

SES – Brendan Johnson Looking at raising minor flood level to 2.6m and update flood plan for Booligal. In progress.

**13. Future Meeting:**

- 11<sup>th</sup> February 2026
  - 17<sup>th</sup> June 2026
- at 12noon at Hay Shire Council Chambers.  
MS Teams invite will be sent out.

**Meeting closed: 1:15pm**

**14. Local Rescue Committee Meeting**

No meeting required

**Minutes of the meeting of the Hay Shire Audit Risk and Improvement Committee  
Meeting held 23<sup>rd</sup> October 2025 at 10.00am.**

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**Present at Hay:** David Webb (HSC General Manager), Cr John Perry (HSC Councillor), Mark Dowling (HSC Deputy GM), Kirstyn Thronder (ARIC Coordinator & HSC Exec. Mgr. - People & Governance).

**Present Virtually:** John Batchelor (Chair), Sarah Donnelly, Jasen Crighton, Derek Francis, Rick Warren; Keith Coates (Internal Auditor), Josh Porker (RSD Audit), Tyson Holt (RSD Audit), Michael Kharzoo (NSW Audit Office).

**Apology:** Leanne Austin Sarah/Derek

**1. Confirmation of Minutes**

***Resolved** that the minutes of the Audit Risk and Improvement Committee held 11<sup>th</sup> September 2025 as circulated be confirmed.*

Sarah/John

**2. 2024/25 External Audit**

Josh Porker of RSD Audit provided an overview of the Engagement Closing Report from the 2024/25 Audit.

***Resolved** that the Audit, Risk and Improvement Committee notes the 2024/25 Engagement Closing Report as presented.*

Derek/Sarah

**3. a. Chairman's Report – 2025-29 Strategic Work Plan**

***Resolved** that Audit, Risk and Improvement Committee adopt the 2025-29 Strategic Work Plan for immediate implementation.*

Sarah/Derek

**b. Chairman's Report – 2024/25 Annual Report**

***Resolved** that the Audit, Risk and Improvement Committee (ARIC) endorse the 2025/26 ARIC Annual Report for presentation to Council at its October 2025 Ordinary meeting.*

Sarah/Jasen

**4. Internal Audit Reports**

**a. Fraud & Corruption Prevention Management Audit**

**Resolved that**

- a. the internal Audit on Fraud and Corruption Prevention Management be noted;
- b. Council's agreed actions be endorsed; and
- c. IA recommended actions be included in the Internal Audit Action Plan for completion.

Derek/Sarah

**5. Other Business**

*Nil*

**4. Next Meeting:** 23<sup>rd</sup> October 2025

Meeting Closed 10.37am

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**This is Page No. 1 of 1 of the Minutes of the Hay Shire Audit Risk and Improvement Committee meeting held 23<sup>rd</sup> October 2025 at 10.00am in the Hay Shire Mayor Meeting Room & Teams**

**HAY SHIRE COUNCIL  
ORDINARY MEETING OF COUNCIL  
28<sup>TH</sup> OCTOBER 2025**

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**List of items entitled to be dealt with in a Closed Meeting**

Section 10A of the Local Government Act 1993 provides that all matters shall be discussed in open other than matters that relate to the following: -

- (a) personnel matters concerning particular individuals (other than councillors);
- (b) the personal hardship of any resident or ratepayer;
- (c) information that would, if disclosed, confer a commercial advantage on the person with whom the council is conducting, or proposing to conduct, business;
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret;
- (e) information that would, if disclosed, prejudice the maintenance of law;
- (f) matter affecting the security of the council, councillors, council staff or property;
- (g) advice concerning litigation, or advice that otherwise would be privileged from production in legal proceedings on the ground of legal professional privilege, and
- (h) information concerning the nature and location of a place or item of Aboriginal significance on community land.

Council or a council committee may close part of a meeting only for such portion of the debate on an item as is necessary to preserve confidentiality, privilege or security. The resolution closing the meeting must specify:

- the provision of section 10A (2) of the Act under which part of the meeting is being closed,
- the matter to be discussed during the closed part of the meeting, and
- the reasons why it is being closed, including an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to public interest.

**Section 11**

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

**Reason for Confidentiality:**

**IC.1      Reseals 2025-26**

*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;

Further that in accordance with Section 10D it is considered that if the matter were discussed in an open Council meeting, it would on balance, be contrary to the public interest as its information that would if disclosed, confer a commercial advantage on person with whom the Council is conducting (or proposes to conduct) business. As such, the matter is appropriately considered in closed session under Section 10A(2)(d) of the Local Government Act 1993.

**IC2 – Hay Heavy Vehicle Rest Area and the Hay Aerodrome Heavy Vehicle Entrance Projects**

*Section 10A of the Local Government Act 1993:*

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