



# Business Paper

Extraordinary Meeting

Tuesday, 1.00pm  
27<sup>th</sup> January 2026

## Vision

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

## Mission Statement

To be a progressive rural council committed to:

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

## Corporate Values

### *Integrity*

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

### *Openness*

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

### *Responsiveness*

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

### *Quality of Service*

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

## Principles

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

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



**Hay Shire Council**

ABN: 84 075 604 155

134 Lachlan Street PO Box 141 HAY NSW 2711

Telephone: 02 6990 1100 Facsimile: 02 6993 1288

Email: [mail@hay.nsw.gov.au](mailto:mail@hay.nsw.gov.au) Website: [www.hay.nsw.gov.au](http://www.hay.nsw.gov.au)

22<sup>nd</sup> January 2026

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

Ladies and Gentlemen:

**NOTICE OF EXTRAORDINARY MEETING**

I inform you that an Extraordinary meeting of Council will be held in the RSL Room Kay Hull Centre 204-216 Lachlan Street, Hay on:

**Tuesday, 27<sup>th</sup> January 2025 to be held  
1.00pm RSL Room Kay Hull Centre**

The agenda for the meeting is as follows:

1. Council Prayer
2. Apologies
3. Declarations of interest
4. General Manager's Report
5. In Committee Report

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

Yours sincerely,

David Webb  
**General Manager**

# General Manager's Report

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**C1 – Cr Townsend Oath and Affirmation of Office**

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	<ul style="list-style-type: none"> <li>Oath &amp; Affirmation</li> </ul>

**INTRODUCTION**

Councillors are required to take an oath or affirmation of office at the commencement of their term. The prescribed words of the oath and affirmation are attached.

**COMMENTARY**

Oaths or affirmations of office must be taken by each Councillor at or before the first meeting of the Council after being elected.

As Councillor Townsend is commencing a new term he will be required to undertake the oath or affirmation at the beginning of this meeting.

<b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b>	<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>
<b>FINANCIAL IMPLICATION</b>	Nil
<b>LEGISLATIVE IMPLICATION</b>	Local Government Act 1993 & Associated Regulations
<b>POLICY IMPLICATION</b>	Nil

**RECOMMENDATION**

That Councillor Townsend take the oath or affirmation of office at the commencement of the Extraordinary Meeting of Council.



**Oath**

*I David Townsend swear that I will undertake the duties of the office of councillor in the best interests of the people of the Hay Shire area, and the Hay Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.*

**Or**

**Affirmation**

*I David Townsend solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of the Hay Shire area, and the Hay Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.*

**I confirm I undertook the above Oath or Affirmation at Kay Hull Community Centre, 204 Lachlan Street, Hay on 27<sup>th</sup> January 2026.**

**Signature:** .....

**Cr David Townsend**

**Witness:** .....

**David Webb  
General Manager**

**Date:** ...../...../.....

## C2 – Groundwater Supply Licence

<b>REPORTING OFFICER</b>	General Manager
<b>ATTACHMENTS</b>	- Letter from DCCEEW dated 23 <sup>rd</sup> December 2025 - DCCEEW Notice of Decision – Groundwater Supply dated 16 <sup>th</sup> December 2025

### INTRODUCTION

Council has been allocated a 20ML groundwater access licence and is required to formally accept the Notification.

### COMMENTARY

Hay Shire Council is the Local Water Utility (LWU) for the supply of water to the Hay township. The town's water supply comes from the Murrumbidgee River. If the river water becomes unavailable or not suitable, this places major risk on the water supply.

As reported to the March 2025 Ordinary meeting, Council's Integrated Water Cycle Management (IWCM) Plan, updated in 2022, identified risk to Hay's water supply without having a secondary water source. Since this time, staff have been investigating having a secondary water supply through groundwater. An investigation was undertaken by Public Works Authority (PWA) on Council's behalf.

Two areas within the Lower Murrumbidgee Deep Aquifer were identified as potential groundwater sources for the Hay water supply system. The report provided to the meeting summarised the findings of studies conducted by Hay Shire Council (HSC) to evaluate the suitability and feasibility of the groundwater source as an alternative water supply during emergencies or droughts.

Since this meeting, Council has lodged applications with the Department to undertake test bores, with two bore locations approved:

- (i) Pine Street – at location of water reservoirs; and
- (ii) Hay Showgrounds – adjacent to the Pony Club rooms

Staff are now working on funding opportunities to undertake these test bores, with the cost is expected to be significant as the bores will be required to be 350-400m deep to reach the lower aquifer.

In addition, Council has been approved for a 20ML groundwater access licence (Ref #: 40AL418824) for emergency town water supply. Council is required to register this dealing with NSW Land Registry Services for it to take effect. A letter and Notice of Decision are attached for information.

In order to register the access licence with NSW Land Registry Services, the Notification Form is required to be executed by Council and a legal practitioner.

<p><b>RELEVANCE TO STRATEGIC COMMUNITY PLAN</b></p>	<p><b>Environmental</b>                  2.5 Our community is inclusive and sustainable                  2.5.3 Advocate for water security and practices</p> <p><b>Economic</b>                  3.3 Our community is resilient and adaptive                  3.3.1 To proactively reduce the risk and limit the impact of disasters associated with natural hazards on our community and economy</p> <p><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</p>
<p><b>FINANCIAL IMPLICATION</b></p>	<p>Minor - \$1,500</p>
<p><b>LEGISLATIVE IMPLICATION</b></p>	<p>Local Government Act 1993                  Water Management Act 2000</p>
<p><b>POLICY IMPLICATION</b></p>	<p>Community Strategic Plan 2025-2035</p>
<p><b>ASSET IMPLICATION</b></p>	<p>Moderate – Council will be required to establish groundwater bores and system to implement a secondary water source for the town water supply</p>
<p><b>RISK IMPLICATION</b></p>	<p>Major – Reputational, social and economic if Council is unable to supply water to the town</p>

**RECOMMENDATION**

That Council:

- (a) Notes the information provided in the report and accepts the new water access licence;
- (b) Authorises the Mayor and/or General Manager to execute, under Council Seal if required, the Notification form to register this dealing with NSW Land Registry Services;
- (c) Engages legal services to assist in the dealing with this matter.



HAY SHIRE COUNCIL  
134 LACHLAN ST  
HAY NSW 2711

Our ref: D1028588  
File No: N/A  
Your Ref: N/A

23 December 2025

Dear Sir/Madam

**Granting of application for a new water access licence - New water access licence - specific purpose (s61)**

Department of Climate Change, Energy, the Environment and Water has granted your application for a new water access licence under the *Water Management Act 2000*.

You, or your agent, **must register this dealing** with NSW Land Registry Services for it to take effect.

**Attached** are:

- *Notice of Decision* explaining the reasons for our decision, your right of appeal, and the terms and conditions that will apply to your new or amended water access licence; and
- *Notification form* to register this dealing with NSW Land Registry Services.

**What you need to do**

1. Carefully read the *Notice of Decision* and make sure you understand the terms and conditions of your new or amended water access licence.

It is important you comply with the terms and conditions of the new or amended water access licence, otherwise you may be committing an offence under the *Water Management Act 2000*.

2. If you accept the terms and conditions of your new or amended water access licence and you want this dealing to take effect, you **must register** this dealing with NSW Land Registry Services **within six months** of the date of decision. The registration expiry date is specified in the *Notice of Decision*.

**Contact NSW Land Registry Services on 1300 396 076** for information about how to register your new water access licence.

**Further information**

Contact the department at [waterlicensing.servicedesk@dcceew.nsw.gov.au](mailto:waterlicensing.servicedesk@dcceew.nsw.gov.au) if you require further information.

Yours sincerely

**Kerry Lee**  
**Manager, Licensing and Approvals**  
**Department of Climate Change, Energy, the Environment and Water**

Department of Climate Change, Energy, the Environment and Water

## Notice of Decision

*Water Management Act 2000*

	<h3>Application details</h3> <hr/>
<b>Application number</b>	D1028588
<b>Application type</b>	New water access licence - specific purpose (s61) under the <i>Water Management Act 2000</i> .
<b>Applicant/s</b>	HAY SHIRE COUNCIL
	<h3>Decision</h3> <hr/>
<b>Decision</b>	<p><b>Granted, subject to conditions</b></p> <p>This decision was made under section 63 of the <i>Water Management Act 2000</i>.</p> <p>For the terms and conditions of the new water access licence, see Schedule 1.</p>
<b>Reference number</b>	40AL418824
<b>Date of decision</b>	16 December 2025
<b>Date of notice</b>	16 December 2025
<b>Registration expiry date</b>	15 June 2026
<b>Determining officer</b>	<p>Kerry Lee</p> <p>by delegation from the Minister administering the <i>Water Management Act 2000</i> under the <i>Instrument of Delegation (Water Management Act) 2011</i></p>
	<h3>Reasons for decision</h3> <hr/> <p>This water access licence was granted on the basis the department is satisfied adequate arrangements are in force to ensure that no more than minimal harm will be done to any water source as a consequence of water being taken from the water source under the licence.</p> <p>Any conditions identified with the first letter "D" were applied for the purpose of protecting the environment from impacts associated with the licence, or to give effect to any agreement between the applicant and a person who objected to the application.</p>

## Right of appeal

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Section 368 of the *Water Management Act 2000* provides a right of appeal to the Land and Environment Court in certain circumstances:

- The applicant/s may appeal against a decision **imposing certain conditions** on an access licence or **fixing the term** of an access licence.  
Conditions identified with the first letter “D” can be appealed during the appeal period. This right of appeal also applies to conditions which are amended or added after an access licence is granted.
- A person who objected to the granting of the water access licence under section 62 of the *Water Management Act 2000* may appeal against a decision **granting** the water access licence.

If you wish to make an appeal you must do so **within 28 days** from the date of this notice.

## Schedule 1 – Terms and conditions of water access licence

**Important: This water access licence will take effect when it is recorded in the Water Access Licence Register.**

<b>WAL number</b>	The WAL number will be issued when this water access licence is recorded in the Water Access Licence Register.
<b>Reference number</b>	40AL418824
<b>Name of holder/s</b>	<p><b>1. Holder/s</b></p> <hr/> <p><b>1.1 Water access licence holder/s</b></p> <p>HAY SHIRE COUNCIL</p> <p><b>2. Terms of this water access licence</b></p> <hr/> <p><b>2.1 Duration</b></p> <p><b>Date of effect</b> This water access licence takes effect when it is recorded in the Water Access Licence Register.</p> <p><b>Expiry</b> This water access licence continues to be in force until it is cancelled.</p> <p>Note. In accordance with section 77A(2) of the <i>Water Management Act 2000</i>, the Minister is to cancel this water access licence if the Minister is of the opinion that the purpose for which this water access licence was granted no longer exists.</p> <p><b>2.2 Category</b></p> <p><b>Category/subcategory</b> LOCAL WATER UTILITY[DOMESTIC AND COMMERCIAL]</p> <p>Note. This category or subcategory of water access licence is a specific purpose access licence. A specific purpose access licence can only be used for the purpose for which it was granted.</p> <p><b>2.3 Share component</b></p> <p><b>Water sharing plan</b> MURRUMBIDGEE ALLUVIAL GROUNDWATER SOURCES 2020</p>

<b>Water source</b>	Lower Murrumbidgee Deep Groundwater Source
<b>Specified shares (ML/units)</b>	20
	<b>2.4 Extraction component</b>
<b>Times, rates circumstances</b>	At any time or rate.
<b>Areas or locations</b>	Extraction from: River, lake or surface water runoff
	Extraction zone: Whole Water Source
	<b>2.5 Nominated water supply work/s</b>
	This water access licence does not nominate any water supply works.
	<b>3. Conditions of this water access licence</b>
	<hr/>
	This water access licence is subject to the following conditions.
	<b>Plan conditions</b>
<b>Water sharing plan</b>	<b><i>MURRUMBIDGEE ALLUVIAL GROUNDWATER SOURCES 2020</i></b>
	<b>Take of water</b>
	<hr/>
<b>MW7516-00001</b>	A. In any water year, the sum of water account debits for the water allocation account of this access licence must not exceed:
	i. the sum of water allocations credited to the water allocation account from available water determinations in that water year, plus
	ii. any water allocations assigned to the water allocation account of this access licence from the water allocation account of another access licence in that water year, plus
	iii. any water allocations re-credited by the Minister to the water allocation account in that water year.
	B. Water account debit means:
	i. the volume of water allocations taken by the holder of this access licence, plus
	ii. any water allocations assigned from the water allocation account of this access licence to the water allocation account of another access licence, plus
	iii. any other water allocations otherwise debited or withdrawn from the water allocation account of this access licence.

**MW6595-00001** Water allocations remaining in the water allocation account for this access licence must not be carried over from one water year to the next water year.

**Use of water**

**MA6945-00015** Water must only be used for the purpose of supplying water to communities for domestic consumption and commercial activities.

**Monitoring and recording**

**MW6612-00001** A logbook used to record water take information must be retained for five (5) years from the last date recorded in the logbook.

**Reporting**

**MW6983-00003** A. Once the water access licence holder becomes aware of a breach of any condition on this water access licence, the water access licence holder must notify the Minister as soon as practicable.  
 B. If the initial notification was not in writing, written notice must be provided within seven days of becoming aware of the breach by emailing:  
 nrar.enquiries@nrar.nsw.gov.au

**Other conditions**

*No other conditions applicable*

**Glossary**

**logbook** - A logbook is a document, electronic or hard copy, that records specific required information.

**water year** - A water year starts on 1 July and ends on 30 June in the following year.

Note. All conditions on a water access licence require compliance. An appeal to the Land and Environment Court against a decision to impose certain conditions on a water access licence can be made **within 28 days** after the date the decision is made. Conditions identified with the first letter "D" are those that can be appealed during the appeal period.

Certain dealings and other matters relating to this water access licence or a holding in this water access licence must be registered in the Access Register



in accordance with section 71A of the *Water Management Act 2000*.<http://www.lpi.nsw.gov.au>).

# **CLOSED COMMITTEE NOTIFICATION**

**HAY SHIRE COUNCIL  
EXTRAORDINARY MEETING OF COUNCIL  
27<sup>TH</sup> JANUARY 2026**

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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 DA2024-67 – Unmanned Truck Refuelling Facility at 310 Moama St, Hay**

*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.