

MINUTES OF THE ORDINARY MEETING OF THE HAY SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS LACHLAN STREET HAY AT 1.00PM ON 29th June 2026.

PRESENT: Councillors: Cr G Chapman, Cr L Garner, Cr W Miller, Cr C Oatway (Chair), Cr J Perry, Cr P Porter, Cr M Quinn, General Manager - David Webb, Executive Manager Corporate Performance and Community – Kirstyn Thronder, and Executive Assistant – Kerry McRae

C01 Code of Meeting Practice

26-078 Resolved that Council rescinds the 2025 Code of Meeting Practice, adopted December 2025, and reinstates council's previous adopted code of meeting practice containing the mandatory provisions of the 2021 Model Meeting Code, as adopted by Council at the February 2025 ordinary meeting.
(Quinn/Porter)

Request to attend by Audio Visual Link: Cr G Chapman

26-079 Resolved that Cr Chapman be approved to attend the 29th of June Ordinary meeting by Audio Visual link.
(Quinn/Porter)

Apology: Cr D Townsend

26-080 Resolved that Council accept the apology from Cr Townsend for the 29th of June Ordinary meeting.
(Miller/Porter)

This meeting was live streamed and recorded

Address to Council: Nil

Cr Perry arrived to join the meeting at 1:05pm.

Confirmation of Minutes

26-081 Resolved that the minutes of the Ordinary Meeting of Council held 26th May 2026 be confirmed.
(Miller/Porter)

Declaration of Interest: Nil

Mayoral Report

M1 Mayoral Report

That Council notes the information provided in the report.

Delegates Report: Nil

General Manager's Reports

Action Plan Report

The report was received and noted.

C02 DA2026-18 - Fence at 326 Macauley St, Hay

26-082 Resolved that the fence at 326 Macauley Street, Hay (Lots 8,9,11 Section 26 DP 758507) be approved with the following conditions:

1. Compliance with Consent

The Development being completed in accordance with plans and specifications stamped by Council being Plan A for 184 Lindsay St, and the Excavated Natural Material (ENM) Characterisation Report prepared by DM McMahon Pty Ltd (Report No. 10746_SP, dated 14 May 2026, 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. Compliance with Standards

Any building and associated works shall comply with the statutory requirements of the Environmental Planning & Assessment Act, Local Government Act, the National Construction Code (NCC) the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019, and the State Environmental Planning Policy (Resilience and Hazards) 2021 (Chapter 4 - Remediation of Land).

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.

3. Siting

The applicant is responsible to ensure that the fence 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 building.

4. Site Encroachment Prohibited

The structure shall be erected solely within the property boundaries.

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

5. 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.

6. Footpath Construction

All work on the public footpath and roadway shall be carried out with due care and regard for the safety and convenience of the public including pedestrians, cyclists and motorists. Special regard shall be paid to caring for the needs of children, the disabled, the infirm and the elderly.

Reason: Preservation of the life, health and good will of members of the public.

7. Footpath Storage

Building materials/machinery not to be stored on Council footway and/or nature strip at any time.

Reason: To ensure an adequate level of public safety is maintained.

8. Protection of Services & Assets

Any damage caused to Council's infrastructure including but not limited to footpaths, roads, drainage, sewer/water services, 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 infrastructure.

9. Gates

Any gates must open inwards and not encroach onto roads/road reserves.

Reason: To not encroach onto a road reserve, and to not cause obstructions/hazards to traffic/pedestrian users.

10. 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.

11. Lapsing of Consent

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

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

12. Second Hand Materials

No second hand materials are to be used on any external surface of the building unless made available for inspection and separately approved by Council prior to erection.

Reason: To not have a negative visual impact to the streetscape.

13. Time Limitation on Temporary Stockpiling:

The temporary stockpiling and placement of soil on-site for the purpose of environmental clearance and backfilling must be concluded within **six (6) months** from the date of this determination. Any remaining stockpiled material not utilized for on-site backfilling must be lawfully removed to a licensed waste facility.

***Reason:** To ensure the temporary use does not become a permanent unauthorized stockpile or intensify the transport depot footprint indefinitely.*

14. Unexpected Finds Protocol:

An Unexpected Finds Protocol must be implemented for the duration of all site excavation, stockpiling, and earthworks. In the event that any historically contaminated material, asbestos, underground infrastructure, or visually/olfactorily impacted soil not previously identified is discovered, all work in the affected area must cease immediately. Council must be notified within 24 hours, and a qualified environmental consultant must be engaged to assess the material and recommend appropriate remediation measures.

***Reason:** To ensure statutory compliance with NSW EPA Guidelines and Chapter 4 of SEPP (Resilience and Hazards) 2021.*

15. Maintenance of ENM Validation Records:

The applicant must retain all records demonstrating that the material imported from **429-431 Sturt Highway** complies with the *NSW EPA (2014) Excavated Natural Material Order*. This includes maintaining the chemical characterisation and validation logs (SGS Reference SE301589), which must be presented to Council officers upon request.

***Reason:** To prevent the unauthorised importation of contaminated waste or unclassified fill onto RU5 Village zoned land.*

16. UPSS Removal and Decommissioning Standards: The removal, decommissioning, and validation of the UPSS must be carried out by a suitably qualified tank specialist in strict accordance with the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019* and *AS 4976: The removal and disposal of underground petroleum storage tanks*.

***Reason:** Statutory obligation under NSW environmental protection legislation to prevent fuel/hydrocarbon leaks into groundwater systems.*

17. Validation Report Required Prior to Final Sign-off:

Within **60** days of completing the backfilling of the UPSS excavations, a Validation Report prepared by a certified contaminated land consultant must be submitted to Council. The report must be prepared in accordance with the *NSW EPA Guidelines for Consultants Reporting on Contaminated Land* and must explicitly confirm:

1. That the tank pit excavations have been successfully validated as free of contamination prior to backfilling.
2. That the imported ENM backfill was placed in a manner ensuring the long-term environmental suitability of the site.

***Reason:** To provide statutory certainty that the land is suitable for its ongoing use and that no legacy environmental risks remain under Section 4.15 of the EP&A Act 1979.*

18. **Erosion and Sediment Control:**

Appropriate sediment and erosion control measures (e.g., sediment fencing, geotextile bunds) must be installed around the base of the temporary stockpile in the north-east corner of the site prior to any earthworks commencing. These controls must remain securely in place and functional until the stockpile is eliminated via backfilling or off-site disposal.

***Reason:** To prevent soil transport depot runoff from impacting Council's stormwater infrastructure or adjacent properties.*

19. **Dust Suppression:**

Dust mitigation measures, including watering or covering the stockpile, must be implemented dynamically to ensure that no offensive dust emissions cross the boundaries of 326 Macauley Street.

***Reason:** To preserve the residential amenity of the RU5 Village zone and protect nearby residences.*

20. **Stockpile Height Restraints:**

The height of the temporary stockpile must not exceed **4 meters** at its highest point relative to natural ground level.

***Reason:** To minimize visual impacts on the Stephen Street and Macauley Street streetscapes before the replacement boundary fencing is completed.*

For

Against

Cr G Chapman
Cr L Garner
Cr W Miller
Cr C Oataway
Cr John Perry
Cr Paul Porter
Cr M Quinn

(Miller/Perry)

C03 Operational Plan, Revenue Policy and Long-Term Financial Plan

26-083 Resolved that Council:

1. Notes the information provided in the report.
2. Adopts the 2026/2027 Operational Plan;
3. Adopts the 2026-2036 Long-Term Financial Plan;
4. Adopts the 2026/27 Revenue Policy including 2026/27 Plant Hire Rates;
and
5. in accordance with sections 496, 501, 533, 535 and 537 of the Local Government Act 1993 fix the following rates and charges for 2026/2027: -

Rates

- a) **Residential Rate** - being Council's Residential Rate at a rate of 0.07872c in the dollar on land value of all rateable land in the Category with a Base Rate of \$280.00. The Base Rate will produce 46.1% of the total amount payable by the levying of the rate.
- b) **Rural Residential Rate** - being Council's Rural Residential Rate at a rate of 0.05845c in the dollar on land value of all rateable land in the Category with a Base Rate of \$280.00. The Base Rate will produce 24.6% of the total amount payable by the levying of the rate.
- c) **Farmland** – Being Councils Farmland Rate at a rate of 0.0217c in the dollar on the land value of all rateable land in the category with a Base Rate of \$280.00. The Base Rate will produce 5.1% of the total amount payable by the levying of the rate.
- d) **Farmland Irrigation** - Being Councils Farmland Irrigation Rate at a rate of 0.0217c in the dollar on the land value of all rateable land in the category with a Base Rate of \$280.00. The Base Rate will produce 3.7% of the total amount payable by the levying of the rate.
- e) **Business – CBA** – being Council's Business CBA Rate at a rate of 5.466c in the dollar on the land value of all rateable land in the category with a Base Rate of \$280.00. The Base Rate will produce 10.8% of the total amount payable by the levying of the rate.
- f) **Business** – being Council's Business Rate at a rate of 1.221c in the dollar on the land value of all rateable land in the category with a Base Rate of \$280.00. The Base Rate will produce 23.5% of the total amount payable by the levying of the rate.

Charges

- a) **Filtered Water Charge** - \$180.00 on each parcel of rateable land for which the service is provided or proposed to be provided.
- b) **Raw Water Charge-** - \$459.00 on each parcel of rateable land for which the service is provided or proposed to be provided.
- c) **Sewerage Charge – Residential** - \$900.00 on each parcel of rateable land for which the sewerage is provided or proposed to be provided.
- d) **Sewerage Charge – Non- Residential** - \$730.00 on each parcel of rateable land for which the sewerage is provided or proposed to be provided.
- e) **Additional Sewerage Charges** - In addition to the standard Sewerage Charge, Council will charge an additional 50% for each additional unit: \$450.00.
- f) **Domestic Waste Management Charge** – \$600.00 for each parcel of rateable land for which the service is available and additional bin \$168 per service per year.

- g) Waste Collection Charge (Non-Residential)** - \$600.00 for each parcel of rateable land for which the service is available and additional bin \$168 per service per year.
- h) Domestic Waste Charge – Hay Vacant Allotments** -\$100.00 for each vacant parcel of rateable land in the Town Improvement Area.
- i) Tip Access Charge** - \$100.00 for each parcel of rateable land excluding Farmland and Farmland Irrigation categories and those subject to Domestic Waste Management Charge and the Waste Collection Charge (Non-Residential).
- j) Tip Access Farmland** - \$92.00 for each parcel of rateable land within the Farmland and Farmland Irrigation categories.
- k) Raw Water usage Charge** - 0.46c kl
- l) Filtered Water user Charge** - \$1.43 kl up to 300 kl and \$2.14c kl over 300kl for all users.
- m) Sewerage usage Charge** - \$1.43 per kl discharged
- n) Interest on Overdue Rates and Charges** – 9.5%

(Perry/Porter)

C04 Murray Darling Association Conference

26-084 Resolved that Cr Chapman attend the Murray Darling Association National Conference, to be held in Shepparton 24-27 August 2026.

(Perry/Quinn)

C05 2026 Local Roads Congress

That the report be received by Council.

C06 Circulars and other Government Correspondence

That Council notes the information provided in the report.

C07 Economic Development & Tourism May/June 2026

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

C08 Corporate Performance & Community Monthly Report: June 2026

26-085 Resolved that Council:

- (a) Notes the information provided in the report.
- (b) Adopts the draft Cadet Employment Policy as presented;
- (c) Adopts the Smoke Free Workplace Policy as presented;
- (d) Places the draft Waste Services Policy on exhibition for public comment for a period of no less than 28 days and a further report including submissions received be presented to a future meeting of Council.

(Perry/Porter)

C09 Finance Report – June 2026

26-086 Resolved that Council receives and notes the report provided and approves the Material Budget Variances outlined in the report.

(Miller/Porter)

C10 Planning and Compliance Report May/June

That Council notes the information provided in the report.

C11 Major Projects Update

26-087 Resolved That Council:

- (a) Notes the information provided in the report and the actions being undertaken;
- (b) Places the Hay Park Master Plan, Version 2, on public exhibition for minimum 28 days and a further report be brought to Council in due course;
- (c) Endorses the submission of a funding application under the Sustainable Communities Program – Business & Industry Round for Stage 2 of the Hay Resource Recovery & Eco Park development as outlined in the report;
- (d) Endorses the submission of a funding application under the Regional Airports Program for the Hay Aerodrome as outlined in the report
- (e) Provides co-contribution to applications as outlined in the report; and
- (f) Authorise the General Manager to finalise and submit grant applications and, if successful, execute all necessary documentation associated with the funding agreements.

(Perry/Porter)

C12 Operations Monthly Update Report

That Council notes the information provided in the report.

C13 Tree Removal Requests

26-088 Resolved that Council removes three (3) Cedar Trees from 315 Lang Street, Hay with nil replacements,

(Miller/Porter)

Reports of Council Committees

- Hay Showground Management Committee held 18th May 2026

26-089 Resolved that Council notes the Committees meeting minutes, and any recommendations contained within be adopted.

(Perry/Garner)

There being no further business the meeting was terminated at 2:04 pm.

Confirmed _____
Cr Carol Oataway
Mayor