

MINUTES OF THE ORDINARY MEETING OF THE HAY SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS LACHLAN STREET HAY AT 1.00PM ON 25th March 2025

PRESENT:Councillors: Mayor Cr C Oatway (Chair), Cr M Quinn, Cr G Chapman, Cr L Garner, Cr J Perry, Cr P Porter, Cr D Tapper, General Manager David Webb, Deputy General Manager – Mark Dowling, Executive Manager – People and Governance – Kirstyn Thronder and Executive Assistant Kerry McRae

Apology: Cr Will Miller

25-24 Resolved that Cr Miller be granted leave of absence. (Perry/Chapman)

This meeting was audio recorded.

Request to attend by Audio Visual Link: Cr Martyn Quinn.

25-25 Resolved that Cr Quinn attend by audio link. (Porter /Tapper)

Confirmation of Minutes

25-26 Resolved that the minutes of the Extraordinary Meeting of Council held 25th February 2025 be confirmed. (Perry/Porter)

Declaration of Interest - Nil

Mayoral Report

M1 Mayoral Report

25-27 That Council;
a. receives and notes the report provided;
b. receives a report on the future of RAMJO, including expenditure for RAMJO Executive Officer & Consultants at the April 2025 Ordinary meeting. (Perry /Tapper)

Delegate Report

Cr Chapman provided a verbal report on his attendance at the MDA Region 9 meeting held 27th February 2025.

General Manager's Reports

Action Plan Report

The report was received and noted.

C1 Development Applications – 14th February – 13th March 2025

That Council notes the list of Development Applications 14th February – 13th March 2025

C2 DA2025-5 Shed at 329 Lang Street Hay

25-28 Resolved that DA2025-5 for a shed at 329 Lang 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 - Site Plan for Shed at 329 Lang St, Hay AND Job No. 299533490, Sheets 1 to 7 dated 07-02-2025 by Best Sheds, for 329 Lang 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.*

13. Construction Certificate Required

A Construction Certificate must be obtained from a Principal Certifying Authority prior to the commencement of any work.

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

14. Owner Builder Permit

Where it is proposed to carry out residential building work as an “Owner Builder”, a copy of the Owner Builder Permit specific to this project, must be provided to Council prior to the issue of a Construction Certificate.

Reason: *Legislative requirement to ensure the building works are undertaken in a competent and safe manner.*

<i>For</i>	<i>(Chapman /Porter)</i>
Cr G Chapman	<i>Against</i>
Cr L Garner	
Cr C Oataway	
	Cr J Perry
Cr P Porter	
Cr M Quinn	
Cr D Tapper	

C3 DA2025-9 Front Fence at 375 McGregor St Hay

25-29 Resolved that DA2025-9 for Front Fence at 375 Macgregor St, Hay be approved fence with the following conditions:

1. Compliance with Consent

The Development being completed in accordance with plans and specifications stamped by Council being Plan A & B, for 1.5m high front fence at 375 McGregor St, 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 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.

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. Driveways

If it is proposed to construct a vehicular crossing on the public footpath/nature strip or road verge, the vehicular crossing must be applied for in a separate application (Road Opening Permit) and further approved and inspected by Council. The driveway should be at least 1m clear from the next property boundary. The access is to be constructed and maintained at the Applicant/Owners cost, such that no soil erosion is caused.

Reason: *To ensure that works carried out on public roads conform to the requirements of Council (the responsible authority), and reduce the risk to life and property (neighbours, street lights, power poles, road damage, etc).*

12. 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 19*

(Porter /Perry)

For

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

Against

C4 Cemetery Master Plan and Policy

25-30 Resolved That Council

1. amends the Revenue Policy with the following changes:

	Current Fees	Proposed Fees
Hay Traditional Cemetery		
Total cost of first interment	\$1815.00	\$2000.00
Grave Digging	\$1700.00	\$1850.00
Perpetual Maintenance	\$115.00	\$150.00
Second interment	\$725.00	\$1000

Grave digging- hand	At Cost	
Grave Digging outside of normal Council hours	At Cost (minimum \$300)	
Monumental Fee	\$150.00	
Burial of Ashes incl. slab removal	\$200.00	
Saturday/Sunday Funeral(additional fee)	\$300.00	
Installation of Plinth	\$100.00	
Lawn Cemetery (New and Old)		
Total cost of first interment	\$1815.00	\$2000.00
Grave Digging	\$1700.00	\$1850.00
Perpetual Maintenance	\$115.00	\$150.00
Second interment	\$725.00	\$1000.00
Plaques/Detachable Plate	At cost	
Installation of Plaques	\$100.00	\$150.00
Flower Container	At Cost	
Grave Digging outside of Council hours	At cost	
Saturday/Sunday Funeral (additional fee)	\$300.00	
Shrine of the Unborn-Plaque Installed	\$200.00	\$150
Plaque cleaner	\$13.00	
Plaque Polish	\$24.00	
Installation of detachable plaque	\$50.00	
Brick Columbarium		
Interment of Ashes	\$200.00	
Columbarium Permit (Reservation)	\$50.00	
Installation of Plaque	\$150.00	
Cross Columbarium		
Reservation (includes granite plinth and can accommodate two containers)		\$500.00
Interment of Ashes and Installation of Plaque		\$350.00
Plaque		At Cost
Pet Memorial		
Plaque provision		\$150.00
Plaque installation		\$150.00
Bridge Memorial		
Plaque provision		\$300.00
Plaque installation		\$150.00

2. Exhibits the draft Hay Shire Council Public Cemeteries Policy, dated March 2025, on exhibition for 28 days, to be brought back to Council following the exhibition period.

(Perry/Tapper)

C5 Hay Groundwater Investigation

That Council notes the information provided in the report.

C6 John Houston Memorial Swimming Pool Replacement Project

25-31 Resolved that Council:

- a. Notes the information provided and the actions being undertaken; and
- b. Proceeds with the heating of the pools, power supply upgrade, solar/battery systems and pool AI Safety System as outlined in the report.

(Perry /Porter)

C7 Murrumbidgee River Master Plan 2021 Update

25-32 Resolved that Council:

- a. Adopts the amended Pages 14 and 15 of the Murrumbidgee River Master Plan as well as the Boat Ramp and Picnic Area Upgrade design as presented; and
- b. Proceeds with the proposed works to upgrade the Sandy Point boat ramp, retaining wall and surrounding picnic area as planned and grant funded.

(Tapper/Perry)

C8 Floodplain Management Program

25-33 Resolved that Council:

- a. Notes the information and action being undertaken in the report;
- b. Adopts the Hay & Maude Floodplain Risk Management Study and Plan, V1.4, dated March 2025, as presented; and
- c. Makes application for funding in the current round of the Floodplain Management Program as outlined in the report.

(Chapman/Perry)

C9 Request for Memorial Bench

25-34 Resolved that Council accept the offer of a memorial bench in memory of Margaret Evans to be located on the river at the Lions Park

(Garner/Perry)

C10 Councillor Conference Attendance

That Council receives and notes the report provided.

C11 Council Meeting Date Adjustments and Christmas/New Year Closure Proposal

25-35 Resolved that

- a. The June 2025 Ordinary meeting of Council be held Thursday 19th June 2025;
- b. The Mayor, Deputy Mayor and General Manager attend the Australian Local Government Association National General Assembly to be held in Canberra in June 2025 and the Mayor be the authorised voting delegate;
- c. The November 2025 Ordinary meeting of Council be held Thursday 27th November 2025;
- d. The Mayor, Deputy Mayor and General Manager attend the LGNSW Annual Conference to be held in Penrith in November 2025 and the Mayor be the authorised voting delegate;
- e. The December 2025 Ordinary meeting of Council be held Tuesday 16th December 2025;
- f. The January 2026 Ordinary meeting of Council be abandoned; and
- g. The Administration Centre, Library, and Operations close from 4pm Wednesday 24th December 2025 and reopen Friday 2nd January 2026.

(Perry/Porter)

C12 2025 Annual Picnic Day

25-36 Resolved that the Annual Union Picnic Day be held on Tuesday 22nd April 2025.

(Porter/Quinn)

C13 Monthly Financial Report – February 2025

That Council receives and notes the report provided.

C14 Circulars and other Government Correspondence

That Council notes the information provided in the report.

C15 Tourism & Economic Development February/March 2025

25-37 Resolved that Council:

- a. Notes the information in the report; and
- b. Submits an application under State Government Sustainable Communities Program - Early Investment Round Program.

(Quinn/Perry)

C16 Library Report February 2025

That Council receives and notes the report provided.

C17 Major Projects Updat

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

C18 Operations Monthly Update Report

That Council notes the information provided in the report.

C19 Tree Removal Requests

- 25-38 Resolved** that Council
- a. Removes tree at 317 Macauley Street and replace with Crepe Myrtle.
 - b. Removes tree at 385 Macauley Street and replace with Crepe Myrtle.
 - c. Removes tree at 323 Church Street and replace with Crepe Myrtle.

(Perry/Tapper)

Closed Meeting

- 25-39 Resolved** that the meeting be closed during the discussion of the following matter relating to:

1C.1 Sale of Land for Overdue Rates

Section 10A of the Local Government Act 1993

- (b) *relating to personal hardship matters of any resident or ratepayer which, if discussed in an open meeting, would be contrary to public interest.*

(Tapper/Chapman)

1C.1 Sale of Land for Overdue Rates

- 25-40 Resolved** that Council:

- a. Sell the nominated land for overdue rates pursuant to Division 5 of the Local Government Act, 1993;
- b. Fix the time for sale thereof by public auction on the 19th September 2025 and the place for the public auction as the Council Chambers, 134 Lachlan Street,
- c. Give notice of the proposed public auction by advertisement in the NSW Government Gazette and the Riverine Grazier newspaper in the prescribed form;
- d. Appoint an Auctioneer for the proposed sale;
- e. Where practicable after publication of the notice referred to in Clause (c) hereof, give notice to any person who, according to the relevant land title search, has an interest in any of the land; and
- f. An administration fee of \$500 to be charged to each rate assessment.
- g. That the General Manager be authorised to set reasonable reserve prices for the respective properties.
- 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.

(Perry/Tapper)

Open Meeting

- 25-41 Resolved** that the meeting be opened, and the resolutions made public.

(Perry/Porter)

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

There being no further business the meeting terminated at 2.35^{PM}

A notice to alter a motion (25-35) was received from Cr Garner at the closure of the meeting.

Confirmed _____
Cr Carol Oataway
Mayor