



**INFORMATION REPORTS FOR THE BLAYNEY SHIRE COUNCIL MEETING  
HELD ON MONDAY 20 NOVEMBER 2017**

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**DEVELOPMENT DETERMINATIONS – OCTOBER 2017**

Below is a list of Development Applications determined during the month of October 2017.

<b>DA No.</b>	<b>Construction</b>	<b>Address</b>	<b>Determination Date/Method</b>	<b>Type: DA/CC, Mod, s68, s96 etc.</b>
2017/0092	Erection of a Shed	37 Olive Street, Mandurama	20 October 2017 Under Delegation	DA/CC
2017/0093	Erection of a Shed	21 Crouch Street, Neville	17 October 2017 Under Delegation	DA/CC
2017/0094	Erection of a Shed	953 Mount Macquarie Road, Neville	19 October 2017 Under Delegation	DA/CC
2017/0097	Erection of a Shed	3 Loftus Street, Blayney	19 October 2017 Under Delegation	DA/CC
2017/0102	Section 68 – Installation of a New On Site Effluent System	196 Eves Lane, Millthorpe	17 October 2017 Under Delegation	S68
2017/0104	Replacement of Existing Southern and Western Boundary Fence	1 Church Street, Blayney	25 October 2017 Under Delegation	DA

Copies of the consents are available for public inspection, free of charge, during ordinary business hours at Council's Planning and Environmental Services Department.

## AMRC NEWSLETTER – 31st October 2017

### **Introduction**

Delegates, here is the October 2017 Newsletter for your information, please circulate this to your fellow councillors and senior staff so they can appreciate and understand the excellent work the Association and you are doing on behalf of your council and community with regard to mining and energy related matters.

### **New and Former Delegates**

At the end of September and early October 2017, based on the advice received from member Councils and delegates to date of this publication, there have been some changes to delegates allocated to the Association. A big welcome to the new delegates. We look forward to meeting you at our meetings in Singleton on 17<sup>th</sup> November 2017. Still waiting on several other Councils to advise if there are any other delegate changes for the thank you letters to go out to former delegates.

New delegates are Councillor Rob Hooke (Gunnedah Shire Council), Councillor Dom Figliomeni (Wollongong City Council) and Councillor Sue Moore (Mayor, Singleton Shire Council). At Cabonne, Councillor Ian Davison (former alternate) replaces Sharon Wilcox with Councillor Ken Walker as new alternate, Director Environmental Services, Heather Nicholls is retained as the other delegate.

### **Next Meetings in Singleton 16/17<sup>th</sup> November 2017**

The November Ordinary meeting will be at Singleton Shire Council Council Chambers, anticipated to commence from 9.30am on 17<sup>th</sup> November 2017, preceded by the Special General Meeting commencing at 9.00am (to consider changes to the constitution for the inclusion of renewable energy; the adoption of the 2017 - 2020 Strategic Plan and the changes that will bring with re-naming etc; the inclusion of a Treasurer role; to consider clarification of clause 4.6 on representation in relation to local government best practice and current governance requirements plus review the Election Policy wording in the constitution).

The Annual General Meeting will follow the Special General Meeting, whereby delegates will be elected to the Executive Committee as Chair, Deputy Chairs (currently Metalliferous and Coal) and three other Committee members whereby one may be inclusive of a Treasurer, depending on decisions made at the Special General Meeting.

The Executive Committee will meet the day before at 9.00am in the Singleton Shire Council Council Chambers with the afternoon tour being replaced by valuable and informative presentations introducing a different approach, rather than a mine tour, for some variety.

What has been organised (with the kind assistance of the Singleton Shire Council General Manager and staff) is an afternoon of presentations with Q & A, by the Upper Hunter Mining Dialogue, Coal and Allied and Department of Primary Industries on Innovations in mining such as their Synoptic Planning efforts (future planning/use of mining land) starting at 1.30pm until 4.00pm.

Thereafter, arrangements have been made to have a bus pick up/drop off for our networking dinner at 130 Adams Peak Rd, Broke (Mt Broke Wines and Restaurant) in the vineyards

area on Thursday night, south of Singleton where we will drive past the active mines. Pick ups will be from Mid City Motor Inn from 5.45pm, then outside Royal Hotel on the Highway (opposite the Country Motor Inn), then the Francis Phillip and Charbonnier Motels also on the highway, at this stage to arrive at Broke by 6.30pm to enjoy the views. The evening will be Italian with wine tasting.....

If you haven't yet booked accommodation, the options at Singleton can be sourced through the Singleton Visitor Information and Enterprise Centre (phone number 1800 447 888 or email [sviec@singleton.nsw.gov.au](mailto:sviec@singleton.nsw.gov.au) or visit their website). I have listed the Singleton town motels from their brochure for your consideration, as follows:-

Quest Apartments (ph 02 6570380035); Highway motels – Quality Inn Charbonnier (ph 02 65722333), Country Motor Inn (ph 02 65722388), Benjamin Franklin Singleton Motel (ph 02 65722922), Francis Phillip Motor Inn (ph 02 65711991) and in the main street off the highway is the Mid City Motor Inn (ph 02 65722011).

Whilst quite a few delegates have indicated what they are doing, It would be nice to know in advance of attendances by delegates at the presentations on 16<sup>th</sup> November 2017 and dinner that night plus the meetings on 17<sup>th</sup> November 2017 (for bus numbers), once the appointment of delegates is finalised. We now have a quorum for the meetings of a least ten Councils represented.

### **Speakers for Next Ordinary Meeting in Singleton**

Speakers arranged at this stage are M/s Alison Frame, Deputy Secretary – Planning Policy, Staregy and Governance, Department Planning and Environment, to provide an overview of the many planning reforms being implemented by the State government.

Plus there will be a representative from the Department of Primary Industries, Water directorate to talk about their Water Monitoring Strategy, which has commenced in the Gunnedah Basin and is due to commence in Camden/Southern Coalfields and the Hunter soon. Attempts have also been made to get either John Barilaro or Don Harwin to address delegates, if not for November this year but for next year, hopefully at Parliament House, however to no avail at this stage..

### **Nominations for Executive Committee**

An email has been forwarded to all delegates on 2<sup>nd</sup> October 2017 outlining the Election Policy of the Association and the process with nomination forms to be completed for the Executive Committee. There are some areas in the wording in the Constitution that need clarification in relation to whether a nomination should be seconded and if so what is the qualification of the seconder – is this needed or what is the intention of this, as the Election Policy only indicates this is "preferred". As well it also says it is "preferred" if the nomination form has attached a brief resume..... Work to be done on this by the Executive Committee for consideration at the Special General Meeting on 17<sup>th</sup> November 2017, if required. Refer Clause 14.6.1 of the Constitution to see the situation we have to review and fix if required.

Nominations for the Executive Committee positions (Chair, Deputy Chair – Coal, Deputy Chair – Metals) and three Executive Committee members) are to be with the Executive Officer by 4.30pm 10<sup>th</sup> November 2017. Refer the email that was sent out, it can re sent if needed. Current position holders are Cr Peter Shinton, Mayor Warrumbungle Shire Council, Chair; Cr Lilliane Brady, Mayor Cobar Shire Council, Deputy Chair – Metals; Cr Chris

Connor, Wollongong City Council, Deputy Chair – Coal; Cr Owen Hasler, Committee member, Gunnedah Shire Council; Cr Jim Nolan, Committee member, Broken Hill City Council and one position vacated by Cr Hollee Jenkins, Singleton Shire Council.

### **Update on the Voluntary Planning Agreement Working Party (VPAWP)**

Further to the update provided in the September Newsletter on the VPAWP progress and the resolutions of the Association to advise members of its preferred position in relation to the VPA Quantum model options “to not support the worker domicile model” at its meeting on 11<sup>th</sup> August 2017, the Association has been advised by the CEO of the NSW Minerals Council, Mr Steve Gallilee, that they have decided to cease negotiations with the Association on the development of quantum models and participating in the Joint VPA Working party.

There will still need to be some form of documentation to reflect what has been agreed to date, plus the finalisation of the Guidelines, which will be discussed by the Associations’ VPA working party members in due course. This has been raised with Mr Galilee recently and yet to be organised.

With regard to the decision on the quantum options on 11<sup>th</sup> August 2017, the Association resolved as follows:

- The Association adopt option 3 – the actual cents per tonne (not % of production) as the preferred option in relation to coal production developments with option 4 – 1% of CAPEX as the default model;
- The Association reject outright the worker domicile model outlined in option 5 and delegates be requested to have their Councils write to the Minister for Planning indicating the same. (The Executive Officer is to write to member Councils outlining the Associations position on the VPA Non Infrastructure Contribution options, requesting they write to the Minister rejecting the worker domicile model with a template for them to consider and forward);
- The Association adopt as the preferred model for higher value commodities (metals) as the means for compensating local impacts of metalliferous mining developments, a calculation to apply an “X” cents per tonne figure for the ore concentrate or use 1% CAPEX, given the different circumstances for higher value commodities, as opposed to coal;
- The Association thanked Warwick for his comprehensive and detailed report and presentation.

Accordingly, letters were sent to member Councils in early October 2017, outlining the Associations’ preferred position, as per the aforementioned resolution and it would be appreciated if advice could be provided to the Executive Officer indicating which Councils have considered the content of the letter and what was the result for feedback to the Executive Committee and delegates. It was noted previously that Mid Western Regional Council has already resolved to support the Association on its stance with the “worker domicile model” and advise the Minister accordingly and we are aware Gunnedah Shire Council has ‘workshopped’ the issues and will consider their position at their November meeting. Any others?

### **Regional Independent Assessment Panel (RIAP) & Resources for Regions**

The Association has recently received documentation from the CEO Infrastructure NSW on seeking the appointment of a delegate from the Association to replace the former Executive Officer on the Regional Independent Panel Assessment. A meeting of RIAP was held in Sydney on 5<sup>th</sup> October 2017, to deal with the Resources for Regions recent applications for shortlisting, with another one due in March 2018, that the Executive Officer attended with the concurrence of the Chair. A full report will be submitted to the Executive Committee to consider the appointment of a delegate to RIAP at its meeting on 16<sup>th</sup> November 2017.

### **Website**

The website is a work in progress and the focus continues to be on getting more relevant information, photos (replaced, updated, possibly captioned if known), etc. The Executive Committee have approved the Executive Officer liasing with the website designer to have the newsletter submitted to delegates as part of the webpage rather than in the current format with references to links and so forth in order to improve our information exchange. A copy of some newsletters will be trialled with the website designer for further consideration.

### **Review of Associations' Financial Position by Roberts & Morrow**

The final report from the Auditing firm on the review has been received, it will be forwarded to the Executive Committee to consider on 16<sup>th</sup> November 2017 and submit to the Annual General/Ordinary meetings on 17<sup>th</sup> November 2017, as part of the Financial Report. It was pleasing to note that there was "nothing has come to our attention that causes us to believe that the 30<sup>th</sup> June 2017 Special Purpose financial report of the Association does not present fairly in all material respects..."

### **Review of Strategic Framework (Plan) 2017 - 2020**

The Chair of the Working Party (established to review the Strategic Framework 2013 – 2016 for the Association), Councillor Chris Connor, has completed the draft Strategic Plan 2017 – 2020. Councillor Connor has sought input from the Association members on the latest content which was distributed to delegates on 11<sup>th</sup> August 2017.

The Association resolved that a copy of the Draft Strategic Plan 2017 – 2020 be forwarded to delegates for comment by November 3<sup>rd</sup> 2017 (back to the Chair, Clr Chris Connor), so it can be included in the Agenda to the Special General Meeting on 17<sup>th</sup> November 2017 by the Executive Officer.

### **VPA Working Party Visits**

If any council would like to know more about the background to the VPA Working Party, progress with negotiations and how the models proposed for Road and Non Road impact calculations, the timelines and the proposed Guidelines will work, please contact the Executive Officer. Arrangements can be made to do a presentation to your council or its relevant staff to assist, by members of the Association's VPA Working Party.

The letter to member Councils on the VPA Quantum Options which was forwarded to members is comprehensive and provides details for Councils to be updated on the progress and options in the VPA Guidelines, if they don't want a presentation.

### **Constitution Review**

With the review of the Strategic Plan 2017 – 2020 and it's potential adoption, it will be necessary to conduct a Special General Meeting to make changes to the Constitution for name changes, details in clauses therein relating to "mining and energy related" matters on 17<sup>th</sup> November 2017.

The Association has also resolved that a report on a Treasurer function be also presented along with a legal interpretation on proposed changes to Clause 4.6 Representation (currently a delegate cannot be nominated by a member council if he/she has any association, commercial agreement or contract with a mining company - no doubt this will also include energy related associations, agreements or contracts) taking into account current governance provisions in Local Government, for consideration by the Association in November at the Special General Meeting.

A brief was prepared and presented to a specialist legal firm in Tamworth that deals with Association constitutions (Zuckerlegal) in September 2017 and the resultant report on the legal opinion has been received with both the brief and the report being referred to the Executive Committee for consideration of any changes needed to the Constitution and for the consideration of its recommendations or decision by delegates.

Clause 14.6. needs reviewing for clarity as part of the Association's Election Policy.

### **Membership Campaign**

Upper Hunter Shire Council have submitted their resignation from the Association, following a Council meeting on 31<sup>st</sup> July 2017. The Executive Officer outlined to them in response that they have to give three months notice before being able to leave the Association and are still eligible to pay this years' fees and requested reconsideration or if adamant their feedback on why they wanted to resign. Unfortunately, further advice has now been received indicating the Council has determined to cease being a member of the Association. They have committed to the payment for fees.

### **Related Matters of Interest – Mining and Energy Issues in the Press**

"Have your say on a review of the EP&A Regulation" Media Release from Alison Frame, Department Planning & Environment, issued 13<sup>th</sup> October 2017. The Department has just launched a issues paper seeking feedback from stakeholders to inform its review of the Environmental Planning & Assessment Regulation 2000 (the Regulation) to complement changes to the EPA Act 1979. The exhibition is open until 24<sup>th</sup> November 2017 and provides an opportunity for stakeholders to provide feedback and raise issues associated with the Regulation. Go to [www.planning.nsw.gov.au/Regulationreview](http://www.planning.nsw.gov.au/Regulationreview) to view the issues paper. Enquiries to DPE on 0292746294 or email [regulation.review@planning.nsw.gov.au](mailto:regulation.review@planning.nsw.gov.au)

"Coalition Government to rewrite the rules on energy" Mark Kenny in the SMH on 17<sup>th</sup> October 2017 says the Turnbull government is set to announce a major repositioning of Australia's energy and emissions policy after cabinet signed off on a plan to scrap all renewable energy subsidies in future and instead mandate the use of sufficient 'reliable' energy such as coal and gas to avoid blackouts. Fairfax Media believes the government will be able to do this while still meeting the nation's emissions reduction targets under the Paris agreement.....The Turnbull plan looks to have averted a showdown with the anti



climate change MP's led by former Prime Minister Tony Abbott, who were gearing up for a fight if the clean energy target (CET) was favoured. Refer [www.smh.com.au](http://www.smh.com.au) for full details.

*"Bigger shake-up looms for states that wont mine gas"* Peter Martin in the SMH on 9<sup>th</sup> October 2017 says that states that fail to fully develop their gas and mineral reserves will come under pressure with the release of a blue print commissioned by the Treasurer Scott Morrison for a shake-up of the way the Commonwealth delivers grants. The Grants Commission was limited to considering how to apply the agreed principles for distributing GST that has been in place since 2000. The Productivity Commission has been asked to examine those principles afresh and advise on alternatives. Among its specific terms of reference are "state laws and policies restricting the development of energy resources" Its about trying to address the anomalies that exist with the fair allocation of GST resources to WA. Refer [www.smh.com.au](http://www.smh.com.au) article for full details.

*"Turnbull pledges cuts to bills and emissions"* Editorial in Northern Daily Leader 18<sup>th</sup> October 2017. Malcolm Turnbull says household bills could fall by an average \$110-\$115 per year under the game changing national energy guarantee plan.....Labor spokesman Mark Butler said the prime minister had given up on renewable energy and not been prepared to give a price guarantee. " At best it would appear that the braod analysis that has been undertaken would involve a 50cents per week saving for households in three years time" Mr Butler said. Figures presented to the coalition party room showed coal and gas would still contribute up to 72 per cent of energy in 2030, while Labor's plan would cut this to 39 per cent. Refer [www.northerndailyleader.com.au](http://www.northerndailyleader.com.au) for full details.

### Contact

If you have any queries in relation to this newsletter please do not hesitate to contact the Chair or the Executive Officer to see how we can assist you in your busy role as a Council delegate to the Association of Mining Related Councils.

Our contacts are:- Chair, Clr Peter Shinton, by email [peter.shinton@warrumbungle.nsw.gov.au](mailto:peter.shinton@warrumbungle.nsw.gov.au) or phone at Council on 02 68492000 or the .Executive Officer, Greg Lamont, by email [greg@yourexecutiveservcie.com.au](mailto:greg@yourexecutiveservcie.com.au) or [info@miningrelatedcouncils.asn.au](mailto:info@miningrelatedcouncils.asn.au) or phone on 0407937636.

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