



**Minutes of
NSW Association of Mining Related Councils Inc.
Ordinary Meeting
Thursday 4th August 2016
Room 10
Level 6 Portside Centre
Symantec House
207 Kent Street
Sydney**

The meeting commenced at 9.00 am

Attendance

Cr Peter Shinton	Warrumbungle Shire Council (Chair)
Cr Lilliane Brady (OAM)	Cobar Shire Council (Deputy Chair)
Mr Peter Vlatko	Cobar Shire Council
Mr Steve Loane	Warrumbungle Shire Council
Mr Ron Zwicker	Wollongong City Council
Mr Robert Hunt	Lachlan Shire Council
Cr Dennis Brady	Lachlan Shire Council
Cr Owen Hasler	Gunnedah Shire Council
Cr Rebecca Ryan	Gunnedah Shire Council from 10 40am
Mr Andrew Spooner	Campbelltown City Council
Cr Holee Jenkins	Singleton Council
Cr John Martin (OAM)	Singleton Council
Mr Jasson Linnane	Singleton Council
Cr Jim Nolan	Broken Hill City Council
Cr Michael Greenwood	Parkes Shire Council
Mr David Henry	Wollondilly Shire Council
Cr Bob Pynsent	Cessnock City Council
Cr Sharon Wilcox	Cabonne Shire Council
M/S Heather Nicholls	Cabonne Shire Council
Mr Brad Cam	Mid Western Regional Council
Cr Paul Hawker	Campbelltown City Council
Cr Gordon Bradbery OAM	Wollongong City Council
Cr Peter Bishop	Upper Hunter Shire Council
Cr Bill Wheeldon	Wentworth Shire Council
Mr Peter Kozlowski	Wentworth Shire Council
Cr Jeff Whitton	Orange City Council



Staff

Mr Don Tydd

Executive Officer

Apologies

Cr Jarrod Marsden

Cr Col Mitchell

Cr Michael Banasik

Mr Greg Lamont

Cr Tony Ellis

Cr Nuatali Nelmes

Cr Chris Conner (Deputy Chair)

Cr Liz McGlynn

Cr John Davis

Cr Scott Ferguson

M/S Rebecca Ryan

Cr Des Kennedy

M/S Julie Goodwin

Cobar Shire Council

Wollondilly Shire Council

Wollondilly Shire Council

Narromine Shire Council

Narromine Shire Council

Newcastle City Council

Wollongong City Council

Bland Shire Council

Orange City Council

Blaney Shire Council

Blaney Shire Council

Mid Western Regional Council

Accounting Administrator

1. Apologies

30/2016 Resolved that the apologies be received and noted.

(Cr L Brady/ Cr S Wilcox)

2. Disclosures of Pecuniary Interests

31 /2016 Resolved delegates now disclose any pecuniary interests and reasons for declaring such interests in the matters under consideration at the meeting.

Ron Zwicker declared an interest through holding AGL shares.

Don Tydd declared an interest in the recommendation concerning the employment of the Executive Officer



3. Adoption of Minutes, Special Meeting held Thursday 13th May 2016, Aerodrome Auditorium, Tom Perry Drive, Narromine Airport .

32 /2016 Resolved that minutes of the Association's Special meeting held Friday 13th May 2016. Aerodrome Auditorium, Tom Perry Drive, Narromine Airport be received and noted.

(Cr J Martin/ Cr L Brady)

4. Adoption of Minutes, Ordinary Meeting held Thursday 13th May 2016 Aerodrome Auditorium, Tom Perry Drive, Narromine Airport.

33/2016 Resolved that minutes of the Ordinary meeting held Thursday 13th May 2016, Aerodrome Auditorium, Ton Perry Drive, Narromine Airport be received and noted.

(S. Loane /Cr S Wilcox)

5. Matters Arising From The Minutes

Nil

6. Short Presentation by Councillor Peter Bishop- Upper Hunter Shire Council's Mining and CSG Policy.

Cr Bishop spoke on his council's policy. Comments on the issues were made by Steve Loane, Ron Zwicker and Cr Bradbery.

7. Recommendations From Executive Committee meeting held on Friday 29th July 2016

7.1 Review of Discussions Between Association and NSW Minerals Council on Planning Agreements (Formerly Known as Voluntary Planning Agreements- Proposals by Wollondilly Shire Council for Changes to Draft Agreements.

David Henry spoke to this matter on behalf of Wollondilly Shire Council as to the reasons for the request for the changes.



34/2016 Resolved the following request from Wollondilly Shire Council for suggested amendments to the draft VPA negotiation process document is not considered possible, practical and is detrimental to the process:

- The inclusion of a process and associated timeline for the development of VPA'S which apply to existing approved mining developments and ,
- The inclusion of a mechanism that enables the concurrent lodgement of any relevant formal VPA offer with the distribution of a draft Environmental Assessment associated with a proposed mining development.

(Cr Hasler/Cr Wilcox)

7.2 Discussion Document on Present Negotiations between Association Panel and NSW Minerals Council

Cr Hasler, Steve Loane, Cr Martin and Cr Nolan spoke on this matter.

35/2016 Resolved discussion document on VPA negotiations prepared by the Association's consultant and reviewed by Panel member Councillor Owen Hasler be circulated to delegates for comment.

(Cr Hasler/ Cr Wilcox)

Note: The report was circulated to delegates prior to the meeting

Suspension of Standing Orders

36/2016 Resolved Standing Orders be suspended at 9 40am to hear presentations by guest speakers.

(Cr Nolan/ Cr Wilcox)

Presentation by Councillor Martin Rush – Mayor, Muswellbrook Shire Council

Cr Rush spoke on the history of open cut mining in the Muswellbrook Shire area. The situation regarding the rehabilitation of mine sites to the more natural landscape had improved over the years. The outstanding issue was the voids which have been left.

Cr Rush also spoke on air quality issues and the assessment of PM 2.5 dust particles. He addressed the matter of night time readings verses day time readings.



In relation to mine site rehabilitation there were ongoing issues with transparency, formula and ongoing maintenance of natural vegetation. Cr Rush also spoke on funding of infrastructure by council from contributions made by the mining industry.

Steve Loane requested relevant documents be made available to the Association.

Cr Rush also answered questions from Councillor Hasler on landscape issues, and Councillor Bradbery on dust matters, rainfall patterns and climate change.

Councillor Shinton thanked Councillor Martin for his presentation.

Presentation by Councillor Keith Rhoades, President, Local Government NSW (LGNSW).

Councillor Rhoades thanked the Association for the invitation to make a presentation at this meeting and introduced accompanying LGNSW Staff, M/S Donna Rygate, Mr Shaun McBride and M/S Jane Partridge.

Councillor Rhoades spoke on the following matters:

- Both organisations having a long history of sharing views and attending each other's meetings.
- NSW local government facing the greatest changes in history.
- LGNSW was critical of the present changes to local government being introduced by the NSW State government with forced amalgamations.
- A tool kit had been developed by LGNSW on its web site for use by councils.
- He was in regular discussions with Ministers and the Government on key local issues.
- Current developments with proposed joint organisations of councils, road funding and water management.
- The 2016 Water Management conference would be held in Broken Hill.
- LGNSW continued to make representations to government on funding issues and the holding of educational events for NSW councils and their staff.
- LGNSW supported the current discussions taking place between the Association and the NSW Minerals Council on Voluntary Planning Agreements (VPAS).

Delegates Comments

Councillor Hasler raised his concerns on Association non-member councils having access to the current discussions. M/S Rygate and Mr Mc Bride made comment on this matter.



Councillor Hasler also raised the issue of new RFS funding models. M/S Rygate made comment on the need for more transparency as LG NSW was not part of the discussions but there was a need to prevent the peaks and troughs.

Councillor Rhoades commented on related issues and the timing of decisions. Mr McBride said it was not a perfect system and there was a need to remove the spikes in funding models.

Robert Hunt raised the matter of the IPART review into local government rating, M/S Rygate gave a report on the current situation with the review.

Councillor Shinton thanked Councillor Rhoades for his presentation and the staff of LGNSW for their comments.

Resumption of Standing Orders

37/2016 Resolved that the meeting resume at 10 55am.

(Cr Martin/ Cr Wilcox)

7.3 Acceptance of Departmental Grant Towards Cost of Negotiating/Developing New Voluntary Planning Agreements with the NSW Minerals Council.

38/2016 Resolved The Actions of the Chairperson and the Executive Officer in negotiating and accepting a grant of \$10,000 from the Department of Planning and Environment be endorsed. Further, the grant be used for current expenditure in relation to employing the consultant OzEnvironmental Pty. Ltd.

(Cr Hasler/ Cr Wilcox)

7.4 . Budget: Employment of Consultant OZEnvironmental

39/2016 Resolved a further \$10,000 be allocated from the Association's cash reserves to finalise the Planning Agreements (formerly known as Voluntary Planning Agreements) project.

(Cr Hasler/ Cr Wilcox)



7.5. Use of Association's Web Site for Display of Meeting Documents and Minutes

40/2016 Resolved draft minutes be sent to delegates and member councils following each ordinary meeting and also be displayed on the Association's web site.

(Cr Hasler/Cr Wilcox)

7.6 . Accounts Administrator's Report and Financial Reports for Period 1st July 2016- 30th June 2016.

41/2016 Resolved the Accounts Administrators report and financial reports for period 1st July 2015 – 30th June 2016 be received and noted.

Councillor Hasler requested the Accounts Administrator provide comment in reference to the "salaries and on costs" figures in the financial reports and that "travelling expenses" be separated in to actual travelling costs and accommodation costs.

(Cr Hasler/ Cr Wilcox)

7.8 . Support for Wollondilly Shire Council in its Representations on the Effects of Mining on Thirlmere Lakes.

The representations by Wollondilly Shire Council to gain the Association's support on this matter be noted and the matter be discussed at the next Ordinary meeting when council's delegates are present.

Dealt with in General Business

7.9 . Options for Employment of the Association's Executive Officer

Note: Resignation of present Executive Officer

Prior to this matter being considered, The Executive Officer advised the meeting that under clause 10.3.2 of his current contract with the Association he was tendering his resignation to take effect from Thursday 1st September 2016.

42/2016 Resolved that after an extensive review undertaken by the Chair of the Association of Mines Related Councils (AMRC), and an in depth discussion of the options for the Employment of an Executive Officer for



AMRC (an employee either reporting direct to AMRC or in a host Council arrangement versus an Independent Contractor) and in the consideration of concerns raised in relation to existing systems, the need for best practice and transparency in reporting, the Executive make the following strong recommendations:-

1. That the AMRC engage an independent contractor on a twelve month term with the option to renew annually, to undertake the role of Executive Officer, to provide the Secretariat function and any other function agreed in (2) and (3) below, to AMRC at an initial cost not exceeding the Total Remuneration Package (TRP) of the current Executive Officer;
2. That a Panel consisting of the following:-
 - (a) A representative of ARMC Executive - The Chair AMRC (Cr P Shinton);
 - (b) An independent representative - Life Member ARMC (Mr Glen Wilcox) or an alternative suitably qualified independent person;
 - (c) An operational facilitator – Delegate and General Manager (Mr Steve Loane).

be established to determine the Scope of Works and Key Performance Indicators for the Independent Contractor to meet; to source a suitable person; negotiate and appoint them to fulfil the functions in (1) and (2), as agreed upon by the parties;

3. That the Chair of AMRC be authorized to sign the contract for services on behalf of AMRC;
4. That the incumbent Executive Officer be retained on existing terms until the 1st September 2016.

(Cr Hasler/ Cr Wilcox)

8. Executive Officers Report (For Information)

43 /2016 Resolved the Executive Officer's Report for information be received and noted.

(Cr Martin/ Cr L Brady)



9. General Business

9.1 Wollongong City Council Merger

Councillor Bradbery spoke on the current merger discussions involving Wollongong City Council and on behalf of Councillor Chris Connor and himself thanked delegates and the Association for the past involvement.

9.2 New Strategic Plan

In reply to a question on this matter, Councillor Shinton advised that the development of the plan had been under the direction of Councillor Connor. The matter needs to be revisited.

9.3 Resources for Regions

Councillor Greenwood asked for a progress report on this matter.

The Executive Officer advised he understood the next meeting of the Resources for Regions Advisory Panel was to be held in October 2016.

Councillor Hasler spoke on the recent meeting between the NSW Minerals Council and The Executive Committee where it's CEO, Mr Steve Galilee had advised representations on this matter from his organisation were to be stepped up and expressed the view there should be a joint approach to this matter by the NSW Minerals Council and the Association.

Cr Martin and Steve Loane both suggested that this matter should be kept under review by the Association.

Adjournment

The meeting was adjourned at 11.15am and resumed at 11 40am

10, Presentation by Department of Planning and Environment Staff

The Department was represented by M/S Alex O'Mara, Executive Director of Resources and Industry Policy and Mr Stephen Barry, Director Resources Policy. M/s Allison Frame. Deputy Secretary, Policy and Strategy was an apology.

M/s O'Mara's presentation included references to:

- Social Impact Assessment (accompanied by a handout)
- Planning reforms
- Biodiversity reforms



- Coastal policy
- E planning
- Windfarm guidelines
- Voluntary planning agreement

M/S O'Mara answered questions from delegates on her presentation. Mr Barry's address involved the Department's present consultation initiatives and the emphasis on talking to communities about local developments at an early stage.

He provided details of staff visitations across NSW to obtain information of local mining developments. This was an ongoing process and the results of the consultations would be made available at the end of 2016.

Councillor Hasler spoke on this matter.

Mr Barry commented that the Department's aim was to streamline the process.

Councillor Shinton thanked M/S Omara and Mr Barry for their presentations and they left the meeting.

Presentation by The Honourable Sarah Mitchell MLC, Parliamentary Secretary for Western NSW and Chair, Western NSW Mining and Resource Development Taskforce and M/S Alison McGaffin, Taskforce Coordinator.

M/S Mitchell introduced herself and explained the operations of the Taskforce, its focus and achievements.

M/S McGaffin explained her role and that of the Taskforce and the geographical coverage of the issues being considered. Current Projects included:

- Revenue created and linked to local mining developments
- Employment issues associated with local mining developments

Other issues being considered by the Taskforce included strategic planning and the Resources for Regions program.

Both M/S Mitchell and M/S McGaffin answered delegate's questions. M/s McGaffin again listed the Taskforce's achievements and outcomes.

Councillor Shinton thanked M/S Mitchell and M/S McGaffin for their presentations and they left the meeting.



The meeting resumed with general business matters.

9.4 Support for Wollondilly Shire Council in its Representations on the Effects of Mining on Thirlmere Lakes.

David Henry made a presentation on this matter on behalf of Wollondilly Shire Council. He gave background information on the Thirlmere Lakes and their importance to the local area. Mining near the Lakes dates back to 1974 with no buffer zones to the consent at that time.

In 2010 the water level in the Lakes dropped. Presently there were no results as to why this had occurred. In 2017 the mine will be closing and there is a need for the rehabilitation of the Lakes to be addressed.

Council has asked the Association for support on this matter.

44/2016 Resolved (1) the Association provide support to the resolutions of Wollondilly Shire Council regarding concerns over the continued observed water loss from the World Heritage listed Thirlmere Lakes and the conclusion of recent scientific studies regarding this matter and,
(2) Pursuit to (1) correspondence be sent to the NSW Minister for Resources and Industry (The Honourable Anthony Roberts) and the NSW Minister for Primary Industries (The Honourable Niall Blair) advising of the support to the resolutions and requesting a prompt response.

D Henry/ Cr L Brady)

There being no further business, the meeting concluded at 12.55pm

The Minutes (Pages 1- 11) were confirmed at a meeting held on Friday 4th November 2016 and are a true and accurate record of proceedings of the meeting held on Thursday 4th August 2016.

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Chairperson