

**MINUTES OF THE ASSOCIATION OF MINING & ENERGY RELATED COUNCILS  
(NSW) ORDINARY MEETING HELD AT SINGLETON COUNCIL, 5 CIVIC AVE,  
SINGLETON, IN THE COUNCIL CHAMBERS ON 17<sup>TH</sup> NOVEMBER 2017**

**Present**

Cr Peter Shinton	Warrumbungle Shire Council (Chair)
Cr Lilliane Brady OAM	Cobar Shire Council (Deputy Chair)
Cr Chris Connor	Wollongong City Council (Deputy Chair)
Cr Owen Hasler	Gunnedah Shire Council
Cr Rob Hooke	Gunnedah Shire Council
Cr Melanie Dagg	Cessnock City Council
Cr Bob Pynsent	Cessnock City Council
Cr Dan Thompson	Singleton Council
Cr Sue Moore	Singleton Council
Mr Jason Linnane	Singleton Council
Cr Jim Nolan	Broken Hill City Council
Cr Noel Lowry	Wollondilly Shire Council
Cr Michael Banasik	Wollondilly Shire Council
Mr David Henry	Wollondilly Shire Council
Cr Mark Hall	Lachlan Shire Council
Mr Brad Cam	Mid Western Regional Council
Cr Dom Figliomeni	Wollongong City Council
Mr Ron Zwicker	Wollongong City Council
Mr Andrew Johns	Gunnedah Shire Council

**Minute Taker**

Mr Greg Lamont	Executive Officer, Yes Pty Ltd.
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**Guests**

Mr Rob Brownhill	Crown Lands and Water
Mr Steve Barry	Department Planning & Environment

**Apologies**

Cr Reg Kidd	Orange City Council
Cr Nuatali Nelmes	Newcastle City Council
Cr Melisa Hederics	Wentworth Shire Council
Mr Peter Kozlowski	Wentworth Shire Council
Cr Scott Ferguson	Blayney Shire Council
M/S Rebecca Ryan	Blayney Shire Council
Cr Alan Ward	Parkes Shire Council
Mr Robert Hunt	Lachlan Shire Council
Cr Ian Davison	Cabonne Shire Council
M/s Heather Nicholls	Cabonne Shire Council
Cr Des Kennedy	Mid Western Regional Council
Mr Peter Vlatko	Cobar Shire Council
Cr Liz McGlynn	Bland Shire Council

**1. Welcome**

The Chair, Councillor Peter Shinton welcomed members to the meeting and declared the meeting open at 10.25am.

**2. Apologies**

**OM 45/2017** Resolved (Cr Brady/Cr Hasler) that the apologies of delegates listed be received and noted.

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**3. Disclosures of Pecuniary Interest**

- (a) Mr Ron Zwicker declared his interest as a shareholder in AGL Gas Investments;
- (b) Cr Melanie Dagg declared her interest as her husband works at Rix's Creek Mine, Hunter Valley;
- (c) Cr Bob Pynsent declared an interest as shareholder in Yancoal.
- (d) The Executive Officer, Greg Lamont, declared a pecuniary interest in Item 3 (j) Executive Officer's Contract Review as part of the Minutes of the Executive Committee held on 16<sup>th</sup> November 2017.

**Adjournment of Meeting – Suspension of Standing Orders**

**OM 46/2017** Resolved (Cr Connor/Cr Brady) that the meeting be adjourned at 10.28am, for morning tea and thereafter to receive the presentations from Rob Brownbill (Lead Hydrogeologist - Crown Lands and Water) and Stephen Barry (Director Resources Policy - Department Planning & Environment).

***Presentations***

The content of the presentations were as follows, in order:

Rob Brownbill – Water Monitoring Strategy for Coal Basins in NSW. Key Points:-

- NSW Government has developed a Water Monitoring Strategy for 8 Priority areas in NSW - Clarence/Moreton Basin; Gunnedah Basin; Western Coalfield (North); Hunter; Gloucester Basin; Western Coalfield (South); Newcastle Coalfield and Camden/Southern Coalfield;
- Purpose is to establish “reference condition” water quality and to observe the changes to create baseline data which is to be displayed on the Office of Water web site [www.water.nsw.gov.au](http://www.water.nsw.gov.au) as a 3D Geological Model;
- He went through an example and chose Hunter in view of where the meeting for the Association was held;
- There is an opportunity for stakeholder engagement by going to the website and looking a data for each priority area s as it is developed.

Stephen Barry, (Deputising for Alison Frame) – DPE Planning Policy Updates. Key Points:-

- Environment Planning and Assessment Act 1979 has been through the biggest overhaul in 40 years with the objectives of enhancing community participation, improved strategic planning, increased probity in decision making and simpler faster planning;
- Changes to the Planning Assessment Commission now called the Independent Assessment Commission where the assessment be undertaken in two stages, at the outset and after the DPE had submitted its assessment report;
- Conditions of consent are to be transferrable on sale of a business;
- Minister to be able to revoke conditions to ensure their relevance over time to match legislation changes and community expectations;
- Greater emphasis on financial assurances for completion of conditions;
- The end of Part 3A arrangements;
- The inclusion of enforceable undertakings by DPE and Councils subject to approval by the Secretary Planning Department;
- EIA Improvement Project requires amendments to the Mining SEPP and to align with legislation changes to air and noise quality. Guidelines to be out in 2018;
- Voluntary Land Acquisition and Mitigation Policy being reviewed;
- Mine Rehabilitation Policy, Voluntary Planning Agreements, Large Scale Solar Guidelines to be on exhibition in 2018 (NSW is the national leader in solar

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energy development and 13 more projects have been approved with more under consideration) and the SEPP Review Program (16 repealed, 50 SEPPS being reviewed and reallocated into 12 categories), whilst listed in the slides he did not have time to cover during the presentation but happy to provide any information to delegates.

(Note: It was agreed that copies of the presentation slides and documentation by the speakers be distributed to delegates as detailed background information).

**Resumption of Meeting**

**OM 47/2017** Resolved (Cr Dagg/Cr Thompson) that the meeting resume at 12.00pm.

**4. Minutes of the Previous Ordinary Meeting – 11<sup>th</sup> August 2017**

**OM 48/2017** Resolved (Cr Hasler/Cr Thompson) that the minutes of the Ordinary meeting held on 11<sup>th</sup> August 2017 be received and noted.

**5. Business Arising from the Minutes of the Ordinary Meeting - 11<sup>th</sup> August 2017**

Nil.

**6. Deferral of the Adoption of the Minutes of Executive Committee Meeting - 16<sup>th</sup> November 2017.**

**OM 49/2017** Resolved (Cr Hasler/Cr Brady) that the minutes of the Executive Committee meeting held on 16<sup>th</sup> November 2017 be dealt with after the Executive Officer provides details on the background to each item outlined in the Executive Committee minutes that had not already been dealt with in the respective meetings beforehand.

**7. Executive Officer's Report**

The Executive Officer's report was dealt with prior to adopting the Minutes of the Executive Committee meeting held on 16<sup>th</sup> November 2017.

***Item 3 (j) Executive Officer's Contract Review***

The Executive Officer left the Chambers whilst Item 3 (j) of the Executive Officer's Report was dealt with at 12. 10pm.

**OM 50/2017** Resolved (Cr Thompson/ Cr Moore) that the Executive Officer's report be noted and the Executive Officer's contract be extended until 13<sup>th</sup> December 2020 subject to an annual review of Key Performance Indicators and continued success of the Association.

The Executive Officer returned to the Chambers at 12.15pm

**8. Adoption of Minutes of Executive Committee Meeting -16<sup>th</sup> November 2017**

**OM 51/2017** Resolved (Cr Hasler/Cr Brady) that the minutes of the Executive Committee meeting held on 16<sup>th</sup> November 2017 be received and noted.

**9. Business Arising from Minutes of Executive Committee Meeting – 16<sup>th</sup> November 2017.**

Nil

**10. Delegates Report – Resources Advisory Forum (RAF).**

Councillor Hasler provided a verbal report on the recommendations from the Executive Committee Item 7 (a) – (d ) in relation to Regional Advisory Forum and recommended that recommendation (b) therein be changed to the following, in light of the

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presentations received from DPE staff on Thursday and Friday (16/17<sup>th</sup> November 2017):-

“That the Association review the amendments to the Environment Planning & Assessment Act 1979 and the Executive Officer and/or consultant prepare a report to delegates on any implications”

**OM 52/2017** Resolved (Cr Hasler/Cr Hooke) that (b) is changed to read that the Association review the amendments to the Environment Planning & Assessment Act 1979 and the Executive Officer and/or consultant prepare a report to delegates on any implications.

**11. General Business**

- (a) Subsidence Advisory NSW: Cr Thompson outlined to delegates that Singleton Council has submitted a motion to the Local Government NSW Conference to be held in Sydney early December 2017 about the changes made to the Mines Subsidence Board he had reported to delegates previously, such as the distribution of the quantum in the separate fund set up for rehabilitation to reimburse developers, place the obligations on the developers to undertake rehabilitation with less control by the Board, the establishment of a small contingency fund in lieu, etc and is seeking the support of member Councils to vote for the motions at the conference;
- (b) Delegate to Subsidence Advisory NSW Board: Cr Thompson advised that he has resigned from the Subsidence Advisory NSW Board and had been asked to nominate a replacement and he advised this was to be Cr Melanie Dagg, Cessnock City Council;
- (c) Local Government NSW Conference: Cr Banasik enquired if the Association was to have a stand at the conference this year? The Executive Officer advised that this had been tried before and the Executive Committee has considered this but at this stage it was not a viable or practical option to attract memberships, however this could change in the future with the change of name to embrace renewable energy and with the adoption of the Strategic Plan 2017 - 2017
- (d) Conduct of Elections: Cr Connor, Deputy Chair (Coal) on behalf of all delegates, thanked Cr James Nolan for his contribution to the Association, particularly in view of the recent Association name change, the change of Strategic direction to embrace renewable energy and his experienced input on submissions to the NSW Government whilst part of the Executive Committee in recent years.

**12. Next Meeting** – Sydney 23<sup>rd</sup> February 2018

**13. Close** – The meeting closed at 12.40pm

**The minutes (pages 1-4) were confirmed at a meeting of the Ordinary Committee held on the 23<sup>rd</sup> February 2018 and are a concise and accurate record of proceedings of the Ordinary meeting held on 17th November 2017.**

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**Cr Peter Shinton**  
**Chairperson**