

Quote No L21/2567- 11/426
RN:LJB

Telephone / Personal Enquiries
Ask for Mayor Darrieda Turley AM

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www.brokenhill.nsw.gov.au

21 October 2021

ABN 84 873 116 132

Independent Pricing and Regulatory Tribunal NSW
PO Box K35
Haymarket Post Shop
SYDNEY NSW 2000
uploaded through IPART submissions portal

Dear Sir/Madam

Broken Hill City Council's Submission

- **Essential Water's water and sewerage services in Broken Hill from 1 July 2022; and**
- **WaterNSW's Murray River to Broken Hill Pipeline services from 1 July 2022**

Broken Hill City Council welcomes the opportunity to provide a submission for IPART's consideration into Essential Water's water and sewerage services from 1 July 2022 and also WaterNSW's Murray River to Broken Hill Pipeline services from 1 July 2022.

Introduction

The City of Broken Hill is the largest regional centre in the western half of New South Wales. It lies in the centre of the New South Wales Outback, close to the South Australian border and midway between the Queensland and Victorian borders.

The nearest population base is Mildura in Victoria, 300km to the south on the Murray River. The nearest capital city is Adelaide, approximately 500km to the southwest.

Connected by air, rail and road and with all the facilities that one would expect of a regional city, the Far West NSW region relies heavily on Broken Hill for essential services and connectivity.

Broken Hill has been and still is, a city dominated by the mining industry. With a population of 17,269 (2020 ABS Estimated Resident Population), Broken Hill is the economic and cultural hub of Far Western NSW. It still boasts a prosperous mining industry, a thriving services industry, an expanding renewable energy industry and welcomes over 150,000 tourists per year. The need to diversify the economy and address changes in affordability of public infrastructure are both critical issues facing the Council. In addition, with a SEIFA Index of Disadvantage for Broken Hill City in 2016 of 901, it must also be recognised that the cost of living and level of disadvantage for the overall community of Broken Hill is high.

Broken Hill's isolation is as much a strength as it is a challenge. This is Australia's longest lived mining city, where some of the world's major mining companies were founded on the richest mineral deposits and where safe working practices and workers legislation were first developed for miners in Australia. The city skyline is dominated by prominent mining structures along the Line of Lode, including a memorial to miners

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The Far Western Region

The NSW Western Region comprises two (2) Local Government Areas. Broken Hill City and Central Darling Shire - and along with the Unincorporated Area of NSW, covers an area of approx. 147,000 sq. km. Broken Hill is well known for its mining heritage as the birthplace of the world's largest mining company - BHP.

The area is home to approximately 46 per cent of the population of the Far West. Most people (85 per cent) live in the strategic centre of Broken Hill, which is the largest centre in the Far West. A strong cross-border relationship exists with Adelaide (South Australia) and Mildura (Victoria) and a cross-regional relationship with Dubbo to access higher-order health, education, retail, commercial and transport services.

The Unincorporated Area covers around 40 per cent of the Far West region and surrounds, but does not include Broken Hill. It comprises predominantly pastoral lease-holdings and includes a number of small, dispersed settlements such as Silverton, Tibooburra and Milparinka.

The major transport and freight links include the Barrier, Silver City and Cobb highways and the Sydney to Adelaide rail route, which provide good links to Sydney, Melbourne and Adelaide. Broken Hill also provides a regular airline passenger service to Dubbo, Sydney, Adelaide and Mildura.

The economy of the area is underpinned by health and social services, mining, agriculture, tourism and renewable energy, with significant mineral deposits around Broken Hill (including iron ore, zinc, lead, cobalt and mineral sands), and meat and wool production. Broken Hill provides ancillary service industries to support agriculture and mining in the area.

Broken Hill has an expanding renewable energy industry, with the completion of the AGL Broken Hill Solar Plant project in 2016 being one of Australia's largest utility-scale solar plants, and the AGL Silverton Wind Farm project in 2018 with a combined capacity of over 250 MW, together powering around 158,000 average Australian homes. AGL are currently in the planning and approval stage of a proposed grid-scale battery energy storage system plant project (of up to 100 megawatt-hour capacity) to be located at Broken Hill.

Tourism also supports the economy, with diverse and unique tourist attractions including the very marketable status of being Australia's First Heritage-Listed City. opportunities for capitalising on arts, heritage and culture-related tourism are significant.

Broken Hill has experienced water security issues over many years. the 270-kilometre pipeline constructed from the Murray River to Broken Hill has secured a long-term water supply for Broken Hill. This infrastructure has opened up opportunities for new development and new industries.

The area has diverse landscapes and environmental features, arid and semi-arid desert areas, inland freshwater lake systems at Menindee, and the Darling River and associated floodplain areas and tributaries.

The following responses are provided to the questions raised by IPART at a Briefing Session with Councillors and staff, held 13 October 2021:

1. What are Broken Hill City Council's views on Essential Water's proposed price changes?

- Under its proposed prices, Essential Water proposes to increase water and sewerage bills by 2% per year on top of inflation (or a 4.5% per year increase assuming a CPI rate of 2.5%) for residential and non-residential customers. This is an increase of 11% above the Consumer Price Index and approximately 25% in total over the 5 year period. **Similar to the Council Rate Pegging Limit, water and sewerage pricing should be subject to CPI increases only and budgets set accordingly.**
- The claim by Essential Water that it predicts a reduction in water usage in Broken Hill is refuted. **Broken Hill's water restrictions were sustained for a long period** despite the fact that the Murray River to Broken Hill pipeline was operational. Broken Hill finally came off water restrictions on 1 March 2021 after Council considered a motion to write to the NSW Water Minister asking why Broken Hill was still on water restrictions given that it was now connected to a secure water supply (see attached). **There should be an increase in water usage as residents are now able to re-establish their gardens and lawns that were affected over years of drought.**
- An increase of approximately 11% will mean that **water will become unaffordable for many members of the community.** This will in-turn result in reduced water usage by many residents and higher charges for those residents who continue to water their gardens and lawns.
- **The liveability of the city becomes impacted** as a green city then becomes unsustainable due to our low rainfall as rainwater alone will not sustain our gardens. Council, businesses and residents rely on the town water supply to supplement watering of our parks, ovals, street trees and verges as well as residential gardens.
- Council acknowledges that the NSW Government undertook to pay the infrastructure contributions for the construction of the Wentworth to Broken Hill pipeline until 2023 but is concerned that the government's contributions may cease in 2023 with the possibility that costs will be passed onto customers. **The response given prior to the previous IPART review, that the NSW Government will pay for the infrastructure and IPART will make the pricing decision, does not ease residents' concerns that bills may increase beyond their ability to pay.**
- During the construction of the Wentworth to Broken Hill pipeline, Essential Water and NSW Water stated that **a pipeline directly to Broken Hill's processing plant would be the more economical option, and although not required for water supply for the City of Broken Hill, the existing water storage plants are still operating (Umberumberka Reservoir and Stephens Creek Reservoir).** The Umberumberka and Stephens Creek Reservoirs are in use for outlying pastoral properties surrounding Broken Hill and it is a concern that the **costs of operating these reservoirs continues to be passed onto Broken Hill customers.**

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- Essential Water implemented increases four years ago and is now requesting another increase, although the plant should be operating more efficiently due to the commissioning of the Murray River pipeline. **The City should no longer require the water storage systems of Umberumberka Reservoir and the Stephens Creek Reservoir for the provision of town water. A significant reduction in the cost of processing water should have been realised by Essential Water once the pipeline was commissioned.**

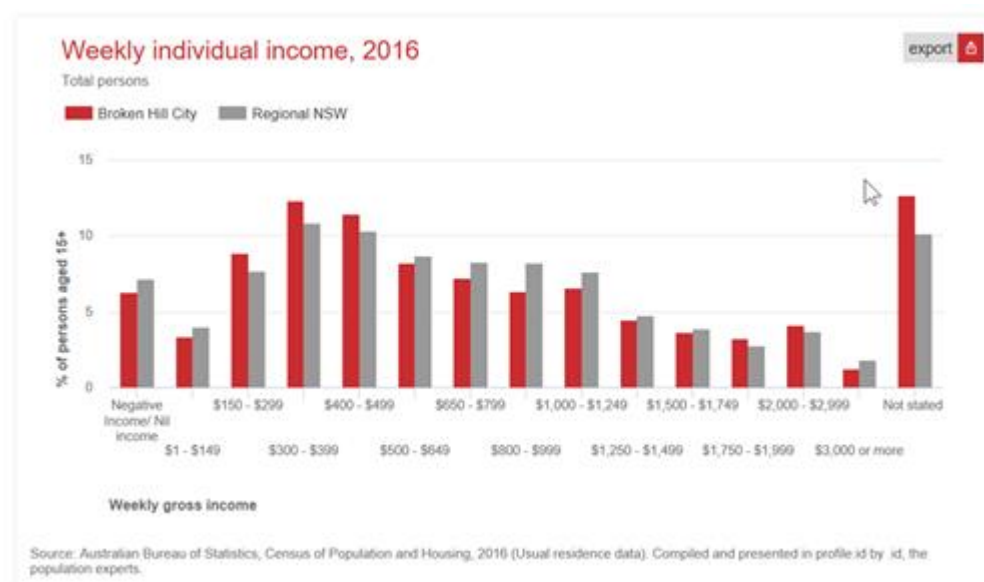
2. What factors should IPART consider when looking at affordability for this review?

Economic Status – Ability to pay

SEIFA Index of Disadvantage for Broken Hill City in 2016 was 901.

Broken Hill has a higher number of part-time workers and low-income earners when compared to the rest of NSW indicating a lesser capacity to meet increasing utility costs.

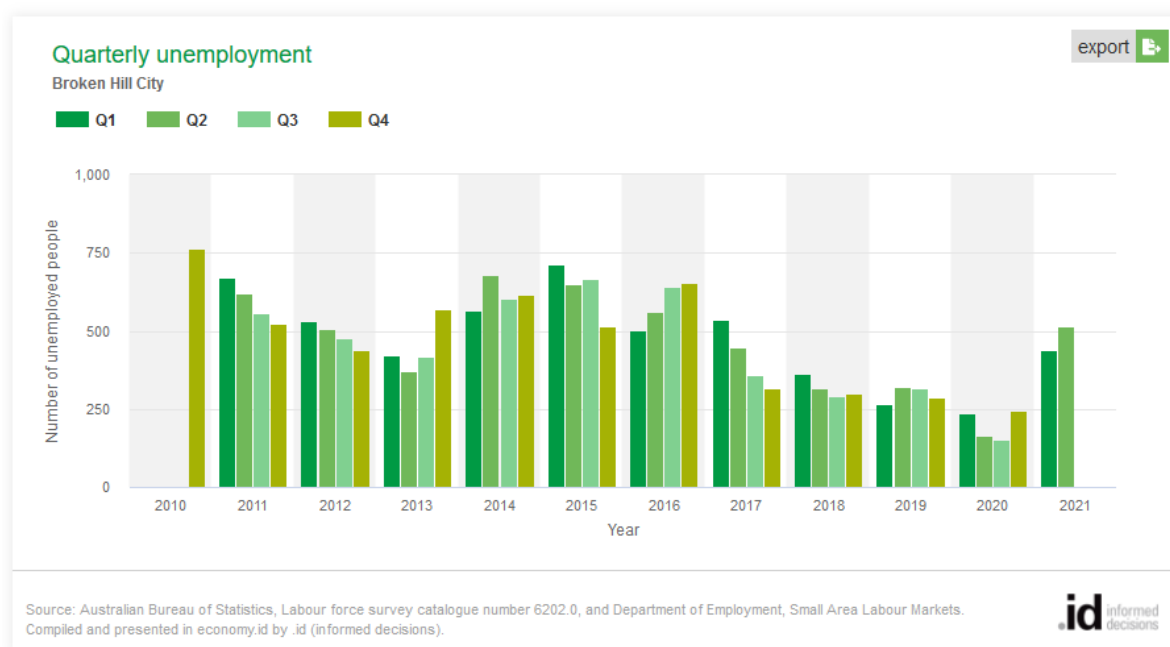
Analysis (Profile Id) of the individual income levels in Broken Hill in 2016 compared to NSW shows that there were a lower proportion earning a high income (\$1,750 per week or more) and a higher proportion of low-income persons (less than \$500 per week). Overall, 18.3% of the workforce earned a high income, and 18.7% earned a low income, compared with 20.5% and 17.2% respectively for NSW.



Analysis of the hours worked by the workforce in Broken Hill in 2016 compared to NSW also show that there were a higher proportion who worked part-time (34 hours or less) and a lower proportion who worked full-time (35 hours or more). Overall, 35.5% of the workforce worked part-time (34 hours or less) and 62.1% worked full-time (35 hours or more), compared with 34.9% and 63.1% respectively for NSW.

COVID 19 has had a large impact on our employment, which follows a long period of drought. In the 2021 June quarter, the unemployment rate in Broken Hill City was **6.4% up from 2% in September 2020**. This is 1% higher than the unemployment rate for Regional NSW.

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The 2020 Anglicare Rental Affordability Snapshot for Western NSW also raises the issue of housing affordability in Western NSW with the **ability to pay rent impacting on household budget to pay bills**. "As with previous years Rental Affordability Snapshots most people on income support payments would have a hard time finding affordable and appropriate private rentals."

There are also a significant number of people receiving **income support** in Broken Hill. DSS Demographics June 2021 show that there are 18,340 different support payments being paid to residents of Broken Hill at June 2021 (Source: DSS Demographics June 2021, Australian Government, data.gov.au).

In particular, utility charges will impact on the **older residents** – 2,981 of those residents receiving payments receive the Age Pension and 5,739 have access to a Pension Concession Card. There are 1525 residents receiving **Commonwealth Rent Assistance**, 1200 receive a **Disability Support Pension**, 721 receive **Carer's Allowance** and 377 a **Carer's Payment**.

These residents on various types of support payments typically cannot afford the rising costs of water and **therefore to reduce their water bills they will forego the watering of their gardens**.

The **Aboriginal and Torres Strait Islander Census** population of Broken Hill City in 2016 was **1,498, living in 631 dwellings, being a percentage Indigenous population of 8.5%**. The City's Indigenous residents **are also low-income earners**, and Indigenous **children typically have higher lead levels than non-Indigenous children**. **Indigenous families do not have the disposable income to pay increased water charges to water their gardens**.

The financial impact of the COVID-19 pandemic on businesses and families should also be taken into consideration, with a large number of families on minimum wages over the past 18 months through the Job Keeper and Job Seeker payments and many small businesses being forced to close their doors for long periods. The financial impact on family budgets will affect their ability to pay increased utility costs.

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3. What are Broken Hill City Council's views on the proposed expanded subsidy to keep prices affordable?

Council supports stability in price structure through the cross-subsidy from sewerage to water service charges and questions if the subsidy should increase given the:

- Remote and arid location of the City. The supply of water and disposal of sewerage in Broken Hill is subject to conditions and expenses not encountered by other localities in NSW.
- Low socio-economic status of many residents. The demographic information provided by the Bureau of Statistics indicates that increasing utility prices and the removal of subsidies would have a marked impact on community well-being.
- The devastating impact of the drought on the City's regeneration reserve, street trees, parks, ovals and residential gardens, and the need for increased water usage to re-green the City.
- Potential hidden pricing increase that may impact customers should the Government cease subsidising the costs of transporting bulk water via the new Broken Hill pipeline and consequential works.
- Strategic importance of Broken Hill as the administrative and service centre for Far West NSW industry and agriculture.
- Economic importance of mining in the Broken Hill locality. The mines are still a substantial contributor to the National economy. Current exploration indicates that there will be substantial investment in local mining for the foreseeable future.
- Ongoing environmental lead management requirements and;
- Future regeneration work required as a result of damage to the City's green belt, during the construction of the Broken Hill pipeline.

4. Has Broken Hill City Council received any feedback on changes in water quality since the Broken Hill Pipeline has come into use?

The quality of Broken Hill's water has improved dramatically due to the Broken Hill pipeline connection to the Murray River. The raw quality of water in the Murray River is far superior to the raw quality of water in the Darling River. The improved quality of the raw water from the Murray River should correlate with lower water treatment costs for Essential Water to provide water to the community.

5. Does Broken Hill City Council have any comments on Essential Water's proposed capital projects (such as Wills Street wastewater treatment plant replacement and water and sewer reticulation repairs)?

Council acknowledges the importance of infrastructure renewal and repairs and since 2003 Essential Water have been increasing fees to cater for the increased financial costs of renewal of its infrastructure.

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There was a significant increase in water charges in the four years from 2003 to off-set the Mica Street Treatment Plant capital upgrades. After the project was completed the levy imposed on residents was not removed, and Essential Water have continued to charge and collect these additional charges from residents. This increase to water bills should be taken into consideration as previous IPART determinations considered capital renewal costs.

Essential Water should also consider seeking government grant assistance to carryout infrastructure repairs/replacement works.

6. What factors affect water use in Broken Hill?

Broken Hill has suffered many years of drought and Broken Hill residents are acutely aware of the relationship between low rainfall and the potential for increased lead levels in the population. Lead is a metal that has been mined in Broken Hill for many years. It is in the dust, soil, dirt and rainwater tanks in our town. Our dry climate means lead dust gets into everything, via the air (LeadSmart Broken Hill www.leadsmart.nsw.gov.au/about).

The New South Wales Environmental Protection Authority soil action level for further investigation is 300ppm (parts per million). In Broken Hill, lead levels are known to be generally well above this level in nearly all cases. As a precaution, it should be assumed that all land in Broken Hill contains lead unless proven otherwise.

Broken Hill City Council in conjunction with Essential Water and other community and Government agencies has initiated several programs to assist the residents of Broken Hill to become smart water users, providing them with examples of ways to maintain our green spaces and remain lead safe. Increasing water prices places stress on the community's ability to maintain green spaces and actively manage lead exposure. The continuing drought also means that there is considerable stress on Council and residents as they attempt to maintain a green city.

More importantly, changes to the acceptable level of lead in blood have increased the imperative to remain vigilant about maintaining parks, gardens and nature strips and maintaining the city's Regeneration Reserves (green belt). The Reserves form an integral part of the City's National Heritage Listing and are one of the earliest, land-use initiatives in the world aimed at combating land degradation. Council in collaboration with a number of volunteer groups, have continued to maintain the green belts since 1937.

Despite the achievements of the Broken Hill Environmental Lead Program over the past five years, there is a demonstrated need for ongoing and enhanced funding, given current data available that: 40% of non-Aboriginal children and 80% of Aboriginal children exceed the National Health and Medical Research Council investigation level of 5 µg/dL (Public Health Unit, Health Protection, NSW Ministry of Health, December 2020); and that there is an association between levels less than 10 µg/dL and health effects. (Broken Hill Environmental Lead Program Annual Report 2019-2020).

The unpredictable impact of climate change affects water consumption during period of drought. Rainfall alone will not sustain gardens in Broken Hill given our desert climate and during period of drought. Therefore Council, businesses and residents need to use the town water supply to sustain gardens and lawns.

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The increases in water charges for Broken Hill City Council usage on parks, ovals and verges need to be factored in Council's operating budget and may therefore see a reduction in the other services that Council provides the community as any increase above CPI (CPI is the land rate pegging for Council) will result in either a reduction in services and/or a reduction in water usage on Council's parks and ovals. This will also result in high water charges due to Council's reduced usage.

7. Are there any other issues that IPART should be aware of for this review?

- The impacts of drought and water restrictions on the community's mental health should also be taken into consideration. Having to watch our own gardens and lawns die from drought and not being able to water gardens due to water restrictions can be very distressing. This same impact is evident to the City's parks, ovals and verges. The affect on people's mental health is real and should be recongised.
- Broken Hill residents have to pay to enjoy a green environment which people who live in higher rainfall areas take this for granted.
- A Government subsidy for water usage will assist with population de-centralisation and assist Broken Hill to become an attractive, liveable city for families looking to relocate to regional areas. It will also support the attraction of new industry to the region.
- The current real-estate boom being experienced in Broken Hill may be an indication that the population is increasing, which therefore may correlate with an increase in water usage.
- The only factor that will result in a decrease in water usage, will be an increase in water charges. Water usage, if it remains affordable, will increase in Broken Hill due to the lifting of water restrictions (early this year) after many years, will result in residents being able to start watering again to re-establish their gardens and lawns, to enable everyone to enjoy the benefits of a green City.

I believe that IPART have been provided with contact details of local consumer groups to facilitate additional consultation regarding the impact of the proposed increase in water and wastewater charges in Broken Hill.

I also advise that Council is happy to assist with a venue for IPART's Public Hearing to be held next year, and I invite IPART representatives to contact Council's Executive Support Officer, Mrs Louise Schipanski on (08) 8080 3390 to discuss the matter further.

On behalf of Council, I wish to thank the IPART representatives who facilitated the Councillor Briefing on 13 October, 2021. Council appreciated the opportunity to discuss the proposed increases in charges for Essential Water's water and sewerage services from 1 July 2022 and also WaterNSW's Murray River to Broken Hill Pipeline services from 1 July 2022, and for the opportunity to provide our submission.

Continued...

I look forward to receiving IPART's determination, and for a positive outcome for the Broken Hill community.

Yours faithfully,

A solid black rectangular box used to redact the signature of Darriea Turley AM.

DARRIEA TURLEY AM
MAYOR

Attachments:

1. Copy of Councillor Kennedy's Notice of Motion to 24 February 2021 Council Meeting
2. Barrier Daily Truth article 27 February 2021
3. Copy of Council's letter to various Ministers regarding the lifting of water restrictions

ORDINARY MEETING OF THE COUNCIL

February 12, 2021

ITEM 2

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN NO. 2/21

SUBJECT: WATER RESTRICTIONS 11/501

Notice of Motion

1. That Motions of Which Notice has been Given No. 2/21 dated February 12, 2021, be received.
2. That Broken Hill City Council sends correspondence to Essential Water, the Local Member Roy Butler and the appropriate Minister asking why Broken Hill is on water restrictions.

Summary

Council has received a Notice of Motion submitted by Councillor Kennedy on 12 February 2021 regarding water restrictions in Broken Hill.

Councillor Kennedy's Notice of Motion reads:

"That Broken Hill City Council sends correspondence to Essential Water, the Local Member Roy Butler and the appropriate Minister asking why Broken Hill is on water restrictions."

Reasons and Argument:

Reasons for motion is that the Wentworth to Broken Hill pipeline cost \$500M to build and was meant to give Broken Hill a permanent secure water supply that would not be subject to water restrictions".

Acting General Manager's Comment

Nil Comment.

Attachments

1. Councillor Kennedy's Notice of Motion

T. KENNEDY
COUNCILLOR

Notice of motion

Ordinary meeting of the Broken Hill City Council

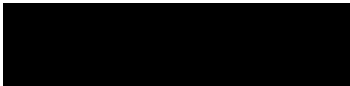
To be held on February 2021

From Councillor Tom Kennedy

That Broken Hill City Council sends correspondence to Essential Water, the local Member Roy Butler and the appropriate Minister asking why Broken Hill is on water restrictions.

Reason for motion is that the Wentworth to Broken Hill pipeline cost \$500m to build and was meant to give Broken Hill a permanent secure water supply that would not be subject to water restrictions.

Councillor Tom Kennedy



BRIEFS

Budget update

Council presented its financial position for the second quarter of the financial year. The projected deficit increased by around \$222,000, primarily due to \$50,000 being allocated to employ a contract building surveyor to help clear the backlog of construction certificates. Capital expenditure will increase by 1.47 million, primarily due to \$2m being spent to replace four garbage trucks.

Lighting tender awarded

A \$1.8 million tender for the replacement of Aeronautical Lighting Construction works at the airport to AFB Safegate Australia Pty Ltd.

Community boost from Heritage Walk Tour funds

The hospital's Palliative Care Unit, Silverlea Early Childhood Services, Lifeline and the RSPCA will all receive \$2,000 in funding. The money was raised via donations received by the City's Heritage Walk Tour group. The volunteer guides who run the walk tour program received a round of applause in the Chamber for their significant contribution to the community.

Water restrictions lifted

Level 1 water restrictions will be lifted on March 1 following consistent inflows to both the Darling and Murray Rivers.

Essential Water announced that water restrictions will be lifted for customers in Broken Hill, Menindee, Sunset Strip and Silverton.

Head of Water Operations, Ross Berry, said after March 1, people will be able to use water at any time of the day.

This year's wetter and cooler than average summer means that locals can move forward with removing the time restrictions on activities like watering lawns and gardens, cleaning windows, and washing cars earlier than planned.

"On behalf of the team at Essential Water, I'd like to thank the community for working with us to conserve water, particularly while water restrictions have been in force," Mr Berry said.

Essential Water would like to take the announcement opportunity to remind the community that water restrictions do not limit the quantity of water our customers can use.

Water restrictions are aimed to restrict water wastage by promoting strategies to use water in a smarter way, and by restricting the times that some activities can take place.

For example, the watering of lawns and gardens was restricted to less evaporative times of the day between 4pm and 10am.

"For a sustainable water supply without water restrictions into the future, it's important that we all continue to contribute to water conservation once restrictions are lifted on 1 March 2021," Mr Berry said.

"With that in mind, we've provided the following water wise tips for our customers at the same time we're lifting restrictions."

Essential Water's water wise tips are:
Watering lawns and gardens between 4pm and 10am when using hand-held



Silverton's Helen Murray is looking forward to getting off of water restrictions, even though she's mastered the tricks of the trade to maintaining a luscious desert garden with lots of mulch and minimal water. PICTURE: Myles Burt

hoses and sprinklers or 7pm - 10am when using automatic watering systems (this will help in the reduction of evaporation).

Clean windows and hard surfaces such as paths, driveways, sides of buildings with a broom rather than a hose.

Only use a trigger hose when necessary.

When washing cars, use a commercial car wash or fill a bucket directly from a

tap, only using a trigger hose to rinse a vehicle once washed.

Run grey water from washing machines onto lawns and garden beds.

For more information on being water wise visit the Essential Water website for more information, visit the Essential Water Facebook page @essentialwatersnsw or visit the Essential Water website <https://bit.ly/3qSnTeb>.

Menindee water carting to commence

The NSW Government will supplement the cost of water carting to residents living along the Menindee weir pool not connected to the Menindee town water supply.

Central Darling Shire Council has successfully lobbied for the re-introduction of the water carting program for Menindee rural residents.

Administrator, Bob Stewart, said rural residents need this support as they come out of drought.

"While there has been good rain, we know that we are still in post-

drought conditions, and as such, there is still need for support for rural water users," Mr Stewart said.

"As with previous years, users will need to pay for the water, but delivery costs will be subsidised.

"Council is grateful to the NSW Government for recognising that, while technically we are out of drought conditions take time to improve and our landholders still need support."

To register your interest, please contact the Menindee Rural Transaction Centre on 08 8091 4392.

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CONGRATULATIONS
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Drawn 17/2/21 Ticket 1723



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Quote No L21/585 - 11/501
DT:LJB

Telephone / Personal Enquiries

Ask for Mayor Darriea Turley AM

Please address all communications to:

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ABN 84 873 116 132

9 March 2021

The Hon Mark Coulton MP
Minister for Regional Health, Regional Communications
and Local Government
Federal Member for Parkes
PO Box 6022
Parliament House
CANBERRA ACT 2600

Dear Minister

Broken Hill Water Restrictions

Council, at its Ordinary Monthly Meeting held 24 February 2021 considered a Notice of Motion submitted by Councillor Kennedy regarding water restrictions in the City.

Council's resolution regarding this matter is as follows (Minute No. 46429):

1. *That Motions of Which Notice has been Given No. 2/21 dated February 12, 2021, be received.*
2. *That Broken Hill City Council sends correspondence to Essential Water, the Federal Minister for Local Government, the Local Member Roy Butler and the appropriate Minister asking why Broken Hill is on water restrictions.*

Council also noted that a media release was issued by Essential Water on the day of the Council Meeting advising that all water restrictions in Broken Hill, Menindee, Sunset Strip and Silverton will be lifted effective from 1 March 2021.

This was pleasing to hear given the government's expenditure on the Wentworth to Broken Hill pipeline, which was built to ensure a viable permanent water supply to the City of Broken Hill.

Yours faithfully

DARRIEA TURLEY AM
MAYOR

CC:

Chief Executive Officer
Essential Water
PO Box 5730
PORT MACQUARIE NSW 2444

The Hon Melinda Pavey MP
Minister for Water, Property
and Housing

The Hon Adam Marshall MP
Minister for Agriculture and
Western New South Wales

Mr Roy Butler MP
Member for Barwon
barwon@parliament.nsw.gov.au