

Minutes

Illawarra Coal Holdings Pty Ltd
BHP Billiton

SUBJECT: Appin Area Community Working Group

LOCATION: Appin Community Office

DATE: 19 February 2008

ATTENDEES: Pat Durman
Barry Durman
Carole Kerr
Michelle Imrie
Gary Osgood
Robert Wheeler
Norm Jew
Judith Egan (Department of Primary Industries)
Rebecca Gordon (Facilitator)
Zina Ainsworth (Illawarra Coal)
Richard Walsh (Illawarra Coal)
Lauren Kinloch (Illawarra Coal)

1	APOLOGIES
	Christine Towndrow, Gary Brassington
2	AGENDA
	<ul style="list-style-type: none">▪ Welcome and Introduction▪ Apologies▪ Acceptance of previous minutes▪ Actions arising from previous minutes▪ Community discussions and Questions-on-Notice▪ Operation Issues – Briefing on general issues including West Cliff Longwalls 34-36▪ Planning for 2008▪ Upcoming events▪ Close – Next event, site visit on Tuesday 18th March 2008
3	WELCOME AND INTRODUCTION (6.30 – 6.35)
	Apologies presented. The AACWG was welcomed to the first meeting for 2008 after having a break across the Christmas and New Year period.
4	ACCEPTANCE OF PREVIOUS MINUTES (6.35 – 7.00)
	<p>In December, an AACWG member raised concern about members arriving late to meetings and leaving early, and because of this, missing discussions, debate and agreements. This issue was raised in relation to a Macarthur Chronicle article (27 November 2007), 'Bridge safety fear'. In this article, Norman Jew expressed concerns about the safety of the bridges due to mine subsidence.</p> <p>While the issue cited a specific example, it was raised because of the potential impact to the effective functioning of the Group if members miss out on information and as per the Terms of Reference, do not have the opportunity to discuss and secure agreement from the Group in relation to media statements. At this December meeting, some AACWG members were unsure if Norman Jew's comments in the article were made in his capacity as Group member or as a Wollondilly Shire Councillor. They were also unsure of where he had sourced his information from and depending on the source, whether this affected the Group's agreed Terms of Reference in relation to media protocols.</p> <p>As agreed by Group members at the December meeting, the Group's facilitator, Rebecca Gordon, contacted Norman Jew on 21 December to discuss the Group's concerns. Norman Jew advised that the</p>

comments were made in his capacity as Councillor only. He also confirmed his membership of the AACWG was as a resident not as a representative of Council.

At the February meeting Norman Jew requested to speak on the issue from December. He expressed his disappointment at the comments made about him (Section 4 in December 2007 minutes). To clarify the issue of where the information was sourced by Norman Jew, he confirmed to the Group it was not from the AACWG.

He stated that all information appearing in newspaper article was from public knowledge. It had not been gathered from the RTA presentation to the AACWG in August 2007 or subsequent meetings.

As previously discussed, the facilitator confirmed that the issue raised in December was for two purposes. One to ensure that the minutes accurately record those in attendance and for those members unable to attend some or all of the meeting, follow-up or one-on-one briefings to share information can be done and two, to confirm the source of statements as per the Terms of Reference.

In a related matter, Norman Jew, given his membership on the AACWG is as a resident, had been previously advised that the AACWG following its review in late 2007 had agreed to approach the Wollondilly Shire Council to ask for a permanent representative from the Council to attend all meetings.

In concluding the discussion, the facilitator confirmed that while the issues had been raised over a specific example, it was not the intention that it be personal, rather it was about trying to guarantee continuity and clarity with Group members' communication to avoid past misunderstandings with the Terms of Reference.

In a final statement on the issue, Norman Jew felt it was his responsibility to speak on the issue, as a Councillor and felt that some of the concern about this issue was being directed to him because of other issues outside of the AACWG.

One AACWG member suggested that if the media had contacted Norman Jew and he declined to comment because he was a member of the AACWG, there would have been a massive uproar in the media.

The discussion raised a number of questions. These were:

Q: If the RTA and Illawarra Coal are happy there won't be any impacts on the bridge, why is the mitigation equipment being left on the bridge? Leaving the equipment on the bridge puts doubt in people's minds.

A: Work is being done on the first four walls, but there is still more work to be done. Mitigation includes plates being clamped from one side to the other with an A-frame moving plate at the top. While both the RTA and Illawarra Coal do not believe there will be impacts on the bridge, the companies must still make plans just in case. It is vital to take precautions.

Q: Did the RTA give a presentation on the bridge works to council?

A: Not to my (Norman Jew) knowledge. There is a meeting with the RTA scheduled soon, but it is not specifically about the bridges.

In relation to discussions on media statements, an AACWG member raised the issue that as a Group should be putting out more press releases. The Group exists to represent the community and in order to do this, statements of community interest or concern should be made by the AACWG regularly. It is far better to put out information that is right and provides advice to the community than not to say anything.

Group members felt that if information and at times criticisms are not put forward, the community will wonder if the AACWG is doing their job.

In a final statement on the December minutes issue, Norman Jew made the point that he does not blame the mining companies, he instead believes it is the government's fault for approving certain things. It is hard to believe the government's creditability when the government is a big stakeholder in the way of royalties.

Q: Why do we need group sanctions (in relation to information releases)?

A: The agreed Terms of Reference outlines the process for media statements or community releases. Releases by the AACWG must be collectively agreed upon in the form of a press release. If individual

Group members intend to use information gathered at the AACWG meeting to inform the other organisations they are a part of, it is important that everyone in the Group knows what is being said so that accurate information is being disseminated. If a Group member is speaking to the media but not as a representative of the AACWG then this does not require prior agreement.

The December minutes were accepted by Pat Durman and seconded by Carole Kerr.

5 ACTIONS ARISING (7.00 – 7.10)

AMENDED NOVEMBER MINUTES

The 2007 November minutes were amended to show the arrival and departure times of members.

AACWG RECORD BOOK

The AACWG record book for site visits has been finalised with photographers acknowledged.

ACCESS TO WATER MONITORING DATA

Adam West (Illawarra Coal) has been in contact with Sydney Water in regards to accessing their water monitoring data. Sydney Water only hold data for plant data, and sometimes monitor for the Sydney Catchment Authority. They are currently looking at putting together an agreement to share information with Illawarra Coal.

Monitoring occurs both above and below dams.

BULLI SEAM PART 3A APPROVAL

Illawarra Coal's Bulli Seam Part 3A Approval presentation was mailed out with the December minutes.

TIMELINE OF ILLAWARRA COAL PLANNED MINING

AACWG members requested Illawarra Coal provide an overview of where their various mining projects are currently at.

Illawarra Coal currently has approval for LW701-704 and is preparing a SMP for LW705-710 this year. Mining in these areas is scheduled for 2008 – 2012.

Years of mining left in areas:

- Appin Area 7 – 9 years
- Appin West – 10 years
- Appin LW701-710 – 7 years (2008-2014)
- Appin Area 8a – 5 years
- Appin Area 8b – 9 years
- West Cliff LW34-36 – 5 years (2008 – 2012)
- North Cliff – 10 years
- Appin South – 10 years

Possible mining to occur at the eastern side of West Cliff.

Refer to attachment provided with these minutes.

MACQUARIE PERCH INFORMATION

Illawarra Coal mailed out an information sheet on the Macquarie Perch with the December minutes.

6 COMMUNITY DISCUSSIONS AND QUESTIONS-ON-NOTICE (7.10 – 7.40)

Q: Was Longwall 301a on the Upper Cataract extracted from? If not, why not?

A: Longwall 301a has not been extracted. It is a small square longwall and is marginally viable. Adjacent Longwalls 301 and 302 were extracted. There are currently no plans to return to Longwall 301a.

Q: What conditions were applied to Appin Area 3 and Appin Area 7 by the Department of Planning?

A: Conditions for the SMP are put on the Department of Primary Industries website, located at the link

<http://www.dpi.nsw.gov.au/minerals/environment/nod/mining>

Alternatively go to Department of Primary Industries (NSW), i.e. <http://www.dpi.nsw.gov.au>
Minerals and Petroleum
Environment
Notices of Determination
Notices for Mining

Development consent conditions are available from the Department of Planning website at the link,
<http://www.planning.nsw.gov.au/asp/ndetermination.asp>

Alternatively go to NSW Government Department of Planning, i.e. <http://www.planning.nsw.gov.au>
Then Notices of Determination

Q: Have environmental flows been stopped on the Upper Cataract?

A: The environmental flows are managed by the Sydney Catchment Management Authority. It is Illawarra Coal's understanding that there is always flow in the Cataract (between Cataract Dam and Broughton's Pass and from Broughton's Pass to the Nepean River). With the recent rains, currently a natural flow is occurring, from over flow at Broughton's.

Q: Are the minutes of each AACWG meeting displayed in the shopfront window at Appin?

A: Yes.

Q: Why aren't the minutes published on a publicly accessible website?

A: An AACWG website has now been created as part of the Illawarra Coal website. On this website, you can find PDFs of AACWG minutes, as well as other information on the group. This page can be found at the site

http://illawarracoal.bhpbilliton.com/community_and_environment/appin_area_community_group.asp

Alternatively go to BHP Billiton Illawarra Coal, i.e. <http://illawarracoal.bhpbilliton.com>

Then Health, Safety, Environment and Community

Appin Area Community Working Group

Q: Can the AACWG agenda go in the window as well?

A: Yes.

ACTION: Illawarra Coal will place an agenda in Appin Community Office window by the Thursday before each meeting.

Q: Will AACWG be restructured to be more like a CCC, such as Dendrobium CCC?

A: An AACWG member raised the opinion that a CCC (Community Consultative Committee) seems more transparent in relation to media communication. (The Department of Planning released its guidelines on establishing a CCC in June 2007). However, the relevant section in the Department of Planning's CCC Terms of Reference was read out and the CCC requirement and those adopted by the AACWG are similar, in fact, the AACWG media protocols allow more latitude.

As background, the Group was advised that the formation of a CCC is a new requirement as part of a Part 3A consent for new mines, as prescribed by the Department of Planning.

The AACWG represents several mines, and it is rare for a CCC to exist that covers more than one specific mine. It was suggested that the AACWG could become a CCC and cover all the mines. However, it was acknowledged that the Department of Planning may say that the AACWG is operating well as a Working Group and should remain that way.

It was highlighted by Group members that many residents would probably be unsure about what a CCC actually is. It was asked that a summary of the differences between the AACWG and the CCC be prepared.

It was also highlighted by the facilitator that a lot of conditions and recommendations of a CCC were included in the review paper conducted in October 2007 which all AACWG members were asked to provide comment.

An AACWG member pointed out that the Group began operating in 1997 and CCCs had not been

developed yet. A university studied the AACWG and their operations and it is very possible that CCCs exist because of the structure of the AACWG.

Q: Is Douglas (Appin West) a new mine?

A: No. If Appin West receives a Part 3A planning consent, then it may be a requirement to have a CCC specifically for Appin West.

Some specifics of a CCC include:

- Members are appointed by the Director General of the Department of Planning
- An independent chairperson is appointed by the Director General
- A minimum of two meetings a year must be held
- The purpose of the CCC is to engage in two-way communication

Q: How do Dendrobium members take information away from meetings?

A: The meetings are minuted and published on the website

A Group member stated that the AACWG seem to be operating like a CCC but without the CCC banner, which may cause some misunderstanding.

7 OPERATIONAL ISSUES (7.40 – 8.15)

Bulli Seam Part 3A Approval

The Group were briefed on recent developments of the Bulli Seam Part3A Approval following the more detailed presentation in December.

In summary, the Bulli Seam Part 3A Approval looks at Illawarra Coal's mining activities for the next 30 years around Appin and West Cliff.

- Key activities since mid December include: Illawarra Coal's Application and Pre Assessment were submitted on 24/12/2007
- The Department of Planning is currently preparing a response detailing the Director General's requirements. This process involves formal consultation with all relevant agencies (e.g. DPI) to review the submission and detail specific requirements. This will then be consolidated by the Department of Planning and provided to Illawarra Coal.
- Gary Brassington (Illawarra Coal) has replaced Luca Rocchi as Project Manager.

Appin Area 7

The Group was briefed on recent developments on Appin Area 7 including:

- Longwall 701 was started 27 October 2007 (519m)
- Extraction Rate:
 - o November – 125m
 - o December – 92m
 - o January – 61m
 - o 200m remaining as at 17 February
- Longwall 702 start date June 2008 – LW409 after LW702

In line with predicted impacts, gas bubbles from the Nepean River have been reported by Illawarra Coal to the Government, the AACWG and local media. Local members have also been shown the site–The bubbles are reducing, and some have stopped. Some statements in the media claim that the releases are major but all are within predicted impacts.

Q: If the gas is not coming from the seam, from where is it being released?

A: The gas is coming from movements in the sandstone. There is already pre-existing bedding plains in rock, and these layers move. There are also joints which subside. Before cracks form, these joins move and get reactivated.

There was general discussion on the cause of the gas releases and one member requested that it be noted that without mining causing disturbance, methane would not be released into the rivers.

West Cliff Area 5

The Group was provided an update on West Cliff Area 5 including:

- Longwall was started 12/02/2007 (3222m)

- Extraction Rate:
 - o October – 253m
 - o November – 167m
 - o December – 153m
 - o January – 223m
 - o 689m remaining as at 17 February
- LW33 start date TBA

Signs highlighting mine subsidence will be placed on the Campbelltown side of Appin Road. The signs will be positioned 100m before and 400m after areas affected.

Question was asked about gas drainage at West Cliff. In mining West Cliff Area 5, a series of holes along the mine Panel have been created to which 3m diameter cylinders are attached. These cylinders contain a flare inside because of the high level of methane in the coal seam and the flare allows some of the gas to be released safely. The flame is shielded and not visible to residents or people travelling on the Appin Road. The flares will be located on private property, on the western side of Appin Road. They will be in place for 4-6 weeks while the area is being mined. As mining progresses, the flares will be repositioned. While the flares will cause minimal noise, a noise assessment has been completed.

The AACWG asked Illawarra Coal to ensure that the public are notified about the mine subsidence along the road and signs will be prepared.

Related to West Cliff were a number of questions about the emplacement site. Members asked if any more testing had been done in relation to using the coalwash as grout. Illawarra Coal stated that boreholes had been drilled and were looking at what depth the ground is moving to examine when you can place the coal wash in the ground. Findings from this research will be made available to the Group

It was suggested that a number of issues around the coalwash including research by the CSIRO and a project funded by the coal industry be the focus of one of the meetings in 2008 to discuss emplacement and other various options.

Q: Subsequent to the damage from LW701, will Illawarra Coal make changes to the distance to the river with LW702?

A: The impacts on the river are within the predictions as specified in the EIS, which the government approved, so at this stage, no.

West Cliff Subsidence Management Plan (SMP) Longwalls 34-36

Further to the briefing and SMP Application provided to the AACWG members, the Group was advised that the application was submitted on 14 January 2008 and the display period, including the opportunity to make submissions will be from 18 February to 22 March 2008.

The AACWG has been previously provided with a copy of the SMP and the SMP will be available at the usual locations, e.g. ACO, DPI offices, web-sites.

On the issue of making individual submissions an AACWG member asked if others knew if the Department of Planning acknowledged individual submissions.

Illawarra Coal said their understanding of how the Department of Planning works is that normally every submission receives a response. They suggested that in the future, if this member makes a submission in relation to one of the company's development applications, send Illawarra Coal a copy of the submission as well and they can check it against Illawarra Coal's records, or alternatively ring the Department of Planning or get registered/certified mail.

West Cliff Emplacement Stage 3

On 20 December 2007, the Minister for Planning has approved the project, subject to conditions. The AACWG were e-mailed a letter sent to the group from the DoP with this information.

- For approval, a Pollution Reduction Program is being prepared for Brennan's Creek Dam. The focus of the PRP is salinity, and this focus will address other metals in the water.

Other Approvals sought include:

- s10 Water Act for Brennan's Creek Diversion (9th January 2008)
- s87/90 NPW for Aboriginal sites (TBD)
- Part 7 Fisheries Management Act for Reclamation Brennans Creek (17th September 2006?)
- S100 Coal Mines Health and Safety Act (TBD)
- Environmental Protection and Biodiversity Conservation Act – Broadheaded Snake

Management Plan (10th December 2007)

Construction likely to commence April/May 2008

Q: Why is there only a salt management plan?

A: Creating a salt management plan will in turn monitor, manage and reduce other metals.

Illawarra Coal stated that part of the 3A Submission for West Cliff and Appin is to look at options for the next 30 years. Some AACWG members expressed their disappointment over the emplacement and that it continues to receive waste from Dendrobium mine, outside of the Appin area.

Further discussions on the emplacement and Brennans Creek Dam will occur in March at a site visit.

PLANNING FOR 2008 (8.15 – 8.30)

Review Findings

Following the review of the AACWG in October 2007, all members were invited to provide comment on the review and consider the 33 recommendations coming from Group members. The timeframe to provide comment included two regular meetings to ensure all members could ask questions and clarify any issues.

The feedback from the Group was consolidated into an issues paper and provided on 18 December 2007 to all members. A further response was received on 18th December and as a result, the feedback was recalculated and the updated report provided to all members on 12 February 2008.

The response rate to the review was 75 per cent, i.e. 2 members did not respond.

From the 33 recommendations, there was unanimous agreement on 13 of the issues. This included creating a website which would include the minutes and community releases; that AACWG members can add to the agenda before each meeting; that the structure of the meetings include more time for operational updates; and that Illawarra Coal's Coalition News be published more regularly.

Of the other 20 considerations, some members abstained from voting on specific issues and differing opinions were recorded. For a further eight recommendations, no disagreement was recorded. The key issues requiring discussion from the review included: clarification on the purpose of the Group; membership; use of meeting information; site visits; minute taking; linkages with Illawarra Coal's Community Partnership Program; the regularity and timeframe of meetings and appointing proxies.

AACWG website

In response to the Group's request for a website, a draft was presented and all members were asked to provide comment once they had the chance to review the content. The website is 'live' to allow access by all Group members. The website can be found at: http://illawarracoal.bhpbilliton.com/community_and_environment/appin_area_community_group.asp

In the discussion on the website, one AACWG member did not approve of the word 'economic' appearing in the phrase "The AACWG's focus is to ensure the sustainability of the community around Illawarra Coal's operations. This includes environmental, social and economic sustainability" The Group member who raised this concern thought that the economic sustainability related to Illawarra Coal. Rather it refers to the economic sustainability of the community.

There was general agreement from the Group that the focus must include environmental, social and economic sustainability.

As an example, one member highlighted the when the AACWG had its separate working groups, and while they may not have agreed with the Mine Subsidence Board aspect of the Group, they were impressed that they had had big wins for the community and it was very impressive and important in an 'economic' sense.

Coalition News

In responding to the recommendations of the AACWG, Coalition News is now being produced quarterly and the next edition will be out in March. The next edition will include a short statement on the AACWG.

Letters to Mine Managers of Appin and West Cliff

Another recommendation was that the Mine Managers of Appin and West Cliff be invited to the

	<p>meetings when there is a specific issue operational to be discussed. To do this, letters will be sent to both Mine Managers. A draft was tabled at the meeting and following review, an addition was requested that the letters include the different organisations each of the members are involved with. The letters will be finalised and emailed to all members for approval and then sent to Mine Managers.</p> <p>Letters to the Wollondilly Shire Council and Campbelltown City Council It was also suggested that there should be greater involvement by the Wollondilly Shire Council and the Campbelltown City Council. Again, draft letters were provided and these will be reviewed based on suggestions and submitted to members for approval prior to sending.</p> <p>The final letters will be signed on behalf of the Group by the facilitator.</p> <p>Draft program for 2008 In December, all members were provided with a draft program for 2008. This was provided again at this meeting and all members were encouraged to provide feedback and comment.</p> <p>For March, the scheduled event is a site visit to Brennans Creek Dam which follows the presentation by Illawarra Coal's Mark Beale and James Anderson in November.</p> <p>In April, the focus of the meeting will be the findings from the Southern Coalfields Inquiry but this will be confirmed closer to the time. It will depend on the information being publicly available.</p>
10	UPCOMING EVENTS (8.30 – 8.35)
	<p>The facilitator will email AACWG members with details about March's site visit to Brennan's Creek Dam.</p> <p>A brief piece will be included in Appin Village News about the December presentation on Bulli Seam Part 3A. Members read through the proposed text for content and gave sign off for it to be published.</p>
	GENERAL BUSINESS (8.35 – 8.50)
	<p>An ongoing concern of the Group is the water quality at Marnhyes Hole. All members acknowledged that while downstream from Brennans Creek and Illawarra Coal's West Cliff operation there were many illegal sewerage outlets feeding into the river which is causing high levels of Ecoli bacteria in the water. An AACWG member requested that the AACWG put out a press release about the quality of the water as parents have contacted the member saying their children have become ill after swimming in Marhney's Hole. After discussion, it was agreed that the issue should be raised with relevant agencies including Council. To do this, a letter raising concerns will be sent on behalf of the Group to the Wollondilly Council (once approved by all members). A letter will also be sent to the relevant area health agency, the Georges River Combined Council and the Georges River Catchment Management Authority. Once these actions have been taken, the AACWG will prepare a community release advising of their activities.</p> <p>In the discussion around the issue Norman Jew in his role as Councillor is trying to have illegal sewerage outlets addressed and advised the Group that there has been one conviction of illegal dumping and a fine of \$30,000 issued. He also advised that the Council had recently established a Healthy Catchments Committee to help improve water quality across the Shire.</p> <p>An AACWG member feels it is Council's duty of care to erect a sign saying the water poses a risk to people's health.</p> <p>Thanks The AACWG thanked Illawarra Coal for the end of year celebration.</p>
11	ACTIONS ARISING
	<p>Illawarra Coal to include copy of Timeline of Illawarra Coal Planned Mining with February 2008 minutes.</p> <p>Illawarra Coal to place AACWG agenda in Appin Community Office by the Thursday before each meeting.</p> <p>Rebecca to formulate a summary of differences between AACWG and a CCC for next meeting.</p> <p>Illawarra Coal to prepare information notice about mine subsidence signs being placed on Appin Road.</p> <p>Rebecca to finalise letters written on behalf of AACWG and send them to Appin and West Cliff Operations Managers and Wollondilly Shire Council and Campbelltown City Council requesting a</p>

	<p>greater presence at AACWG meetings.</p> <p>Brief piece to be included in Appin Village News on December presentation on Bulli Seam Part 3A.</p> <p>Rebecca to formulate a letter raising concerns about water quality at Marnhyes Hole which will be sent to Wollondilly Council, relevant area health agency, Georges River Combined Council and Georges River Catchment Management Authority once agreed upon by AACWG</p>
	<p>NEXT MEETING</p>
	<p>Site visit to Brennans Creek Dam, 3 – 5 pm Tuesday 18th March 2008 (meet at the Appin Community Office).</p>
12	<p>CLOSE OF MEETING</p>
	<p>Meeting closed at 8.55pm</p>

Thank you all for attending.

If you do not wish to receive these minutes please contact Lauren Kinloch on Ph: 4255 3534 or email Lauren.Kinloch @bhpbilliton.com.

Contribution to the Appin Village News, February 2008

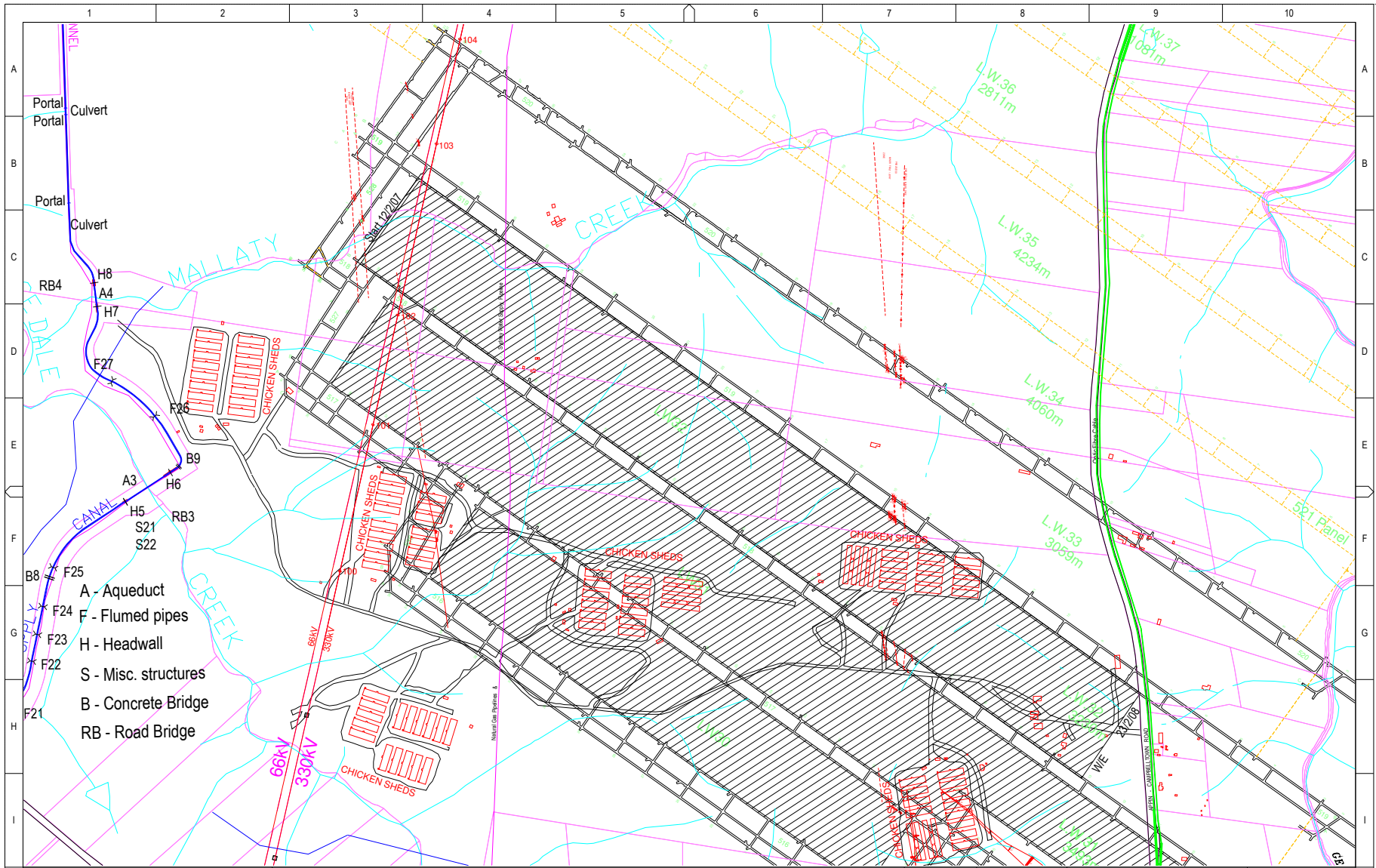
The Appin Area Community Working Group was recently briefed on Illawarra Coal's Bulli Seam Part 3A Approval process, a detailed assessment of its planned mining and proposed developments for the next 30 years.

The Approval is a requirement of the NSW Department of Planning under the Environmental Protection Act.

The Approval process does not replace Subsidence Management Plans (SMPs) rather it provides a detailed overview of all of Illawarra Coal's operational plans. When mining approvals are sought for specific areas, a SMP will also be prepared.

Given the long term nature of the Approval process, Illawarra Coal is consulting widely with the community and stakeholders. Briefings will be held in 2008 and regular updates will be provided to the AACWG.

Further information: Illawarra Coal Community Call line 1800 102 210 or go to the AACWG's website at illawarracoal.bhpbilliton.com/community_and_environment/appin_area_community_group.asp



- A - Aqueduct
- F - Flumed pipes
- H - Headwall
- S - Misc. structures
- B - Concrete Bridge
- RB - Road Bridge

WESTCLIFF COLLIERY
 Endeavour Coal Pty Ltd - BHP Billiton

SCALE :- NTS

LONGWALL 32 RETREAT POSITION FOR WEEK END 23/2/08

DRAWN	SURVEY	SIGNATURE	DATE
APPROVED	D. CLIFFORD MANAGER		27/2/08
PLAN REF. WEEK END 08			

