

**BULGA GAS EXPLORATION PROJECT  
COMMUNITY CONSULTATIVE COMMITTEE**

**MEETING No. 15**

**HELD AT SINGLETON COUNCIL CHAMBERS ON 30 SEPTEMBER AT 2:00PM**

**MINUTES**

**Attendance**

The Hon. Pam Allan (PA)	Chair
Mr Dave Agnew	NSW Department of Industry & Investment
Mr Hugh Upward (HU)	Community Representative
Mr Barry Smith (BS)	Community Representative
Mr Stewart Ewen (SE)	Hunter Valley Protection Alliance (HVPA) – President
Councillor Alison Howlett (AH)	Singleton Council
Councillor Paul Nicholls (PN)	Singleton Council
Mr Bob Kennedy (BK)	Community Representative
Mr Geoff Sharrock (GS)	Community Representative
Ms Siobhan Barry (SB)	AGL Representative
Mr David Kelly (DK)	AGL Representative

**Apologies**

Ms Julie Moloney (JM)	NSW Department of Industry & Investment
Mr Steve Cozens (SC)	NSW Department of Industry & Investment
Mr William Hughes (WH)	NSW Department of Industry & Investment

**By Invitation**

Mr John Darr (JDarr)	AGL – Land Officer
Mr John Ross (JR)	Parsons Brinckerhoff – Ground Water Group Manager
Mr John Dengate (JD)	Twyfords – Director
Councillor Sue Moore	Mayor, Singleton Council
Councillor Lyn McBain	Singleton Council
Councillor John Martin	Singleton Council
Councillor Val Scott	Singleton Council

**Minutes**

Ms Pha Tran (PT)	AGL
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**Meeting Opened at 2.00pm**

<b>ITEM</b>	<b>DISCUSSION</b>	<b>ACTION</b>
<b>15.1</b>	<b>Welcome and Apologies</b>	
15.1.1	Welcome by the Chair – PA SM – expressed her thanks and welcomed members to Singleton Council.	
15.1.2	Apologies as noted above.	
<b>15.2</b>	<b>Declarations of Interest</b>	
15.2.1	PA – No other declaration of interests.	

ITEM	DISCUSSION	ACTION
15.3	<b>Minutes of the Previous Meeting</b>	
15.3.1	<p><b>Item 14.7 (page 9)</b></p> <p>HU – spoke to AH and it was clear that AH was upset. Believed that it was poorly worded in the minutes. Members were waiting for AGL to respond even though AGL was not invited to respond at that time.</p> <p>BS – anticipation of a response should be forth coming.</p> <p>PA – additional letter from AGL which has been circulated.</p> <p>AH – concerns with AGL’s response. Believe that there are inaccuracies with the contents of the letter.</p> <p>SE – proposed that AGL either withdraw that letter or amend the letter before having the letter tabled. To have the letter tabled now would be inappropriate.</p> <p>AH – suggested that Michael Fraser’s and Mike Moraza’s letters be withdrawn. Did not agree with the contents which are not true, in particular:</p> <ol style="list-style-type: none"> <li>1. AGL not being given an opportunity to respond; and</li> <li>2. AGL is ascertaining in writing that AH insisted that PA raise this matter.</li> </ol> <p>That was not the case as it was PA instigated AH to raise this matter.</p> <p>PA – indicated that AH had raised this issue with her privately. It was the Chair who then suggested that AH should raise it at the meeting. As this was raised at the end of the meeting, the Chair felt that the issue may not have been handled appropriately. The Chair reiterated that if there are any concerns / issues, members are welcomed to express them during the meetings.</p> <p>The Chair suggested that maybe have a separate discussion in relation to this matter. There has been correspondence by Singleton Council and ICAC with ICAC responding that they will not pursue it this matter.</p> <p>SE – did not believe that the Chair handled the situation badly. There was an opportunity of silence for AGL to respond. SE is happy to take this offline. SE does not want the two letters attached to the previous minutes as that would be interpreted to be accepted as a true fact.</p> <p>AH – as statutory requirement she is obligated to report these sort of matters. AH stands by what she said, whether it was done intentionally or unintentionally. AH did not know what to do hence that was the reason why she approached the Chair.</p> <p>BK – believed The Chair handled the situation well. As a way forward, BK does not want the letters attached to the minutes. BK requested to remove the words “<i>The AGL representatives were not directly invited by the Chair to respond.</i>”</p> <p>BS – should have an apology somewhere in the minutes.</p> <p>AH – advised that SB did approach her after the meeting to ascertain whether or not she was ok.</p> <p>SB – indicated that firstly, she was shocked that AH had felt that was what was had been said, as SB was sure it had not been intended this way, and could see how it could be misunderstood. Secondly, SB had apologised following the meeting as it was a</p>	

ITEM	DISCUSSION	ACTION
	<p>stressful, difficult situation for AH and was happy to say sorry personally and on AGL's behalf for distress caused by this misunderstanding. SB stressed that AGL take any allegation of this nature very seriously, but does not agree that AGL should apologise for anything else as it was clearly a misunderstanding. An investigation was taken within the company to find out what had occurred. It was handled at the very highest level. Pleased that AH wanted to move past this, so do AGL. Perhaps follow up with suggestions that the Chair and BK had raised as way to move forward.</p> <p>SE – indicated that if the letters are not attached that that would be the end of the matter or that they need to be slightly amended.</p> <p>BK – if his suggested wording was incorporated then that should be fairly accurate facts of events.</p> <p>PA – will hold for re-wording of item 14.7 before the Minutes of the Previous meeting can be finalised. No letters will be attached to the Minutes.</p> <p><b>Motion:</b> Pending amendment to item 14.7, it was resolved that the minutes of the previous meeting be accepted.</p> <p><b>Motion Carried</b></p>	<p>PT to re-word Minutes, PA to circulate to members</p>
<b>15.4</b>	<b>Correspondence</b>	
15.4.1	<p>PA - Read out letter from Singleton Council to BCCC enclosing the ICAC response.</p> <p>Quote from the ICAC letter to Council... "Given that there are other interpretations of the alleged funding offer made by an AGL staff member to Cr Howlett, other than corrupt conduct, the ICAC has determined not to take any action. Council's action in reporting the matter to the ICAC is prudent and reasonable in the circumstances." Noted further that a copy of the ICAC brochure <i>Lobbying Local Government Councillors</i> was also provided.</p>	
<b>15.5</b>	<b>Report from Professor Willgoose</b>	
15.5.1	<p>PA – advised that Professor Willgoose will not attend today's meeting but confirmed that he will be attending the next meeting which is scheduled for 28 October 2009. The Chair had circulated to members Professor Willgoose's report.</p> <p>SE – requested if Gavin Mudd could also attend the next meeting. No objection from members.</p> <p>Suggest also that John Ross to also do a presentation today.</p> <p>PA – invited DK or BK to touch on this item before moving on to JR's presentation today.</p> <p>BK – had a second meeting with Professor Willgoose. John explained the investigation results to date and the proposed methodology for the pump test. There are a few minor things that Garry needed (latest water quality data and a slight change to the pumping test program) before signing off.</p> <p>In relation to pump test, it was agreed that we need more accurate monitoring of salinity just in case something unexpected occurs during the test. Salinity will be monitored continuously in real time.</p> <p>The paper that DK and BK put together was agreed as a reliable</p>	

ITEM	DISCUSSION	ACTION
15.5.2	<p>position regarding the groundwater monitoring program and ongoing results and review process</p> <p><b>Presentation from John Ross - Parsons Brinckerhoff</b></p> <p>JR – the purpose of this presentation is to go through the whole groundwater assessment program. JR would like members to be comfortable with the base line and how we go about circulating this information to the wider community.</p> <p>Overview of JR's presentation covered the whole investigation program from monitoring bore construction to final reporting. The tasks in blue are finished and the tasks in red are to be done.</p> <p>Timetable is to start the pumping test next week provided that there's no show stoppers today. Peer reviewer has endorsed the approach</p> <p>Map of AGL bores [see Site Locality Plan], the two purple locations are Xstrata piezometer locations, the blue locations are shallow private water supply wells.</p> <p>BK – which holes are being pump tested?</p> <p>JR – Pumping test will be on gas well HB02. The AGL, Xstrata and private wells provide a good distribution of monitoring points.</p> <p>Summary information of construction slide shows depths, water levels and salinity which is contained in the Drilling Completion Report, happy to send to report if requested as there is more technical information on Monitoring Bore Construction Details in this report.</p> <p>Conceptual model slide – nothing has changed since the last time it was presented to the Committee. Recent baseline sampling has reinforced that the conceptual model and framework is correct.</p> <p>Water Level Monitoring Program slide - Water Levels – typical traces slide at location BM01 – no rises and falls because it has been quite dry with limited rainfall over winter and early spring, which is typical during the period. Longer baseline would be required to fully assess a major rainfall recharge event but the water levels trends that we have are an acceptable baseline for the testing program. The slight drop in water levels in July was the July sampling event. There is a slight rise in the earlier part of the graphs possibly because of water level recovery after construction</p> <p>SB – what would be the change in level?</p> <p>JR – very small – generally less than 10 cm</p> <p>JR – We expect there should be large drop in water level at HB02 (greater than 100m expected) from pumping test but if there is no connectivity with shallower aquifers then there should be no significant change in the monitoring bores.</p> <p>Water Quality Chemical suite slide - Garry was most interested in this as this characterises the different water quality types.</p> <p>Completed Field Work Programs slide - summary table of what we have achieved to date. (28 September 2009)</p> <p>Important water quality results (several) – field parameters and major anions/cations slide - Yellow = alluvium water samples; Green = important chemical characteristics to compare</p> <p>Important Water Quality Results – Dissolved Gases and isotopes slide – methane occurs in the groundwater from the rock and</p>	<p>Presentation handed out.</p> <p>Attach presentation to Minutes, circulate and put on AGL website</p>

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	<p>occasionally in the deeper alluvium. Isotopes tell us about the origin and age of the water.</p> <p>BK – rainfall, does that include water coming from the Brook?</p> <p>JR – yes, when groundwater is assessed to be derived from rainfall it can come from direct rainfall recharge on the floodplain and from the Brook</p> <p>BS – why don't we see nitrogen in the waters?</p> <p>JR – don't get nitrogen in rainfall recharge – low solubility and nitrates in groundwater general reflect nearby septic systems or agricultural uses. Carbon 14 age of the water we have to go back and correct those numbers as these as just the raw lab results and natural carbon sources from the rock need to be taken into account The uncorrected ages will get lower.</p> <p>BS – what does the data tell us about the connection of shallow and deep aquifers?</p> <p>JR – ones that are connected are the yellow ones (i.e. all the alluvial waters are connected), whether the water at depth is connected JR cannot say – initial baseline results say no but the pumping test needs to be completed.</p> <p>BS – how do we establish connectivity? Aren't you doing that by reading of the data from analysis ...</p> <p>JR – We stress the system and draw down the water level. If there is any connectivity then the upper system would flow into the deeper aquifers.</p> <p>BS – if there's no connectivity what does that tell us?</p> <p>JR – The upper water levels will not vary – i.e. stay as is. Can only be interconnected if there are cracks and voids to allow water to flow vertically...</p> <p>BS – could the drilling activity (mainly the gas well construction) breach that?</p> <p>JR – No, wells are constructed to very high quality specifications, fully cased and pressure cemented to expose just the target coal seam. Tritium, current maximum is 3 in rainfall - tritium is a radioactive isotope of hydrogen that has only been in the atmosphere and rainfall since the 1950s due to atomic testing.</p> <p>Important Water Quality Results – Piper Diagram slides – these are the most informative. Most shallow water (in alluvium) is sodium chloride dominant while the deeper ground waters have higher salinity and are typically sodium chloride bicarbonate waters. Samples are very similar across all three events and repeat samples can be relied on as a reasonable baseline. Only two slight anomalies (Nelson St well and BM01c). Sampling again in September has helped resolve the slight anomalies seen in July. It will be important to track salinity and chemical types during the pumping test and the recovery cycle to see how these may vary in time. No change would suggest lateral groundwater flow only and no vertical connectivity. Fresher waters moving into deeper aquifers would indicate some degree of connectivity.</p> <p>Pumping Test and Recovery Program slide – this outlines in detail the proposed testing and monitoring program. Don't think need to go more than a week (point 1) however if there are water level drawdowns in monitoring bores or if the water quality from HB02</p>	

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	<p>is changing then the test may be extended beyond 7-days</p> <p>Water quality sampling slide - continuous salinity profiler in the water discharge line to the tanks for laboratory analysis, we will probably take three samples (Day 2, 5, and 7). If there are no changes will just submit day 7 in the lab – if there are changes then extra samples will be submitted.</p> <p><i>Pause for break at 3pm and the meeting resumed – 3.30pm.</i></p> <p>Continued with the pumping test proposal slide.</p> <p>BS – wanted it noted that the pumping test will extract 182,000 litres over the 7 days</p> <p>JR - this is expected to be the upper volume pumped from the deep aquifer based on a maximum expected pumping rate. Site monitoring – will have someone there continuously for the duration of the test... currently test to probably to commence Tuesday afternoon or Wednesday morning and JR/GW plan to be on site Thursday pending no delays or interruptions.</p> <p>JR / SB – encourage BCCC members to attend if available</p> <p>JR – recovery period after is equally important to the pumping test to see if water quality changes as water recharges the deeper coal seam aquifer. Will take another water sample of HB02 and will sample all the AGL bores to detect any changes... shouldn't have any changes if water levels have not drawn down.</p> <p>PN – what holes are further out to see where the water is drawing from?</p> <p>JR – drawdown cone is likely to be steep rather than extensive and hence the closer bores within 1km are most important. I don't think we will see anything other than water level declines in the pump test well but we do have two Xstrata piezometers with dataloggers at distance... 7B is located near HB01 and P8 is located due east</p> <p>AH – Inspection on Thursday morning or afternoon? AH only available in the morning.</p> <p>SB – This will be first or second day of the pumping so morning is probably OK but could do AM and PM if there is sufficient interest</p> <p>JR – could do Thursday am ... this is probably the best time.</p> <p>Prof Willgoose has set aside the whole of the 8th [Oct]</p> <p>SE can't make it but if other people can make it then more than welcome to attend.</p> <p><b>Scientific Rigor and Peer Review slide</b> - reporting and review process is now agreed ... background information is available in the drilling report, and this presentation ... can email to PA ... then circulate to members for their information.</p> <p><b>Reporting slide</b> – table of contents of the final report.</p> <p>JR – questions?</p> <p>BS – term of this committee – lot of debate re water and how its extracted.</p> <p>PA – GS – Gavin Mudd</p> <p>GS – GM has prepared a report – he has reviewed the available (general) documentation and made the preliminary comment that the investigation appears insufficient. His review has included the environmental management and monitoring in other CSG areas</p>	

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	<p>and Camden. There is no report to be tabled at this time...but he thinks that there should be more water monitoring.</p> <p>PA – is it possible for Gavin and JR to meet?</p> <p>SE – was travelling but he is back now ... GM will make contact with JR directly now that he is back.</p> <p>JR – can send info and presentation to GM (via PA and BCCC members)... to talk before the next meeting on 28th October</p> <p>PA – other issues and matter arising from JR presentation? None.</p> <p>JR – need to see how we can get this out to the wider community now.</p> <p>JD – difficulty in understanding that type of complexity of JR information? Range of concerns was the water from the community when SB and JD met with the community.</p> <p>JD – any community interest in hearing about the results to date?</p> <p>SE – too early to tell ... don't think it's the subject for today.</p> <p>BS – its difficult ... there's different levels of intellect. Employed independent to relay to the community ...</p> <p>SE – not the role for AGL</p> <p>BS – wait and see the results before putting out to the community.</p> <p>HU – think the info is just too much</p> <p>JD – shouldn't be communication on the water monitoring or testing? What is BK view</p> <p>BK – believe it is the responsibility when the results is available ... BCCC should sit down and discuss how to go / put that communication together to the community.</p> <p>GS – wait a while until we get the results.</p> <p>AH – appreciate JR report but until we get the information</p> <p>SB – the water monitoring terms is something that needed to be sorted out when AGL came into this and there has been a lot of work done to clarify it...</p> <p>BK – that's what the process is ... is for the committee to go direct to AGL rather than go through a third party. That was the mistake that SGL did ... going through the committee via third party consultants.</p> <p>PA - Other than water than what JR presented?</p> <p>BK – would like members to agree on the water monitoring protocol.</p> <p>PA – If no members have any objection to the protocol which was circulate then it will be noted as accepted.</p> <p>No objections from members. Protocol accepted.</p>	
<b>15.6</b>	<b>Report from AGL</b>	
15.6.1	<p>SB – No health and safety issues to report on. John Darr has joined AGL in relation to the job advertised for the Hunter. This would increase AGL's presence in the area.</p> <p>BS – queried what John Darr's role will be at the BCCC and whether or not he can have a copy of the job description.</p> <p>SB – advised that John Darr's role at the BCCC is as an observer and AGL's representatives remain the same. The job advertisement is publicly available and was published in local</p>	SB to

ITEM	DISCUSSION	ACTION
	<p>newspapers and placed on the Noticeboards.</p> <p>PA – mentioned that she does recall it being circulated but suggested to SB to re-send.</p> <p>BS – but why was he hired? What’s his experience?</p> <p>SB – I was very pleased when John applied, he was appointed because of his experiences in land management for mining companies, running viticultural and farming operations and his longstanding community involvement in Broke.</p> <p>BS - Was it so AGL can say it now has a local view?</p> <p>SB – No, it’s simply because AGL needed a local Hunter presence in the team and he was the best person for the job.</p> <p>PA invited John Darr to speak further.</p> <p>J Darr – provided members with his work background and 30 year history living in Broke. His role will be focussed on land access and property management.</p>	<p>circulate Job advert to members</p>
15.6.2	<p>SB – update on the water monitoring and invite the members to attend.</p>	
15.6.3	<p><b><i>Review of Environmental Factors</i></b></p> <p>This is for the eight proposed exploration holes at Windermere and Spring Mountain. The report is anticipated to be finalised within the next few weeks. The report will then be submitted to the DPI with the final version being sent to surrounding neighbours and the Committee.</p>	
15.6.4	<p>BS – wanted members to be aware that the bridge at Broke on the Milbrodale road is out during the period 12-15 October 2009</p>	
15.6.5	<p>BK – one question in relation to AGL’s letter of 4 September 2009. The letter was accompanied with maps. On the maps of the recently acquired Greiner land, there are holes shown in the vineyard ... is that true or not?</p> <p>SB – indicated that that is not true. The map provided is an old version. They are just outside the existing vineyards.</p> <p>BK – these holes will comply with the distances specified in the legislation?</p> <p>SB read out s.72 of the Petroleum (Onshore) Act. Landowner consent is needed to work closer than the distances specified in the Act. In this case it is AGL land, so no permission is needed. The land was purchased to demonstrate that exploration and viticulture or other farming can successfully co-exist.</p> <p>BK – does not agree with this. It is not consistent with the legislation. To do this is not showing any credibility, even if the property is AGL, BK strongly suggests that AGL moves the location of hole.</p>	
15.6.6	<p>AH – page 7 of the August Minutes – aboriginal community consultation?</p> <p>SB – the representative on site was from the Wanaruah Local Aboriginal Land Council (item 14.7.1)</p>	
15.6.7	<p>SB – Action items of the previous meeting - information is on AGL’s website but can send to members at their request.</p> <p>BS – advised that he could not find the information when he visited AGL’s website.</p>	

ITEM	DISCUSSION	ACTION
	<p>SB – they are there in a link at the bottom of the page all related documents, happy to email BS the link.</p> <p>SB - most of the other action items have been covered but if there are any outstanding items to let her know.</p>	SB to send link to BS
<b>15.7</b>	<b>Report from Community</b>	
15.7.1	<p>SE – one major issue to put on the table relating to the noise. Understanding how the Valley works with the coal mine and the army, the area has a massive increase with the noise. Reason Xstrata has significantly increased its production. Met with Xstrata they doubled their major trucks and they don't have noise suppression. They are reaching the agreed noise ceiling for what is fair in this environment. Xstrata has come to them and acknowledge that they have this problem. Xstrata has put on the table. There is a period where Xstrata will exceed the noise level, they will bring in noise monitoring equipment, there needs to be some consideration on how to work around that. Noise is difficult subject, its subject to weather and winds. The DPI is now agreeing that there will be one set of rule which will apply for everyone. How does this impact with AGL? Suggest that it be thought through carefully.</p>	
15.7.2	<p><b>Mapping</b></p> <p>BK – has had discussion with DK this month in relation to an accurate map of the area showing the land uses showing the area where AGL can and cannot exploit. From this discussion, came the mutual conclusion if we form a sub group of this committee that would identify what the TOR is and secondly get on to work and able to put on at the next BCCC. BK believes that this is important as this matter has been going on for more than three years. BK nominate for GS and BS to be on this committee.</p> <p>SE – indicated that the TOR should not take that long to draft.</p> <p>DK – believe it is not that easy. Confirm that it is a good idea and a way to move forward.</p> <p>BK – think its time to draft something out, have a solid action program and if possible a skeleton map. They have a map from SGL but it is a form that people cannot use.</p> <p>PA – queried who will represent AGL.</p> <p>DK – SB and John Darr</p> <p>PA – support this idea but indicated that there is a lot of things to go through at the next meeting in particular the water monitoring. Maybe the TOR can be presented to the BCCC at a later date.</p> <p><b>Motion:</b> That a sub committee be set up to determine what the TOR is and to be put forward at the earliest opportunity.</p> <p>Moved: AH</p> <p>Second: HU</p> <p style="text-align: right;"><b>Motion Carried</b></p>	
<b>15.8</b>	<b>Report from Council</b>	
15.8.1	<p>AH – have touched on the issues in the Minutes. AH had spoken to the General Manager and the Mayor. AH was disappointed that they had to go through this experience but was happy with the result.</p>	
15.8.2	<p>PN – quite happy to be here and like to hear the discussion. At the</p>	

ITEM	DISCUSSION	ACTION
	<p>end of the day both parties have to be working in the interest for the community.</p> <p>AH – only concern is the negativity in relation to flexibility. This is not the case and mentioned that if there are any concerns, they can be directed to PA.</p> <p>PA – agreed with AH and indicated if members do have any issues / concerns, please email them to her.</p> <p>AH – there is a letter coming to AGL from the Wanaruah Local Aboriginal Land Council.</p> <p>BK – in his experience the council has always been supportive.</p>	
<b>15.9</b>	<b>General Business</b>	
15.9.1	<p>BK – Noticed that AGL's Annual General Meeting is scheduled for 29 October 2009, the day after the BCCC meeting (28 October 2009). This was similar to SGL last year where information was provided their presentation which was not raised at the BCCC. BK hoped that this is not the case with AGL and would like AGL to take this on board.</p> <p>DK – Noted</p>	
<b>15.10</b>	<b>Future Meetings</b>	
15.11.1	28 October 2009 (Broke) – confirmed	
15.11.2	<p>30 November 2009 (TBA)</p> <p>PA – Queried whether members are available on this proposed date. Suggested a little get together similar to the Christmas function last year as this will be the last meeting for the year.</p> <p>AH – indicated that Monday would be difficult for Council.</p> <p>PA – suggested maybe a BBQ lunch for 12pm but will work with SB to confirm details.</p>	PA and SB to arrange
15.11.3	No further issues, meeting closed at 4:40pm	