

**BULGA GAS EXPLORATION PROJECT
COMMUNITY CONSULTATIVE COMMITTEE**

MEETING NO. 11

Held at the Broke Community Centre on 8 April 2009 at 3.00pm

MINUTES

Attendance

The Hon. Pam Allan (PA)	Chair
Mr Steve Cozens (SC)	NSW Department of Primary Industries
Councillor Alison Howlett (AH)	Singleton Shire Council
Mr Geoff Sharrock (GS)	Community Representative
Mr Hugh Upward (HU)	Community Representative
Mr Bob Kennedy (BK)	Community Representative
Mr Barry Smith (BS)	Community Representative
Ms Siobhan Barry (SB)	AGL Representative
Mr Graeme Gibson (GG)	Replacing Stewart Ewen of Hunter Valley Protection Alliance (HVPA)
Ms Hayley Moffitt (HM)	(Observer – AGL)

Apologies

Mr David Kelly (DK)	AGL Representative
Ms Julie Moloney (JM)	NSW Department of Primary Industries
Mr Stewart Ewen (SE)	President – Hunter Valley Protection Alliance (HVPA)
Councillor Tony McNamara (TM)	Singleton Shire Council

Minutes

Ms Pha Tran (PT)	AGL
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Meeting Opened at 3.00pm

ITEM	DISCUSSION	ACTION
11.1	Welcome and Apologies	
11.1.1	Welcome by the Chair – PA	
11.1.2	Apologies as noted above.	
11.2	Declarations of Interests	
11.2.1	PA – there were no other declarations of interest other than the one from TM at the last meeting.	
11.3	Minutes	
11.3.1	PA – noted at the last meeting that the Minutes of the Bulga Community Consultative Committee (BCCC) be made available to the public. PA – mentioned that the Minutes should be uploaded onto the Singleton Shire Council and AGL websites.	
11.3.2	AH – there was one change she had to the previous Minutes of the BCCC and that is to note her down as an apology.	

ITEM	DISCUSSION	ACTION
11.3.3	<p>Motion: That the changes discussed to the minutes of the previous meeting are made and then the minutes accepted.</p> <p>Moved: GS</p> <p>Seconded: BK</p> <p style="text-align: right;">Motion Carried</p>	
11.4	Business Arising from the Minutes	
11.4.1	<p>BK – follow up with Xstrata in relation to providing data from its water monitoring bores at Broke to SGL. He confirmed that the data had been provided.</p> <p>SB – noted that AGL had checked with Andy Lukas and the data had been received.</p>	
11.4.2	<p>BK – in relation to request for formal Terms of Reference (TOR) for the Broke water monitoring, he is waiting to hear back from Andy Lukas (AL) or Sydney Gas (SGL). BK happy to liaise with AGL.</p> <p>SB – will get a copy of the Purchase Order for Professor Willgoose to provide to the BCCC.</p>	SB to provide a copy of the Purchase Order for Professor Wilgoose to the BCCC.
11.4.3	<p>GG – what is the status of minutes of David Kitto’s (Department of Planning (DOP)) presentation to the BCCC from last year?</p> <p>PA – still waiting on notes of his presentation, suggestion that GG to provide his comments/notes of the presentation to the BCCC.</p>	GG to provide the BCCC with his notes on David Kitto’s presentation.
11.4.4	<p>SB – in relation to the question from the last meeting about the legislation the “danger explosive area” sign is required to be posted on the test wells (page 7 of the Minutes of 11 March 2009), SB advised that it fell under the Occupational Health and Safety Act and Regulation. The area around the test wells needs to be fenced as the area inside the fences is a controlled workplace, so only employees with specialised training and Personal Protective Equipment (PPE) can enter. The signs refer to potential issues within the fenced area, not outside it.</p> <p>SC – confirmed this information and also advised that this requirement fell under cl.17 and cl.13 2(b) of the Occupational Health and Safety Regulation along with cl. 210 of the <i>Schedule of Onshore Petroleum Exploration and Safety Requirements, August 1992</i>.</p>	
11.4.5	<p>HU – Does AGL have an emergency response plan in place?</p> <p>SB – Yes we do.</p> <p>GG – will the emergency response plan be provided to the community?</p> <p>SB – will ascertain whether the emergency response plan had been made available by SGL.</p>	SB to advise.
11.4.6	BS arrived at 3:15pm	
11.4.7	<p>GG – Has the school been notified?</p> <p>SC – The school is at a safe distance. No methane is escaping through the surface, if there was AGL would not want to drill at that location as there would not be viable amounts of gas. They want the gas to be trapped in the seam.</p>	

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	Even if the gas did migrate to the surface, it would be so diluted with oxygen by the time it reached the edge of the compound, it would be no risk.	
11.4.8	GG – A whole community was evacuated in Victoria due to methane seeping through the surface. SC – That was not from seams hundreds of metres below the surface like the situation here. That was across a large area close to the surface and it was a completely different scenario.	
11.5	Report from AGL – SB	
11.5.1	Company Update AGL took over full ownership of SGL and its subsidiaries on 1 April 2009. Work is continuing to integrate the SGL companies into AGL. AGL now owns and operates 100% of PEL 267 and PEL 4 and is responsible for all activities.	
11.5.2	Consultation Review AGL is aware that there is frustration in the community and is seeking to better understand local views and issues with the project. AGL want to learn from what has happened in the past and prevent the same mistakes from happening again. AGL certainly does not want to repeat the past. AGL has asked John Dengate of Twyfords to prepare a proposal for an independent review of the existing community consultation processes and to recommend an appropriate strategy to facilitate community input. The review would involve: <ul style="list-style-type: none"> - Looking at issues, concerns and stakeholders; - Work with internal stakeholders from AGL and NSW Government agencies on the parameters of the engagement process; - Review the history of consultation to date, and analyse existing relationships; - Key challenges and opportunities for a future engagement plan; - Make recommendations on the engagement strategy going forward; - Indicators of success of engagement activities. AGL believe that they need a platform for good and effective communication in the long term, developed with input from the various communities of the Hunter. SB will be attending the interviews with John Dengate for the review as the leader of the project for AGL. This is to make sure AGL is meeting the communication needs of the project and the community. SB indicated that: <ul style="list-style-type: none"> - AGL want the BCCC to understand what is proposed. - What the BCCC comments, views and feedback are. 	

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	<p>- Who do the BCCC believe we should talk to as part of the review?</p> <p>BK – does not agree with this approach as this was the approach that SGL had.</p> <p>GS – agreed with BK but indicated that if this is to gather information, it is a good initiative on AGL’s behalf but hope that this process does not take too long.</p> <p>BK – believe this is a naïve perception as AGL have been in a joint venture with SGL since November 2005 and should have all the information.</p> <p>BS – disagreed with BK as it appeared to BS from the last meeting that AGL are not up to date with the issues / concerns.</p> <p>AH – noted the motion passed by Council, she was happy to take it at face value but shared the concerns others raised.</p> <p>GG – agreed with BK that HBGAG had written to the AGL Board on 13/3/07 raising issues, so AGL should be aware.</p> <p>BK – will the full report from John Dengate be made public to the community?</p> <p>SB – confirmed that the report will be made available to the public.</p> <p>BK – This is the second time an expert has been brought in and feels that we are heading down a similar track. Does the committee have a say in that John Dengate is not the right person? What is the process we are going through?</p> <p>SB – indicated that this will be an AGL report not a BCCC report, but that community and BCCC input was part of the process. The full report will be made available public.</p> <p>This is an effort to make sure we are talking to the community to understand views and AGL is very serious about dealing with the issues the community have.</p> <p>PA – the Chair suggests that John Dengate speak to the committee members.</p> <p>BK – indicated that he would like to speak to John Dengate individually before AGL engages his services.</p> <p>SB – said AGL was more than happy for BCCC members to talk to John Dengate and SB will pass on the committee members details to John Dengate for him to contact the members.</p>	<p>SB will pass on the committee members details to John Dengate for him to contact the members.</p>
11.5.3	<p><i>Water Monitoring</i></p> <p>The water monitoring bores at Broke were drilled during a two week period from 9 March 2009 through to 20 March 2009.</p> <p>The drilling and monitoring of the water monitoring bores to establish baseline data is the first step in the water monitoring program. The BCCC will be kept updated on progress.</p> <p>SB handed out an update letter from PB on the water monitoring bore drilling and testing to each of the members.</p> <p>GS – queried about whether blow out preventer valves were used on the rigs drilling water bores.</p> <p>SB – believes there were but would double check.</p>	<p>SB to confirm whether Blow Out Preventers (BOP) were used during the drilling of</p>

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	<p>BK – will the 7th hole be completed?</p> <p>SB – there is a possibility that that may be dropped as one of the Xstrata water monitoring bores is right next to where the 7th water bore was to be drilled, so AGL is currently requesting permission to take samples from the Xstrata water bore so that there is no need to drill the 7th water monitoring bore.</p> <p>GG – indicated that previous information from Sydney Gas stated that water levels would be monitored down to the Blakefield coal seam at 330 metres, not just to 210 metres.</p> <p>SB – said that she understood that water samples would be taken from the HB02 test well as it was completed at the 330 metre level and is the shallowest coal seam of interest. The aquifer at this level is the coal seam.</p> <p>PA – suggests that PB or Professor Willgoose attend the next meeting.</p> <p>SB – agreed, it just needs to be considered if some initial monitoring results are available by the time of the next meeting.</p>	<p>the water monitoring bores.</p> <p>SB to arrange for PB or Professor Wilgoose to attend the BCCC.</p>
11.5.4	Current Activity	
11.5.4.1	SB – Core hole drilling at Dartbrook, near Scone in PEL 4 is expected to continue during April and the first part of May.	
11.5.4.2	SB – AGL is currently considering purchasing land in the Broke / Bulga area for future exploration activity. Further information will be provided to the BCCC if a purchase is completed.	SB to update if a purchase is completed.
11.5.4.3	<p>GS – who is the holder of the PELs?</p> <p>SB – advised that AGL Energy holds the PELs as Sydney Gas is now a wholly owned subsidiary, but no transfer has taken place. Believe a name change may be required.</p> <p>SC – advised that a registration of name change needs to be made with the DPI.</p> <p>SB – yes and a fee needs to be lodged.</p>	
11.6	Report from the Community	
11.6.1	PA indicated that as there had already been community questions and given the time, could we move straight on to Council Report. The members agreed.	
11.7	Report from Singleton Council - AH	
11.7.1	<p>AH – noted the following motion was passed by Singleton Shire Council on 23 March 2009 and that this position was not negotiable and the motion was read out.</p> <p>That a delegation be sent to the Minister of Primary Industries seeking:</p> <ol style="list-style-type: none"> 1. That a full formal Environmental Assessment of the two wells adjacent to the Broke Village, be undertaken and completed before any further activity is undertaken in respect of those wells; 2. That there be no activation of the Broke Village wells until Terms of Reference of a Water Study have been agreed to by the 	

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11.7.2	<p>Community Consultative Committee, and a report had been given by Professor Willgoose as to the content of Parsons Brinckerhoff report upon which Sydney Gas relies;</p> <p>3. That the Broke Fordwich winegrowing subregion, as defined by the Australian Wine and Brandy corporation, be excised from Petroleum Exploration Lease 4 and 267 (including the area to the centre of the earth);</p> <p>4. That there be no exploration within 500m of the Broke School, within 500m of the boundaries of the Village of Broke or within 500m of any waterway or area containing aquifers or water tables within the Broke Fordwich winegrowing subregion.</p> <p>5. The delegation to the Minister for Primary Industries comprise the Mayor, at lease one Councillor, PA (chair of BCCC), the Acting General Manager or a senior staff representative of Council and two community representatives.</p> <p>This will also be raised at the Association of Mining Related Councils.</p> <p>AH – asked SB if AGL was going to respond to this motion? SB – advised that it AGL had not responded as the motion was clearly addressed to the Minister for Mineral Resources and that it is Council’s prerogative as an elected body to make representations on behalf of its ratepayers, but if Council would like AGL to respond, it would.</p> <p>AH – The Motion can also be found on Council’s web site. PA – suggested that Council formally write to AGL requesting a response and it is appropriate for AGL to focus on these issues.</p>	Council to write to AGL requesting a reply to the motion.
11.7.3	<p>GG – queried whether the reason for the purchase of property at Broke / Bulga was that the landholder’s refused access? SB – indicated that that was not the reason.</p>	
11.7.4	<p>GG – advised that he had not received a response from SGL in relation to whether or not SGL would force access to the land should the landholder refused access. GG indicated that this was raised at SGL’s Open Day which was held in October 2006. GG mentioned that Frank Krstic (SGL’s General Counsel) undertook to provide them a response. To date, they have not received a response from Frank Krstic or SGL. SB – noted GG query and will find out that the status is.</p>	SB to advise.
11.7.5	<p>BS – in relation to property, will AGL come back to the Committee with the area of interests? SB – will advise the committee with further information if a purchase is completed.</p>	
11.7.6	<p>AH – advised that before anything else can happen AGL will need to response to their motion as stated above. SB – noted this request and will respond as indicated earlier in the meeting.</p>	

ITEM	DISCUSSION	ACTION
11.8	General Business	
11.8.1	<p>GG – HBGAG sent a letter to AGL on 14 March 2009. They received a response back from Dave Kelly (DK) and Mike Moraza (MM) but he indicated that the 13 questions raised in HBGAG’s letter have not been answered.</p> <p>SB – indicated that she believed that the questions had been answered, but AGL wanted to discuss the issues at a meeting which was offered.</p> <p>PA – suggested that SB look into this.</p> <p>SB – it could be looked at as part of the pump testing which is next phase in the water monitoring, as most of the questions raised were related to matters where more detailed operational planning was required.</p>	SB to advise.
11.8.2	<p>PA – in relation to the Motion, PA suggested that Council should formally write to AGL in relation to the resolutions.</p> <p>If Council receive a response from AGL, it should be circulated to the committee.</p>	
11.9	Next Meeting	
11.9.1	May 13 (Bulga) – confirmed by all members	
11.9.2	June 10 (Broke) – confirmed by all members except BK as an apology	
11.9.3	<p>July 29 – Singleton Council Chambers</p> <p>BK – is not available on 1 July 2009.</p>	
11.9.4	Meeting closed at 5.30pm	

Note:

- Item numbering in column one shows the meeting number first then the section number to allow for the actions to be tracked for close out.
- Items in **BOLD** are the comments made to closed out an action raised in a previous meeting.