

20 April 2006

Mr T Robinson
Department of Planning
Major Development Assessment Unit
GPO Box 3927
SYDNEY NSW 2001

Dear Todd,

Re: East Appin 66kV Switching Station Environmental Assessment
Ref: Your Facsimile dated 6 April 2006.

Your facsimile contained submissions on the above proposal from Wollondilly Shire Council, the Mine Subsidence Board and the Department of Environment and Conservation.

This letter addresses the matters raised in those various submissions.

1. Wollondilly Shire Council

As agreed with the Department of Planning and supported by legal advice from Minter Ellison, the total works proposed at Appin to improve the electricity supply to West Cliff include a number of components to be assessed under Parts 3A, 5 and 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act). This has meant that the total proposal must be subject to a number of separate applications/submissions to the Department of Planning, Integral Energy and Wollondilly Shire Council.

The current environmental assessment has been submitted to address only that component of the total proposal that requires approval pursuant to Part 3A of the EP&A Act.

A number of the issues raised by Wollondilly Shire Council will be addressed in the applications/submissions to be lodged under Parts 5 and 4 of the EP&A Act.

BHP Billiton met with Planning representatives from Wollondilly Shire Council on 11 April 2006 to work through the various components of the proposal and to clarify when, and by whom, each component will be assessed.

It was agreed that many of the issues raised by Council will be addressed in the documents that will support Applications to be made under Parts 5 and 4 of the EP&A Act. BHP Billiton agreed to provide copies of the Part 5 Application to Wollondilly Shire Council prior to it being lodged with Integral Energy. The Part 4 Application will be lodged directly with Council.

The Council Officers raised concerns during the meeting, relating to clearing along the access road and its intersection with Appin Road, Fire Management, car parking and site water storage capacity, and biodiversity issues. These concerns were contained in their submission to the Department of Planning, however the Council Officers were able to detail their concerns during the meeting. Their concerns are addressed in the following sections.

1.1 The proposed route of the network and its features.

This will be addressed fully in the Review of Environmental Factors prepared for the Part 5 section of the project approval. It is planned that this application will be lodged with Integral Energy in early to mid May 2006. A copy of the Integral Design Guidelines was provided to the council officers at the meeting on the 11th. A copy of the Review of Environmental Factors will be provided to Wollondilly Shire Council Officers prior to it being lodged with Integral Energy.

The current proposal applies to the East Appin Switching Station only and this has been fully described in the Environmental Assessment lodged with the Department of Planning.

1.2 Structural details of the poles and cables.

Same comment as 1.1 above.

1.3 Dimensioned plans for the transfer station and switching station.

There is some confusion over the naming of these components. There are two Switching Stations proposed. One is known as East Appin 66kV Switching Station and the other is the North Appin 66kV Switching Station.

The East Appin facility is the subject of the Part 3A Environmental Assessment currently under review. It contains a number of artist's impressions in order to give a clear understanding of the size and scale of the proposal. During the meeting with Council Officers, BHP Billiton undertook to provide a detailed plan of the East Appin 66kV Switching Station after the final design has been completed.

The North Appin facility will be assessed in future applications/submissions made in accordance with Part 5 and Part 4 of the EP&A Act. As already indicated, BHP Billiton will provide a copy of the Part 5 Application and supporting documents to Council Officers prior to it being lodged with Integral Energy. The Part 4 Application will be submitted directly to Wollondilly Shire Council.

1.4 Site plans for the location of the transfer station and switching station.

Site plans for the East Appin 66kV Switching Station have been included in the current Environmental Assessment submitted pursuant to Part 3A of the EP&A Act. Plans showing the location of the North Appin 66kV Switching Station will be submitted in the near future to support the Part 5 and Part 4 submissions.

1.5 Details of any trees to be removed and vegetation to be cleared especially in relation to Council's Biodiversity Strategy.

Council Officers were concerned primarily with the avenue of trees along Appin Road. This issue will be addressed in the Part 5 Application. However, Council Officers were advised during the meeting that the proposal now includes the installation of an underground section of cable on the western side of Appin Road. This arrangement avoids the avenue of trees.

In most of the area affected by the Part 3A application, no clearing is required. A small number of trees are planned to be removed as a result of the proposal included in the Part 3A application. The number of trees removed at the intersection of the access road and Appin Road will be minimised. However, Integral Energy have site distance requirements that may result in the need to remove some large trees.

Care will be taken to avoid removing large trees where the boreholes are to be drilled in the vegetated area east of the site. The location of the boreholes is fixed and cannot be moved to avoid tree clearing, however, the borehole site is characterized by low vegetation.

Council Officers suggested the possibility of offset planting to replace trees that have to be removed. BHP Billiton agreed to discuss this possibility with the owners of the land (Department of Planning). It may be possible to undertake offset planting of trees to the west of the Switching Station. This would require agreement from the landholder and would have to be undertaken in a way that does not compromise bushfire prevention requirements.

The proposed level of tree clearing/pruning associated with the remainder of the power line and the North Appin 66kV Switching Station will be fully addressed in relation to Council's Biodiversity Strategy in the documentation submitted with the applications/submissions relating to Part 5 and Part 4 of the EP&A Act.

1.6 Details of the methods and requirements for construction and installation.

The current Environmental Assessment includes these details for the East Appin 66kV Switching Station only. The future applications and submissions will include these details for the North Appin 66kV Switching Station and the power line.

1.7 Details of construction site management and site restoration.

The current Environmental Assessment includes these details for the East Appin 66kV Switching Station only. The future applications and submissions will include these details for the North Appin 66kV Switching Station and the power line.

1.8 Details of any ongoing management works required such as trimming and clearing vegetation.

The current Environmental Assessment for the East Appin 66kV Switching Station does not include these details as they are not relevant. The future applications and submissions will include these details for the North Appin 66kV Switching Station and the power line.

1.9 Bushfire Issues.

The entire proposal will be constructed in accordance with Integral Energy requirements, standards and specifications, including those directed at bushfire protection and management.

Fire initiation issues are addressed by corridor width requirements. These will be defined in the applications/submissions to be made pursuant to Parts 5 and 4 of the EP&A Act.

The zone between the Switching Station facilities and the fence enclosure are determined primarily on the basis of fire protection for those facilities.

Final detailed design plans of the East Appin Switching Station will be forwarded to Council once they are completed. These will include bushfire prevention and control information. A copy of the Part 5 Application will be sent to Wollondilly Shire Council Officers prior to it being lodged with Integral Energy.

1.10 Modification of potential habitat for a number of listed fauna species.

This aspect has been discussed in 1.5 above. Replacing the modified habitat on another part of the subject property may well provide additional visual screening. However, the owner of the property will need to be involved in any discussions. BHP Billiton has committed to Council to discuss the possibility of offset planting with the owners of the property (Department of Planning).

1.11 Access Track Construction.

The access track will be a two lane unsealed road. It will have a crushed sandstone (or equivalent surface). During construction, a water cart will be onsite to enable dust control and to enable the required compaction of the road base to be achieved.

1.12 Car Parking Provision

Car parking consistent with the requirement for infrequent access (approximately 1 vehicle per week) will be provided on the western side of the Switching Station. Exact details will be forwarded to Council when the final detailed design plans are prepared.

2. Mine Subsidence Board

The final design for all components of the proposal will involve a qualified Structural Engineer who will certify that any improvement constructed will be safe, serviceable and repairable taking into account mine subsidence parameters.

3. Department of Environment and Conservation

The additional commitments suggested by the Department of Environment and Conservation are logical and acceptable to BHP Billiton.

Thank you for the opportunity to comment on the submissions received. In summary BHP Billiton have:

- Met with planning Officers from Wollondilly Shire Council to discuss the issues raised,
- Committed to provide Wollondilly Shire Council Officers with the Part 5 Application and supporting documentation prior to it being lodged with Integral Energy,
- Committed to provide Council Officers with detailed design plans of the East Appin 66kV Switching Station, once they are available. These will show the location of car parking, water supply systems and final dimensions of any buildings, and,
- Undertake discussions with the owners of the property to explore the possibility of offset planting of any trees required to be cleared.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Richard Walsh', with a stylized flourish at the end.

Richard Walsh
Manager Mining Approvals

cc Michael Kelly Wollondilly Shire Council