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Illawarra Coal

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14 February 2011

Department of Planning
GPO Box 39
SYDNEY NSW 2001
Attn: Naomi Nelson

Dear Naomi

**Response to Submission – Wollondilly Shire Council
Appin Vent Shaft No 6 Project (00-0079)**

Thank you for providing submission provided by Wollondilly Shire Council (WdSC) on the Appin Vent Shaft No 6 Project (00-0079). The Environmental Assessment was on public exhibition between 19 October 2010 and 18 November 2010. The submission provided by WdSC is dated 2 February 2011 and was provided to Illawarra Coal by the Department of Planning (DoP) on 11 February 2011. Illawarra Coal has considered the matters raised in this submission and our response is provided in Appendix A

We look forward to Project Approval as soon as possible. If you have any queries please contact the undersigned.

Yours sincerely,

Bruce Blunden
Manager – Environmental Approvals

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Appendix A

Illawarra Coal response to Wollondilly Shire Council Submission

The application for Appin No 6 Vent Shaft (VS#6) has been made in accordance with the requirements of Part 3A of the Environmental Planning and Assessment Act 1979. VS#6 will support current and future mining activities at Appin Mine. We request that this project be considered on the basis of the Environmental Assessment and information provided thereafter, and a Project Approval be determined as soon as possible.

Water Issues

The NSW Office of Water raises no objection to the proposal. Illawarra Coal intends to transfer the existing surface water entitlement owned by Illawarra Coal at a nearby pump on the Nepean River to the site in accordance with the requirements of the Metropolitan Water Sharing Plan. The extraction rules associated with the Metropolitan Water Sharing Plan will apply to extraction from this pump site. As shown in Appendix F of the Environmental Assessment, the median flow in the Nepean River at the confluence of Harris Creek is approximately 30 ML/day.

The Environmental Assessment identifies that up to 50ML/year may be extracted from the Nepean River. The requirements for water use at the VS#6 site are primarily related to shaft construction which will occur over a period of approximately three years. It is unlikely that 50ML/year of water will be required for shaft construction purposes. The Environmental Assessment identifies that where it is possible to do so, water from sedimentation ponds will be reused as make up water in the drilling process. It is unlikely that water extracted from the Nepean River for VS#6 in accordance with the requirements of the Metropolitan Water Sharing Plan will adversely affect other water users in the catchment.

The Environmental Assessment and Appendix F describe that discharge from the proposed sedimentation ponds will only occur in periods of wet weather where the capacity of the sedimentation ponds is exceeded. Where it is possible to do so, water collected in the sedimentation ponds will be reused in the shaft drilling process.

The discharge criteria from the proposed sedimentation ponds have been established on the basis of:

1. the observed \pm two standard deviation range of pre-existing water qualities measured for Harris Creek as set out in Table 2.6 in Section 2.5 of Appendix F i.e. a pH in the range 7.18 – 8.14, a salinity $<3025 \mu\text{S/cm}$ and a TSS $<31.4 \text{ mg/L}$ (= typically 25 NTU);
2. standard discharge water quality criteria typically specified by the Environment Protection Authority in Environment Protection Licences; and
3. the summary of the state of knowledge of local aquatic ecology as presented in Section 2.7 of Appendix F.

Much of the catchment of Harris Creek is overlain by Wianamatta Shale which is marine in origin. Runoff and subsurface flow from the Wianamatta Shale is saline. The proposed discharge criteria are scientifically defensible and locally appropriate.

As described in the Environmental Assessment, runoff from the proposed access road will be discharged via engineered drains and energy spreading devices to the surrounding paddocks. All road verges and drains will be grassed. Overland flow will pass through several on-site farm dams prior to its flow from the site to Harris Creek. It is unlikely that this activity will contribute to gully erosion. A Soil and Water Management Plan was submitted with the Environmental Assessment that describes how erosion and sedimentation risks will be managed through the construction and operational phase of the project.

The potential for groundwater contamination from the dewatering of shaft spoil is very low. As described in the Environmental Assessment, dewatering of the shaft spoil will be undertaken on a prepared pad that directs water drained from the spoil to the coffer dam (see Figure 3.1 in Appendix F). Water from the coffer dam will be treated and then drain to the main sedimentation pond where it will then be used for drilling purposes.

Indigenous Heritage

The Department of Environment, Climate Change and Water (DECCW) considers that the assessment of Aboriginal cultural heritage potentially affected by the proposal is adequate. In the design of the proposed project, every effort has been made to avoid Aboriginal sites where it is possible to do so. All four Aboriginal sites identified in the site assessment will be avoided and a Cultural Heritage Management Plan has been prepared to ensure that no impact occur during the construction and operation of the project. We do not concur with WdSC's recommendation that further assessment of these sites is warranted.

European Heritage

An assessment of the magnitude and predicted vibration impacts from the construction and operation of the project was provided to the Department of Planning on 12 December 2010 in our response to the submission on this project by the Heritage Office. The supplementary vibration assessment demonstrated that, during both construction and operation of the Project, the magnitude of ground and airborne vibrations that are predicted to occur from the proposal are significantly less than the relevant criteria for heritage and other sensitive structures. Given the construction of the heritage buildings, their current state of repair, and the conclusion in the supplementary vibration assessment that it is unlikely that vibration will contribute to any impact at any heritage building, we consider that further vibration assessment at the Mount Batten Group is unwarranted.

Illawarra Coal has committed to several actions that aim to maintain the heritage significance of the Mount Batten Group. At the request of the Heritage Office, the Statement of Commitments was revised in our letter to DoP on 12 December 2010 to incorporate all recommendations of the Heritage Impact Statement.

A Heritage Management Plan was submitted with the Environmental Assessment. The Heritage Office generally consider this Plan to be adequate subject to minor change that has been agreed to by Illawarra Coal. As such, we do not consider that the Heritage Management Plan is inadequate.

The land associated with the Project is owned by Illawarra Coal. The land is primarily used for grazing purposes and it is likely that this will continue for the foreseeable future. However, various mining related projects have been approved for this land and activities that support our mining activities may also be proposed in the future. Any such projects will be subject to relevant assessments and approvals.

Noise

On the basis of consultation with the Douglas Park Advisory Panel, Illawarra Coal has selected a vegetated earthen noise bund to provide noise protection for Douglas Park. It is likely the core of the noise bund will be constructed of coal wash in accordance with the General Exemption for Coal Washery Rejects. The bund will be top soiled and vegetated in accordance with the Post Construction Rehabilitation Plan provided to the DoP on 12 December 2010.

Vibration Impacts

See European Heritage

Vehicle access

Illawarra Coal has undertaken considerable consultation with both the RTA and WdSC in respect of the proposed access road. Technical aspects of the proposed road and access design have been updated according to advice from the RTA. Neither the RTA or WdSC have raised any objection to the proposed road or access.