

Permit¹

S169 Environmental Protection Act 1994

Environmental Authority (Exploration or Mineral Development) Non-Code Compliant Level 2 Mining Project

Permit number: MIN200346405

Valid From: 16-JAN-2006

Details

Permit Holder(s)	Name	Address
Principal Holder	New Hope Exploration Pty Ltd	17 Lowry Street IPSWICH QLD 4305
Activity(s)	Activity Location(s)	Estate
Exploration - Coal	epc970	

Conditions of Approval

Permit details:

Authorised Mining Tenements

Tenure Type	Tenure Number
EPC	970

Agency interest: General

- G1 The environmental authority does not take effect until the grant of the tenure to the environmental authority holder, or until each environmental authority holder has become a holder, under the Mineral Resources Act 1989, of each of the relevant mining tenements.
- G2 The conditions of this environmental authority are in force until a surrender of the authority is accepted pursuant to the Environmental Protection Act 1994. The conditions apply unless an amendment is approved pursuant to the Environmental Protection Act 1994.
- G3 The environmental authority holder is to give the administering authority a financial assurance in the amount and form and at a time required by the administering authority.
- G4 The environmental authority holder must comply with each of the Standard Environmental Conditions contained in the Code of Environmental Compliance for Exploration and Mineral Development Projects dated January 2001.

Agency interest: Land

- L1 The holder of the environmental authority is authorised to carry out mining activities on the relevant mining lease within 500m, but not in, areas mapped as Category B Endangered Regional Ecosystem.

Note to Condition (L1)

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service.

Permit¹

S169 Environmental Protection Act 1994

Permit number: MIN200346405

Category A, Category B (including the Endangered Regional Ecosystem) and Category C, identified in and adjacent to EPC 970 are listed in the table (see attached document).



Signed

Geoff Power
Environmental Protection Agency
Date

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Note to Condition (L1)

Category A, Category B (including the Endangered Regional Ecosystem) and Category C, identified in and adjacent to EPC 970 are listed in the table (see attached document).

Category	Land Area Classification	Name	Who to contact
Category A	National Park 267	Wondul Range National Park.	Queensland Parks and Wildlife Services – Principle Forest Officer (07) 4669 9580
Category B	Endangered Regional Ecosystems (including but note limited to the following): 11.5.1, 11.8.2a, 11.5.1a, 11.3.17, 11.9.5, 11.7.4, 11.3.25, 11.9.7, 11.4.10, 11.5.20, 11.3.18, 13.11.3b, 13.11.8.	Scattered over EPC 970	Environmental Protection Agency South West (Southern Region) PO Box 731 Toowoomba QLD 4350 Ph: (07) 4699 4333 Fax: (07) 4699 4399
Category C	River Improvement Area (Millmerran)	EPC970	Natural Resources and Mines, Water Monitoring and Information (07) 3224 7668
Category C	Special Forestry Area	Unnamed	Queensland Parks and Wildlife Services – Principle Forest Officer (07) 4669 9580
Category C	State Forest 101 State Forest 154 State Forest 229 State Forest 232 State Forest 341	Devine State Forest Western Creek State Forest Domville State Forest Wondul Creek State Forest Bringalily State Forest	Queensland Parks and Wildlife Services – Principle Forest Officer (07) 4669 9580

Note

Endangered Regional Ecosystems of concern include 11.3.17 - *Eucalyptus populnea* woodland with *Acacia harpophylla* and/or *Casuarina cristata* on alluvial plains; 11.9.7- *Eucalyptus populnea*, *Eremophila mitchellii* shrubby woodland on Cainozoic fine-grained sedimentary rocks; 13.11.8 - *Eucalyptus melliodora* and/or *Eucalyptus microcarpa*/ *E. moluccana* woodland on metamorphics; 11.9.5 - *Acacia harpophylla* and/or *Casuarina cristata* open forest on Cainozoic fine-grained sedimentary rocks; 11.4.10 - *Eucalyptus populnea* or *E. pilligaensis*, *Acacia harpophylla*, *Casuarina cristata* open forest to woodland on margins of Cainozoic clay plains.

END OF CONDITIONS

AP.

Notice of decision - Permit¹ transfer or amendment

This notice is issued by the Environmental Protection Agency to advise of a statutory decision made under environmental or conservation legislation for an application to transfer or amend a permit.

David Genn
New Hope Exploration Pty Ltd
17 Lowry Street
IPSWICH QLD 4305

Our reference: 265484

Dear Mr Genn

Re: Decision made in relation to your application under legislation administered by the Environmental Protection Agency (EPA).

The EPA has assessed your application received on 16-JAN-2006 and wishes to advise you of the following decision:

Permit Applied For	Permit Number	Decision
Environmental Authority (Exploration or Mineral Development) Non-Code Compliant Level 2 Mining Project under Environmental Protection Act 1994	MIN200346405	Granted

Where the application has been granted, the permit has been re-issued and is attached. Where the application has been refused a Statement of Reasons is attached. Please note that for each approval, this Notice of Decision and the relevant attachments constitute the new permit documentation. Please retain this approval documentation for your records.

Included with this Notice is advice on review and appeal processes available to you. Should you wish to seek a review or appeal, the EPA advises that you seek independent advice before taking such action.

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

If you require more information, please contact Amanda Cleary, the Project Manager, on the telephone number listed below.

Yours sincerely



Geoff Power
Environmental Protection Agency
16-JAN-2006

Enquiries:
SouthReg Env Ops (South West District)
PO Box 731
Toowoomba 4350
Phone: (07) 4699 4333
Fax: (07) 4699 4399

Attachment

Extracts from the Act Regarding Reviews and Appeals

Procedure for review

521.

- (1) A dissatisfied person may apply for a review of an original decision.
- (2) The application must-
 - (3) be made in the approved form to the administering authority within-
 - (4) 14 days after the day on which the person receives notice of the original decision or the administering authority is taken to have made the decision (the "review date"); or
 - (5) the longer period the authority in special circumstances allows not later than the review date; and
 - (6) be supported by enough information to enable the authority to decide the application.
- (7) On or before making the application, the applicant must send the following documents to the other persons who were given notice of the original decision-
 - (8) notice of the application (the "review notice");
 - (9) a copy of the application and supporting documents.
- (10) The review notice must inform the recipient that submission on the application may be made to the administering authority within 7 days after the application is made to the authority.
- (11) If the administering authority is satisfied the applicant has complied with subsection (2) and (3), the authority must, within 14 days after receiving the application-
 - (12) review the original decision;
 - (13) consider any submissions properly made by a recipient of the review notice; and
 - (14) make a decision (the "review decision") to-
 - (15) confirm or revoke the original decision; or
 - (16) vary the original decision in a way the administering authority considers appropriate.
- (17) The application does not stay the original decision.
- (18) The application must not be dealt with by-
 - (19) the person who made the original decision; or
 - (20) a person in a less senior office than the person who made the original decision.
- (21) Within 14 days after making the decision, the administering authority must give written notice of the decision to the applicant and persons who were given notice of the original decision.
- (22) The notice must-
 - (23) include the reasons for the review decision; and
 - (24) inform the person of their right of appeal against the decision.
- (25) If the administering authority does not comply with subsections (5) or (8), the authority is taken to have made a decision confirming the original decision.
- (26) Subsection (7) applies despite section *Acts Interpretation Act 1954*, section 27A.
- (27) This section does not apply to an original decision made by-
 - (28) for a matter, the administration and enforcement of which has been devolved to a local government, the local government itself or the chief executive officer of the local government personally; or
 - (29) for another matter-the chief executive personally.

Stay of operation of original decisions

522.

- (1) If an application is made for review of an original decision, the applicant may immediately apply for a stay of the decision to-
 - (a) for an original decision mentioned in schedule 1, part 1 - the tribunal; or
 - (b) for an original decision mentioned in schedule 1, part 2 - the Court.
- (2) The tribunal or Court may stay the decision to secure the effectiveness of the review and any later appeal to the tribunal or Court.
- (3) A stay may be given on conditions the tribunal or Court considers appropriate and has effect for the period stated by the tribunal or Court.
- (4) The period of a stay must not extend past the time when the administering authority reviews the decision and any later period the tribunal or Court allows the applicant to appeal against the review decision.

Who may appeal

531.

- (30) A dissatisfied person who is dissatisfied with a review decision, other than a review decision to which subdivision 1 applies, may appeal against the decision to the Court.
- (31) The chief executive may appeal against another administering authority's decision (whether an original or review decision) to the Court.
- (32) A dissatisfied person who is dissatisfied with an original decision to which section 521 does not apply may appeal against the decision to the Court.



Enquiries Amanda Cleary
Telephone (07) 4699 4341
Your reference EPC970
Our reference TWB3536

Environmental Protection Agency

Incorporating the
Queensland Parks and Wildlife Service

16 January 2006

Mr Lee Reiken
Mining Registrar
Department of Natural Resources and Mines
Brisbane Mining District
PO Box 1475
COORPAROO QLD 4151

Dear Mr Reiken

Amendment of standard environmental authority MIN200346405 for EPC970 by New Hope Exploration Pty Ltd.

It has come to the attention of the Environmental Protection Agency (EPA) that a processing error has occurred with regard to conditions for EPC970.

Pursuant to section 290 of the *Environmental Protection Act* 1994, the EPA has corrected this error to reflect the additional conditions requested by New Hope Exploration. Accordingly, please find enclosed the amended environmental authority (mining activities) MIN200346405 and a copy of the letter sent to New Hope Exploration Pty Ltd. The environmental authority was amended on 16 January 2006. Please note that EPA has provided New Hope Exploration Pty Ltd with the amended environmental authority (mining activities) MIN200346405.

Should you require further information with regard to these matters, please contact Amanda Cleary of this office on (07) 4699 4313.

Yours sincerely

Geoff Power
A/District Manager (South West)
Southern Region



Enquiries Amanda Cleary
Telephone (07) 4699 4313
Your reference EPC970
Our reference TWB3536

Environmental Protection Agency

Incorporating the
Queensland Parks and Wildlife Service

16 January 2006

Mr David Genn
New Hope Coal Australia
17 Lowry Street
IPSWICH QLD 4305

Dear Mr Genn

**Amendment of standard environmental authority MIN200346405 for EPC970 by
New Hope Exploration Pty Ltd.**

It has come to the attention of the Environmental Protection Agency (EPA) that a processing error has occurred with regard to conditions for EPC970.

Please note that additional conditions for EPC970 requested by New Hope Exploration have been approved by the EPA under section 171B of the *EP Act 1994* to allow New Hope Exploration to undertake standard exploration within 500m, but not in, areas mapped as Category B Endangered Regional Ecosystem (ERE) on the above mentioned exploration tenure.

Pursuant to section 290 of the *Environmental Protection Act 1994*, the EPA has corrected this error to reflect the additional conditions requested by New Hope Exploration. Accordingly, please find enclosed a copy of the amended environmental authority (mining activities) MIN200346405.

Should you require further information with regard to these matters, please contact Amanda Cleary of this office on (07) 4699 4313.

Yours sincerely

Geoff Power
A/District Manager (South West)
Southern Region