

THE AUSTRALIAN

Acland mine deal put on hold following scandal

GRAHAM LLOYD THE AUSTRALIAN FEBRUARY 13, 2015 12:00AM



The Acland mining area in the Darling Downs. Picture: Jack Tran Source: News Corp Australia

DEVELOPMENT of a coal mine at the centre of a donations scandal that engulfed the Newman government during the Queensland election campaign has been put on hold by federal Environment Minister Greg Hunt.

As Mr Hunt extended the deadline to decide on the Acland Stage Three mine under the Environmental Protection and Biodiversity Act, fresh questions were raised about whether the federal Liberal Party was used to conceal donations to the state's Liberal National Party. Electoral commission records show \$3.38 million was sent from the federal party to the state LNP in 2013-14.

Although it is not unusual for federal funds to be sent to states during an election year, opponents of the mine,



Federal Environment Minister Greg Hunt. Picture: Roger Lovell
Source: News Corp Australia

on Queensland's Darling Downs, said the transfer could include hundreds of thousands of dollars of donations made on behalf of the mine's owner, New Hope, to the federal party.

Federal Liberal Party director Brian Loughnane said the party complied "scrupulously" with all requirements of the Electoral Act. "We are audited annually by the commission," he said.

Brickworks, an associated company of New Hope's parent, WH Soul Pattinson, was linked in NSW corruption hearings last year to improper donations made through the federal Liberal Party's Free Enterprise Foundation to the NSW Liberal Party.

There is no suggestion the donations made by WH Soul Pattinson on behalf of New Hope were illegal or improper, but they coincided with the Newman government breaking an election promise not to allow the mine expansion.

The expansion was approved as one of the last acts of the co-ordinator-general before the state election, and announced by Deputy Premier Jeff Seeney late on December 19. The LNP defended the decision, saying it had approved a scaled-down project.

Electoral commission records show donations of more than \$900,000 over several years made by WH Soul Pattinson on behalf of New Hope, which has operations only in Queensland.

The latest records show the federal Liberal Party made four payments to Queensland's LNP in 2013-14 totalling \$3.38m.

Opponents of the mine expansion said the party must say whether that included money from WH Soul Pattinson.

"Sending money to the federal party instantly disguises where it has come from," said John Gordon of the anti-coal group Stop Brisbane Coal Trains.

WH Soul Pattinson has declined to comment to The Australian about the donations.

Last year its associate company Brickworks was embroiled in Independent Commission Against Corruption hearings in NSW over the funnelling of donations through the federal Liberal Party to the state branch.

Some of the donations from WH Soul Pattinson on behalf of New Hope were declared by the Free Enterprise Foundation.

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NEWS

New Hope mine would raise flags at NSW anti-corruption body



Geoff Egan | 10th Feb 2015 5:00 AM



A New Acland coal mine pit is progressing in a southerly direction. Photo: Stuart Cumming/The Chronicle

Stuart Cumming

THE New Acland mine's approval would warrant scrutiny from the Independent Commission Against Corruption if it happened in NSW, a former commissioner has said.

David Ipp, the ICAC commissioner who found former NSW Labor MPs Eddie Obeid and Ian Macdonald were involved in corrupt deals, was asked about the mine expansion after speaking yesterday at a Brisbane conference on accountability.

Anti-mining campaigner Drew Hutton asked Mr Ipp if the Darling Downs mine's approval, which allegedly followed more than \$700,000 in donations to the Federal Liberal Party from New Acland owner New Hope, would raise red flags at ICAC.

"Yes," was Mr Ipp's only response.

While Mr Ipp said it would have been investigated he did not say the expansion was corrupt.

He noted throughout his previous speech how innocent donations could be explained with better political accountability processes.

In his question to Mr Ipp, Mr Hutton alleged the New Hope donation to the Liberal Party was sent back to the Queensland LNP.

However, he admitted this was just "scuttlebutt", claiming transferring donations from federal to state parties was "common practice".

Mr Hutton's Lock the Gate group, as well other anti-mining campaigners, claims the LNP back-flipped on promises not to approve the expansion after the donation.

The LNP has denied the claims, previously stating the expansion was approved after the proposal was changed, and maintaining the state party had not received such a big donation from the miner.

The New Acland mine expansion became an election issue after Sydney shock jock Alan Jones spoke about the approval on his Brisbane election specials.

- APN NEWSDESK



Donor to Political Party Disclosure Return – Organisations



FINANCIAL YEAR 2013-14

The due date for lodging this return is 17 November 2014

Completing the Return:

- This return is to be completed by organisations who made a donation to a registered political party (or a State branch), or to another person or organisation with the intention of benefiting a registered political party.
- This return is to be completed with reference to the *Financial Disclosure Guide for Donors to Political Parties*.
- Further information is available at www.aec.gov.au.
- This return will be available for public inspection from Monday 02 February 2015 at www.aec.gov.au.
- Any supporting documentation included with this return may be treated as part of a public disclosure and displayed on the AEC website.
- The information on this return is collected under the *Commonwealth Electoral Act 1918*.

NOTE: This form is for the use of organisations only. Please use the form Donor to Political Party Disclosure Return – Individuals if you are completing a return for an individual.

Details of organisation that made the donation

Name	Washington H Soul Pattinson and Company Limited		
Address	GPO Box 479		
	Suburb/Town Sydney	State NSW	Postcode 2001
ABN		ACN 000002728	

Details of person completing this return

Name	Ian Bloodworth		
Capacity or position (e.g. company secretary)	Company Secretary		
Postal address	GPO Box 479		
	Suburb/Town Sydney	State NSW	Postcode 2001
Telephone number	02 9232 7166	Fax number	
Email address	ibloodworth@whsp.com.au		

Certification

I certify that the information contained in this return and its attachments is true and complete to the best of my knowledge, information and belief. I have made due and reasonable inquiries of the organisation on whose behalf I am authorised to complete this form.

I understand that giving false or misleading information is a serious offence.

Signature

Ian Bloodworth

Date

17/11/2014

Enquiries and returns
should be addressed to:

Funding and Disclosure
Australian Electoral Commission
PO Box 6172
Kingston ACT 2604

Phone: 02 6271 4552
Fax: 02 6293 7655
Email: fad@aec.gov.au

Office use only

Date received

Donor Organisation Return (06/14) – Page 1 of 4

Part 1a: Other business names

Do you operate or
conduct business
under any other
names?

No ☒

Yes ☐ List other trading names

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Part 1b: Related bodies corporate

Subsection 287(6) of the *Commonwealth Electoral Act 1918* deems bodies corporate related under the provisions of the *Corporations Act 2001* to be a single entity for disclosure purposes. The parent company of the group, therefore, should lodge under its name a return consolidated across the entire group.

Does this return cover
any other related
bodies corporate?

No ☐

Yes ☒ List any related bodies corporate **you are lodging on behalf of**

Name	New Hope Corporation Limited		
Postal address	PO Box 47		
Suburb/town	IPSWICH	State QLD	Postcode 4305
ABN		ACN	010653844

Part 2: Donations made

Details of **donations** made to a political party **totalling** more than \$12,400, between 1 July 2013 and 30 Jun 2014. If the total of donations made to one political party exceeds the disclosure threshold, all donations made to that political party, regardless of their value, must be disclosed.

For each donation made, the following details must be disclosed:

- Party code* and the address of the political party to which the donation was made
- date each donation was made
- value of each donation made.

Party details		Date of donation	Value of donation** (GST inclusive)
Name/Party Code	Liberal Party of Australia	07 Aug 2013	\$250,000
Postal address	PO Box 6004		
Suburb/town	KINGSTON	State	ACT
		Postcode	2604

Total \$250,000

**Donation is a gift within the meaning of the *Commonwealth Electoral Act 1918*.

THE AUSTRALIAN

Donors get mine approval 'on quiet'

GRAHAM LLOYD THE AUSTRALIAN JANUARY 12, 2015 12:00AM

A FINAL act of the Newman government before calling the Queensland state election was approval for a controversial coalmine development by a company that had donated \$650,000 to the Liberal National Party.

Deputy Premier Jeff Seeney announced that the Co-ordinator-General had approved the Acland stage-three mine late on December 19 as business wound down for Christmas and in the wake of the Sydney siege and multiple stabbing murders in Cairns.

He said the \$900 million project would create more than 250 jobs during construction and another 435 when in operation.

The Acland mine expansion still requires federal government approval and the issue of a mining licence but Mr Seeney said the Co-ordinator-General's decision was "a significant step towards construction of this mine".

The stage-three Acland development has dogged the Newman government since before the previous election, when it promised no approval would be given. After the poll, the LNP invited the company to submit a revised mining proposal.

The mine plan has faced vocal opposition — led by Sydney radio personality Alan Jones, who once lived in the area — because of the impact it would have on productive agricultural land on the Darling Downs.

Local opponent John Gordon, of environment group Stop the Brisbane Coal Trains, said the LNP had attempted to "bury" the news before Christmas because the government knew the deal would "fail the pub test".

Last year, SBCT released Australian Electoral Commission documents that showed the Acland mine's parent company, Soul Pattinson, had donated \$650,000 to the LNP over three years.

These were marked as being on behalf of Acland mine owner New Hope.

The donations were made in three instalments, two of \$200,000 and one of \$250,000, in the lead-up to the company's submission of an environmental impact statement.

"The donations are not illegal but they fail the pub test on any measure," Mr Gordon said.

"The problem with the donations is they were made during the election period when local state member Seeney and Premier Campbell Newman were saying the Acland stage three mine would not go ahead.

"After the election they changed their story that New Hope would be allowed to resubmit plans for a smaller mine."

Mr Seeney said the reduced scope of the mine in response to local concerns was “a good example of a resource company working hard to achieve community confidence”.

He said the Newman government had not supported New Acland Coal's original 2007 expansion plan because of its effect on high-quality agricultural land and proximity to local townships.

“However, since 2012, the proponent has reduced the project's footprint by around 60 per cent and has relinquished 1401ha, or 28 per cent, of the mining lease area, including the town of Acland,” Mr Seeney said.

Mr Gordon said production from the mine would still increase from 4.4 million tonnes to 7.7 million tonnes a year.

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THE AUSTRALIAN

Queensland election 2015: Palaszczuk 'will seek advice' on Acland

PAUL CLEARY THE AUSTRALIAN FEBRUARY 06, 2015 12:00AM



New Hope's mine near Acland in Queensland. Picture: Tran Jack Source: News Limited

A QUEENSLAND Labor government would fully review the approval process and impact of the proposed expanded Acland coalmine west of Toowoomba should Annastacia Palaszczuk form government.

In exclusive comments to The Australian, a spokesman said the new government "would seek legal advice about the checks and balances ... carried out to approve the project".

"It may be the case that further work needs to be done on both the government and proponent side to ensure the project stacks up environmentally, commercially, socially and otherwise," he added.

The political fallout from Campbell Newman's breaking of an election promise not to expand the mine could also impact on the federal government's approval of the proposed expansion, due soon.

Environment Minister Greg Hunt is reviewing whether the expansion is consistent with federal environmental law.

The Acland decision, on the eve of the Liberal National Party calling the snap election, dogged the party throughout the campaign. Radio host Alan Jones and others have linked the decision to massive donations made by New Hope Coal's owner WH Soul Pattinson to the federal Liberal Party.

In the wake of the election, the Australian Electoral Commission revealed that WHSP made a further \$250,000 donation to the Liberal Party in 2013-14, lifting the total over four years to \$900,000.

Industry Minister Ian Macfarlane, whose federal seat encompasses the mine, declined to answer questions on banning donations by developers, as did Liberal Party treasurer Philip Higginson and WHSP.

Cattle farmer Tanya Plant, who lives 2km from the mine's wash plant, said the approval risked the region's water resources and was contrary to state law on priority farmland.

The Co-ordinator-General's report said 357 registered bores would likely or possibly be affected, she said. "The project is also mapped entirely within a Priority Agricultural Area under Queensland's Regional Planning Interests Act 2012 and my understanding is it still doesn't have the approval it would require to impact on priority agricultural land uses," she said.

"I hope any government considering the further approvals ... doesn't rubber stamp this project."

Labor is compromised because it approved the first two stages of the mine. The third expansion, which would lift production to 7.5 million tonnes of coal a year, came about after the proponent agreed to scale back its plans.

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Permit
Environmental authority**Definitions**

- (A10) Words and phrases used throughout this Environmental Authority are defined in Schedule J Definitions Section at the end of this Environmental Authority. Where a definition for a term used in this Environmental Authority is sought and the term is not defined within this Environmental Authority, the definitions in the *Environmental Protection Act 1994*, its Regulations and Environmental Protection Policies must be used.

END OF CONDITIONS FOR SCHEDULE A**Schedule B – Air****Dust Nuisance**

- (B1) Subject to Conditions (B2) and (B3) the release of dust or particulate matter or both resulting from the mining activity must not cause an environmental nuisance, at any sensitive place.
- (B2) When requested by the administering authority, dust and particulate monitoring must be undertaken within a reasonable and practicable timeframe nominated by the administering authority to investigate any complaint (which is neither frivolous nor vexatious nor based on mistaken belief in the opinion of the authorised officer) of environmental nuisance at any sensitive place, and the results must be notified within 14 days to the administering authority following completion of monitoring.

Dust Deposition Monitoring

- (B3) If the Environmental Authority holder can provide evidence through monitoring that the following limits are not being exceeded then the holder is not in breach of (B1):

- (a) Dust deposition of 120 milligrams per square metre per day, averaged over one month, when monitored in accordance with AS 3580.10.1 Methods for sampling and analysis of ambient air - Determination of particulates - Deposited matter - Gravimetric method of 1991; and

- (b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (μm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a sensitive place downwind of the operational land, when monitored in accordance with:

- Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method, when monitored in accordance with AS 3580.9.6 Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM (sub) 10 high volume sampler with size-selective inlet - Gravimetric method of 1990; or
- any alternative method of sampling PM10, which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.

Australia + World
Health standards
15
50
ug/m³

NOTE: You must propose which monitoring method is appropriate in accordance with condition (B3) (a) or (b) or both.

- (B4) If monitoring indicates exceedence of the relevant limits in Condition (B3), then the Environmental Authority holder must:
- address the complaint including the use of appropriate dispute resolution if required; or
 - as soon as practicable or at the request of the administering authority, implement dust abatement measures so that emissions of dust from the activity do not result in further environmental nuisance.
- (B5) Rehabilitation must be carried out in such a manner as to minimise releases of wind-blown dust and erosion.

→ failure to manage air pollution across QLD.

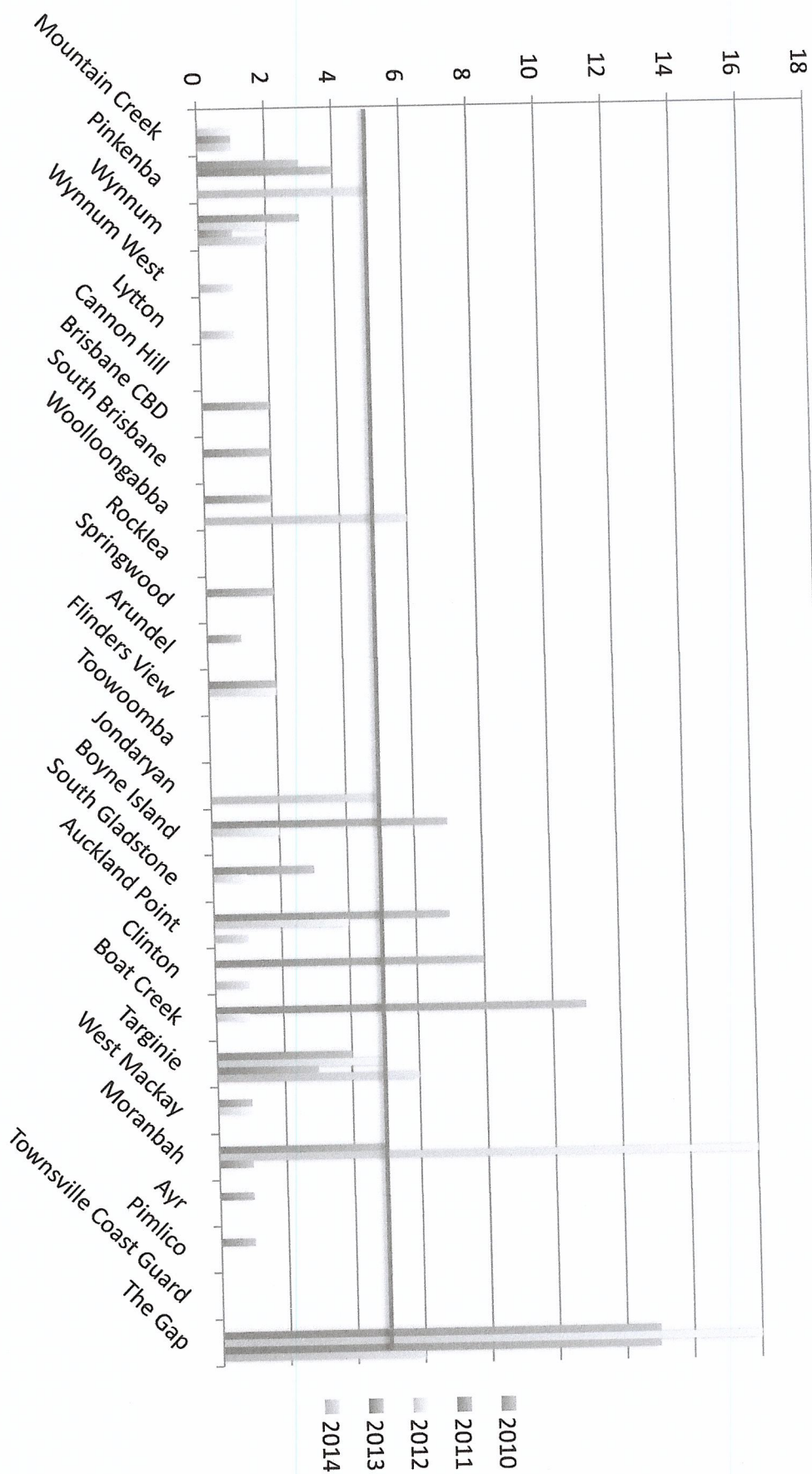


Figure: Number of exceedances of the PM₁₀ standard at Queensland monitoring sites
The NEPM standard is a 24 hour average of 50 µg/m³ not to be exceeded more than 5 times each year

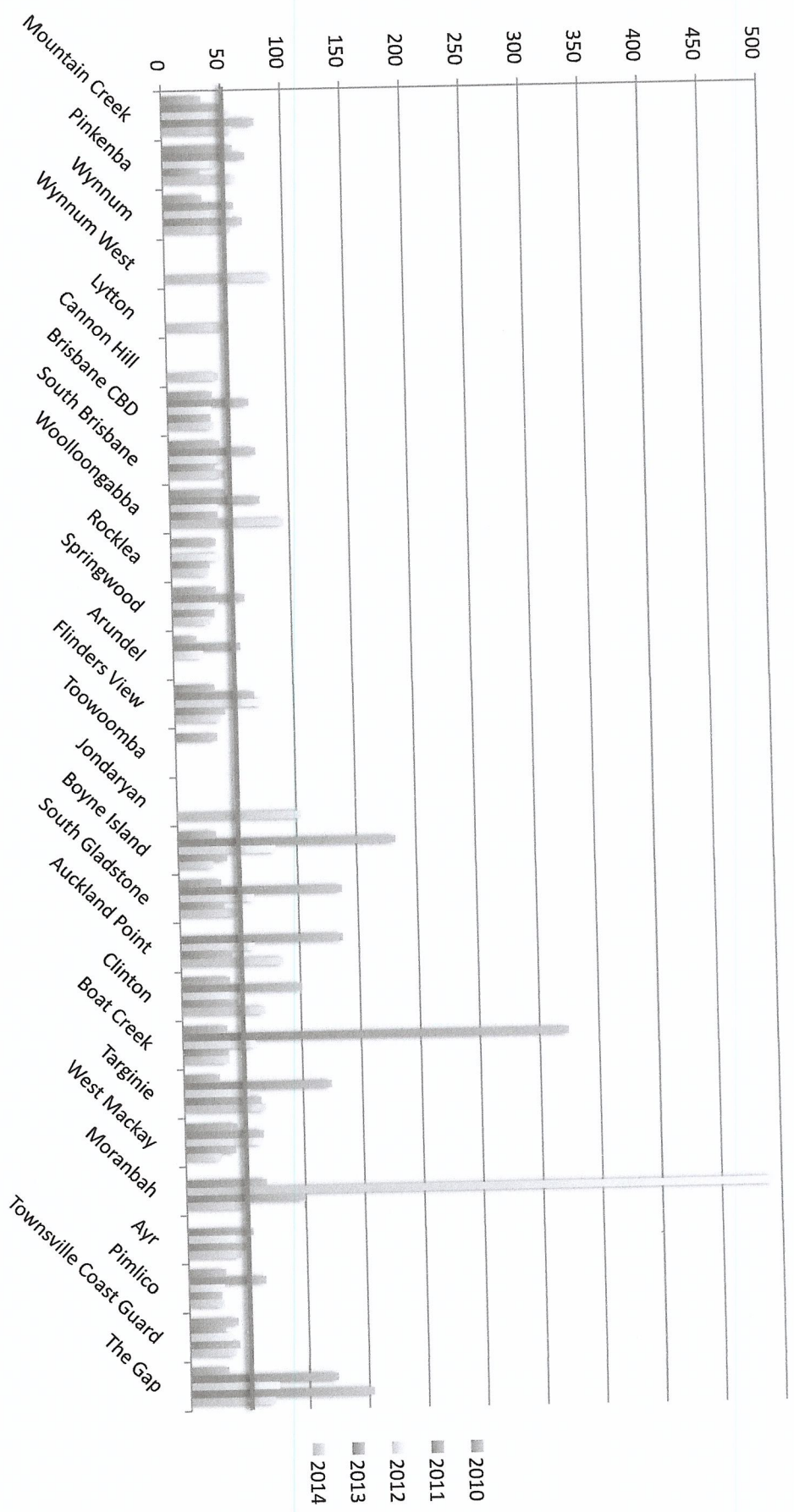


Figure: Highest PM₁₀ concentration recorded at each Queensland monitoring site
 The NEPM standard is a 24 hour average of 50 µg/m³

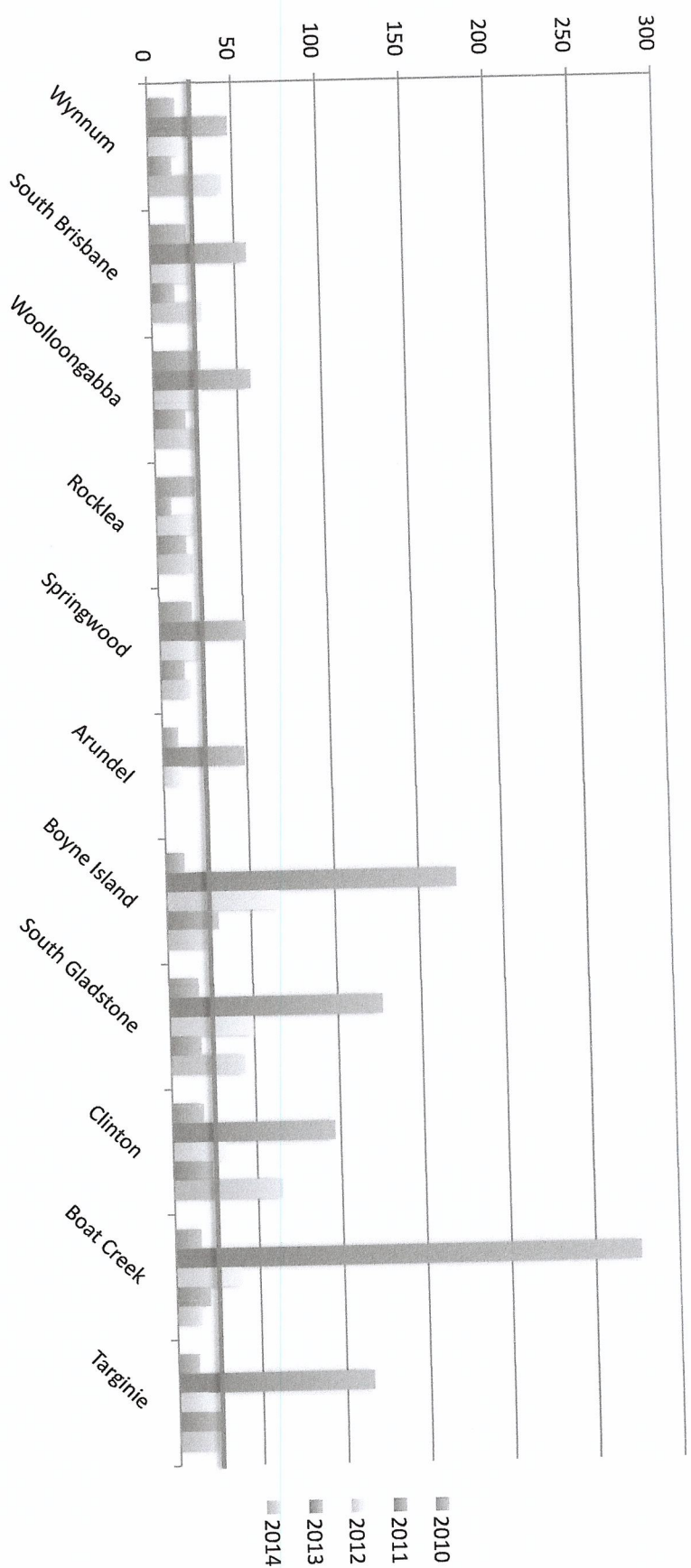


Figure: Highest recorded concentrations of PM_{2.5} at Queensland monitoring sites
 The NEPM standard is a 24 hour average of 25 µg/m³

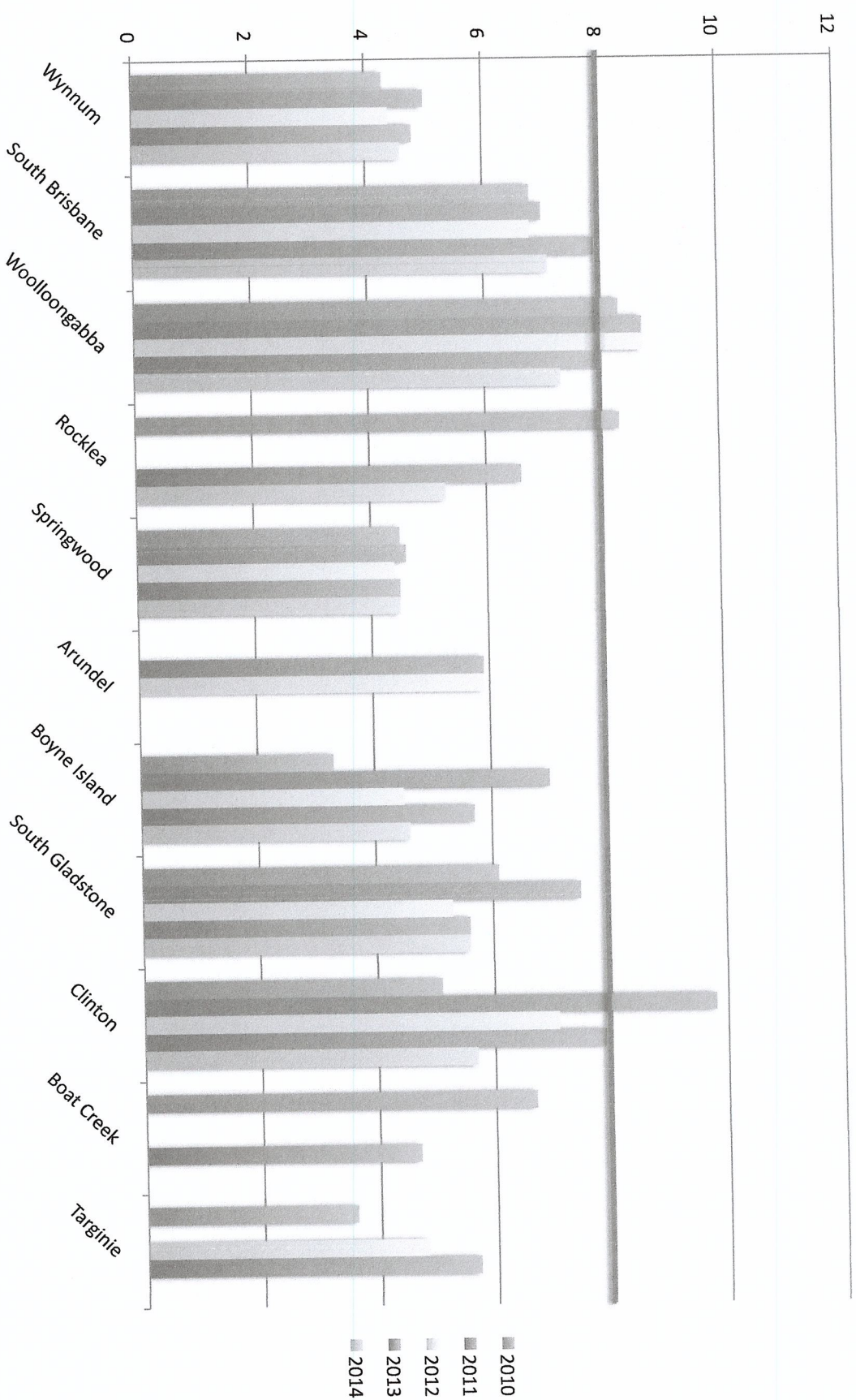
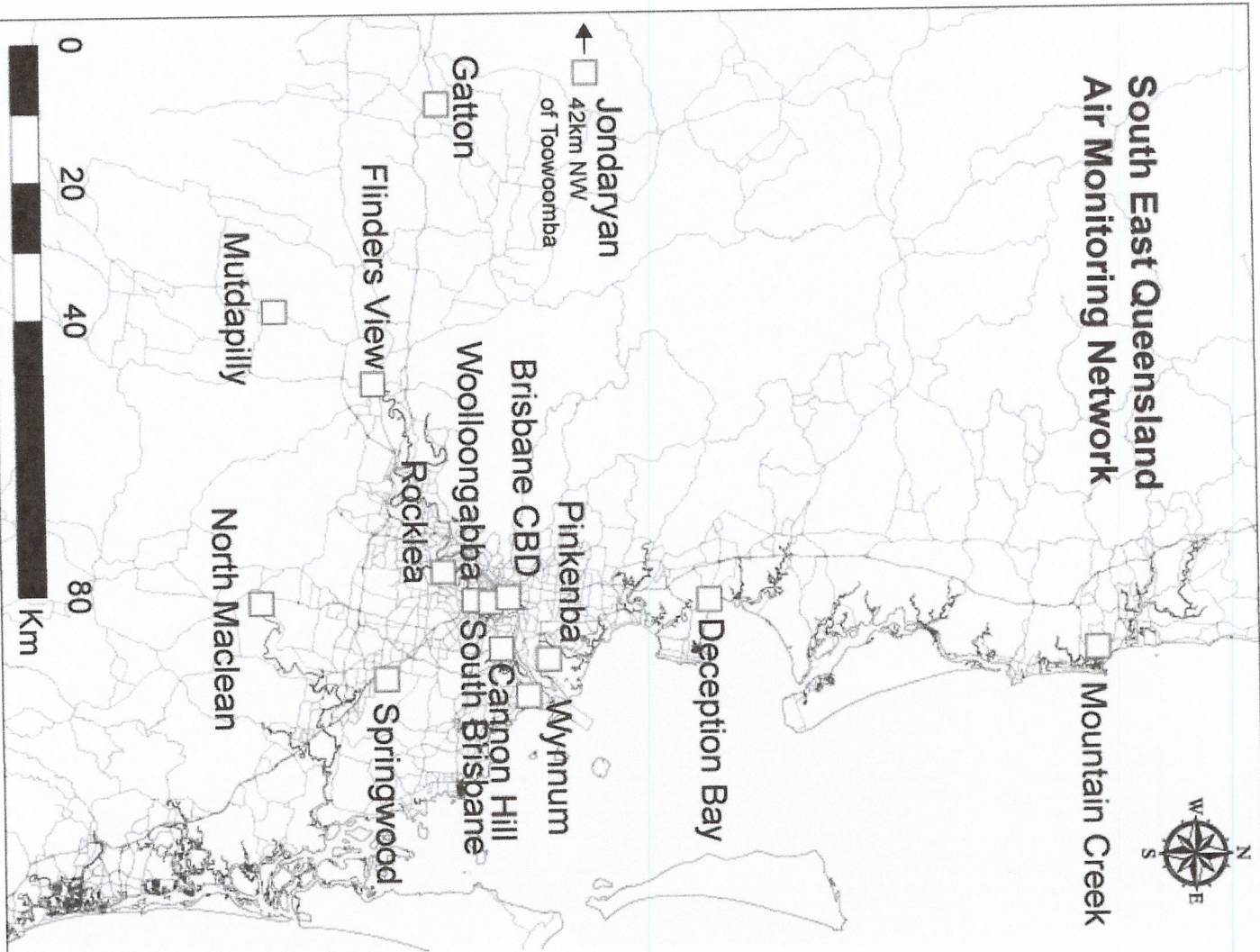


Figure: Annual average PM_{2.5} concentrations at each Queensland monitoring site
The NEPM advisory standard is an annual average of 8 µg/m³

South East Queensland Air Monitoring Network



Gladstone Region Air Monitoring Network

