

Tuesday, 17 January 2012

Maules Creek mine proposal and political donations
Statement to media

Department of Planning and Infrastructure response:

The department is currently assessing a major project application for the Maules Creek Mine. The proponent for this project is Aston Coal 2, which is described in the company's environmental assessment as a wholly owned subsidiary of Aston Resources Limited.

Regardless of whether there were political donations, the application will be determined by the independent Planning Assessment Commission (PAC) under delegation, due to the large number of submissions objecting to the proposal. The existence of donations would not therefore change the decision-maker in this matter.

The Planning Assessment Commission has also been asked to review the Maules Creek project and hold a formal public hearing for interested parties, prior to the department completing its assessment. This report will be considered by the department and once the department has finalised its assessment report, the matter will then be referred to the PAC to determine.

The proponent submitted a political donations disclosure with its application in 2010, indicating there were no donations to declare. This document is included as the final page of the submitted application form, which is on the department's website.

In November 2011, the department contacted the proponent to confirm there were no donations to declare and was again advised there was nothing to declare.

Section 147 of the Environmental Planning and Assessment Act requires proponents to declare political donations made within two years of the application by:

- the proponent company; or
- a related corporation (including a holding company); or
- the directors of the proponent company or related corporation.

Furthermore, the proponent is required to disclose any subsequent political donations after the initial application is lodged, within seven days of the donation being made.

The legislation places the onus on applicants to disclose political donations to the department.

The department is investigating the matter. If the company is found to have breached its obligations under the Environmental Planning and Assessment Act, the department will decide what further action to take.