

White Mining Ltd
C/o Ashton Coal Project
PO Box 699
Singleton, NSW 2330



June 24, 2003

Your Ref: NA
Our Ref: ER3156

Attention: Peter Barton

Rail Siding and Associated Access Road - Bowmans, Swamp and Betty's Creeks

The Department of Land and Water Conservation (DLWC) has previously reviewed the above proposal. The proposal does involve works within 40m of waterways which would be classified as protected waters under the Rivers and Foreshores Improvement Act, 1948 (R&FI Act). All these works would normally require a Part 3A permit in order carry out the proposed works.

However pursuant to Part 3A of the RFI Act and having been advised by you that the proposed works are all contained within mining related leasehold and are deemed to be core activities under DMR (Department of Mineral Resources) approval, we can now advise that a Part 3A permit is not required. This however in no way reduces the on going responsibility of the company to re-establish and maintain a stable and environmentally compatible waterway.

The impact of the proposed works would be subject to the following general conditions;

1. The permit exemption does not give the company the right to occupy any land without the owners' consent nor does it relieve the company of any obligation which may exist to also obtain permission from Local Government or any other Authorities who may have some form of control over the site of the work and / or the activity proposed.
2. Any displaced materials are to be stabilised or relocated and made secure so that these materials will not detrimentally affect any water resource or riparian area.
3. If in the opinion of an authorised DLWC officer any of the works are being carried out in such a manner as it may damage or detrimentally affect any water flow, the activity(s) considered to be causing or contributing to the problem can be required to cease upon the oral or written direction of the officer. If necessary works are not completed then the Permit holder can be required to pay all fees prescribed by DLWC for the breach/s and all subsequent inspections

4. The stabilisation and progressive rehabilitation of the area to the satisfaction of DLWC is the responsibility of the Permit holder and owner or occupier of the land. The main aim is to rapidly establish suitable vegetative cover for soils to provide effective short-term erosion control and subsequently progressively establish a dominance of endemic native plants appropriate to the site to provide long term stability.

Should there be any further enquiries in this matter, please contact Ken Reynolds on (02) 49294346.

Yours sincerely

Ken Reynolds
Ken Reynolds
Resource Officer
Hunter Region