

From: WAKE Chris [Chris.Wake@des.qld.gov.au]
Sent: Wednesday, 20 January 2016 3:25 PM
To: FOMIATTI MINNESMA Ingrid
Subject: RE: Ingrid - draft response to ABC follow-up questions re Yabulu refinery

Hi Ingrid,

My suggestion would be:

The Department of Environment and Heritage Protection is not aware of any financial assurance provided by BHP in relation to the Queensland Nickel refinery at Yabulu and is unable to comment on any agreement or otherwise by the former Bligh government in respect of this matter.

I've checked with previous project officers (including Dave Drew who was dealing with QN when BHP owned) and no one has any knowledge of their ever being a financial assurance provided.

Cheers,
C

Christopher Wake

A/Manager (Assessment) Minerals

Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 4722 5371

Level 10, 445 Flinders Street, Townsville QLD 4810

PO Box 5391, Townsville QLD 4810



From: FOMIATTI MINNESMA Ingrid
Sent: Wednesday, 20 January 2016 3:14 PM
To: WAKE Chris
Subject: FW: Ingrid - draft response to ABC follow-up questions re Yabulu refinery
Importance: High

Ingrid Fomiatti Minnesma

Director Minerals

Minerals & North Queensland Compliance | Environmental Services & Regulation

Department of Environment and Heritage Protection

P 07 4222 5337 **Facsimile:** 07 4222 5070 **Mobile** 6) Personal Info

Email: ingrid.fomiattiminnesma@ehp.qld.gov.au

5b Sheridan Street Cairns Q 4870

Postal address: PO Box 7230 Cairns Q 4870.



From: LEWIS Kieran
Sent: Wednesday, 20 January 2016 3:09 PM
To: FOMIATTI MINNESMA Ingrid
Cc: Media NPSR/EHP
Subject: Ingrid - draft response to ABC follow-up questions re Yabulu refinery
Importance: High

Hi Ingrid

Thanks for assisting with this. Perhaps a response can be:

Please attribute to a Department of Environment and Heritage Protection spokesperson

The Department of Environment and Heritage Protection has not been involved in any bond payments from BHP in relation to the Queensland Nickel refinery at Yabulu and is unable to comment on any agreement or otherwise by the former Bligh government in respect of this matter.

ENDS

Kieran Lewis
Media Services
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If you are emailing about a media matter, please cc media@ehp.qld.gov.au

From: Mark Willacy [<mailto:Willacy.Mark@abc.net.au>]
Sent: Wednesday, 20 January 2016 2:39 PM
To: LEWIS Kieran
Cc: Media NPSR/EHP
Subject: enquiry re Queensland Nickel

Hi again Kieran,

I just have a follow up to this. The ABC has been told that when BHP owned the Qld Nickel refinery that there was a bond of sorts for remediation. We have also been told that the then Bligh Government agreed to let Clive Palmer purchase the refinery without any bond, and that the existing bond was repaid to BHP.

Is any of this accurate in any form?

Did BHP provide a bond of any form to the department? If so, what form did this bond take and how much did it entail?

Cheers,

Mark

From: LEWIS Kieran [<mailto:Kieran.Lewis@ehp.qld.gov.au>]
Sent: Tuesday, 19 January 2016 5:27 PM
To: Mark Willacy
Cc: Media NPSR/EHP
Subject: Response to your enquiry re Queensland Nickel

Good afternoon Mark

Thanks for your enquiry re Queensland Nickel. A response to your questions is attached.

Regards

Kieran Lewis
Media Services
EHP | NPSR
media@ehp.qld.gov.au
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Published on DES Disclosure Log
RTI Act 2009

From: FOMIATTI MINNESMA Ingrid [Ingrid.FomiattiMinnesma@des.qld.gov.au]
Sent: Tuesday, 13 December 2016 1:18 PM
To: WAKE Chris
Subject:

Hi Chris

Can you send me the AR for QN ea

Ingrid Fomiatti Minnesma

Director Minerals

Minerals & North Queensland Compliance | Environmental Services & Regulation

Department of Environment and Heritage Protection



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From: FOMIATTI MINNESMA Ingrid [Ingrid.FomiattiMinnesma@des.qld.gov.au]
Sent: Thursday, 15 December 2016 2:44 PM
To: BENNETT Timothy; BOGART Matt; BUTLER Hamish; COBBAN Thomas; CURL Jill; DABINETT Karen; DUPUY Jacqueline; FABRIS Fred; FARKAS Renee; GIBBS Teale; GONZO Gus; GRANT Millie; GRIGG Tanya; HAINES Alicia; HARDIE Tania; HUGHES Hazel; JOHNSTON Luke; O'BRIEN Alison; OLIVER Jacinta; PETTIT Robert; PORTELLI Silvana; RAMSAY Michelle; RUTHERFORD Kate; SHARPE Dean; SIMS Shanna; SWANSON Kerwin; TANSLEY Filiz; TELA Dannielle; TOE Jacob; TOWERS Bec; TRENNERY Michael; TURNER Ayla; WELLS Nicole
Subject: FYI - QAL and QNI media clips
Attachments: 151216 - QAL cops \$400K fine for leak - Gladstone Observer.pdf; 151216 - Qld Nickel fined \$50,000 - Townsville Bulletin.pdf

Hi Team

Some great outcomes!

Well done to all directly involved in the outcome and similarly to the rest of the team that has played such an important role in supporting your colleagues and their workloads at times when this matter has taken priority.

Excellent team work and a testament to your professionalism.

Cheers
Ingrid

Ingrid Fomiatti Minnesma

Director Minerals



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Department of Environment and Heritage Protection

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From: HANSON Anna <Anna.Hanson@ehp.qld.gov.au>
Date: 15 December 2016 at 8:19:54 am AEST
To: REEVES Jim <Jim.Reeves@ehp.qld.gov.au>, GRIFFIN Peter <Peter.Griffin@ehp.qld.gov.au>, ELLWOOD Dean <Dean.Ellwood@ehp.qld.gov.au>, CRADICK Adam <Adam.Cradick@ehp.qld.gov.au>, PEATE Matt <Matt.Peate@ehp.qld.gov.au>, SINGLETON Melissa <Melissa.Singleton@ehp.qld.gov.au>, LAWRENCE Rob <Rob.Lawrence@ehp.qld.gov.au>, SULLIVAN Scott <Scott.Sullivan@ehp.qld.gov.au>, FOMIATTI MINNESMA Ingrid <Ingrid.FomiattiMinnesma@ehp.qld.gov.au>, CARLOS Reuben <Reuben.Carlos@ehp.qld.gov.au>
Cc: SENGERS Nathalie <Nathalie.Sengers@ehp.qld.gov.au>, Media NPSR/EHP <Media@npsr.qld.gov.au>
Subject: FYI - QAL and QNI media clips

Attached clips for your records.

Regards

Published on DES Disclosure Log
RTI Act 2009



15 Dec 2016

Gladstone Observer, Gladstone QLD

Author: Sarah Barnham • Section: General News • Article type : News Item
Classification : Regional • Audience : 4,024 • Page: 3 • Printed Size: 288.00cm²
Market: QLD • Country: Australia • ASR: AUD 263 • Words: 513 • Item ID: 700634588

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Page 1 of 1

QAL cops \$400K fine for leak

Major player faces court over 7.1 tonne caustic spew

Sarah Barnham

Sarah.Barnham@gladstoneobserver.com.au

QUEENSLAND Alumina Limited has been fined \$400,000 over a large-scale caustic leak.

QAL appeared in the Gladstone Magistrates Court today and pleaded guilty to one charge of wilfully and unlawfully causing serious environmental harm.

The court was told 800 homes, five schools, the Gladstone hospital and hundreds of commercial properties were exposed to a large scale caustic leak that spewed from QAL's Gladstone operation last year. The hazardous chemical spread 6km from the QAL site.

The court heard that while there were no complaints

made by the public, and no reports of the spread affecting human health or ecological damage, there was about \$421,649 in damage to properties within the area.

However, the lawyer representing QAL said all property owners that received damage had been fully compensated.

Described as a "freak occurrence", the incident saw about 7.1 tonnes of bauxite slurry, steam and alkali become airborne in the Gladstone region after a system failure on June 10.

About half an hour after it occurred, alkali monitoring panels alerted staff that an

off-site release had occurred.

The leak was reported to The Department of Environment and Heritage Protection, which further

reported it to the authorities.

The following day, the EHP reported reddish-brown spots appearing on Gladstone central properties.

By then more than 800 residents had received letters explaining and apologising for the situation.

In a statement, QAL general manager Mike Dunstan said the company fully accepted the court's decision.

"We are sorry this event occurred and took immediate steps to ensure any damage

caused was promptly rectified," he said.

"We apologise to any community members who were impacted.

"We have placed significant focus on completing the actions identified in the incident investigation and are pleased to advise that we achieved this at the beginning of 2016, ahead of schedule.

"QAL has invested more than \$2.1 million in improvements to our equipment and operating procedures with another \$1.8 million scheduled. These improvements are aimed at preventing an incident such as this occurring again."

The incident occurred during a planned swap of a digester vessel in the digestion section of the plant. There was a blockage in the outlet of the tank causing the safety relief system to activate. The liquid flow into the vessel vented through the relief system into the atmospheric relief tank.

The three entrainment separators on top of the tank were unable to capture all of the liquid flow resulting in a discharge of alkaline material to atmosphere.

The defence lawyer said QAL expressed "deep regret" to the public, and labelled the accident as a "freak

occurrence" and "unknown in the world". The company was also ordered to pay \$11,000 in prosecution fees, with a conviction recorded.

Magistrate Melanie Ho took into account previous convictions of the company when settling on the fine.

SILVER LINING

As part of the \$400K fine, the company was ordered to fund three different community projects, a silver-lining sum of \$50,000 each.

■ Community groups include the Gidarjil, Port Curtis Harbour Watch and Conservation Volunteers organisation.



15 Dec 2016

Townsville Bulletin, Townsville QLD

Author: Lucy Smith • Section: General News • Article type : News Item
Classification : Regional • Audience : 18,061 • Page: 5 • Printed Size: 299.00cm²
Market: QLD • Country: Australia • ASR: AUD 1,815 • Words: 421 • Item ID: 700700446

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Page 1 of 1

Contaminated water on reef

QNI fined for tailing dam spill

LUCY SMITH

QUEENSLAND Nickel has been fined \$50,000 after pleading guilty to causing contaminated water to flow on to the Great Barrier Reef, a breach of its environmental permit.

Crown prosecutor Jeff Hunter QC, for the Department of Environment and Heritage Protection, said in the Townsville District Court yesterday that over four or five days from April 13, 2014, water contaminated with cobalt, ammonia and sulphur spilled from a tailing dam at the now-closed Yabulu refinery.

The overflow followed two significant rain downpours – in February and April that year – but Mr Hunter said the amount of rainfall that wet season occurred “reasonably frequently”.

On April 14, 14-21 million litres of contaminated water spilled from the dam to a clear effluent pond. From the pond, water overflowed into Halifax Bay.

Mr Hunter said the total amount of discharge was unknown.

He said while testing revealed no harm had been done, the discharge had posed a “major risk of environmental harm”.

Mr Hunter said the capacity of the tailings dam had been a long-term issue.

The spill risk was supposed to be kept at or below 1 per cent. In November 2012, experts employed by Queensland Nickel assessed the spill risk at 29 per cent.

The department was notified and the company had been required to implement a method for reducing the spill risk by November 2013.

In July 2013, Queensland Nickel told the department the plan – to lift the cell walls of the dam and treat storm water – wouldn’t be completed in time. The company asked for another 12 months but the department rejected the proposal and issued a penalty infringement.

Barrister Chris Wilson, for Queensland Nickel, said that when the refinery was previously owned by BHP it had routinely discharged into Halifax Bay quantities of 3000 million litres of water.

He said that had been done until about 2007 or 2008.

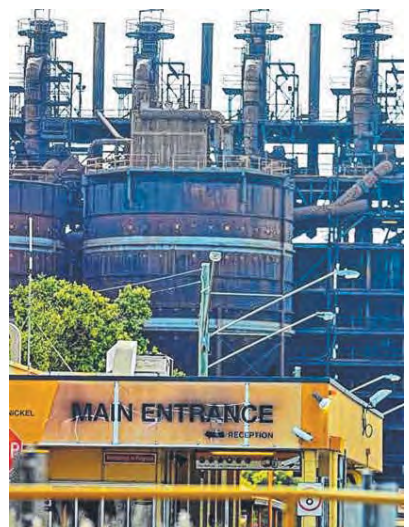
Mr Wilson said in the months after the 2014 discharge, a number of measures were taken to ensure no environmental damage was done.

Judge John Baulch said the discharge could not be precisely assessed but was “an insignificant one”.

“Perhaps the most significant thing telling against the company is that the failure to attend to this was simply a failure brought about by commercial considerations,” he said.

The judge said the company had failed its obligations despite knowing of the risk for a “very significant period”.

No conviction was recorded against the company.



Queensland Nickel has been fined for an overflow of contaminated water.

From: FOMIATTI MINNESMA Ingrid [Ingrid.FomiattiMinnesma@des.qld.gov.au]
Sent: Tuesday, 3 January 2017 4:23 PM
To: Cavicchiolo Mark (Mark.Cavicchiolo@ehp.qld.gov.au)
Subject: FW: QN draft no-cm-decision-app-refuse-171213_RM comments

Ingrid Fomiatti Minnesma

Director Minerals



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From: McAuley Rebecca
Sent: Wednesday, 18 December 2013 2:17 PM
To: Fomiatti Minnesma Ingrid
Subject: QN draft no-cm-decision-app-refuse-171213_RM comments



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Information sheet

Environmental Protection Act 1994

Internal review and appeal to Planning and Environment Court

This information sheet forms part of an information notice under the Environmental Protection Act 1994. It gives a summary of the process for review and appeal to the Planning and Environment Court under the Environmental Protection Act and subordinate legislation. Refer to ss. 519 - 539 and schedule 2 of the Environmental Protection Act for complete information about the process for internal review and appeal to the Planning and Environment Court.

Introduction

The *Environmental Protection Act 1994* (EP Act) provides for a right of internal review and appeal against certain decisions made under the EP Act. Decisions that can be reviewed or appealed are listed in schedule 2 of the EP Act and within certain sections of the regulations and subordinate legislation¹ made under the EP Act. The EP Act also provides that a dissatisfied person for a review decision, other than those listed in part 1 of schedule 2 of the EP Act², may appeal the decision to the Planning and Environment Court (the Court).

Summary of the process for internal review and appeal to the Court

Chapter 11, Part 3 of the EP Act

Division 1 — Interpretation

Section 519 Original decisions

- 1) A decision mentioned in schedule 2 is an 'original decision'.
- 2) A decision under an environmental protection policy or regulation that the policy or regulation declares to be a decision to which this part applies is also an 'original decision'.

Section 520 Dissatisfied person

This section nominates the dissatisfied person for an original or review decision.

Division 2 — Internal review of decisions

Section 521 Procedure for review

- 1) A dissatisfied person may apply for a review of an original decision.
- 2) The application must—
 - a) be made in the approved form to the administering authority within—
 - i) 10 business days³ 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
 - ii) the longer period the authority in special circumstances allows ; and
 - b) be supported by enough information to enable the authority to decide the application.
- 3) 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—

Internal review and appeal to Planning and Environment Court

- a) notice of the application (the 'review notice');
- b) a copy of the application and supporting documents.
- 4) The review notice must inform the recipient that submission on the application may be made to the administering authority within five business days after the application is made to the authority.
- 5) If the administering authority is satisfied the applicant has complied with subsection (2) and (3), the authority must, within 10 business days after receiving the application—
 - a) review the original decision;
 - b) consider any submissions properly made by a recipient of the review notice; and
 - c) make a decision (the 'review decision') to—
 - i) confirm or revoke the original decision; or
 - ii) vary the original decision in a way the administering authority considers appropriate.
- 6) The application does not stay the original decision.
- 7) The application must not be dealt with by—
 - a) the person who made the original decision; or
 - b) a person in a less senior office than the person who made the original decision.
- 8) Within 10 business days after making the review decision, the administering authority must give written notice of the decision to the applicant and persons who were given notice of the original decision.
- 9) The notice must—
 - a) include the reasons for the review decision; and
 - b) inform the person of their right of appeal against the decision.
- 10) 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.
- 11) Subsection (7) applies despite the *Acts Interpretation Act 1954*, section 27A.
- 12) This section does not apply to an original decision made by—
 - a) 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
 - b) for another matter — the chief executive personally.
- 13) Also, this section does not apply to an original decision to issue a clean-up notice.

Section 522 Stay of operation of original decisions

- 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 2, part 1—the Land Court; or
 - b) for an original decision mentioned in schedule 2, part 2—the Court.
- 2) The Land Court or the Court may stay the decision to secure the effectiveness of the review and any later appeal to the Land Court or the Court.

Internal review and appeal to Planning and Environment Court

- 3) A stay may be given on conditions the Land Court or the Court considers appropriate and has effect for the period stated by the Land Court or the 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 Land Court or the Court allows the applicant to enable the applicant to appeal against the review decision.

Division 4 — Appeals to Court

Section 531 Who may appeal

- 1) A dissatisfied person who is dissatisfied with a review decision, other than a review decision to which subdivision 1⁴ applies, may appeal against the decision to the Court.
- 2) The chief executive may appeal against another administering authority's decision (whether an original or review decision) to the Court.
- 3) A dissatisfied person who is dissatisfied with an original decision to which s. 521 does not apply may appeal against the decision to the Court.

Section 532 How to start appeal

- 1) An appeal is started by—
 - a) filing written notice of appeal with the registrar of the Court; and
 - b) complying with rules of court applicable to the appeal.
- 2) The notice of appeal must be filed—
 - a) if the appellant is the chief executive—within 33 business days after the decision is made or taken to have been made; or
 - b) if the appellant is not the chief executive—within 22 business days after the day the appellant receives notice of the decision or the decision is taken to have been made.
- 3) The Court may at any time extend the period for filing the notice of appeal.
- 4) The notice of appeal must state fully the grounds of the appeal and the facts relied on.

Section 533 Appellant to give notice of appeal to other parties

- 1) Within 8 business days after filing the notice of appeal, the appellant must serve notice of the appeal on—
 - a) if the appellant is the chief executive—all persons who were given notice of the original decision; or
 - b) if the appellant is not the chief executive—the other persons who were given notice of the original decision.
- 2) The notice must inform the persons that, within 10 business days after service of the notice of appeal, they may elect to become a respondent to the appeal by filing in the Court a notice of election under rules of court.

Section 534 Persons may elect to become respondents to appeal

A person who properly files in the Court a notice of election becomes a respondent to the appeal.

Section 535 Stay of operation of decisions

- 1) The Court may grant a stay of a decision appealed against to secure the effectiveness of the appeal.

Internal review and appeal to Planning and Environment Court

- 2) A stay may be granted on conditions the Court considers appropriate and has effect for the period stated by the Court.
- 3) The period of a stay must not extend past the time when the Court decides the appeal.
- 4) An appeal against a decision does not affect the operation or carrying out of the decision unless the decision is stayed.

Section 535A Stay of decision to issue a clean-up notice

- 5) This section applies to an application under section 535 for a stay of a decision to issue a clean-up notice.
- 6) In deciding the application, the Court must have regard to—
 - a) the quantity and quality of contamination of the environment that is likely to be caused if the stay is granted; and
 - b) the proximity of the place at or from which the contamination incident is happening or happened to a place with environmental values that may be adversely affected by the contamination.

Section 536 Hearing procedures

- 1) The procedure for an appeal is to be in accordance with the rules of court applicable to the appeal or, if the rules make no provision or insufficient provision, in accordance with directions of the judge.
- 2) An appeal is by way of rehearing, unaffected by the administering authority's decision.

Section 537 Assessors

If the judge hearing an appeal is satisfied the appeal involves a question of special knowledge and skill, the judge may appoint one or more assessors to help the judge in deciding the appeal.

Section 538 Appeals may be heard with planning appeals

- 1) This section applies if—
 - a) a person appeals against an administering authority's decision (whether an original or review decision) to refuse to grant a registration certificate or to accredit an environmental risk management plan (ERMP); and
 - b) a person appeals against the assessment manager's decision under the *Sustainable Planning Act 2009* about a planning or development matter for the premises to which the certificate or the ERMP or the application for the certificate relates.
- 2) On the application of a party to either of the appeals, the Court may order—
 - a) the appeals to be heard together or one immediately after the other; or
 - b) one appeal to be stayed until the other has been decided.
- 3) The application may be made—
 - a) by an appellant when starting an appeal or at any time before the appeals are decided; or
 - b) by another party at any time before the appeals are decided.
- 4) This section applies even though the parties, or all of the parties, to the appeals are not the same.

Section 539 Powers of Court on appeal

- 1) In deciding an appeal, the Court may—

Internal review and appeal to Planning and Environment Court

- a) confirm the decision appealed against; or
 - b) vary the decision appealed against; or
 - c) set aside the decision appealed against and make a decision in substitution for the decision set aside.
- 2) If on appeal the Court acts under subsection (1)(b) or (c), the decision is taken, for this Act (other than this part), to be that of the administering authority.

Further information

The latest version of this publication can be found at <www.ehp.qld.gov.au>. Note: where available, the publication number (e.g. EM1866 for this document) can be used as a search term.

¹ The original decisions under the subordinate legislation are subject to change. As at 11 May 2010 they are listed in:

- Regulation 110 of the Environmental Protection Regulation 2008; and
- Regulation 68C of the Environmental Protection (Waste Management) Regulation 2000.

² An appeal may be made to the Land Court for original decisions in part 1 of schedule 2.

³ Under the *Environmental Protection Act 1994* "business days does not include a business day between 26 December and 1 January in the following year".

⁴ Subdivision 1 is about appeals to the Land Court and information about this is contained in ss. 519 - 539.

Notice

Environmental Protection Act 1994

Decision to refuse an amendment to a transitional environmental program

This notice is issued by the administering authority pursuant to Sections 340 and 344 of the Environmental Protection Act 1994 (the Act) to advise of a decision made on a proposed amendment to a transitional environmental program.

Queensland Nickel Pty Ltd
Level 28, 175 Liverpool Street,
SYDNEY NSW, 2000

Your reference: EPPR00940913 (formerly NR0404DA)

Our reference: MAN16200

18 December 2013

Dear Sir

Take notice: that under the provisions of the *Environmental Protection Act 1994* (the Act) this notice advising of the decision to refuse an amendment to a transitional environmental program is issued to Queensland Nickel Pty Ltd (QNPL) (you) by the administering authority. The administering authority is the Chief Executive of the Department of Environment and Heritage Protection (the department).

This notice is issued in respect to the activities of QNPL at Yabulu Nickel Refinery on land described as Lot 2 Plan RP725940, Lot 2 Plan RP725941, Lot 2 Plan RP732796, Lot 4 Plan RP704282, Lot 2 Plan RP709243, Lot 3 Plan RP726908, Lot 165 Plan EP1308, Lot 1 Plan RP730220, Lot 3 Plan RP725940, Lot 1 Plan RP726771, Lot 1 Plan RP722352, Lot 1 Plan RP726908, Lot 2 Plan RP726908, Lot 277 Plan CPK124656 and Lot 3 Plan RP709243 situated Greenvale Street, Yabulu QLD 4818 (the premises).

A. Application details

Your application for the approval of a proposed amendment to a draft transitional environmental program (TEP) was received by the department on 29 November 2013.

Certificate of approval number MAN16200.

This draft program relates to achieving compliance with Development Approval NR0404 (currently Environmental Authority EPPR00940913), in particular condition 1C6 which relates to storage levels within the Tailings Storage Facility (TSF) as follows:

1C6: *The risk of spill from the dams specified in Schedule 1C – Table 1, measured at 1 May and 1 November, must be less than 1% Annual Exceedance Probability (AEP) including sufficient freeboard to meet the allowance for wave generation in a 1 in 100 year Annual Recurrence interval (ARI) wind.*

Decision regarding a draft transitional environmental program

B. Decision

The administering authority has decided to refuse your application.

C. Grounds

- On 11 January 2013 the administering authority granted the TEP titled "*Transitional Environmental Program (TEP) Water*" and certificate of approval MAN16200 (the TEP) pursuant section 340 of the Act.
- The TEP contained a number of tasks including task 9, which was to undertake an options assessment to meet the required spill risk.
- The above mentioned option assessment was submitted to the administering authority on 2 April 2013 and concluded the following:
 - It is unlikely that any one option will satisfy the requirement to provide a spill risk of less than 1% for the coming wet season.
 - The improved stormwater control of clean water be investigated to prove the concept and detail the design criteria and cost estimate for an upgrade to the duck pond system.
 - The combination of a lift to cell 1 of the TSF combined with improved control of clean stormwater is likely to provide a spill risk of less than 1% for the coming wet season.
- Task 10 of the TEP requires QNPL to install the preferred option to increase storage of wastewater onsite.
- During a meeting on 18 June 2013 QNPL indicated to the administering authority that it was impossible to construct the lift to cell 1 of the TSF prior to the 2013-2104 wet season. QNPL indicated that all other works under the TEP would be completed.
- In a letter from the administering authority to QNPL dated 27 June 2013 the administering authority advised that it was concerned that the lift to cell 1 of the TSF would not be constructed prior to the 2013-2014 wet season and requested QNPL to take action to achieve compliance with the TEP.
- On 31 July 2013 QNPL responded in a letter advising that QNPL intends to comply with all requirements of the TEP except for task 10 as the identified time frame in the TEP was no longer achievable. QNPL indicated in this letter that it intended to apply for an amendment of the TEP in regards to completion date for task 10.
- On 29 November 2013, QNPL submitted an application to amend the TEP under section 344 of the Act. The application proposed to extend the timeframe to complete task 10 from November 2013 to 5 December 2014.
- QNPL submitted supporting information with the above mentioned application in a document titled "*Transitional Environmental Program (MAN16200), Application for TEP Amendment*" dated 29 November 2013 (the supporting information). This document provides information to support the proposed amendment and has been considered in making the decision.
- The supporting information takes into account the risks of environmental harm being caused by the operation of the tailings storage facility at the premises and includes a risk assessment that has been undertaken by QNPL to assess the potential for changes in environmental risk as a result of extending the TEP timeframe from November 2013 to 5 December 2014.
- In accordance with section 344(3) of the Act, the administering authority may approve an application to amend a TEP only if it is reasonably satisfied it will not result in increased environmental harm being

Decision regarding a draft transitional environmental program

caused by the carrying out of the activity under the amended TEP than the environmental harm that would be caused by carrying out the activity if the application to amend the TEP was not granted.

- In addition, section 344(4) of the Act states that the administering authority must also have regard to:
 - (a) the period under the original approval; and
 - (b) the period that remains under the original approval; and
 - (c) any change to the period under the original approval; and
 - (d) the nature of the risk of environmental harm being caused by the activity.
- The TEP was originally approved for approximately 12 months. The application to amend the TEP seeks to extend this timeframe for approximately a further 12 months.
- The time remaining under the original TEP when the application was made was minimal in that all tasks had to be completed by 2 December 2013, with the amendment application being made on 29 November 2013.
- The amendment seeks a substantial change of the approved period.
- The refinery is located in a located about 1km from Halifax Bay, which is part of the Great Barrier Reef Marine Park World Heritage Area. Any release from the TSF may impact on the environmental values of the receiving environment.
- The results of the risk assessment provided in the supporting information show that the risk associated with releases from the TSF will not be increased based on the current situation at the site provided some additional controls are implemented. However, the risk assessment shows that the risk associated with releases from the TSF will be increased compared to the risk associated with the TEP having been completed within the required timeframes.
- The amendment application states that if the TEP was completed in December 2013, more available storage capacity would exist on-site and the likelihood of the 2013- 2014 wet season rainfall inputs exceeding the available storage capacity would therefore be less. In addition it states that if the TEP was completed by December 2013 the TSF would have sufficient storage capacity to cater for a 1:100 year ARI event. As such the likelihood of requiring a controlled release from the TSF is greater now that if the TEP had been completed.
- Having regard for section 344(3) and 344(4) as well as criteria specified in section 338, the administering authority is not reasonably satisfied that the amendment to the TEP will not result in increased environmental harm being caused by the carrying out of the activity under the amended TEP than the environmental harm that would be caused by carrying out the activity if the application to amend the TEP was not granted.

D. Reviews and appeals

The provisions regarding review of decisions and appeals may be found in sections 519 to 539 of the Act.

A person who is dissatisfied with certain decisions of the department, may be able to apply to have the department review that original decision.

Generally, a request to have a decision reviewed must be made:

- within 10 business days of the decision being notified to the person;
- be supported by enough information to enable the department to decide the application for review; and

Decision regarding a draft transitional environmental program

- be made using the application for review of an original decision form (EM709).¹

Where an application has been made for a decision to be reviewed, the applicant may also apply to the relevant court for a stay of the decision to secure the effectiveness of the review.

Once the original decision has been reviewed, a person who is dissatisfied with the review decision may be able to appeal against that decision to the relevant court within 22 business days after receiving notice of the review decision.

A person whose interests are or would be adversely affected by a decision of the department may also be able to request a statement of reasons for a decision or a statutory order review under the *Judicial Review Act 1991*.

For further information about reviews and appeals see the information sheet - internal review and appeal to the Planning and Environment Court (EM1866).

You may have other legal rights or obligations and should seek your own legal advice.

E. Fee and annual return

Fees apply for the assessment of an amendment to an approval for a TEP and any subsequent annual returns lodged. The applicable fees are outlined in the attached operational policy - transitional environmental program fees (EM335).

A total fee of \$206.00 has been determined as appropriate for the assessment of the application, and is in accordance with the operational policy. This fee is payable and an invoice will follow shortly.

Should you have any queries in relation to this notice, please contact John Rains of the department on telephone number 07 4722 5363.

sch4p4(6) Personal Information

Signature

18 Dec. 2013

Date

Rebecca McAuley
A/Team Leader
Delegate of the Chief Executive
Department of Environment and Heritage Protection
Environmental Protection Act 1994

Enquiries:
Level 10, 445 Flinders Street, Townsville
PO Box 5391, Townsville
Queensland 4810 Australia
Ph: (07) 07 4722 5363
Email: john.rains@ehp.qld.gov.au

Attachments

Information sheet - Internal review and appeal to Planning and Environment Court (EM1866)

Operational policy - Transitional Environmental Program Fees (EM335)

¹ This is the publication number. The publication number can be used as a search term to find the latest version of a publication at www.ehp.qld.gov.au.

Operational policy

Fees

Transitional environmental program fees

Operational policies provide a framework for consistent application and interpretation of legislation by the Department of Environment and Heritage Protection. Operational policies will not be applied inflexibly to all circumstances. Individual circumstances may require an alternative application of policy. This policy concerns s. 140 of the Environmental Protection Regulation 2008.

Policy issue

What are the administering authority¹ fees for considering a transitional environmental program (TEP)?

Background

Section 334 of the *Environmental Protection Act 1994* (EP Act) provides for the administering authority to charge a person or public authority for submitting a draft TEP for approval.

Section 140(1) of the Environmental Protection Regulation 2008 (EP Reg) prescribes that the fees for consideration of a draft TEP or an amendment of an approval for a TEP is the amount that:

- the authority considers to be reasonable
- is not more than the reasonable cost of deciding the application for approval of the program or the amendment of the approval.

Section 140(3) of the EP Reg prescribes that the fees for assessing the holder's annual returns and monitoring compliance with the program is the amount that:

- the authority considers to be reasonable
- is not more than the reasonable cost of the assessment and monitoring.

Determination

Fees for the assessment of a draft TEP are a minimum of \$402.10 (includes GST), plus an additional \$200.70 per hour (includes GST) or part thereof, charged after the first two hours.

Fees for assessment of a TEP annual return and monitoring of a compliance program of a draft TEP are a minimum of \$402.10 (includes GST), plus an additional \$200.70 per hour (includes GST), or part thereof, charged after the first two hours plus any reasonable costs for analysis and travel.

The reasonable cost of analysis cost will be the actual cost of the analysis to the department, plus GST.

¹ The Department of Environment and Heritage Protection (EHP) is the administering authority under the *Environmental Protection Act 1994*.

The reasonable cost of travel will be the cost of travel², plus GST.

The fee for assessing an application to amend a TEP is \$206 (includes GST).

Other issues to consider

The person having a draft TEP considered should be advised at the time of approval of the TEP that the administering authority will require payment of a fee for assessment of the annual return and monitoring compliance of the TEP.

Further information

The latest version of this publication can be found at www.ehp.qld.gov.au using the publication number EM335 as a search term.

Disclaimer:

While this document has been prepared with care it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Department of Environment and Heritage Protection should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

Approved by:

Omar Ameer
Director, Environmental Regulatory Practice and Support
Department of Environment and Heritage Protection
Date: 5 July 2013

Enquiries:

Permit and Licence Management
Ph: 13 QGOV (13 74 68)
Fax: (07) 3330 5875
Email: palm@ehp.qld.gov.au

² The reasonable cost of travel will be calculated as outlined in s. 4 (employees who choose to use their own vehicles) of the schedule in the Queensland Government *Directive No. 14/10 Motor Vehicle Allowances September 2010*, issued by the Attorney-General and Minister for Industrial Relations. For a motor vehicle this is set at 37.5 cents per kilometre.

From: ELLWOOD Dean [Dean.Ellwood@des.qld.gov.au]

Sent: Wednesday, 3 May 2017 4:48 PM

To: LEWIS Kieran

CC: LOWE Trinity; DAUNT Bettina; Media EHP/NPSR; CRADICK Adam; FOMIATTI MINNESMA Ingrid

Subject: Re: Dean - for approval - response to The Australian re Qld Nickel

Looks ok, should we state that as at last inspection The said EPO's were being complied with?

On 3 May 2017, at 4:42 pm, LEWIS Kieran <Kieran.Lewis@ehp.qld.gov.au> wrote:

Hi Dean

For your approval, please.

The attached response to The Australian re EHP's current Queensland Nickel matters has been approved by Snr Lawyer Tracy Bridge and Snr Director Litigation Adam Cradick.

Mins' Office would like the response by COB.

Kieran Lewis

Media Services

EHP | NPSR

media@ehp.qld.gov.au

media@npsr.qld.gov.au

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Tel 07 3339 5887 / (6) Personal Infor

www.ehp.qld.gov.au

www.npsr.qld.gov.au

If you are emailing about a media matter, please cc media@ehp.qld.gov.au

<030517 - Queensland Nickel matters - The Australian.docx>

From: LEWIS Kieran [Kieran.Lewis@des.qld.gov.au]
Sent: Wednesday, 3 May 2017 4:58 PM
To: FOMIATTI MINNESMA Ingrid
CC: ELLWOOD Dean; Media EHP/NPSR
Subject: RE: Dean - for approval - response to The Australian re Qld Nickel

Thanks Ingrid

In terms of approvals for matters of the ammonia investigation and the EPOs, as they are handled by Litigation, we've not in the past sought a second set of approvals from the region.

As Dean would also now like some words about the last inspection, we would run past you and Scott Sullivan as that *does* involve the region.

Coming soon.

Kieran

From: FOMIATTI MINNESMA Ingrid
Sent: Wednesday, 3 May 2017 4:55 PM
To: LEWIS Kieran <Kieran.Lewis@ehp.qld.gov.au>
Cc: ELLWOOD Dean <Dean.Ellwood@ehp.qld.gov.au>
Subject: RE: Dean - for approval - response to The Australian re Qld Nickel

Hi Kieran

I have not seen this response

Ingrid

Ingrid Fomiatti Minnesma

A/Executive Director, Minerals & North Queensland Compliance



Minerals & North Queensland Compliance | Environmental Services & Regulation

Department of Environment and Heritage Protection

P 07 4222 5338 **Facsimile:** 07 4222 5070 **Mobile:** 6) Personal Info

Email: ingrid.fomiattiminnesma@ehp.qld.gov.au

5b Sheridan Street Cairns Q 4870

Postal address: PO Box 7230 Cairns Q 4870.

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Register to be a Connect Customer

The Department of Environment and Heritage Protection is changing the way we do business. We have a new digital platform for online services and transactions called Connect. Connect allows for fast, efficient and 24/7 access with us on any device (i.e.

desktop, mobile, tablet). Benefits of being a Connect customer include being able to manage your contact details and business information, submit and pay instantly for environmental applications, lodge annual returns and communicate with us via email.

We encourage you to do business with us online and register to become a Connect customer. Please visit our website at www.ehp.qld.gov.au/connect.

If you are an existing EHP customer, your details are already in Connect and you can get your Connect EHP Customer Reference by emailing connecthelp@ehp.qld.gov.au.

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Sent: Wednesday, 3 May 2017 4:48 PM
To: LEWIS Kieran
Cc: LOWE Trinity; DAUNT Bettina; Media EHP/NPSR; CRADICK Adam; FOMIATTI MINNESMA Ingrid
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Mins' Office would like the response by COB.

Kieran Lewis
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media@ehp.qld.gov.au
media@npsr.qld.gov.au

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www.npsr.qld.gov.au

If you are emailing about a media matter, please cc media@ehp.qld.gov.au

<030517 - Queensland Nickel matters - The Australian.docx>

From: FOMIATTI MINNESMA Ingrid
Sent: Thursday, 27 July 2017 10:26 AM
To: BRIDGE Tracy
Subject: Accepted: QNS EPO appeals - instructions sought

Published on DES Disclosure Log
RTI Act 2009

From: FOMIATTI MINNESMA Ingrid [Ingrid.FomiattiMinnesma@des.qld.gov.au]
Sent: Wednesday, 9 August 2017 3:13 PM
To: BRIDGE Tracy; SULLIVAN Scott (EHP)
CC: GOLDSWORTHY Stephen
Subject: RE: QN meeting tomorrow

We can if we need to ideally it be at lunch time eg 12:30

Ingrid Fomiatti Minnesma

A/Executive Director, Minerals & North Queensland Compliance



Minerals & North Queensland Compliance | Environmental Services & Regulation

Department of Environment and Heritage Protection

P 07 4222 5338 **Facsimile:** 07 4222 5070 **Mobile:** (6) Personal Info

Email: ingrid.fomiattiminnesma@ehp.qld.gov.au

5b Sheridan Street Cairns Q 4870

Postal address: PO Box 7230 Cairns Q 4870.

EHP Cultural capability_web graphic APPD



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We encourage you to do business with us online and register to become a Connect customer. Please visit our website at www.ehp.qld.gov.au/connect.

If you are an existing EHP customer, your details are already in Connect and you can get your Connect EHP Customer Reference by emailing connecthelp@ehp.qld.gov.au.

From: BRIDGE Tracy
Sent: Wednesday, 9 August 2017 3:05 PM
To: FOMIATTI MINNESMA Ingrid; SULLIVAN Scott (EHP)
Cc: GOLDSWORTHY Stephen
Subject: QN meeting tomorrow

Hi Ingrid and Scott

Just wanting to see whether you are both still available for the QN meeting tomorrow as I have noticed that since I sent the meeting request, you have both been invited to other meetings.

I also note that Chris Wake will not be attending, but he said he was going to give you his update before he went (6) Personal Info

Personal Info

Kind regards

Tracy



Tracy Bridge

Senior Lawyer

Litigation Branch | Environmental Services and Regulation

Department of Environment and Heritage Protection

P 07 3330 5552

Level 7, 400 George Street, Brisbane Q 4000

GPO Box 2454, Brisbane Q 4001

Published on DES Disclosure Log
RTI Act 2009

From: BRIDGE Tracy [Tracy.Bridge@des.qld.gov.au]
Sent: Tuesday, 6 February 2018 11:09 AM
To: FOMIATTI MINNESMA Ingrid
CC: GOLDSWORTHY Stephen; LEWIS Kieran; HOPE Lindsay; LOWE Trinity; ESR; Media DES
Subject: FW: Stephen - for approval - response to ABC's 7.30 re Queensland Nickel EPOs
Attachments: 060218 - Queensland Nickel EPOs - ABC.docx; 060218 - Queensland Nickel EPOs - ABC (LIT comments).docx

Dear Ingrid

Please see the below.

We have reviewed the draft prepared by media and subject to the 2 minor suggested amendments **attached**, the content is correct from our perspective, however in light of the question asked it seems appropriate that the final approved response comes from you.

Feel free to give me a call to discuss.

Kind regards

Tracy



Tracy Bridge

Senior Lawyer

Litigation Branch I Environmental Services and Regulation

Department of Environment and Science

P 07 3330 5552

Level 7, 400 George Street, Brisbane Q 4000

GPO Box 2454, Brisbane Q 4001

From: HOPE Lindsay
Sent: Tuesday, 6 February 2018 11:03 AM
To: BRIDGE Tracy <Tracy.Bridge@des.qld.gov.au>
Subject: FW: Stephen - for approval - response to ABC's 7.30 re Queensland Nickel EPOs

Hi Tracy,

As requested, please find email below from Kieran.

Cheers,

Lindsay

From: LEWIS Kieran
Sent: Tuesday, 6 February 2018 9:53 AM
To: GOLDSWORTHY Stephen
Cc: LOWE Trinity; HOPE Lindsay; ESR; Media DES
Subject: Stephen - for approval - response to ABC's 7.30 re Queensland Nickel EPOs

Hi Stephen

For your approval, please.

Attached is a draft response to ABC's 7.30 re Qld Nickels EPOs. Response is based on previous responses.

Deadline not stated but if we can get it away soon it's off our plate 😊

Kieran Lewis

Media Services

Department of Environment and Science

media@ehp.qld.gov.au

media@npsr.qld.gov.au

Level 31 | 400 George Street | Brisbane

Tel 07 3339 5887 / (6) Personal Info

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www.npsr.qld.gov.au

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From: DLO DES

Sent: Tuesday, 6 February 2018 9:14 AM

To: Media DES <Media@des.qld.gov.au>

Subject: FW: Michael: Yabulu nickel refinery

Hi – pls see emails below – can you please advise if it is being actioned?
thanks

Peta Johnston

Senior Departmental Liaison Officer | Science, Office of the Chief Scientist and Arts

Office of the Director-General

Department of Environment and Science

Ph: 3087 8407

Peta.Johnston@des.qld.gov.au | Level 32, 1 William Street, Brisbane

From: Ben Doyle [<mailto:Ben.Doyle@ministerial.qld.gov.au>]

Sent: Tuesday, 6 February 2018 9:09 AM

To: DLO DES

Subject: FW: Michael: Yabulu nickel refinery

Hi,

Could I please confirm this additional question is currently being actioned?

Cheers,

Ben Doyle

Media Advisor

Office of the Hon. Leanne Enoch MP

Minister for Environment and the Great Barrier Reef,
Minister for Science, Minister for the Arts

P 07 3719 7150 M **Release**

1 William Street Brisbane QLD 4000 | GPO Box 2457 Brisbane QLD 4001

From: Michael Atkin [<mailto:Atkin.Michael@abc.net.au>]

Sent: Tuesday, 6 February 2018 9:05 AM

To: Ben Doyle <Ben.Doyle@ministerial.qld.gov.au>

Subject: FW: Michael: Yabulu nickel refinery

Hi Ben,

I've received this statement from the Department and gone back to it with this question – is this something you can also pursue?

I'm seeking the details of the six environmental protection orders on the nickel refinery.

Thanks,

730_email

Michael Atkin
Reporter, 7.30

M **(6) Personal info** P **07 3377 5118**
W abc.net.au/7.30 T [@michaelatkin](https://twitter.com/michaelatkin)
F facebook.com/ABC730

From: WATSON Matthew [<mailto:Matthew.Watson@des.qld.gov.au>]

Sent: Monday, 5 February 2018 2:56 PM

To: Michael Atkin <Atkin.Michael@abc.net.au>

Cc: Media DES <Media@des.qld.gov.au>

Subject: Michael: Yabulu nickel refinery

Hi Michael,

Please see response attached.

Cheers

Matt Watson

Media Officer

Media Services | Corporate Communications

Department of Environment and Science

P 07 3339 5830

media@ehp.qld.gov.au

media@npsr.qld.gov.au

Level 31, 400 George St, Brisbane Qld 4000

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From: LEWIS Kieran [Kieran.Lewis@des.qld.gov.au]
Sent: Tuesday, 6 February 2018 11:24 AM
To: FOMIATTI MINNESMA Ingrid
CC: SULLIVAN Scott (DES); LOWE Trinity; ESR; Media DES
Subject: Ingrid - for urgent approval - ABC enquiry re Qld Nickel EPOs
Attachments: 060218 - Queensland Nickel EPOs - ABC (LIT comments).docx

Importance: High

Hi Ingrid

For your URGENT approval please. Journalist has chased.

Litigation has approved the attached response (their minor changes tracked) to the ABC's questions about details of the Queensland Nickel EPOs.

Kieran

Kieran Lewis
Media Services
Department of Environment and Science
media@ehp.qld.gov.au
media@npsr.qld.gov.au

Level 31 | 400 George Street | Brisbane

Tel 07 3339 5887 / (6) Personal Infor

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www.npsr.qld.gov.au

If you are emailing about a media matter, please cc media@ehp.qld.gov.au

From: Michael Atkin [<mailto:Atkin.Michael@abc.net.au>]

Sent: Tuesday, 6 February 2018 9:05 AM

To: Ben Doyle <Ben.Doyle@ministerial.qld.gov.au>

Subject: FW: Michael: Yabulu nickel refinery

Hi Ben,

I've received this statement from the Department and gone back to it with this question – is this something you can also pursue?

I'm seeking the details of the six environmental protection orders on the nickel refinery.

Thanks,

Michael Atkin
Reporter, 7.30

M (6) Personal info

P 07 3377 5118

W abc.net.au/7.30 T [@michaelatkin](https://twitter.com/michaelatkin)
F facebook.com/ABC730

Published on DES Disclosure Log
RTI Act 2009

From: GROVES Nina [Nina.Groves@des.qld.gov.au]
Sent: Tuesday, 6 February 2018 11:40 AM
To: FOMIATTI MINNESMA Ingrid
CC: SULLIVAN Scott (DES)
Subject: FW: Stephen - for approval - response to ABC's 7.30 re Queensland Nickel EPOs
Attachments: 060218 - Queensland Nickel EPOs - ABC (LIT & Compliance comments).docx

Hi Ingrid,

Scott and my comments are included on the Lit comment version attached.

Cheers Nina

From: FOMIATTI MINNESMA Ingrid
Sent: Tuesday, 6 February 2018 11:23 AM
To: SULLIVAN Scott (DES) <Scott.Sullivan@des.qld.gov.au>; GROVES Nina <Nina.Groves@des.qld.gov.au>
Subject: FW: Stephen - for approval - response to ABC's 7.30 re Queensland Nickel EPOs

Hi

Can you please fact check this for me

Ingrid

Ingrid Fomiatti Minnesma

A/Executive Director, Minerals & North Queensland Compliance



Minerals & North Queensland Compliance | Environmental Services & Regulation

Department of Environment and Science

P 07 4222 5338 Facsimile: 07 4222 5070 Mobile: (6) Personal Info

Email: ingrid.fomiattiminnesma@ehp.qld.gov.au

5b Sheridan Street Cairns Q 4870

Postal address: PO Box 7230 Cairns Q 4870.

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If you are an existing EHP customer, your details are already in Connect and you can get your Connect EHP Customer Reference by emailing connecthelp@ehp.qld.gov.au.

From: BRIDGE Tracy

Sent: Tuesday, 6 February 2018 11:09 AM

To: FOMIATTI MINNESMA Ingrid <Ingrid.FomiattiMinnesma@des.qld.gov.au>

Cc: GOLDSWORTHY Stephen <Stephen.Goldsworthy@des.qld.gov.au>; LEWIS Kieran <Kieran.Lewis@des.qld.gov.au>; HOPE Lindsay <Lindsay.Hope@des.qld.gov.au>; LOWE Trinity <Trinity.Lowe@des.qld.gov.au>; ESR <ESR@des.qld.gov.au>; Media DES <Media@des.qld.gov.au>

Subject: FW: Stephen - for approval - response to ABC's 7.30 re Queensland Nickel EPOs

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Feel free to give me a call to discuss.

Kind regards

Tracy

Tracy Bridge

Senior Lawyer

Litigation Branch | Environmental Services and Regulation

Department of Environment and Science

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Level 7, 400 George Street, Brisbane Q 4000
GPO Box 2454, Brisbane Q 4001

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If you are emailing about a media matter, please cc media@ehp.qld.gov.au

From: DLO DES
Sent: Tuesday, 6 February 2018 9:14 AM
To: Media DES <Media@des.qld.gov.au>
Subject: FW: Michael: Yabulu nickel refinery

Hi – pls see emails below – can you please advise if it is being actioned?
thanks

Peta Johnston

Senior Departmental Liaison Officer | Science, Office of the Chief Scientist and Arts
Office of the Director-General
Department of Environment and Science
Ph: 3087 8407

Peta.Johnston@des.qld.gov.au | Level 32, 1 William Street, Brisbane

From: Ben Doyle [<mailto:Ben.Doyle@ministerial.qld.gov.au>]
Sent: Tuesday, 6 February 2018 9:09 AM
To: DLO DES
Subject: FW: Michael: Yabulu nickel refinery

Hi,

Could I please confirm this additional question is currently being actioned?

Cheers,

Ben Doyle

Media Advisor

Office of the Hon. Leeanne Enoch MP

Minister for Environment and the Great Barrier Reef,
Minister for Science, Minister for the Arts

P 07 3719 7150 M 6) Personal Info

1 William Street Brisbane QLD 4000 | GPO Box 2457 Brisbane QLD 4001

From: Michael Atkin [<mailto:Atkin.Michael@abc.net.au>]
Sent: Tuesday, 6 February 2018 9:05 AM
To: Ben Doyle <Ben.Doyle@ministerial.qld.gov.au>
Subject: FW: Michael: Yabulu nickel refinery

Hi Ben,

I've received this statement from the Department and gone back to it with this question – is this something you can also pursue?

I'm seeking the details of the six environmental protection orders on the nickel refinery.

Thanks,

730_email



Michael Atkin
Reporter, 7.30

M	6) Personal info	P	07 3377 5118
W	abc.net.au/7.30	T	@michaelatkin
		F	facebook.com/ABC730

From: WATSON Matthew [<mailto:Matthew.Watson@des.qld.gov.au>]
Sent: Monday, 5 February 2018 2:56 PM
To: Michael Atkin <Atkin.Michael@abc.net.au>
Cc: Media DES <Media@des.qld.gov.au>
Subject: Michael: Yabulu nickel refinery

Hi Michael,
Please see response attached.
Cheers



Matt Watson
Media Officer
Media Services | Corporate Communications
Department of Environment and Science

P 07 3339 5830
media@ehp.qld.gov.au
media@npsr.qld.gov.au
Level 31, 400 George St, Brisbane Qld 4000
PO Box 2454, Brisbane Qld 4001

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RTI Act 2009

From: GROVES Nina [Nina.Groves@des.qld.gov.au]
Sent: Tuesday, 6 February 2018 11:40 AM
To: FOMIATTI MINNESMA Ingrid
CC: SULLIVAN Scott (DES)
Subject: FW: Stephen - for approval - response to ABC's 7.30 re Queensland Nickel EPOs
Attachments: 060218 - Queensland Nickel EPOs - ABC (LIT & Compliance comments).docx

Hi Ingrid,

Scott and my comments are included on the Lit comment version attached.

Cheers Nina

From: FOMIATTI MINNESMA Ingrid
Sent: Tuesday, 6 February 2018 11:23 AM
To: SULLIVAN Scott (DES) <Scott.Sullivan@des.qld.gov.au>; GROVES Nina <Nina.Groves@des.qld.gov.au>
Subject: FW: Stephen - for approval - response to ABC's 7.30 re Queensland Nickel EPOs

Hi

Can you please fact check this for me

Ingrid

Ingrid Fomiatti Minnesma

A/Executive Director, Minerals & North Queensland Compliance



Minerals & North Queensland Compliance | Environmental Services & Regulation

Department of Environment and Science

P 07 4222 5338 Facsimile: 07 4222 5070 Mobile: 6) Personal Info

Email: ingrid.fomiattiminnesma@ehp.qld.gov.au

5b Sheridan Street Cairns Q 4870

Postal address: PO Box 7230 Cairns Q 4870.

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If you are an existing EHP customer, your details are already in Connect and you can get your Connect EHP Customer Reference by emailing connecthelp@ehp.qld.gov.au.

From: BRIDGE Tracy

Sent: Tuesday, 6 February 2018 11:09 AM

To: FOMIATTI MINNESMA Ingrid <Ingrid.FomiattiMinnesma@des.qld.gov.au>

Cc: GOLDSWORTHY Stephen <Stephen.Goldsworthy@des.qld.gov.au>; LEWIS Kieran <Kieran.Lewis@des.qld.gov.au>; HOPE Lindsay <Lindsay.Hope@des.qld.gov.au>; LOWE Trinity <Trinity.Lowe@des.qld.gov.au>; ESR <ESR@des.qld.gov.au>; Media DES <Media@des.qld.gov.au>

Subject: FW: Stephen - for approval - response to ABC's 7.30 re Queensland Nickel EPOs

Dear Ingrid

Please see the below.

We have reviewed the draft prepared by media and subject to the 2 minor suggested amendments **attached**, the content is correct from our perspective, however in light of the question asked it seems appropriate that the final approved response comes from you.

Feel free to give me a call to discuss.

Kind regards

Tracy

Tracy Bridge

Senior Lawyer

Litigation Branch | Environmental Services and Regulation

Department of Environment and Science

P 07 3330 5552

Level 7, 400 George Street, Brisbane Q 4000
GPO Box 2454, Brisbane Q 4001

From: HOPE Lindsay
Sent: Tuesday, 6 February 2018 11:03 AM
To: BRIDGE Tracy <Tracy.Bridge@des.qld.gov.au>
Subject: FW: Stephen - for approval - response to ABC's 7.30 re Queensland Nickel EPOs

Hi Tracy,

As requested, please find email below from Kieran.

Cheers,
Lindsay

From: LEWIS Kieran
Sent: Tuesday, 6 February 2018 9:53 AM
To: GOLDSWORTHY Stephen
Cc: LOWE Trinity; HOPE Lindsay; ESR; Media DES
Subject: Stephen - for approval - response to ABC's 7.30 re Queensland Nickel EPOs

Hi Stephen

For your approval, please.

Attached is a draft response to ABC's 7.30 re Qld Nickels EPOs. Response is based on previous responses.

Deadline not stated but if we can get it away soon it's off our plate ☺

Kieran Lewis
Media Services
Department of Environment and Science
media@ehp.qld.gov.au
media@npsr.qld.gov.au

Level 31 | 400 George Street | Brisbane
Tel 07 3339 5887 / (6) Personal Infor
www.ehp.qld.gov.au
www.npsr.qld.gov.au

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Peta Johnston

Senior Departmental Liaison Officer | Science, Office of the Chief Scientist and Arts
Office of the Director-General
Department of Environment and Science
Ph: 3087 8407

Peta.Johnston@des.qld.gov.au | Level 32, 1 William Street, Brisbane

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To: DLO DES
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Cheers,

Ben Doyle

Media Advisor

Office of the Hon. Leeanne Enoch MP

Minister for Environment and the Great Barrier Reef,
Minister for Science, Minister for the Arts

P 07 3719 7150 M 6 Personal Info

1 William Street Brisbane QLD 4000 | GPO Box 2457 Brisbane QLD 4001

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Sent: Tuesday, 6 February 2018 9:05 AM
To: Ben Doyle <Ben.Doyle@ministerial.qld.gov.au>
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730_email



Michael Atkin
Reporter, 7.30

M	(6) Personal info	P	07 3377 5118
W	abc.net.au/7.30	T	@michaelatkin
		F	facebook.com/ABC730

From: WATSON Matthew [<mailto:Matthew.Watson@des.qld.gov.au>]
Sent: Monday, 5 February 2018 2:56 PM
To: Michael Atkin <Atkin.Michael@abc.net.au>
Cc: Media DES <Media@des.qld.gov.au>
Subject: Michael: Yabulu nickel refinery

Hi Michael,
Please see response attached.
Cheers



Matt Watson
Media Officer
Media Services | Corporate Communications
Department of Environment and Science

P 07 3339 5830
media@ehp.qld.gov.au
media@npsr.qld.gov.au
Level 31, 400 George St, Brisbane Qld 4000
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From: LEWIS Kieran [Kieran.Lewis@des.qld.gov.au]
Sent: Tuesday, 6 February 2018 12:04 PM
To: FOMIATTI MINNESMA Ingrid
Subject: RE: 060218 - Queensland Nickel EPOs - ABC (LIT & Compliance comments)

Thanks Ingrid, Kieran

From: FOMIATTI MINNESMA Ingrid
Sent: Tuesday, 6 February 2018 11:51 AM
To: LEWIS Kieran <Kieran.Lewis@des.qld.gov.au>; LOWE Trinity <Trinity.Lowe@des.qld.gov.au>; ESR <ESR@des.qld.gov.au>; Media DES <Media@des.qld.gov.au>
Subject: 060218 - Queensland Nickel EPOs - ABC (LIT & Compliance comments)

Hi Kieran

Some minor changes

Ingrid

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