

From: Apostol Alex [Alex.Apostol@ehp.qld.gov.au]
Sent: Wednesday, 25 September 2013 1:44 PM
To: Fegan Warwick
CC: Butler Hamish; McAuley Rebecca
Subject: RE: Ltr to Ostojic Group - Compliance Inspection 23 July 2013

Ostojic requests a meeting on Tuesday, 1 Oct 2013 in the afternoon here in EHP office.

Agenda is the TEP for Ostojic - they may request amendment to extend the term of the TEP beyond May 2014.

Can I get your availability?

Thanks,
Alex

Alex Apostol
Senior Environmental Officer
Mining and Heavy Industry, Northern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
5b Sheridan Street PO Box 937
Cairns QLD 4870
Telephone: 07 4222 5359
Facsimile: 07 4222 5070
Email: alex.apostol@ehp.qld.gov.au
Website: www.ehp.qld.gov.au

-----Original Message-----

From: Fegan Warwick
Sent: Wednesday, 18 September 2013 9:00 AM
To: Apostol Alex
Subject: RE: Ltr to Ostojic Group - Compliance Inspection 23 July 2013

Thanks Alex,

Can you please liaise with the client re a meeting as requested in their letter.

Warwick

-----Original Message-----

From: Apostol Alex
Sent: Monday, 16 September 2013 12:21 PM
To: Fegan Warwick
Subject: FW: Ltr to Ostojic Group - Compliance Inspection 23 July 2013

Warwick,

FYI.

Alex Apostol
Senior Environmental Officer
Mining and Heavy Industry, Northern Region Environmental Services and Regulation Department of Environment and Heritage Protection 5b
Sheridan Street PO Box 937 Cairns QLD 4870

RTI/DL RELEASE - EHP

Telephone: 07 4222 5359
Facsimile: 07 4222 5070
Email: alex.apostol@ehp.qld.gov.au
Website: www.ehp.qld.gov.au

-----Original Message-----

From: Jennifer Constantinou [<mailto:Jennifer.Constantinou@ghd.com>]

Sent: Friday, 13 September 2013 4:53 PM

To: Apostol Alex

Cc: robbie.devlin@ostojic.com.au; john.sellwood@ostojic.com.au; ian.hinchliffe@ostojic.com.au; theo.rapp@ostojic.com.au; simon.ostojic@ostojic.com.au; andrew.lucas@ostojic.com.au; gerard.timbs@nortonrosefulbright.com; Brad Wood

Subject: Ltr to Ostojic Group - Compliance Inspection 23 July 2013

Hi Alex,

Please find attached Ostojic's response to DEHP's letter of 26 August 2013 in relation to the compliance inspection undertaken on 23 July 2013.

Regards

Jennifer Constantinou
Senior Planner

GHD

T: 61 7 3316 3673 | V: 413673444 (6) Personal information | F: 61 7 3316 3333 | E: jennifer.constantinou@ghd.com
145 Ann Street Brisbane Qld 4000 Australia | GPO Box 668 Brisbane QLD 4001 | www.ghd.com WATER | ENERGY & RESOURCES |
ENVIRONMENT | PROPERTY & BUILDINGS | TRANSPORTATION

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-----Original Message-----

From: Jennifer Constantinou

Sent: Friday, 13 September 2013 2:54 PM

To: 'Apostol Alex'; John Sellwood (InTouch)

Cc: robbie.devlin@ostojic.com.au

Subject: RE: Ltr to Ostojic Group - compliance inspection

Hi Alex,

I response will be provided by COB today.

Regards

Jennifer Constantinou
Senior Planner

GHD

T: 61 7 3316 3673 | V: 413673444 (6) Personal information | F: 61 7 3316 3333 | E: jennifer.constantinou@ghd.com
145 Ann Street Brisbane Qld 4000 Australia | GPO Box 668 Brisbane QLD 4001 | www.ghd.com WATER | ENERGY & RESOURCES |
ENVIRONMENT | PROPERTY & BUILDINGS | TRANSPORTATION

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-----Original Message-----

From: Apostol Alex [<mailto:Alex.Apostol@ehp.qld.gov.au>]
 Sent: Friday, 13 September 2013 2:52 PM
 To: John Sellwood (InTouch)
 Cc: robbie.devlin@ostojic.com.au; Jennifer Constantinou
 Subject: FW: Ltr to Ostojic Group - compliance inspection

<<Ltr to Ostojic Group - compliance inspection.pdf>> Hi John,

I'd just like to follow up Ostojic's response on the attached EHP letter?

Have a great weekend!

Rgrds,
 Alex

Alex Apostol
 Senior Environmental Officer
 Mining and Heavy Industry, Northern Region Environmental Services and Regulation Department of Environment and Heritage Protection 5b
 Sheridan Street PO Box 937 Cairns QLD 4870

Telephone: 07 4222 5359
 Facsimile: 07 4222 5070
 Email: alex.apostol@ehp.qld.gov.au
 Website: www.ehp.qld.gov.au

-----Original Message-----

From: Apostol Alex
 Sent: Monday, 26 August 2013 3:18 PM
 To: John Sellwood (InTouch)
 Cc: robbie.devlin@ostojic.com.au; Jennifer.Constantinou@ghd.com
 Subject: FW: Ltr to Ostojic Group - compliance inspection

Hi John,

Please find attached EHP letter resulting from the site inspection conducted by Arun Baskaran and Leslie Moore on 23 July 2013.

Ostojic response by 13 September 2013 will be appreciated.

Thanks,
 Alex

Alex Apostol
 Senior Environmental Officer
 Mining and Heavy Industry, Northern Region Environmental Services and Regulation Department of Environment and Heritage Protection 5b
 Sheridan Street PO Box 937 Cairns QLD 4870

Telephone: 07 4222 5359
 Facsimile: 07 4222 5070
 Email: alex.apostol@ehp.qld.gov.au
 Website: www.ehp.qld.gov.au

-----Original Message-----

From: Collins Tanya
 Sent: Monday, 26 August 2013 3:14 PM
 To: Apostol Alex

RTI 14-133 - EHP

Subject: Ltr to Ostojic Group - compliance inspection

Hi Alex,

Please find attached letter to Ostojic Group re compliance inspection.

Thanks,
Tanya

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From: Apostol Alex [Alex.Apostol@ehp.qld.gov.au]
Sent: Tuesday, 1 October 2013 9:40 AM
To: Butler Hamish; McAuley Rebecca
CC: Spena Silvana
Subject: Meeting with Ostojic today, 1:00 PM
Attachments: SKMBT_C45213100109220.pdf; TEP MAN14060 Ostojic.pdf

In relation to the meeting with Ostojic this PM, attached are copies of TEP and the most recent letter received from Ostojic/GHD for your reference.

Rgrds,
Alex

Alex Apostol
Senior Environmental Officer
Mining and Heavy Industry, Northern Region
Environmental Services and Regulation
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RTI DL RELEASE - EHP



13 September 2013

Hamish Butler
Team Leader – Mining and Heavy Industry
Environmental Services and Regulation - Northern Region
Department of Environment and Heritage Protection
PO Box 937
CAIRNS QLD 4870

Our ref: 41/23951
451803
Your ref: MAN14060

Dear Hamish

**Ostojic Group Development Approval SPDE01054010 and Transitional Environmental Program (MAN14060)
Compliance Inspection 23 July 2013 Follow Up**

I refer to your letter dated 26 August 2013 regarding a compliance inspection undertaken by the Department of Environment and Heritage Protection (EHP) at the Ostojic Group (Ostojic) site on 23 July 2013. In this letter EHP requested a response from Ostojic by 13 September 2013 on how items of non-compliance with Development Approval (DA) SPDE01054010 and Transitional Environmental Program (TEP) MAN14060 will be addressed to ensure compliance. Please refer to the below sections in this letter which address this request, in addition to responding to areas of concern that were also identified.

1 Recent Operational Changes

On 26 July 2013, Ostojic were notified by Xstrata's Ernest Henry Mine of their intention to suspend the magnetite delivery service and storage at Ostojic's facility from early September 2013. Such a suspension was on the basis of operational needs and/or due to a material change in the economic circumstances affecting Ernest Henry Mine. This notification was issued to Ostojic without prior warning from Xstrata.

The final load of magnetite left the facility on 28 August 2013 and since then, the facility has been operating at significantly reduced volumes of 8,000 to 10,000 tonnes per month of copper concentrate only. This situation has created an uncertain future for the facility and Ostojic has put on hold some activities to allow them to reassess their position, investigate other client opportunities and the ongoing viability of the facility.

Ostojic wish to advise EHP that they intend to continue to comply with DA SPDE01054010 and TEP MAN14060. Further, the stalling of various activities will not cause an increase in potential or actual environmental harm generated by the facility. Ostojic would however like to meet with EHP, preferably at your Cairns office, to discuss Ostojic's situation and options for moving forward. While Ostojic intend to comply with the milestones and actions of the TEP, one option currently being considered would involve requesting an amendment to extend the term of the TEP beyond May 2014 to allow time to reconsider execution and funding of site works.

The following responses provided to non-compliances and areas of concern raised during EHP's inspection on 23 July 2013 therefore reflect Ostoja's current position and recent operational changes.

2 Response to Non-compliances

During the compliance inspection on 23 July 2013, EHP officers identified items of non-compliance with DA SPDE01054010 and TEP MAN14060. Sections 2.1 to 2.4 below explain what actions Ostoja propose to undertake to ensure the facility operates in compliance with the DA and the TEP.

2.1 Hazardous Substances Storage

Condition L2 of DA SPDE01054010 requires the appropriate storage and handling of hazardous substances in accordance with applicable Australian Standards and manufacturer's recommendations. Following the inspection, Ostoja is in the process of rectifying the inappropriate storage of IBCs and 240 litre drums to comply with the requirements of the Chemical Storage and Handling EMP outlined in the Site Based Management Plan including:

- Storage of chemicals, fuels and oils in an appropriately designated and bunded area, which is at a minimum separation distance of 40 m from any drainage lines. Storage and handling of chemicals, fuels and oils is in compliance with *AS 1940-2004: The storage and handling of flammable and combustible liquids* and as per the requirements under applicable Material Safety Data Sheets (MSDS).
- Caps and lids are securely tightened on all containers to prevent leaks and evaporation of contents.
- Adequate spill control equipment (spill kits) is available in the area of storage and use of chemicals and fuels. All spills and leaks shall be cleaned up immediately and any waste shall be disposed of safely. Any spill liquids shall not be allowed to flow into drains or leave the site.

Storage and handling of hazardous substances on site will continue to be monitored as part of regular housekeeping checklists undertaken by the HSE/Environment Advisor.

2.2 Dust Control Measures and Monitoring Devices at Necessary Openings of Storage Shed

Action 1(b) of TEP MAN14060 requires the provision of dust control measures and monitoring devices at necessary openings of the mineral concentrate storage shed by 30 September 2012. In relation to this action, Ostoja has notified EHP in various progress reports that dust control measures and monitoring devices will be installed at necessary openings as part of the proposed shed extension.

In the interim, a water truck has been operating three to four times per shift to suppress dust that is generated on site. A new bore and tank has also been erected on site to provide a permanent and reliable source of water for the watering truck.

Results from the recent Six Monthly AQMP Report (provided to EHP on 12 July 2013), shows that dust generation at all monitoring locations beyond the boundary of the facility (with the exception of R1 which is believed to have elevated results due to unrelated sources) has reduced since the commencement of the monitoring program, indicating that management measures Ostoja have implemented are working.

2.3 Statutory Approvals

Following notification to suspend the handling of magnetite by Xstrata, Ostoic discontinued the appeal in the Planning and Environment Court against Cloncurry Shire Council's decision to refuse the Material Change of Use Application.

Building Works and Operational Works Development Approvals will still need to be obtained from Council for the proposed shed extension and associated civil works. Applications will be lodged with Council when required design drawings have been finalised. The delivery timeframe of the design drawings will be confirmed when Ostoic have determined their strategy for moving forward.

2.4 Progress Report 3 (30 June 2013)

As outlined in the TEP, a Progress Report was to be submitted to DEHP by 30 June 2013. DEHP was notified by GHD beforehand that Progress Report 3 would be submitted with the Annual Return Form submitted on 12 July 2013. Future Progress Reports will be submitted in accordance with the TEP.

I never
received
any
notification
from Ostoic
or GHD!

3 Response to Areas of Concern

During the compliance inspection on 23 July 2013, EHP officers also identified areas of concern. To ensure Ostoic meet their General Environmental Duty as defined under section 319 of the *Environmental Protection Act 1994*, these areas of concern will be managed as described in Sections 3.1 to 3.3 below.

3.1 Unauthorised Release Point

A Stormwater Quality Management Plan (SQMP) has been prepared and previously provided to EHP. The SQMP proposes a number of upgrades which will direct all runoff into a pond and then discharge at the approved release point north of the facility. The following actions are recommended in the SQMP:

1. Minor earthworks and surface regrading to redirect and improve drainage of stormwater into the current table drain running through the centre of the site to the detention basin at the northern end of the site. This will prevent any release into the large grassed channel from the southeast corner of the site.
2. Extension of the current drainage channel around the detention pond and cemetery to direct stormwater into a new inlet location at the western corner of the detention basin.
3. Sediment basin and pond upgrade to provide a sediment forebay, pond and a multi-barrier copper retention facility (to treat water prior to discharge).

Drawings were in the process of being drafted by GHD to implement the stormwater quality management system proposed in the Stormwater Quality Management Plan. In light of Ostoic's current situation, this task is currently on hold and as a result, the completion of design drawings and implementation of system upgrades may not be achievable by 2013/2014 wet season. Accordingly, Ostoic are currently considering applying for a licence for an additional release point as an interim measure until the upgrades are able to be constructed.

3.2 Stormwater Drainage to Sediment Basin

Ostojic are aware of the need to separate site stormwater runoff and wastewater from the truck wash facility and had requested GHD to include necessary bunding as part of the design of stormwater system upgrades. Interim measures including sacrificial sand in the bottom of drains and rock check dams have already been implemented in preparation for the 2013/2014 wet season and will be maintained by the HSE/Environment Advisor.

3.3 Regulated Waste Transport

Ostojic are no longer transporting tyres to Ernest Henry Mine or any other location. Tyres generated from activities on site will continue to be stockpiled in appropriate manner; however disposal is now undertaken by Recycling Technology International Pty Ltd.

Ostojic applied to EHP to obtain a licence to conduct ERA 57(1) in June 2013 to transfer tyres to and from Cloncurry, however withdrew the application when the activity ceased on site.

It is Ostojic's aim to comply with the DA and TEP for the Cloncurry Bulk Handling Facility. Should EHP require further clarification in relation to any of the matters discussed in this letter, please contact the undersigned or an Ostojic representative to discuss.

We look forward to being able to discuss a strategy for moving forward with EHP in the near future. Please contact the undersigned to arrange a suitable date and time.

Sincerely
GHD Pty Ltd

sch4p4(6) Personal information

Jennifer Constantinou
Senior Planner
(07) 3316 3673

DRAFT ONLY*

Ostojic Group Pty LtdBulk Handling Facility, Sir
Hudson Fysh Drive CloncurryTransitional Environmental
Program

11 May 2012

RTI DL RELEASED EHP

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This Transitional Environmental Program ("TEP"):

- 1. has been prepared by GHD Pty Ltd ("GHD") for Ostoic Group Pty Ltd;*
- 2. may only be used and relied on by Ostoic Group Pty Ltd;*
- 3. must not be copied to, used by, or relied on by any person other than Ostoic Group Pty Ltd without the prior written consent of GHD;*
- 4. may only be used for the purpose of submission to the Department of Environment and Resource Management (DERM) (and must not be used for any other purpose).*

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To the maximum extent permitted by law, all implied warranties and conditions in relation to the services provided by GHD and the Report are excluded unless they are expressly stated to apply in this Report.

The services undertaken by GHD in connection with preparing this Report:

- were limited to those specifically detailed in section 1 of this Report;*
- did not include a site inspection, or the undertaking of any testing or analysis at the site.*

The opinions, conclusions and any recommendations in this Report are based on assumptions made by GHD when undertaking services and preparing the Report ("Assumptions"), including (but not limited to):

- Information provided by Ostoic Group Pty Ltd;*
- Information required by DERM as outlined in the notice to prepare a draft transitional environmental program dated 7 December 2011.*

GHD expressly disclaims responsibility for any error in, or omission from, this Report arising from or in connection with any of the Assumptions being incorrect.

Subject to the paragraphs in this section of the Report, the opinions, conclusions and any recommendations in this Report are based on conditions encountered and information reviewed at the time of preparation and may be relied on until the Transitional Environmental Program is no longer enforce, after which time, GHD expressly disclaims responsibility for any error in, or omission from, this Report arising from or in connection with those opinions, conclusions and any recommendations.

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Appendices

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- B Notice to prepare draft transitional environmental program
- C Concept Drawings 1A and 1B
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1. Introduction

1.1 Background

This Amended Transitional Environmental Program (TEP) has been developed by Ostoic Group Pty Ltd (Ostoic Group) to serve as a plan that demonstrates Ostoic Group's commitment to undertake additional works in order to comply with a development condition of their Development Approval as well as their General Environmental Duty (GED) under section 319 of the *Environmental Protection Act 1994* (Qld) (EP Act). Section 319 requires that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise harm.

1.2 Ostoic Bulk Handling Facility, Cloncurry

Ostoic Group carries out storage, loading and unloading of mineral concentrates, both magnetite (iron ore) and copper concentrate (the Activity). Operations are based at Sir Hudson Fysh Drive, more formally known as Lot 138 RP905659 and Lot 142 on RP905659, in the Local Government Area of Cloncurry Shire Council (the site).

1.3 Site Approvals

Development approval was originally obtained for the facility from Cloncurry Shire Council (CSC) by the previous owner of the site, Ross J Kiernan Tipping Transport Pty Ltd, for a Material Change of Use for 'bulk loading facility for copper concentrate' on 29 March 1996. The erection of an additional shed as a bulk rail handling facility for copper concentrate was also approved by CSC on 29 June 1998. CSC has advised Ostoic Group in February 2011 that conditions of the existing Development Permits were not satisfactorily completed and Building Permits may not have been finalised by Ross J Kiernan Tipping Transport Pty Ltd or subsequent owners. In this regard, it is considered by CSC that the current use of the facility for materials other than copper concentrate is potentially beyond the existing CSC approvals and therefore not in compliance with the development conditions. In response, Ostoic Group submitted an application for development permit for a Material Change of Use (MCU) for 'Special Industry' and for Environmentally Relevant Activity (ERA) 8 – Chemical Storage in October 2011 to CSC.

This application is currently being assessed under the Integrated Development Assessment System (IDAS) process and includes key plans and actions such as the extension of the storage sheds, Site Based Management Plan and Stormwater Management Plan. Upon CSC approval, Ostoic Group will be able to legally implement these plans which will involve obtaining additional approvals such as an operational works permit(s). This TEP takes into consideration the typical statutory timeframes in accordance with the Sustainable Planning Act 2009. However, it is important to note that timeframes anticipated in this TEP may be delayed due to third party influences (e.g. Council refusing part or all of the application, third party appeals).

In addition to the above development approval, Ostoic Group has previously obtained a Development Permit for ERA 50(1a) Bulk Material Handling from the Department of Environment and Resource

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Management (DERM) in January 2011 (Permit No: SPDE01054010). A copy of the ERA approval is attached at Appendix A.

1.4 Recent Environmental Incidents and Ostojic Response

On 28 October 2011 officers of the DERM conducted a compliance inspection of the site and identified areas of concern including fugitive emissions, housekeeping of mineral concentrates and water management. A draft Environmental Protection Order (EPO) was issued on 18 November 2011 outlining requirements to be met by Ostojic Group for achieving compliance with the Development Permit for ERA 50(1a) (Permit No: SPDE01054010). Discussions with DERM and Ostojic Group resulted in an EPO, which is not the subject of this TEP, on 29 November 2011 to address immediate concerns and a notice to prepare a draft TEP on 7 December 2011 to address longer term mitigation measures. The notice to prepare a draft TEP issued by DERM on 7 December 2011 is attached at Appendix B. On 14 December 2011 officers of the DERM visited the site to conduct a further inspection and meet with the Ostojic Group. A follow up meeting was held on 23 December to check whether the requirements of the EPO issued on the 29 November 2011 were being implemented by Ostojic Group. DERM issued correspondence on 13 January 2012 advising that Ostojic Group has achieved compliance with the requirements of the EPO and that the EPO is now considered finalised by the Department.

The notice to prepare a draft TEP dated 7 December 2011 outlines the DERM's claim that not all reasonable and practical measures have been taken at the site while the unloading, loading and storage of mineral concentrate is occurring and that consequently; the Activity is causing or is likely to cause environmental harm if further action is not taken; and which has resulted in a contravention of development conditions A1 and A5 of Development Approval (DA) SPDE01054010. These conditions are:

- A1 The release of dust and/or particulate matter resulting from bulk material handling must not cause an environmental nuisance at any nuisance sensitive or commercial place.
- A5 Mineral concentrate that may cause a dust nuisance must be stored and transferred in buildings and structures that incorporate the following dust control measures as a minimum:
 - All necessary openings and vents in the buildings (other than doorways and access ways) must be covered with filter media or other equivalent dust control measures;
 - Cladding of the buildings must be securely affixed and free of any unnecessary holes;
 - The interior of the concentrate storage shed and stockpile shed must be maintained under negative air pressure sufficient to prevent release of mineral concentrate from the buildings;
 - All doorways and access ways in the buildings or structures must be fitted with doors;
 - All doors in the buildings or structures must remain closed except when being used for access or egress;
 - All doors, doorways and access ways in the buildings or structures must be maintained in such a condition that doors, when closed, provide a seal against the release of mineral concentrate to the receiving environment;
 - Transfer of mineral concentrate to trucks must be carried out in a manner that minimises the

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likelihood of any release of mineral concentrate to the atmosphere, land or waters.

This TEP has been prepared in accordance with Chapter 7 Environmental Management, Part 3 Transitional Environmental Programs of the EP Act. In accordance with the notice to complete a draft TEP dated 7 December 2011, it is to be carried out over a maximum period of 24 months with a date of completion anticipated at 31 May 2014. The content requirements for TEPs are outlined in section 331 of the EP Act and are set out below.

331 Content of program

A transitional environmental program must, for the activity to which it relates—

- (a) state the objectives to be achieved and maintained under the program for the activity; and*
- (b) state the particular actions required to achieve the objectives, and the day by which each action must be carried out, taking into account—*
 - (i) the best practice environmental management for the activity; and*
 - (ii) the risks of environmental harm being caused by the activity; and*
- (c) state how any environmental harm that may be caused by the activity will be prevented or minimised, including any interim measures that are to be implemented; and*
- (d) if the activity is to transition to an environmental standard, state—*
 - (i) details of the standard; and*
 - (ii) how the activity is to transition to the standard before the program ends; and*
- (e) if the activity is to transition to comply with a condition of an environmental authority or code of environmental compliance, or a development condition, state—*
 - (i) details of the condition and how the activity does not comply with it; and*
 - (ii) how compliance with the condition will be achieved before the program ends; and*
- (f) state the period over which the program is to be carried out; and*
- (g) state appropriate performance indicators at intervals of not more than 6 months; and*
- (h) provide for monitoring and reporting on compliance with the program.*

Each of these requirements has been addressed in the following sections of this TEP.

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2. Objectives to be Achieved and Maintained

In accordance with section 331 of the EP Act, the objectives of this TEP are to detail activities required to secure compliance with:

- DA SPDE01054010 condition A1 (refer to Appendix A);
- DA SPDE0105401 condition A5 (refer to Appendix A) and
- EP Act, specifically Section 319 – General Environmental Duty.

As outlined in the notice to prepare a draft TEP, key areas of focus include fugitive emissions and housekeeping of mineral concentrates.

DRAFT ONLY*
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3. Methods of Compliance with Development Approval SPDE01054010

3.1 Outline

A summary of activities and tasks necessary to bring the Ostoic site into compliance with conditions A1 and A5 contained in Development Approval No SPDE01054010, and their general environmental duty are present in Table 1.

Table 1 outlines the objectives that must be achieved and maintained as outlined in Section 2. It also includes associated actions that must be undertaken, the type of action (temporary and permanent), how the action prevents or minimises potential environmental harm, delivery dates that must be met (which provides the period over which the program is to be carried out), milestones for monitoring and feedback, and the person responsible for ensuring that the objectives are achieved and actions implemented. The actions in the table set out the reasonable and practicable tasks that will manage the potential impacts of operations of the Activity specifically relating to fugitive emissions and housekeeping of mineral concentrates. All actions are focussed at achieving and maintaining compliance with the EP Act.

It is important to note that temporary actions have been undertaken and are in place to prevent or minimise potential environmental harm as required by DERM's Environmental Protection Order (EPO - STAT657). These ongoing actions have been assessed by DERM during two compliance inspections and deemed to be satisfactory (as outlined in DERM letter dated 13 January 2012).

Table 1 also identifies actions that will bring the site in compliance with Conditions A1 and A5 of the Development Permit No SPDE01054010. Specifically the TEP has actions relating to:

- Provision of dust control measures;
- Provision of an extended enclosed building to store the concentrates in an enclosed building;
- Use of dust control measures such as watering and truck wash down facilities;
- Use and incorporation of housekeeping checklist and procedures into the Site Based Management Plan (SBMP) to systemise concentrate management actions; and
- Development and implementation of an air quality monitoring program to assess actual performance of concentrate management related actions and thereby feedback into management practices and potential infrastructure requirements.

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Table 1 Transitional Environmental Program

Objective	Actions	Type of Action	How Action prevents or minimises potential environmental harm	Delivery date	Milestone ¹	Responsibility
Achieve compliance with development condition A1 of Development Approval (DA) SPDE01054010	1 Develop and submit to the DERM a pollution abatement plan for the site. Key details of the pollution abatement plan follow below.	Permanent	A pollution abatement plan will minimise or prevent any mineral concentrate including dust emissions from leaving the site.	Submit plan to DERM by 31 May 2012 Design and installation completed by 31 March 2013 <i>31 MAY 2013</i>	Receipt of a satisfactory pollution abatement plan by the DERM Ongoing compliance with pollution abatement plan (longer term) (refer below for specifics)	Ostojic Group General Manager (GM)
	1(a) A housekeeping procedure, including a regular cleaning program, for the continual removal of mineral concentrate spillage and cleaning of the place.	Permanent	The regular housekeeping procedure will ensure that any potential contaminants such as mineral concentrates which are spilled on site are cleaned up and are not released to the environment. The housekeeping procedure will complement structural and procedural changes on site aimed at ensuring fugitive dust emissions and mineral concentrates do not pollute the surrounding environment.	31 May 2012	Housekeeping procedure in place	Site Manager or Supervisor
	1(b) Provision of dust control measures and monitoring devices at necessary openings of the mineral concentrate storage shed.	Permanent	Appropriate dust control measures will ensure that airborne transfer of mineral concentrate outside of mineral storage sheds is minimised.	30 September 2012	Dust controls and monitors in place	Site Manager or Supervisor
	1(c) Installation and operation of dust suppression measures such as watering systems.	Permanent	Dust suppression measures will ensure that during transferring of mineral concentrates from trucks to railway wagons, any release of mineral concentrates to the atmosphere, land or water will be minimised.	30 September 2012 <i>-11</i>	Installation and operation of dust suppression measures such as watering systems will be undertaken	Group Business HSEQ and Compliance Manager
	1(d) Installation and operation of truck washing facilities for cleaning trucks leaving the site.	Permanent	Truck washing facilities will ensure that trucks leaving the site are clean and thus their external surfaces are free from potential contaminants. This will ensure that the chance of mineral concentrates leaving the site on trucks is minimised.	31 March 2013 <i>31 MAY 2013</i>	Installation and operation of truck washing facilities for cleaning trucks leaving the site	Site Manager or Supervisor
	1(e) A land remediation plan covering areas contaminated by mineral concentrates.	Permanent	A land remediation plan will ensure that areas potentially contaminated are appropriately remediated and consequently these areas of contamination cannot spread to the external environment.	31 October 2012	A land remediation plan covering areas contaminated by mineral concentrates will be developed	Group Business HSEQ and Compliance Manager

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¹ The performance of these milestones will be reported on a 6 month basis in the form of a report to DERM (refer to Section 3.2.1)



Objective	Actions	Type of Action	How Action prevents or minimises potential environmental harm	Delivery date	Milestone ⁴	Responsibility
	1(f) Update Site Based Management Plan to reflect or incorporate the above pollution abatement plan.	Permanent	Updating the SBMP will ensure that it is consistent with the pollution abatement plan and that the requirements of each are implemented on site.	31 May 2012	Update Site Based Management Plan to reflect or incorporate the above pollution abatement plan	Group Business HSEQ and Compliance Manager
Achieve compliance with development condition A1 of Development Approval (DA) SPDE01054010	2 Design and implement monthly ambient air quality and dust deposition monitoring program on site. Key tasks for this are outlined below.	Permanent	The ambient air quality and dust deposition monitoring program will ensure, as far as is reasonably practicable, that fugitive dust emissions do not leave the site and impact on the external environment including sensitive or commercial locations.	30 November 2012	Monthly ambient air quality and dust deposition monitoring program in place and first monthly report submitted to DERM	Ostojic Group General Manager (GM) and Group Business HSEQ and Compliance Manager
	2(a) Commission consultant or appropriate qualified person to prepare the monitoring program.	Permanent	Commissioning an expert will ensure that the monitoring program is prepared to appropriate industry standards.	30 June 2012	Commission Consultant to prepare monitoring program	Group Business HSEQ and Compliance Manager
	2(b) Order, purchase and construct relevant monitoring stations where applicable.	Permanent	Monitoring stations will ensure that the monitoring program utilises appropriate site data.	30 September 2012	Monitoring equipment obtained	Group Business HSEQ and Compliance Manager
	2(c) Undertake monthly monitoring as identified in the program.	Permanent	Monthly monitoring will ensure that fugitive dust emissions are checked regularly and therefore allow Ostojic Group to ensure that fugitive dust emissions are not impacting on the external environment including sensitive or commercial locations.	31 October 2012	Monitoring program in place	Site Manager and Supervisor
	2(d) Report results of monitoring program to DERM on a monthly basis.	Permanent	Provision of the monitoring results will enable the DERM to satisfy itself that Ostojic Group is complying with this transitional environmental program and it's General Environmental Duty.	30 November 2012	First monthly reporting submitted to DERM	Group Business HSEQ and Compliance Manager
	2(e) Incorporate program into Site Based Management Plan (link results to review of site operations and where reasonable, practicable and with approval, modify activities to reduce any risks of fugitive dust emissions).	Permanent	Updating the SBMP will ensure that it is consistent with the ambient air quality and dust deposition monitoring program and that the requirements of each are implemented on site.	30 September 2012	Incorporate program into Site Based Management Plan	Group Business HSEQ and Compliance Manager

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Objective	Actions	Type of Action	How Action prevents or minimises potential environmental harm	Delivery date	Milestone ¹	Responsibility
Achieve compliance with development condition A5 of Development Approval (DA) SPDE01054010	3 Extension of existing shed in accordance with concept drawing numbers 1A and 1B attached at Appendix D.	Permanent	Extension of the sheds in accordance with concept drawing numbers 1A and 1B will provide greater on site enclosed storage capacity. This will reduce the potential for mineral concentrates to escape from the site.	31 May 2014.	Sheds have been extended in accordance with Appendix D	Ostojic Group General Manager (GM) and Group Business HSEQ and Compliance Manager
	3(a) Commission consultant to produce detailed design of building extensions as far as reasonably practicable so that storage, loading and unloading of mineral concentrates are enclosed at all times.	Permanent	Designing the buildings so that storage, loading and unloading of mineral concentrates is undertaken in enclosed buildings will reduce the potential for mineral concentrates to escape from the site.	30 June 2012	Consultant commissioned to undertake detailed design of building extension	Ostojic Group General Manager (GM) and Group Business HSEQ and Compliance Manager
	3(b) Obtain necessary statutory approvals for site works to commence (including but not limited to, Material Change of Use and Operational Works permits).	Permanent	Obtaining the necessary development approvals will ensure that the buildings comply with relevant laws.	31 January 2012 31 JUNE 2013	Development Permits obtained	Group Business HSEQ and Compliance Manager
	3(c) Commission construction company to construct buildings and structures.	Permanent	Constructing the buildings so that storage, loading and unloading of mineral concentrates is undertaken in enclosed buildings will reduce the potential for mineral concentrates to escape from the site.	31 July 2013 31 MAY 2013	Construction contractor commissioned	Ostojic Group General Manager (GM) or Chief Executive Officer (CEO)
	3(d) Carry out capital works.	Permanent	Carrying out capital works for the buildings so that storage, loading and unloading of mineral concentrates is undertaken in enclosed buildings will reduce the potential for mineral concentrates to escape from the site.	31 May 2014	Capital works in place	Group Business HSEQ and Compliance Manager
	3(e) Implement and maintain appropriate practices and procedures on site.	Permanent	Implementing and maintaining appropriate practices and procedures on site will ensure that all that storage, loading and unloading of mineral concentrates is undertaken within the extended sheds outlined in concept drawing numbers 1A and 1B.	As above	Implementation and maintenance of appropriate practices and procedures on site	Site Manager or Supervisor
	3(f) Update Site Based Management Plan to incorporate any new capital works and improvements.	Permanent	Updating the SBMP will ensure that they incorporate any changes necessary as a result of the capital works to continue to minimise or ideally prevent potential environmental harm.	As above and 30 June 2013	SBMP updated	Group Business HSEQ and Compliance Manager

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3.2 Compliance and Performance Reporting

The following dates are based on completion of the works in the TEP by 31 May 2014. It is noted that should all relevant statutory development approvals be obtained earlier, actions and the TEP may be completed ahead of the delivery date.

3.2.1 Periodic Reporting on Compliance and Performance

The progress of the TEP will be monitored by Ostojic and documented in 6-monthly reports to DERM.

The report will

- Clearly identify each TEP action and its status;
- Advise of program performance and meeting of performance indicators and delivery dates;
- If required advise of contingency or corrective actions required to ensure TEP compliance; and
- Include any monitoring results (including air quality analysis) or data supporting TEP progress.

The report will be submitted to DERM by the following dates:

- 30 June 2012
- 5 January 2013
- 30 June 2013
- 5 Jan 2014

3.2.2 Final (Close Out) Report

A final (close out) report will be prepared and submitted to DERM by 30 June 2014.

This report will inform DERM of how compliance with the TEP has been achieved at the end of the TEP period (31 May 2014). The report will document how all requirements of conditions A1 and A5 of the Development Approval No SPDE01054010 and general environmental duty are in compliance.

3.3 Term

Ostojic Group anticipates a maximum period of 24 months will be required to achieve the objectives of this TEP. The final date for completion of the TEP is 31 May 2014.

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From: Apostol Alex [Alex.Apostol@ehp.qld.gov.au]
Sent: Wednesday, 29 January 2014 11:00 AM
To: Butler Hamish
Subject: RE: Ostoic TEP
Attachments: 20131012 AR Ostoic TEP MAN14060 Amendment.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hamish,

AR Attached. No requirement for PN as per section 344 of the EP Act.

Rgrds,
 Alex

From: Butler Hamish
Sent: Wednesday, 29 January 2014 10:47 AM
To: Apostol Alex
Subject: RE: Ostoic TEP

Thanks,

Can I please have the AR as well and was there a requirement for public notification given the timeframe?

Cheers.

Hamish Butler
 Team Leader
 Mining and Heavy Industry- North Region
 Environmental Services and Regulation
 Department of Environment and Heritage Protection

Phone: (07) 4222 5333
 Fax : (07) 4222 5070
 Email: hamish.butler@ehp.qld.gov.au

PO Box 7230
 Cairns Qld 4870

From: Apostol Alex
Sent: Wednesday, 29 January 2014 9:25 AM
To: Butler Hamish
Subject: RE: Ostoic TEP

Hi Hamish,

Attached are the Ostoic TEP amendment approval documentation.

From: Butler Hamish
Sent: Tuesday, 28 January 2014 10:12 AM

To: Apostol Alex
Subject: Ostojevic TEP

Alex,

Did we amend the TEP and if so can I please see the latest version.

Cheers.

Hamish Butler
Team Leader
Mining and Heavy Industry- North Region
Environmental Services and Regulation
Department of Environment and Heritage Protection

Phone: (07) 4222 5333
Fax : (07) 4222 5070
Email: hamish.butler@ehp.qld.gov.au

PO Box 7230
Cairns Qld 4870

RTI DL RELEASE - EHP

RSA10513

Assessment Report

ITEM 2364718

NOR/ 086766

Environmental Protection Act 1994
Transitional environmental program (TEP)

Considering and making a decision about an Amendment to a TEP

This document is for internal use to assist users in critically evaluating the content of a draft TEP and making a decision to either approve (with or without conditions) or refuse a proposed amendment to a TEP.

Identifying details	
Compliance activity number	CA23909
Ecotrack number	MAN14060
Permit number	DA SPDE01054010
File number	NOR/08676
Applicant name	Ostojic Group Pty Ltd
Registered office or place of business	PO Box 38915 Winnellie Northern Territory 0821
Date draft TEP received.	Application for Amendment of TEP received 15 November 2013 Decision date is 13 December 2013.

Considering and making a decision about an amendment to a TEP

The legislative provisions in regard to transitional environmental programs (TEPs) are found in Chapter 7, Part 3 of the *Environmental Protection Act 1994* (the Act).

The holder of a TEP may submit an amendment to the TEP to the Department for consideration, voluntarily under s344 of the Act. Once an application for an amendment of a TEP is received, the Department must consider it and decide whether or not to approve it within 20 business days after the application date. Detailed below are the matters that the Department must consider when making a decision about an amendment to a TEP.

TEP Part 2 – Considering and making a decision about an amendment to TEP

1. Brief history of the matter

Briefly outline any historical information relevant to this decision.

- (a) On 18 May 2012, EHP approved the TEP (MAN14060) for Ostoic Group Pty Ltd to transition to compliance with conditions A1 and A5 of Development Approval (DA) SPDE01054010 of Ostoic Bulk Handling Facility at Lot 138 (Plan RP905659), Sir Hudson Fysh Drive, Cloncurry, Qld. The TEP requires Ostoic Group Pty Ltd to:

- take all necessary actions to achieve compliance with Condition A1 of DA SPDE01054010, and;
- take all necessary actions to achieve compliance with Condition A5 of DA SPDE01054010.

During the implementation of the actions, Ostoic has indicated that a number of items required extension of time frame due to third party delays.

- (b) On 15 November 2013 Ostoic Group Pty Ltd submitted a request to amend TEP MAN14060 following a meeting with EHP on 1 October 2013. The request to amend TEP MAN14060 involves extension of milestone dates of Action 3, 3(b), 3(c), 3(d), 3(e) and 3(f) and consequently extending the term of the TEP to 17 May 2017. The actions in TEP MAN14060 proposed to be extended include:

- Action 3 – Extension of existing shed in accordance with concept drawing numbers 1A and 1B attached at Appendix D (of the draft TEP) by 31 May 2014;
- Action 3(b) – Obtain necessary statutory approvals for site works to commence (including but not limited to, Material change of Use and Operational Works Permits) by 31 June 2013;
- Action 3(c) – Commission construction company to construct buildings and structures by 31 May 2013;
- Action 3(d) – Carry out capital works by 31 May 2014;
- Action 3(e) – Implement and maintain appropriate practices and procedures on site by 31 May 2014;
- Action 3(f) – Update Site Based Management Plan to incorporate any new capital works and improvements by 30 June 2014.

- (c) Ostoic Group Pty Ltd have requested that milestone dates in TEP MAN14060 be extended due to allow Ostoic sufficient time to complete design drawings and specifications, obtain Development Permits for Building Works and Operational Works from the Cloncurry Shire Council and to reconsider funding and execution of site works resulting from the suspension of magnetite delivery service and storage by Ernest Henry Mine. The proposed changes to the TEP milestone dates are:

- Action 3 – completed by 17 May 2017;
- Action 3(b) – completed by 30 June 2016;
- Action 3(c) – completed by 31 May 2016;
- Action 3(d) – completed by 17 May 2017;
- Action 3(e) – completed by 17 May 2017;
- Action 3(f) – completed by 17 May 2017

Assessment Report**TEP Part 2 – Considering and making a decision about an amendment to TEP****2. Matters that must be considered when making an amendment decision about a TEP**

The amended draft TEP submitted by Ostoic Group Pty Ltd on 15 November 2013 proposes changes to the milestone dates for the following actions:

Action	Item	Milestone	Original Delivery Date	Revised Delivery Date
3	Extension of existing shed in accordance with concept drawing number 1A and 1B attached at Appendix D.	Sheds have been extended in accordance with Appendix D.	31 May 2014	17 May 2017
3(b)	Obtain necessary statutory approvals for site works to commence (including but not limited to Material Change of Use and Operational Works permits).	Development Permits obtained	30 June 2013	30 June 2016
3(c)	Commission construction company to construct buildings and structures.	Construction contractor commissioned.	31 May 2013	31 May 2016
3(d)	Carry out capital works	Capital works in place	31 May 2014	17 May 2017
3(e)	Implement and maintain appropriate practices and procedures on site.	Implementation and maintenance of appropriate practices and procedures on site.	31 May 2014	17 May 2017
3(f)	Update Site Based Management Plan (SBMP) to incorporate any new capital works and improvements.	SBMP updated	30 June 2014	17 May 2017

Section 344 – Considerations for Amendment of TEP**(a) S344(2) Does the amendment extend the program beyond 5 years?**

☒ No

The term of the TEP will not extend beyond 5 years from the date the TEP commenced.

☐ Yes – public notification required

(b) s344(3) Does the amendment increase environmental harm being caused by the activity?

☐ Yes – application must be refused

Assessment Report

TEP Part 2 – Considering and making a decision about an amendment to TEP

☒ No – provide justification:

Ostojic Bulk Handling Facility has been operating at significantly reduced volumes of 8,000 to 10,000 tonnes per month as a result of suspension of magnetite delivery from Ernest Henry Mine in early September 2013. The final load of magnetite concentrate left the facility on 28 August 2013.

Handling of significantly reduced volumes of copper concentrate, and no magnetite, at the facility will result to a reduction in dust generated by truck movements and the loading and unloading of materials onto the train.

The TEP has indicated how each proposed action will prevent or minimise any environmental harm. The amended TEP has also indicated that interim measures have been undertaken and are in place as required by EPO STAT657. These interim measures include covering of all mineral concentrate stockpiles not stored in fully enclosed sheds regular cleaning and removal of mineral concentrate spillage from the area and air quality monitoring program will continue throughout the extended term of the TEP. The interim measures will be continuously implemented throughout the duration of the TEP. If circumstances allow, Ostojic Group Pty Ltd are committed to implementing the remaining actions of the TEP prior to the proposed extended dates.

EHP is satisfied that the amendment request will not pose an increase in environmental harm being caused by carrying out of the activity under the amended approval than the environmental harm that would be caused by carrying out the activity if the approval were not granted.

(c) S344(4)(a – c) Period under original approval and changes to period.

The TEP indicates how SPDE01054010 Conditions A1 and A5 requirements will be achieved by the following proposed actions:

Proposed Action	DA SPDE01054010 Condition Addressed
Provision of dust control measures and monitoring devices	A1, A5(a)
Installation and operation of dust suppression measures such as watering systems	A1
Provision of an extended enclosed building to store the concentrates in an enclosed building.	A5(b), A5(c), A5(d), A5(f)
Use of dust control measures such as watering and truck wash down facilities	A1, A5(g)
Implementation of housekeeping checklist/procedures	A5(b), A5(e), A5(g)
Development and implementation air quality monitoring programs	A1, A5(a), A5(g)

The original Certificate of Approval for the Ostojic TEP was issued on 18 May 2012 and ends on 31 May 2014. Most of the required actions under the TEP MAN14060 Objective - "Achieve compliance with development condition A1 of Development Approval (DA) SPDE01054010" have been completed by Ostojic Group Pty Ltd. On-going action under this objective includes implementation of the monthly air quality monitoring program. The monthly air quality monitoring will continue throughout the duration of the TEP extension period. The TEP also indicates that the progress of the TEP will be monitored by Ostojic Group

Assessment Report**TEP Part 2 – Considering and making a decision about an amendment to TEP**

Pty Ltd, with 6-monthly reports provided to EHP, documenting any monitoring results and data to demonstrate the TEP progress.

The remaining actions under TEP MAN14060 refer to the objective - "Achieve compliance with development condition A5 of Development Approval (DA) SPDE01054010." Most of the actions involving the implementation of enclosed storage shed for mineral concentrates will require period extension.

Additionally, the draft TEP will be amended to indicate that at the end of the TEP period (17 May 2017), a final (close out) report will be prepared and submitted to EHP documenting how compliance with the TEP has been achieved, and how all requirements of conditions A1 and A5 of DA SPDE01054010 and general environmental duty have been met. This close out report will be based on the development and implementation of an ambient air quality and dust deposition program, and will be submitted to EHP by 17 May 2017.

As the term of TEP will be extended to 17 May 2017, the progress of the TEP will be monitored by Ostojic and documented in 6-monthly reports to EHP. The report will identify each TEP action and its status, advice program performance and meeting of performance indicators and delivery dates, provide if necessary, contingency or corrective actions required to ensure TEP compliance and will include monthly air quality monitoring results. The report will be submitted to EHP by the following dates: 5 January 2014, 30 June 2014, 5 January 2015, 30 June 2015, 5 January 2016, 30 June 2016, 5 January 2017.

(d) s344(4)(d) Nature of the environmental harm being caused by the activity

The TEP has indicated how each proposed action will prevent or minimise any environmental harm. The amended TEP has also indicated that interim measures have been undertaken and are in place as required by EPO STAT657. These interim measures include covering of all mineral concentrate stockpiles not stored in fully enclosed sheds, repair of all damaged claddings on the existing storage shed and regular cleaning and removal of mineral concentrate spillage from the area. The interim measures will be continuously implemented throughout the duration of the TEP.

The changes to the internal timeframes and the term of TEP are not expected to increase environmental harm caused by the activity, and the continual implementation of the measures required under the TEP will reduce overall environmental harm caused by the project.

Standard criteria

☒ The Department has considered all relevant matters in the standard criteria.

Provide brief details in the table below of each relevant standard criterion and how it relates to the Department's consideration of the draft TEP. If a particular criterion is not applicable, write 'N/A'.

Standard criterion	Details
Ecologically sustainable development	The proposed amendments allow for continued operation without increasing environmental risk.
Environmental protection policies (EPPs)	The EPP for Air has been considered during the assessment of the draft TEP, specifically Part 4 of the EPP (Air) 2009 referring to management hierarchy, i.e., avoiding, recycling, minimising, or managing air emissions, for an activity involving air emissions. Fugitive dust emission is generated during loading and unloading of mineral

Assessment Report

TEP Part 2 – Considering and making a decision about an amendment to TEP

	concentrate. Reduction in copper concentrate and no magnetite handling at the facility will result to a reduction in dust generated by truck movements and the loading and unloading of materials onto the train. It is considered that a negatively pressured shed would significantly reduce fugitive air emissions coming from the site.
Plans, standards or agreements	N/A
Environmental impact study, assessment or report	N/A
Receiving environment	The risk to the receiving environment is expected not to increase due to significantly reduced volume of copper concentrate and no magnetite concentrate to be handled at Ostoic facility. Monthly air quality monitoring will be continuously undertaken until the completion of the TEP.
Submissions made by the applicant and submitters	N/A
Best practice environmental management	<p>The best practice environmental management is to fully enclose the facility with provisions for dust control measures in order to prevent the contaminants from becoming air borne. The fully enclosed shed will also reduce the risk that stormwater can be contaminated by mineral concentrate spill during loading and unloading.</p> <p>The amended draft TEP requires Ostoic Group Pty Ltd to incorporate best practice environmental management techniques where appropriate in carrying out this program. Fully enclosed negatively pressured sheds have been the minimal requirements for other similar facilities constructed in North Region. These include MMG Karumba (storage of lead and zinc concentrate), Rocklands (copper concentrate) and the Townsville port facility.</p> <p>The Site Based Management Plan proposes to be updated as part of this TEP will contain the best practice environmental management to be implemented at Ostoic Bulk Handling Facility.</p>
Financial implications	The financial implications of the amendment are considered minor. The extended term of the TEP will allow Ostoic Group Pty Ltd to reassess its financial capacity and obtain additional funding to construct the fully enclosed negatively pressured sheds.
Public interest	It is considered that it is in the public interest to transition the operation into compliance with contemporary environmental standards, as such, the amendments to the TEP are administrative in nature, and the major work required under

Assessment Report**TEP Part 2 – Considering and making a decision about an amendment to TEP**

	the TEP has not changed.
Site management plan	There is current site management in place, which is not affected by the proposed amendments. The current site management plan can still be implemented during the term of the TEP and will be updated as soon as the actions in the TEP are completed.
Environmental management systems (IEMS)	N/A

Additional information

☐ The Department has considered additional information (if any) given in relation to the TEP amendment.

OR

☒ No additional information has been provided.

Views expressed at a conference

☒ If a conference has been held in relation to the amendment to the TEP, the Department has considered the views expressed at the conference.

A meeting was held on 1 October 2013 between EHP, Ostojoic Group Pty Ltd and GHD Pty Ltd. The meeting resulted in:

- Ostojoic to submit application to amend internal timeframes for the TEP actions 3, 3(b), 3(c), 3(d), 3(e) and 3(f) and the term of TEP. Ostojoic has indicated that the Cloncurry facility has been handling significantly reduced volume of mineral concentrate as a result of stoppage of magnetite hauling from Ernest Henry Mine since September 2013. The only mineral concentrate being handled at the facility is copper concentrate at a reduced volume of 8,000 to 10,000 tonnes per month. Ostojoic is committed to building a fully enclosed negatively pressurised sheds for the copper concentrate. However, Ostojoic will require additional time to secure additional funding for carrying out the capital works.
- Interim measures including covering of all mineral concentrate stockpiles not stored in fully enclosed sheds, regular cleaning and removal of mineral concentrate spillage from the area and air quality monitoring program will continue throughout the extended term of the TEP.
- EHP will assess the Ostojoic TEP amendment application whether or not the amendment will result in increased environmental harm caused by the activity.

OR

☐ No conference has been held.

Consistency with development conditions of a development approval

☒ If the draft TEP has been prepared because of a development condition of a development approval, the draft TEP is consistent with other conditions of the development approval.

The TEP is consistent with the remaining conditions of the development approval.

OR

☐ The draft TEP has not been prepared because of a development condition of a development approval.

Assessment Report**TEP Part 2 – Considering and making a decision about an amendment to TEP****Public notice of submission of amended TEP and substantial compliance with the Act**

- ☐ If public notice is required to be given at the submission of the draft TEP, the Department is satisfied that the public notice has been properly given.

OR

- ☐ The Department is not satisfied that the required public notice has been properly given, but is satisfied that there has been substantial compliance with the Act and will accept this as compliance.

OR

- ☒ Public notice is not required.

Is the Department satisfied with the proposed amended TEP?

For the amended draft TEP to be approved, at least one box should be checked next to each of the above matters for consideration. If any of the matters remain unchecked, then the draft TEP can not be approved.

- ☒ If a box has been checked next to each requirement - Proceed to section 3.
- ☐ If a box has not been checked next to each requirement - Proceed to section 4.

3. Request for further information and/or amendments to a draft TEP

If the draft TEP substantially addresses all of the relevant matters listed under s331 of the Act, but cannot be approved unless further information is provided or some amendments are made, the Department may request that the person or public authority provide further information or an amended TEP. Note that if there are significant problems with the draft TEP and it will require major changes or re-writing before it can be approved, the Department should refuse to approve it.

If it is appropriate that further information or a request for amendments be made, officers should consider the following alternatives—

- ☐ Further information is required.
- ☐ Minor amendments are required.
- ☐ More substantial amendments are required.

4. Approval of the amended TEP.

Prior to making a recommendation to issue a notice of decision approving the amended TEP (with or without conditions), it is important to take into account that the Act stipulates that a TEP is a program that achieves compliance with the Act for the activity to which it relates.

If the draft TEP does **not** meet the requirements of the Act it must be refused. Whilst the Act does make provision for the approval to be subject to conditions, the conditions should address relatively minor issues only. Conditions stated in a notice of decision must not be used to rectify significant issues with an amended TEP.

A notice of decision must be issued within 8 business days of making the decision to approve the amended TEP. If the approval is subject to conditions, the notice of decision must be an information notice.

Assessment Report**TEP Part 2 – Considering and making a decision about an amendment to TEP**

- ☒ The notice of decision identifies the documents forming the approved TEP, including any amendments under section 339(1)(a)(ii).
- ☒ The notice of decision **sets** out any conditions imposed on the approval by the Department.
- ☒ The notice of decision states the day the approval ends.
- ☒ If conditions have been imposed on the approval, the notice of decision **is** in the form of an information notice.

If the notice is in the form of an information notice, it must include:

- ☒ the decision and
- ☒ the reasons for the decision and
- ☒ any available rights of internal and external review.

5. Refusal to approve a draft TEP

The draft TEP cannot be approved unless at least one checkbox has been checked beside each of the matters required to be addressed by the draft TEP. If the draft TEP does not meet all of the requirements, and any deficiencies will not be addressed by a request for further information and/or amendments to the draft TEP, then the Department should refuse to approve the draft TEP.

If the Department refuses to approve the TEP, the notice of decision must be an information notice. Consequently, the notice of decision must include:

- ☐ the decision and
- ☐ the reasons for the decision and
- ☐ any available rights of internal and external review.

6. Provide for natural justice

In order to provide natural justice, the Department must advise the person that submitted the amended TEP if it intends to do one of the following things—

- request further information about the amended TEP and/or
- request amendments to the amended TEP or
- ☒ refuse to approve the amended TEP.

The Department must also provide the person with the opportunity to make submissions in response to the Department's intentions.

- ☒ The person has been provided with the opportunity to put their side of the story forward.
- ☒ All information provided has been considered.
- ☒ The Department has considered the information.
- ☒ The decision-maker and environmental officer are free from bias or the perception of bias.

The department has undertaken extensive negotiations with the client, and has considered their representations in deciding the application.

Assessment Report

TEP Part 2 – Considering and making a decision about an amendment to TEP

7. Fees

The fee for assessing an application to amend a TEP is \$206.00 (includes GST).

8. Recommendation

The assessing officer is required to make a recommendation in relation to the draft TEP.

Recommendation:

It is recommended that approval for the amended draft TEP submitted by Ostoic Group Pty Ltd be granted with conditions under Section 344 of the *Environmental Protection Act 1994*.

It is recommended that the amended TEP Certificate of Approval MAN14060 be issued to Ostoic Group Pty Ltd.

It is recommended that a notice of the decision to grant the amendment to the TEP be issued to Ostoic Group Pty Ltd under section 340 of the *Environmental Protection Act 1994*.

It is recommended that a total fee of \$206.00 be requested from Ostoic Group Pty Ltd.

9. Approval

Environmental Officer	Supervisor
<div style="border: 1px solid black; padding: 5px;">sch4p4(6) Personal information</div>	<div style="border: 1px solid black; padding: 5px;">sch4p4(6) Personal information</div>
Print name: Alex Apostol	Print name: Warwick Fegan
Date: 10/12/2013	Date: 10/12/13

Delegated decision-maker	Approve / Reject recommendation (circle one)
Reasons for decision. <i>Am discussed actions 3(b) + 3(c) with assessing officers. Assessing officers advised that these actions were not met initially due to hold up/objection by Claymore Shine Council with respect to permits req. to be from the Council.</i>	
Print name: R. McAuley	<div style="border: 1px solid black; padding: 5px;">sch4p4(6) Personal information</div>
Date: 13 December 2013	

From: Butler Hamish [Hamish.Butler@ehp.qld.gov.au]
Sent: Wednesday, 29 January 2014 11:31 AM
To: Apostol Alex
Subject: RE: Ostoic TEP

Thank you,

Has Cloncurry Shire council been notified of the extension of timeframes?

Cheers.

Hamish Butler
Team Leader
Mining and Heavy Industry- North Region
Environmental Services and Regulation
Department of Environment and Heritage Protection

Phone: (07) 4222 5333
Fax : (07) 4222 5070
Email: hamish.butler@ehp.qld.gov.au

PO Box 7230
Cairns Qld 4870

From: Apostol Alex
Sent: Wednesday, 29 January 2014 11:00 AM
To: Butler Hamish
Subject: RE: Ostoic TEP

Hamish,

AR Attached. No requirement for PN as per section 344 of the EP Act.

Rgrds,
Alex

From: Butler Hamish
Sent: Wednesday, 29 January 2014 10:47 AM
To: Apostol Alex
Subject: RE: Ostoic TEP

Thanks,

Can I please have the AR as well and was there a requirement for public notification given the timeframe?

Cheers.

Hamish Butler
Team Leader
Mining and Heavy Industry- North Region
Environmental Services and Regulation
Department of Environment and Heritage Protection

RTI DL RELEASE - EHP

Phone: (07) 4222 5333
Fax : (07) 4222 5070
Email: hamish.butler@ehp.qld.gov.au

PO Box 7230
Cairns Qld 4870

From: Apostol Alex
Sent: Wednesday, 29 January 2014 9:25 AM
To: Butler Hamish
Subject: RE: Ostoic TEP

Hi Hamish,

Attached are the Ostoic TEP amendment approval documentation.

From: Butler Hamish
Sent: Tuesday, 28 January 2014 10:12 AM
To: Apostol Alex
Subject: Ostoic TEP

Alex,

Did we amend the TEP and if so can I please see the latest version.

Cheers.

Hamish Butler
Team Leader
Mining and Heavy Industry- North Region
Environmental Services and Regulation
Department of Environment and Heritage Protection

Phone: (07) 4222 5333
Fax : (07) 4222 5070
Email: hamish.butler@ehp.qld.gov.au

PO Box 7230
Cairns Qld 4870

RTI/DL RELEASE - EHP

From: Butler Hamish [Hamish.Butler@ehp.qld.gov.au]
Sent: Friday, 31 January 2014 11:08 AM
To: Apostol Alex
Subject: RE: Ostoic TEP Amendment

Can I have the original TEP as well, the first document the client submitted.

Cheers.

Hamish Butler
 Team Leader
 Mining and Heavy Industry- North Region
 Environmental Services and Regulation
 Department of Environment and Heritage Protection

Phone: (07) 4222 5333
 Fax : (07) 4222 5070
 Email: hamish.butler@ehp.qld.gov.au

PO Box 7230
 Cairns Qld 4870

From: Apostol Alex
Sent: Friday, 31 January 2014 9:41 AM
To: Butler Hamish
Cc: Pettit Robert
Subject: RE: Ostoic TEP Amendment

Please find attached the requested docs.

From: Butler Hamish
Sent: Friday, 31 January 2014 9:18 AM
To: Apostol Alex
Cc: Pettit Robert
Subject: Ostoic TEP Amendment

Alex,

I would like to review the Ostoic TEP decision as I think it needs to be looked at.

Can you please forward me over;

- The signed AR for the original DA that was issued;
- The DA/EA;
- The signed AR for the original TEP that was issued;
- The original TEP.

Cheers.

Hamish Butler
 Team Leader
 Mining and Heavy Industry- North Region

RTI DL RELEASE - EHP

Environmental Services and Regulation
Department of Environment and Heritage Protection

Phone: (07) 4222 5333
Fax : (07) 4222 5070
Email: hamish.butler@ehp.qld.gov.au

PO Box 7230
Cairns Qld 4870

RTI DL RELEASE - EHP

From: Apostol Alex [Alex.Apostol@ehp.qld.gov.au]

Sent: Thursday, 20 February 2014 4:22 PM

To: Butler Hamish

CC: Pettit Robert

Subject: Ostoic

Attachments: 140124 Memo Review of Ostoic TEP Progress & AQMP Reports.doc; AQMP Dust Deposition Monthly Result.docx

Follow Up Flag: Follow up

Flag Status: Completed

Hi Hamish,

Below is the chronology of event for Ostoic:

14 March 2013 – EHP sent letter to Ostoic identifying non-compliance:

- TEP MAN14060 Requirement 4: dust deposition at sampling sites R1 and R2, exceeded TEP limit of 120 mg/m²/d, Warning was issued for failure to comply with the TEP requirement.

12 April 2013 – Ostoic responded to EHP letter providing justification:

- Dust analysed at R1 is of differing composition to dust collected at the other sampling sites, which implies that dust is generated offsite and is not caused by Ostoic operation.
- Contributing factor to the exceedance at R2 is the location of dust deposition logger being located in very close proximity to the staff parking area resulting to somewhat obscured results
- It should be noted that dust deposition is a long term measurement involving analysis of trends over the 12 month period and therefore conclusion should not be drawn from isolated events.

28 May 2013 – EHP follow up letter to Ostoic identifying the following issues that required action from Ostoic:

- Land Remediation Plan – EHP required that LRP be finalised and implemented on site as soon as possible.
- Stormwater Management Plan – EHP supports implementation of the SWMP asap
- Noise monitoring result – EHP required Ostoic to develop and implement interim abatement measure.

21 June 2013 – Ostoic responded to EHP letter:

- Land Remediation Plan – informal agreement to disposal of materials to EHM has been provided by Xstrata; waiting formal confirmation.
- SWMP – drawings are being drafted to implement the stormwater management system, which proposes to manage runoff from Ostoic property and limit the volume of water that will flow into Cloncurry stormwater catchment.
- Noise Monitoring – final noise reduction plan will be implemented once the finalisation of the shed design is known. An earthen mound of at least 2m high will be erected at a length of up to 600m along the eastern boundary. Design drawings will be available once the exact position and length of the noise reducing bund have been determined.

26 August 2013 – EHP sent letter to Ostoic identifying 4 non-compliance with the DA and TEP and issuing of “Formal Warning”:

- DA Condition L2 – improper storage of waste oil/diesel.
- TEP Action 1(b) – provision of dust control measures and monitoring devices by 30 Sep 2012 – not complete;
- TEP Action 3(b) – obtain necessary approval from the Council – not complete.
- TEP Section 3.2.1 – late submission of TEP Progress Report

13 September 2013 – Ostoic responded to EHP Letter:

- DA Condition L2 – rectified/addressed on site.
- TEP Action 1(b) – Ostoic has indicated that dust control measures and monitoring devices will be installed at necessary openings as part of the proposed shed extension. As an interim, a water truck has been operating 3 to 4x per shift to suppress dust on site.
- TEP Action 3(b) – application will be lodged with the Council when required design drawings have been finalised.
- TEP Section 3.2.1 – future progress reports will be submitted in accordance with TEP.

15 January 2014 – Ostoic submitted TEP Progress Report and Yearly AQMP Report (2012/2013). Attached is a memo summarising the review of the reports and the monthly dust deposition rate summary for 2012/13.

29 January 2014 – EHP sent letter to Ostoic identifying the following areas of concerns: - No response yet from Ostoic

- Concentrate spillage
- Water management

Rgrds,

Alex Apostol

Senior Environmental Officer
Mining and Heavy Industry, Northern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
5b Sheridan Street PO Box 7230
Cairns QLD 4870

Telephone: 07 4222 5359

Facsimile: 07 4222 5070

Email: alex.apostol@ehp.qld.gov.au

Website: www.ehp.qld.gov.au

RTI DL RELEASE - EHP



Enquiries Alex Apostol
 Telephone 07 4222 5359
 Your reference
 Our reference NOR/086766

10 February 2014

To: File

From: Alex Apostol

Subject: Review of Ostoic TEP as at 5 January 2014
 Review of AQMP Report (November 2012 ~ October 2013)

Background

On 18 May 2012, Ostoic TEP (MAN14060) was approved by EHP. The TEP applies to Conditions A1 and A5 of Development Approval SPDE01054010 (Now condition B1 and B5 of Environmental Authority EPPR01755413). On 12 March 2013, an amendment to TEP was issued to extend delivery dates for TEP Actions 1(d), 3(b) and 3(c). On 13 December 2013, a 2nd amendment to TEP was issued to extend the milestone dates for TEP Action 3, 3(b), 3(c), 3(d), 3(e) and 3(f).

Ostoic has indicated that the Cloncurry facility has been handling significantly reduced volume of mineral concentrate as a result of stoppage of magnetite hauling from Ernest Henry Mine since September 2013. The only mineral concentrate being handled at the facility is copper concentrate at a reduced volume of 8,000 to 10,000 tonnes per month. Ostoic is however, committed to building a fully enclosed negatively pressurised sheds for copper concentrate and Ostoic will require additional time to secure additional funding for carrying out the capital works.

As contained in the approved TEP, periodic reporting on compliance and performance will be submitted to EHP on a 6-monthly basis. GHD on behalf of Ostoic submitted the progress report ending 31 December 2013 on 13 January 2014.

TEP Action and Status

The Progress Report provides a summary of the status of the TEP actions. Provided below are TEP actions marked as **X** or "Not Complete".

Action No.	Action	Status of Action
1(b)	Provision of dust control measures and monitoring devices at necessary openings of the mineral concentrate storage shed. Delivery date: 30 September 2012	Dust control measures and monitoring devices will be installed at necessary openings of the mineral concentrate storage shed as part of the proposed shed extension.
1(e)	Land Remediation Plan covering areas contaminated by mineral concentrates. Delivery date: 31 October 2012	<ul style="list-style-type: none"> - Land Remediation Action Plan (RAP) prepared and submitted to EHP on 31 October 2012; - EHP provided comments on 30 November 2012; - Ostoic currently awaiting written correspondence from Xstrata agreeing to the disposal of contaminated material removed from the site at EHM.
3(b)	Obtain necessary approvals for shed extension site works to commence (including, but not limited to Material	Statutory approvals will be obtained for the site works prior to commencing the works for which they are required.

	Change of Use and Operational Works permits). Delivery date: 30 June 2016	
3(c)	Commission construction company to construct buildings and structures. Delivery date: 31 May 2016	- Capital work will be completed prior to 17 May 2017.
3(d)	Carry out capital works Delivery date: 31 May 2017	
3(e)	Implement and maintain appropriate practices and procedures on site. Delivery date: 31 May 2017	---
3(f)	Update site based Management Plan to incorporate any new capital works and improvements. Delivery date: 30 June 2017	---

As of 24 July 2013 and based on the above table, 2 non-compliances with the approved TEP (MAN14060) actions have been identified. These non-compliances include Actions 1(b) and 1(e):

- 1(b)- The TEP has indicated dust control measures and monitoring devices at necessary openings of the mineral concentrate storage shed will be in place by 30 September 2012. These control devices however will be installed at necessary openings of the proposed mineral concentrate storage shed. As such, this measure, which is part of Action 1 to achieve compliance with development condition A1 of the DA, will occur during the construction of the shed.
- 1(e)- The TEP has indicated land remediation plan covering areas contaminated by mineral concentrates will be implemented by 31 October 2012. This action is not completed yet as per Ostojic information, it is still awaiting written correspondence from Xstrata agreeing to the disposal of contaminated material removed from the site at EHM. As an interim measure, regular housekeeping that include regular cleaning program for the continual removal of mineral concentrate spillage and cleaning of the place is in effect.

AQMP Annual Report

The following provides a summary of the key findings for the yearly reporting period of the ongoing Air Quality Monitoring Program undertaken by Ostojic Group Pty Ltd from 25 October 2012 ~ 31 October 2013. Over this period, sufficient data was collected to analyse trends.

a. Dust Deposition

DDGs are located at 8 locations surrounding the Ostojic BHF. Dust deposition was generally below the 120 mg/m²/day criterion averaged over each reporting month, with 87% (82 of 94) of results indicating compliance over the yearly reporting period. Exceedances most commonly occurred at site R1 (Brisbane Street) located approximately 900m east of the Ostojic BHF which experienced five exceedances over the reporting period. Sites R3, R4 and R6 all had two months where an exceedance of the criterion was recorded.

The assessment criterion utilises an annual average and as such 7 of the sites were compliant with the criterion for Total Insoluble Matter. Site R1 is the only site to record a monthly deposition average greater than 4 g/m²/month as prescribed by the New South Wales Office of Environment & Heritage (NSW OEH) Approved Methods.

b. TSP

High volume sampling of TSP was carried at three sampling locations over the previous 12 month period. These locations are R2, R4 and R5.

Sampling over the yearly reporting period 2012/13 at the closest sensitive receiver beyond the site boundary (R5) generally showed compliance with the assessment criterion of 100 µg/m³ (24-

hour average) on days sampled. A few days in December 2012, August 2013 and September 2013 were responsible for exceedances over this period.

Sites R2 and R4 both demonstrated regular exceedances. Although these sites are situated on land owned and operated by Ostojic Group, further improvements in dust management are likely required to maintain TSP levels below the TEP limit. These sites achieved an average TSP concentration of 140 µg/m³ and 170 µg/m³ respectively.

c. PM10

The PM10 high volume sampler is located at site R2. PM₁₀ measurements recorded were generally within the ambient air quality limit specified in the Transitional Environmental Program (TEP) certificate of approval notice. The TEP requires daily-mean PM₁₀ concentrations to not exceed 50 µg/m³ when measured at a sensitive receiver location.

There were 4 exceedances in August 2013 and 2 exceedances each in September and October 2013. This is the peak of the dry season and thus exceedances are more likely to be produced due to drier conditions.

Again, although site R2 is located on land owned and operated by Ostojic Group, further improvements in dust management are required to maintain TSP levels below the TEP limit.

d. Sampling Locations R2 and R4

- There is a need to clarify why the Yearly AQMP Report stated that the criterion specified in the TEP does not apply for Sites R2 (Site Office, Alice Street) and R4 (Engineer's House, Sir Hudson Fysh Drive). To quote:
 - Page ii (Executive Summary): *"Site R2 is located on land owned and operated by OG and therefore under Part 3, Section 8(5) of the Environmental Protection (Air) Policy 2008 the above air quality objectives do "not apply" to this location."*
 - Page 39: *Site R2 (the location of the Hi Volume Sampler) is located within the site boundary and the TEP does not apply here."*
 - Page 39: *"The criterion does not apply for sites R2 and R4 as they are within the site boundary."*
 - Page 39: *"Site R5 is the nearest sensitive receiver to the BHF, with sites R2 and R4 on-site and thus not applicable to the same TSP level standards. At sites R2 and R4, recorded TSP concentrations were consistently over the 100 µg/m³ criterion."*

Subsection 5 of EPP (Air) 2008 Section 8 (Air quality objectives for indicators) states that *"This section does not apply to an air emission that may be experienced within a dwelling or workplace if the air emission is released within the dwelling or workplace."*

A workplace is defined, under the *Workplace Health and Safety Act 1995* as *"any place where work is, is to be, or is likely to be, performed by a worker, self-employed person or employer."*

Although site R2 (Site Office, Alice Street) is considered Ostojic workplace, this monitoring location is not directly located within the BHF (the dust source). In addition, although R2 is within the OG property, this sampling site is located in close proximity to residential houses east/southeast of BHF, thus sampling results from this location may be considered as representative results for the area.

- It should be noted that Item 4 of the TEP MAN14060 requires that dust emissions from the activity must not cause the ambient air quality limits listed in Table 1 of this approval to be exceeded when measured at a sensitive place in accordance with the receiving environment dust monitoring program.

The TEP defines "sensitive place" to include a *dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises*. If site R4 is currently used as a residential premise for Ostojic workers, then this site can be classified as a "sensitive place". The TEP ambient air quality limits are therefore applicable.

If the TEP criteria do not apply for sites R2 and R4, air quality monitoring at these locations are of no use and therefore it is recommended that the Hi-Vol Samplers at Sites R2 and R4 be relocated to places where these ambient air quality limits would be applicable.

Recommendation:

Issue a letter to Ostoic requiring them to address the issues identified in the AQMP Report and reminding them of their General Environmental Duty.

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OSTOJIC BULK HANDLING FACILITY
AIR QUALITY MONITORING PROGRAM
MONTHLY DUST DEPOSITION RATE 2012-2013 (g/m²/month)

Period	No. of Days	Monitoring Station							
		R1	R2	R3	R4	R5	R6	R7	R8
1/12/12 – 2/1/13	32	8.5	3.8	2.2	4.4	1.9	4.6	1.7	1.3
2/1/13 – 1/2/13	30	9.7	1.3	1.7	2.9	0.6	4.9	0.4	0.3
1/2/13 – 1/3/13	28	2.8	2.9	3.4	5.4	2.1	2.5	1.7	1.6
1/3/13 – 1/4/13	31	17.1	1.7	1.4	3.4	1.4	1.3	1.1	0.9
1/4/13 – 2/5/13	31	0.3	0.9	0.8	0.5	0.5	0.8	0.4	0.2
2/5/13 – 30/5/13	28	1.4	2.0	10.8	3.4	1.5	1.7	0.7	0.6
30/5/13 – 27/6/13	28	0.8	1.2	8.4	1.6	0.9	0.6	0.5	0.4
27/6/13 – 2/8/13	36	0.7	0.9	1.9	1.6	0.5	0.7	0.6	0.4
2/8/13 – 28/8/13	26	33	3.4	2.2	2.4	1.5	1.6	2.2	1
28/8/13 – 30/9/13	34	1.0	1.7	0.3	1.2	1.0	0.8	0.6	0.3
30/9/13 – 31/10/13	31	3.5	2.9	0.9	2.0	1.4	1.5	1	0.5
31/10/13 – 1/12/13	31	3.3	3.1	4.6	4.9	4.9	4.2	4.0	4.1
Annual Average		7.5	2.4	3.4	2.8	1.4	2.0	1.1	0.8

Note: Red values – exceed TEP limit.

From: Apostol Alex [Alex.Apostol@ehp.qld.gov.au]
Sent: Friday, 21 February 2014 4:54 PM
To: Butler Hamish
CC: Pettit Robert
Subject: Ostoic TEP and EA Timeline

Follow Up Flag: Follow up
Flag Status: Completed

Hi Hamish,

Below is the timeline for Ostoic DA/EA and TEP:

21 January 2011 – DERM issued Development Approval SPDE01054010 to Ostoic Group Pty Ltd.

28 October 2011 – DERM conducted site inspection of Ostoic Bulk Handling Facility and identified non-compliances with the DA.

29 November 2011 – DERM issued EPO STAT657

7 December 2011 – DERM issued a Notice to Prepare a draft TEP

14 & 23 December 2011 – DERM conducted site inspection to confirm Ostoic compliance with EPO

11 January 2012 – EHP issued a letter to Ostoic closing out the EPO

11 May 2012 – DERM received the final draft TEP from Ostoic Group Pty Ltd

18 May 2012 – DERM issued TEP MAN 14060

15 February 2013 – Ostoic submitted a TEP amendment application

12 March 2013 – EHP issued a Notice of Decision to grant amendment of an approval of a TEP:

- 1(d) installation and operation of truck washing facilities for cleaning trucks leaving the site, from 31 March 2013 to 31 May 2013;
- 3(b) Obtain necessary stat approval for site works, from 31 January 2012 to 31 June 2013;
- 3(c) Commission construction company to construct buildings and structures, from 31 July 2013 to 31 May 2013.

15 November 2013 – Ostoic submitted a TEP amendment application

5 December 2013 – Ostoic submitted an application for amendment of DA/EA

13 December 2013 – EHP issued a Notice of Decision to grant amendment of an approval of a TEP

- Extension of TEP action 3 to May 2017.

6 February 2014 – EHP issued a Notice of decision made on application to amend an EA.

- Format, number and definitions have changed
-

Dust nuisance, EA condition B3 (formerly A3)

- Noise nuisance, EA condition C2 (formerly N2)
- Noise Monitoring, EA condition C3 (formerly N3)
- Release to waters, EA Conditions D1 and D2 (formerly WA1)

Alex Apostol

Senior Environmental Officer
Mining and Heavy Industry, Northern Region
Environmental Services and Regulation
Department of Environment and Heritage Protection
5b Sheridan Street PO Box 7230
Cairns QLD 4870

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