

From: WELLS Melissa [Melissa.Wells@des.qld.gov.au]
Sent: Friday, 3 August 2018 4:21 PM
To: IRELAND Anne-Maree
CC: CAGNEY Justin; BAKER Tony
Subject: Re: Updated ESR Alert - Abbot Point Bulkcoal - Environmental Evaluation Appeal

All good thanks Annie have a good weekend

Sent from my iPhone

On 3 Aug 2018, at 3:52 pm, IRELAND Anne-Maree <Anne-Maree.Ireland@des.qld.gov.au> wrote:

Hi Mel, please see below in relation to Court today. I will set up a meeting early next week to discuss. Thanks again for calling last night.

Have a good weekend, Annie

<image003.png> **Anne-Maree Ireland**

Principal Lawyer

Litigation Branch I Environmental Services and Regulation

Department of Environment and Science

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Level 7, 400 George Street, Brisbane Qld 4000

GPO Box 2454, Brisbane Qld 4001

From: IRELAND Anne-Maree

Sent: Friday, 3 August 2018 3:51 PM

To: ESR <ESR@des.qld.gov.au>

Cc: GOLDSWORTHY Stephen <Stephen.Goldsworthy@des.qld.gov.au>

Subject: RE: Updated ESR Alert - Abbot Point Bulkcoal - Environmental Evaluation Appeal

Dear Trin

Please find below an update to the alert following Court today.

- The Planning and Environment Court made orders including **listing the matter for hearing for seven days commencing on 25 October 2018**.
- The orders also provide that the Department is to file its evidence by 14 September 2018 and for APBC to file its evidence by 12 October 2018.
- The matter is next listed for mention on 21 September 2018.

Kind regards

Annie

<image005.png> **Anne-Maree Ireland**

Principal Lawyer

Litigation Branch I Environmental Services and Regulation

Department of Environment and Science

From: LOWE Trinity **On Behalf Of** ESR

Sent: Thursday, 2 August 2018 5:25 PM

To: ESR <ESR@des.qld.gov.au>; MERRICK Jamie <Jamie.Merrick@des.qld.gov.au>; TRACEY Alena <Alena.Tracey@des.qld.gov.au>; Pamela Frost <Pamela.Frost@ministerial.qld.gov.au>; Angus.Sutherland@ministerial.qld.gov.au; Hannah Jackson <Hannah.Jackson@ministerial.qld.gov.au>; DLO DES <DLO.DES@des.qld.gov.au>; Media DES <Media@des.qld.gov.au>; SULLIVAN Scott (DES) <Scott.Sullivan@des.qld.gov.au>; BROWN Glen <Glen.Brown@des.qld.gov.au>; WELLS Melissa <Melissa.Wells@des.qld.gov.au>; CONNOR Andrew <Andrew.Connor@des.qld.gov.au>; CAMBOURN Neil <Neil.Cambourn@des.qld.gov.au>; LENZ Anne (DES) <Anne.Lenz@des.qld.gov.au>; GOLDSWORTHY Stephen <Stephen.Goldsworthy@des.qld.gov.au>

Cc: ELLWOOD Dean <Dean.Ellwood@des.qld.gov.au>; IRELAND Anne-Maree <Anne-Maree.Ireland@des.qld.gov.au>

Subject: RE: Updated ESR Alert - Abbot Point Bulkcoal - Environmental Evaluation Appeal

Good Evening

Just a reminder, given everyone has been so busy ☺.

The Abbot Point matter is listed for review before the planning and environment court tomorrow – 3 August 2018.

Thanks & Cheers

Trinity

From: MARKS Zhivana **On Behalf Of** ESR

Sent: Thursday, 26 July 2018 2:06 PM

To: MERRICK Jamie; TRACEY Alena; Pamela Frost; Angus.Sutherland@ministerial.qld.gov.au; Hannah Jackson; DLO DES; Media DES; SULLIVAN Scott (DES); BROWN Glen; WELLS Melissa; CONNOR Andrew; CAMBOURN Neil; LENZ Anne (DES); GOLDSWORTHY Stephen

Cc: ESR; ELLWOOD Dean

Subject: Updated ESR Alert - Abbot Point Bulkcoal - Environmental Evaluation Appeal

Good afternoon,

An update in relation to the APBC EE appeal below.

- A mediation took place on 18 June 2018 and since that time a without prejudice conference has occurred.
- The matter was listed for review before the Planning and Environment Court on Friday 27 July 2018 but that review has been adjourned to 3 August 2018.
- The adjournment allows for negotiations to continue between Abbot Point Bulkcoal Pty Ltd and the department.

ALERT CATEGORY:

- Court Action – Planning and Environment Court appeal

ALERT NAME:

- Abbot Point Bulkcoal Pty Ltd – Planning and Environment Court appeal directions

CUSTOMER DETAILS:

- Abbot Point Bulkcoal Pty Ltd (**APBC**)

SUMMARY OF ISSUE/S:

- APBC appealed to the Planning and Environmental Court against the issue of an environmental evaluation (EE). The EE required APBC to undertake various actions in respect of releases of coal fines from an authorised discharge point (W1) into the Caley Valley Wetlands.
- A stay of the EE notice is currently in place. A condition of the stay is that APBC notifies the Department of any releases from W1 into the Caley Valley Wetlands within 24 hours of becoming aware.
- The appeal is listed for directions on **Friday 4 May 2018**. This is a procedural step only – no date has been set for the hearing of the appeal.
- It is likely that directions will be made for various legal steps (such as disclosure and the filing of documents) to be undertaken to progress the matter to hearing.
- The Minister will be updated with developments.

CONTACT DETAILS:

- Name: Stephen Goldsworthy, Senior Director, Litigation.
- Phone number: (07) 3330 5500.
- Division: Environmental Services and Regulation.

<image006.png>

Trinity Lowe

Executive Officer

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