

From: Corro DES ESR CaCQC [DESESRCaCQC.Corro@des.qld.gov.au]
Sent: Wednesday, 15 August 2018 10:43 AM
To: WELLS Melissa
CC: BENNINK Kate
Subject: FW: URGENT Regional Visit to Weipa
Attachments: Weipa - 2018 Regional Visit Feb.doc

Importance: High

Hi Melissa,

Saw your E-Mail to Kate with you query about why Adani is part of Weipa Brief update,

Please see bellow as ESR have requested anything related to their electorate

Kind Regards

Sara Marks

Executive Assistant to **Kate Bennink**

Business Centre Coal | Coal and Central QLD Compliance | Emerald
Department of Environment and Science



P 07 4987 9385
99 Hospital Road, Emerald QLD 4720
PO Box 3028, Emerald QLD 4720

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

Sent: Friday, 10 August 2018 1:37 PM

To: Corro DES ESR CaCQC <DESESRCaCQC.Corro@des.qld.gov.au>; Corro DES ESR EESWQC <DESESR EESWQC.Corro@des.qld.gov.au>; Corro DES ESR laDaSQC <DESESRlaDaSQC.Corro@des.qld.gov.au>; Corro DES ESR Litigation <DESESRLitigation.Corro@des.qld.gov.au>; Corro DES ESR MaNQC <DESESRMaNQC.Corro@des.qld.gov.au>; Corro DES ESR RCaCS <DESESRRCaCS.Corro@des.qld.gov.au>; Corro DES ESR SSC <DESESRSSC.Corro@des.qld.gov.au>; BARKER Tracey <Tracey.Barker@des.qld.gov.au>; BURLEY Kylie <Kylie.Burley@des.qld.gov.au>; GRAY Rhiarn <Rhiarn.Gray@des.qld.gov.au>; LORRAWAY Gabrielle <Gabrielle.Lorraway@des.qld.gov.au>; SIMMONS Kylie <Kylie.Simmons@des.qld.gov.au>; WHITE Kelsey <Kelsey.White@des.qld.gov.au>

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

Subject: FW: URGENT Regional Visit to Weipa

Importance: High

Good afternoon ESR,

DPC has requested a contentious issues brief for Weipa – specifically the COOK electorate. I have attached our one from February just to remind you which topics we included – noting that the template has changed since then.

If there is anything Adani related in this electorate, please be sure to include it.

The template is on SharePoint for you to fill out in the file drop section. ED approved responses need to be uploaded to **SharePoint by 10am Thursday 16 August (noting Ekka day off the day before for Brisbane staff)**.

Thanks guys,

Zhivana Marks

Senior Program Officer

Office of the Deputy Director-General | Environmental Services & Regulation

Department of Environment and Science

P 07 3330 5561

400 George Street BRISBANE QLD 4000

GPO Box 2454, BRISBANE QLD 4001

 **Please consider the environment before printing.**

From: DLO DES

Sent: Friday, 10 August 2018 1:18 PM

To: Corro DES QPWS DDG; Corro DES PAIEP DDG; Corro DES EPP DDG; Corro DES CSS DDG; Corro DES ESR DDG; Corro DES Wet Tropics; Corro DES Chief Scientist; Corro DES Arts Qld; Corro DES SD ADG

Cc: SIMS CHILTON Nikki; THOMPSON Helen; ESR; DLO DES

Subject: FW: URGENT Regional Visit to Weipa

Importance: High

Good afternoon,

Please see below request from DPC regarding the Premier's planned visit to Weipa.

DPC would also like a brief on the following (or Nil):

s.73 irrelevant information

In addition, where relevant, could we please report on:

Adani

Please forward responses to the DLO inbox by 2pm, Thursday 16 August.

Kind regards,

Raylene

Raylene Orellana

Departmental Liaison Officer

Office of the Director-General

Department of Environment and Science

Ph: 3330 6271

raylene.orellana@des.qld.gov.au | Level 32, 1 William Street, Brisbane

From: SABBriefs <SABbriefs@premiers.qld.gov.au>

Sent: Friday, 10 August 2018 12:54 PM

To: MCGREGOR Donna; 'DATSIP - CLLO'; DCDS - CLLO; DLO DES; 'DESBT - Jenni Boles'; 'DHPW - Workflow'; MURRAY Michael; CLLO Support; 'DJAG - Parliamentary Services'; 'DLGRMA - Susie Parker'; 'DoE - David Pugh'; 'DSDMIP - Christine Brown'; 'DTMR - Ministerial Parliament'; 'PSBA - Neil McGregor'; 'QCS - Correspondence'; 'QFES - Correspondence'; 'QH - CLLO'; 'QPS - CLLO'; 'QT - CLLO'

Cc: Corro DAF Minister; 'DATSIP - Matthew English'; 'DATSIP - Sarah Mellors'; 'DATSIP - Valerie Musu'; 'DCDSD - CLLO'; 'DCSYW - CLLO'; JOHNSTON Peta; 'DESBT - CLLO'; DESBT - Raylene Orellana; shannon.coote; 'DHPW - Cynthia Sparks'; 'DHPW - Fran Glover'; 'DHPW - Kelly-Lee Pitt'; YATES Rebecca; 'DJAG - Laura Davis'; 'DJAG - Lee Durkin'; 'DLGRMA - CLLO'; 'DLGRMA - Jodie Meerten'; DNRME CLLO; 'DoE - Catherine Howe'; 'DoE - CLLO'; 'DSDMIP - CLLO'; 'DTMR - Kamala Brooks'; 'DTMR - Rebecca Barry'; Janette McLeod; Moana Piutau; PSBA - CLLO; 'QCS - CLLO'; QCS - Steven Scougall; 'QFES - Chantelle Marsh'; 'QFES - Cheryl D'Silva'; 'QFES - Margot Gladstone'; 'QH - Cheryl Brennan'; 'QPS - Ministerial'; 'QT - Lynda Koci'; Virginia McCabe

Subject: URGENT Regional Visit to Weipa

Importance: High

PLEASE REPLY 'RECEIVED' TO THIS EMAIL

CONTENTIOUS ISSUES BRIEFS

Premier's Visit to **Weipa** in the **Cook electorate**

Good afternoon

The Office of the Premier has requested a Regional Visit Brief for an upcoming visit to **Weipa** in the **Cook electorate**.

Please use the new template which is attached. It would assist us greatly if the template was forwarded to your business units and the formatting strictly adhered to, with one brief to a page.

In addition the Office of the Premier has provided a list of topics they require briefs on, if it is relevant to the area.

If relevant, could the following departments provide information for the **Weipa Town Authority** and **Napranum Aboriginal Shire Council** areas:

s.73 irrelevant information

s.73 irrelevant information

In addition, where relevant, could departments provide a report on:

Adani

s.73 irrelevant information

Could you please advise of any other **contentious issues** specific to the **Cook** Electorate, [Weipa Town Authority](#) and the [Napranum Aboriginal Shire Council](#) area.

To meet the deadline set, please email information using the attached template, or advise of a nil response, to SABbriefs@premiers.qld.gov.au by **5pm, Thursday 16 August 2018**.

Note – LOCAL COUNCILS SHOULD NOT BE CONTACTED as the meetings arrangements have not been finalised.

Should you have any queries, please contact Cabinet and Parliamentary Services.

Thank you for your assistance.

Kind regards



Cabinet and Parliamentary Services

Department of the Premier and Cabinet

P 07 3003 9310 E SABBriefs@premiers.qld.gov.au

Level 40, 1 William Street, Brisbane QLD 4000

PO Box 15185, City East, QLD 4002

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2018 Regional Visit to the WEIPA State Electorate

Please provide no more than five contentious issues per Minister limited to 5 dot points.

Contentious Issues

s.73 irrelevant information

Abbot Point Coal Terminal and Caley Valley Wetlands

- On 20 July 2017, Abbot Point Bulk Coal Pty Ltd (APBC) (an Adani subsidiary) was issued a penalty infringement notice (PIN) totalling \$12,190 for non-compliance with the conditions of a temporary emissions licence (TEL). The TEL was approved in March 2017 to assist the site to manage impacts from expected heavy rainfall associated with Tropical Cyclone Debbie.
- On 14 August 2017, ABPC advised the Department of Environment and Science (DES) that the company has elected to have the matter heard in court and the matter is now under investigation.
- On 18 September 2017, DES issued a notice to conduct an environmental evaluation to APBC, following the review of aerial photography taken post-Tropical Cyclone Debbie showing colour variation (dark water) in the adjacent Caley Valley Wetlands.
- On 3 October 2017, APBC applied to DES for an internal review of its decision to issue the environmental evaluation and on 31 October ~~2017~~2017, DES issued a varied environmental evaluation to APBC.
- On 1 December 2017, APBC appealed to the Planning and Environment Court against the decision to issue the environmental evaluation and on 12

December 2017, was granted a stay on the requirements of the environmental evaluation. On 9 February 2018, the matter proceeded to the Planning and Environment Court for directions where a direction order was made which required mediation between both parties prior to 11 May 2018, with a view to resolving or narrowing the issues in dispute.

s.73 irrelevant information

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From: BENNINK Kate [Kate.Bennink@des.qld.gov.au]
Sent: Friday, 24 August 2018 3:01 PM
To: WELLS Melissa
Subject: FW: Everyone ok with this standard Adani response?
Attachments: MECS.docx

Fyi – coming to talk to you now

Kate Bennink

Director

Business Centre (Coal) | Coal and Central Queensland Compliance

Environmental Services and Regulation
Department of Environment and Science



P (07) 4987 9338 | [sch4p4\(6\) Person](#)

E kate.bennink@des.qld.gov.au

99 Hospital Road, Emerald QLD 4720

PO Box 3028, Emerald QLD 4720

From: BENNINK Kate
Sent: Friday, 24 August 2018 12:38 PM
To: CAGNEY Justin; STEWART Alisha; MCCOSKER Juliana; MUNRO Rebecca
Subject: Everyone ok with this standard Adani response?

For mecs 23605/18, 23836/18, 23479/18

Kate Bennink

Director

Business Centre (Coal) | Coal and Central Queensland Compliance

Environmental Services and Regulation
Department of Environment and Science



P (07) 4987 9338 | [sch4p4\(6\) Person](#)

E kate.bennink@des.qld.gov.au

99 Hospital Road, Emerald QLD 4720

PO Box 3028, Emerald QLD 4720

Thank you for your email/letter of DATE to the Honourable Leeanne Enoch MP, Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts regarding Adani's projects in Queensland, including the Carmichael Coal Mine and Abbot Point Coal Terminal. The Minister has asked me to respond on her behalf.

The Carmichael Coal Mine and Rail project has been through a rigorous environmental assessment process under State and Commonwealth environmental protection legislation, including detailed scientific and community review. The State approvals have placed approximately 270 conditions on the project to protect the natural environment and the interests of landholders and traditional owners.

The Queensland Government will ensure that the Adani projects meet legislative requirements, including environmental obligations in relation to its operations.

In relation to concerns regarding impacts to water from the Carmichael Coal Mine, the matter of water licences and water take fall within the portfolio responsibilities of the Honourable Dr Anthony Lynham MP, Minister for Natural Resources, Mines and Energy, and the Department of Natural Resources, Mines and Energy as the administering authority for the *Water Act 2000*.

The Department of Environment and Science (the department) investigated potential releases of coal fines from authorised discharge locations at the Abbot Point Coal Terminal as a result of Tropical Cyclone (TC) Debbie in March 2017.

Abbot Point Coal Terminal was issued an environmental evaluation under the *Environmental Protection Act 1994* following the department's investigation. The environmental evaluation requires Abbot Point to undertake monitoring and identify any potential adverse impacts from releases to the Caley Valley Wetlands. Abbot Point Coal Terminal have elected to appeal the decision to issue the environmental evaluation and the matter is currently before the Planning and Environment Court.

The department's investigation also resulted in Abbot Point Coal Terminal being issued with a penalty infringement notice (PIN) for \$12,190 for a contravention of the temporary emissions licence for a release to the marine environment. Abbot Point have elected to contest the PIN in court and the department is considering this matter.

Due to the active nature of matters related to the Abbot Point Coal Terminal, the department is unable to comment any further on these matters.

For further information about the department's investigation at the Caley Valley Wetland, please see the department's website at www.ehp.qld.gov.au/management/caley-valley-wetland.

Yours sincerely

Daniel Lato
Chief of Staff
Office of the Minister for Environment and the Great Barrier Reef,
Minister for Science and Minister for the Arts

From: LORRAWAY Gabrielle [Gabrielle.Lorroway@des.qld.gov.au]
Sent: Monday, 10 September 2018 12:42 PM
To: WELLS Melissa
Subject: RE: MECS APPROVAL - 12noon
Attachments: Attachment_standard_response_adani.docx

Hi Melissa,

Yes it is.

Thanks,
Gabi

Gabrielle Lorroway
Executive Assistant to **Melissa Wells**
Coal and Central QLD Compliance Directorate I Rockhampton
Department of Environment and Science



P 07 4837 3339
Level 2, 209 Bolsover Street, Rockhampton QLD 4700
PO Box 413 Rockhampton QLD 4700

cid:image003.jpg@01D3FE3C.A9F2F080



From: WELLS Melissa
Sent: Monday, 10 September 2018 12:02 PM
To: LORRAWAY Gabrielle
Subject: Re: MECS APPROVAL - 12noon

Thanks Gabi is this the approved standard response?

Sent from my iPhone

On 10 Sep 2018, at 11:39 am, LORRAWAY Gabrielle <Gabrielle.Lorroway@des.qld.gov.au> wrote:

Hi Melissa,

Please approve the attached MECs item.

Due to ODDG by 12noon today.

Thanks,
Gabi

Gabrielle Lorroway
Executive Assistant to **Melissa Wells**
Coal and Central QLD Compliance Directorate I Rockhampton



Department of Environment and Science

P 07 4837 3339

Level 2, 209 Bolsover Street, Rockhampton QLD 4700

PO Box 413 Rockhampton QLD 4700

cid:image003.jpg@01D3FE3C.A9F2F080



<CTS No. 25976-18_Snr_Pol_Advisor_Letter.docx>

<DMView_1536543543397_25976-18_1438886_Email_- [sch4p4(6) Personal information] ..pdf>

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Thank you for your <email/letter> of <DATE> to the Honourable Leeanne Enoch MP, Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts regarding Adani's projects in Queensland, including the Carmichael Coal Mine and Abbot Point Coal Terminal. The Minister has asked me to respond on her behalf.

The Carmichael Coal Mine and Rail project has been through a rigorous environmental assessment process under State and Commonwealth environmental protection legislation, including detailed scientific and community review. The State approvals have placed approximately 270 conditions on the project to protect the natural environment and the interests of landholders and traditional owners.

The Queensland Government will ensure that the Adani projects meet legislative requirements, including environmental obligations in relation to its operations.

In relation to concerns regarding impacts to water from the Carmichael Coal Mine, water licences authorising the take of water fall within the portfolio responsibilities of the Honourable Dr Anthony Lynham MP, Minister for Natural Resources, Mines and Energy, and are regulated by the Department of Natural Resources, Mines and Energy as the administering authority for the *Water Act 2000*.

Releases of stormwater from authorised discharge locations at Abbot Point Coal Terminal 1 were reported to the Department of Environment and Science (the department), as a result of Tropical Cyclone Debbie in March 2017. The department has taken action under the *Environmental Protection Act 1994* against the environmental authority holder, Abbot Point Bulkcoal Pty Ltd (a subsidiary of Adani). Due to the active nature of matters related to the Abbot Point Coal Terminal, the department is unable to comment any further on these matters.

Yours sincerely

From: LORRAWAY Gabrielle [Gabrielle.Lorroway@des.qld.gov.au]

Sent: Wednesday, 12 September 2018 10:43 AM

To: WELLS Melissa; WALSH Sacha; CAGNEY Justin; BENNINK Kate

CC: NAYLOR Gillian; MUNRO Rebecca; STEWART Alisha; PINN Louise; LOVE David; INONDA William; CLAYBOURN Dayna; BAKER Tony; FRANKS Emma; MARKS Sara; Corro DES ESR DDG

Subject: Adani Standard Response

Attachments: Adani Standard Response.docx

Hi All,

The Adani standard response has now been approved.

Please see attached.

Thanks,

Gabi

Gabrielle Lorroway

Executive Assistant to **Melissa Wells**

Coal and Central QLD Compliance Directorate | Rockhampton

Department of Environment and Science



P 07 4837 3339

Level 2, 209 Bolsover Street, Rockhampton QLD 4700

PO Box 413 Rockhampton QLD 4700

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Prepared by: Rebecca Munro Title: Manager Bus Area: Business Centre Coal Telephone: (07) 4987 9320	Endorsed by: Dean Ellwood Title: Deputy Director-General Bus Area: ESR Telephone: (07) 3330 5628 Date:	Recommended by: Jamie Merrick (or Director on behalf of) Title: Director-General, DES Telephone: 3338 9304 Date Approved:
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Our Ref: CTS 23836/18

<<name>>
<<address>>
<<address>>

Dear <<name>>

Thank you for your correspondence to the Honourable Leeanne Enoch MP, Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts regarding Adani's projects in Queensland, including the Carmichael Coal Mine and Abbot Point Coal Terminal. The Minister has asked me to respond on her behalf.

I am advised that the Carmichael Coal Mine and rail project has been through a rigorous environmental assessment process under state and commonwealth environmental protection legislation, including detailed scientific and community review. The State approvals have placed approximately 270 conditions on the project to protect the natural environment and the interests of landholders and Traditional Owners.

In relation to any concerns regarding impacts to water from the Carmichael Coal Mine, water licences authorising the take of water fall within the portfolio responsibilities of the Honourable Dr Anthony Lynham MP, Minister for Natural Resources, Mines and Energy and are regulated by the Department of Natural Resources, Mines and Energy as the administering authority for the *Water Act 2000*. Therefore, a copy of your correspondence has been forwarded to his office for consideration.

As the environmental regulator, the Department of Environment and Science (DES), has taken further action against Abbot Point Bulkcoal Pty Ltd (APBC) over an unauthorised discharge of sediment laden water from the Abbot Point Coal Terminal during Cyclone Debbie.

DES has charged APBC with one offence of contravening a temporary emissions licence (TEL). It is alleged APBC discharged sediment laden water from a location called W2 – that was eight times above levels authorised by DES in the TEL. No known environmental impacts occurred as a result of the discharge.

Last year, APBC contested a \$12,190 penalty infringement notice in relation to the discharge from W2. Following this election, DES conducted a formal investigation in accordance with its usual practice. The charge follows this investigation. The maximum fine for this offence is \$2.7 million.

As this matter is before the Court, DES is unable to comment any further on these matters.

Thank you for taking the time to write and please be assured the Queensland Government will continue to monitor Adani's operations to ensure compliance with its environmental obligations.

Yours sincerely

Hannah Jackson
Chief of Staff
Office of the Minister for Environment and the Great Barrier Reef,
Minister for Science and Minister for the Arts

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From: WELLS Melissa [Melissa.Wells@des.qld.gov.au]

Sent: Monday, 17 September 2018 1:57 PM

To: BENNINK Kate

Subject: DMView_1537156546239_25991-18_1438939_Draft_Snr_Pol_Advisor_Letter

Attachments: DMView_1537156546239_25991-18_1438939_Draft_Snr_Pol_Advisor_Letter.docx

Hey is this the new approved standard response? Just confirming I have lost track..

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Prepared by: Alisha Stewart Title: Compliance Delivery Manager Bus Area: CaCQC Telephone: (07) 4999 6885	Endorsed by: Dean Ellwood Title: Deputy Director-General Bus Area: ESR Telephone: (07) 3330 5628 Date:	Recommended by: Jamie Merrick (or Director on behalf of) Title: Director-General, DES Telephone: 3338 9304 Date Approved:
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Our Ref: CTS 25991/18

sch4p4(6) Personal information

Dear sch4p4(6) Persona

Thank you for your email of 26 August 2018 to the Honourable Leeanne Enoch MP, Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts regarding Adani's projects in Queensland, including the Carmichael Coal Mine and Abbot Point Coal Terminal. The Minister has asked me to respond on her behalf.

As the environmental regulator, the Department of Environment and Science (DES), has taken further action against Abbot Point Bulkcoal Pty Ltd (APBC) over an unauthorised discharge of sediment laden water from the Abbot Point Coal Terminal during Cyclone Debbie.

DES has charged APBC with one offence of contravening a temporary emissions licence (TEL). It is alleged APBC discharged sediment laden water from a location called W2 – that was eight times above levels authorised by DES in the TEL. No known environmental impacts occurred as a result of the discharge.

Last year, APBC contested a \$12,190 penalty infringement notice in relation to the discharge from W2. Following this election, DES conducted a formal investigation in accordance with its usual practice. The charge follows this investigation. The maximum fine for this offence is \$2.7 million.

As this matter is before the Court, DES is unable to comment any further on these matters.

Thank you for taking the time to write and please be assured the Queensland Government will continue to monitor Adani's operations to ensure compliance with its environmental obligations.

Yours sincerely

Angus Sutherland
Senior Policy Advisor
Office of the Minister for Environment and the Great Barrier Reef,
Minister for Science and Minister for the Arts

From: WELLS Melissa [Melissa.Wells@des.qld.gov.au]
Sent: Thursday, 2 August 2018 10:25 AM
To: LOWE Trinity
CC: BENNINK Kate; ESR
Subject: Adani estimates clarification

Trin to clarify the Adani response.

For clarification Adani operate the Abbot Point Coal Terminal and the Carmichael Coal Mine under separate environmental authority approvals. The Department of Environment and Science investigated a potential release of coal fines into the Caley Valley Wetlands from the Abbot Point Coal terminal in 2017.

- As a result of the investigation, the department issued an Environmental Evaluation under the Environmental Protection Act 1994 to Abbot Point Bulkcoal Pty Ltd to undertake certain actions related to the potential releases to the wetlands.
- Abbot Point Bulkcoal has appealed the issuing of the Environmental Evaluation to the Planning and Environment Court.
- The next Court review of the matter has been adjourned to 3 August 2018.
- Separately, on 20 July 2017, the department issued Abbot Point Bulkcoal with a penalty infringement notice in the sum of \$12,190 on the basis of a contravention of a temporary emissions licence issued under the Act.
- This contravention related to a release point that discharges to Dingo Beach, not the wetlands.
- Caley Valley Wetlands is a nationally important wetland and is listed in the Directory of Important Wetlands in Australia.
- In relation to the PIN, Abbot Point Bulkcoal elected to contest the penalty infringement notice (PIN).
- The department is currently reviewing the matter.

In regards to the Carmichael Coal Mine, there is no active investigation by the department in relation to the mine site. The GDEMP document referred to is a requirement of the environmental authority for the mine. The GDEMP is currently being reviewed by the department for compliance with the environmental authority as part of the approval process for the project.

Melissa Wells

Executive Director

Coal and Central Qld Compliance

Department of Environment and Science



P 07 4987 9343

99 Hospital Road, Emerald QLD 4720
PO Box 3028, Emerald QLD 4720