

Complaint/Report Details

Complaint/Report Ref: CR35837

Priority/Sensitive: N

Complainant						
Ref	Name	Address	Phone	Mobile	Fax	Email
s78B(2) - Confidential		sch4p4(6) Personal information				

Alleged Source						
Ref	Name	Address	Phone	Mobile	Fax	Email
535376	Collins, Michael Dowse	sch4p4(6) Personal information				

Incident Location		
Name	Risk Level	Address
ML20463	2 Low	ML20463

Type: Alleged Compliance Issue
Nature: Water : Silt/Turbidity
Received Date: 15/NOV/06
Receiving Officer: BUTLER, Jenny
Receiving Office: Cairns District Office (EPA)
Status: Finalised
Origin: Public
Notification Method: Counter visit
Project Manager: KVASSAY, Glenn
Responsible Office: Assessment and Approvals - Cairns

Description			
Event On/From Date:	Event On/From Time:	Received Time:	Print Related Permits:
Event To Date:	Event To Time:	Ongoing: N	
Description			
Complaint relates to dirty water being released from Michael Collins sediment dam in the East Hodginson River to a culturally significant waterhole in the river.			
GK contacted Michael Collins the EA holder for the site, who advised that turbid water was present in the instream dams but not discharging downstream. Michael agreed to construct offstream storages which would act as settling ponds. Two ponds has been constructed by 24 November and the remaining will not be built until January when they are expected to start mining Michael sent in a photo of the works to date.			
On 7/12/06 Michael agreed to remove the remaining instream ponds so that they are not washed away in the wet season. A number of attempts were made to contact ^{tial} directly which were unsuccessful. A number of messages was left with ^{tial} to advise of the proposed works and to contact the agency if they have further issues.			

Admin			
Officer	Role	Start Date	End Date
File Ref: CNS5641			
KVASSAY, Glenn	Environmental Officer	15/NOV/06	08/DEC/06

Running Sheet Summary						
Accrued Time: 4 hrs 0 mins						
First Action	Date Commenced	Due Date	Action Type	Officer Involved	Outcome	Date Completed
Y	20/NOV/06		Telephone Call	KVASSAY, Glenn	Finalised	
	07/DEC/06		Telephone Call	KVASSAY, Glenn	Finalised	

s.73

Running Sheet Summary

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535376	Collins, Michael Dowse	sch4p4(6) Personal information				

Incident Location		
Name	Risk Level	Address
ML20463	2 Low	ML20463

Source Ref: CR35837

Action Source Ref:

Date Commenced: 20/NOV/06 **First Action:** Y

Officer Involved: KVASSAY, Glenn

Responsible Office: Assessment and Approvals - Cairns

Action Type: Telephone Call

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: GK contacted Michael Collins the EA holder for the site, who advised that turbid water was present in the instream dams but not discharging downstream. Michael agreed to construct offstream storages which would act as settling ponds. Two ponds has been constructed by 24 November and the remaining will not be built until January when they are expected to start mining Michael sent in a photo of the works to date.

Time Spent Hours: 2

Time Spent Minutes:

Outcome: Finalised

Outcome Description:

Due Date:

Date Completed:

Source Ref: CR35837

Action Source Ref:

Date Commenced: 07/DEC/06 **First Action:** N

Officer Involved: KVASSAY, Glenn

Responsible Office: Assessment and Approvals - Cairns

Action Type: Telephone Call

Inspection Type:

Enforcement Measure Type:

Referral To:

Action: On 7/12/06 Michael agreed to remove the remaining instream ponds so that they are not washed away in the wet season. A number of attempts were made to contact^{nial} directly which were unsuccessful. A number of messages was left with^{s78B(2)} to advise of the proposed works and to contact the agency if they have further issues.

Time Spent Hours: 2

RTI/DL RELEASE - EHP

Running Sheet Summary

Time Spent Minutes:

Outcome: Finalised

Outcome Description:

Due Date:

Date Completed:

RTI DL RELEASE - EHP

Glenn Kvassay

CNS 5641-2

From: Mike Collins [redacted] sch4p4(6) Personal information
Sent: Thursday, 14 December 2006 8:10 AM
To: Glenn Kvassay
Subject: Letter to EPA re [redacted] s78B(2) - Confidential complaints.doc

M [redacted] Collins

sch4p4(6) Personal information

13/12/06

By email original by post

EPA
PO Box 2066
Cairns 4870

Attention:
Glenn Kvassay
Senior Environmental Officer
Northern Region - Environmental Operations
Ph: (07) 4046 6735
Fax: (07) 4046 6606
E-mail: glenn.kvassay@epa.qld.gov.au

Dear Sir

I write this letter in response to our phone conversations with regards to the complaints you have received about our mining activities and to clarify our operating procedures.

Prior to commencing mining on ML 20463 we built 4 in-stream settlement ponds. These ponds were constructed at the up stream end of a water hole. No in stream ponds were constructed in the water hole.

We have finished mining in this area until mid next year and as per your request and our plan we have levelled off all our in stream ponds.

My sole reason for constructing in stream settlement ponds is because it is a requirement in the Code of Environmental Compliance for Mining Lease Projects,

- Condition 24 which reads: Alluvial miners operating mobile processing plants in flowing waters must discharge waste water into an in-stream settlement pond.
- Condition 39 which states: When mining in a watercourse the holder of the environmental authority must construct and use in-stream ponds where necessary and ensure that. (You can read the rest in the code.)

When constructing our in stream ponds we

- Do not divert the normal channel flow so as to cause erosion of the stream banks

14/12/2006

- Do not compact the bund walls of the settlement ponds
- And ensure the top of the bund wall is at least 300mm below the lower bank of the normal flow channel.

Conditions 41 to 46 we are well in adherence to.

s78B(2) - Confidential are lodging complaints about my activities, they have you on my back when in fact I am very much within the code and doing my best to make sure I keep with in the code and follow your requests, I am sure if you were to make them aware of the above points they will accept this, if this is their real reason for complaining.

We have had Cultural Heritage clearance as required and are working within the terms of an Indigenous Land Use Agreement. I have also told s78B(2) - Confidential that if they have any issues about my activities to let me know and I will do my best to work in with them.

Another issued raised was the 2 causeways we have in and the planed construction of small dams in the water course for the purpose of ponding raw water for our mining operations.

Our dam walls are going to be on average 1mtr (absolute maximum 2mts) in height, 8 metres long and 2.5 meters wide. The dams will be installed at the end of the wet season, they will not interrupt the normal flow of water. These dams will not affect the biodiversity as we will put pipes in to allow the free movement. These dams are non referable and non hazardous. I will contact the Dept of Natural Resources to find out what licensing is likely to be required.

I get the opinion from our conversations that you are more concerned about keeping s78B(2) - Confidential happy than keeping to the Code of Environmental Compliance for Mining Lease Projects or are looking for rules in the Code of Environmental Compliance for Mining Lease Projects to support there claims.

In review of the code, our operations are well within the code and well within our submitted plan of operations. I would be most grateful if you could advise the people making the complaint accordingly and forward me a copy of your letter to them.

Yours sincerely
Mike Collins

Glenn Kvassay

CNS 5641 d

From: Glenn Kvassay
Sent: Thursday, 14 December 2006 11:28 AM
To: sch3(10)(1)(b) Confidential source of information
Cc: Dean Sharpe
Subject: RE: Meeting and contact details

Hi [REDACTED]

I am glad we could clarify some issues for you. We do not advise the client of who has made a complaint and [REDACTED] is unaware of your involvement.

Mike has agreed to remove the embankments downstream of where they are working presently and the sediment which has accumulated. As discussed earlier, they have removed the existing embankments instream. I am still talking to Mike in regard to the crossing and will contact you after this has been resolved.

Regards

Glenn Kvassay
 Senior Environmental Officer
 Northern Region - Environmental Operations
 Environmental Operations Division
 Environmental Protection Agency
 Ph: (07) 4046 6735
 Fax: (07) 4046 6606
 E-mail: glenn.kvassay@epa.qld.gov.au
 Visit us online at www.epa.qld.gov.au

From: sch3(10)(1)(b) Confidential source of information
Sent: Thursday, 14 December 2006 9:58 AM
To: Glenn Kvassay
Cc: 'Deborah Eastop'
Subject: Meeting and contact details

Good morning Glenn

Thank you to you and Dean for making the time to meet with us yesterday. I appreciate that these mining issues are complex when it comes to Codes, Acts and responsible Departments so it can be quite a maze to work through to take an issue to the appropriate person. As discussed yesterday we were asked to approach EPA by the s78B(2) - Confidential [REDACTED] who are very concerned about impacts on the waterway and [REDACTED] significant site. Further to this and particularly given the access issue raised we would appreciate that this remains anonymous in respect to the sch3(10)(1)(b) [REDACTED] involvement.

From your information it sounds as though [REDACTED] is quite amenable to making the requested changes so we look forward to hearing your further feedback on this issue.

I will also contact s78B(2) - Confidential [REDACTED] to advise them of our meeting and that you had already tried to speak with him and had left messages to that effect.

Our contact details - Phone No. etc are below, sch3(10)(1)(b) Confidential source of information [REDACTED]

I look forward to your advice

Kind regards

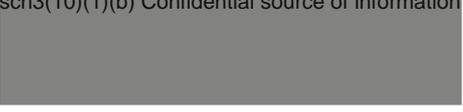
sch4p4(6)
 Personal

i
 N.B. Please note email address - is your address book updated?

sch3(10)(1)(b) Confidential source of information [REDACTED]

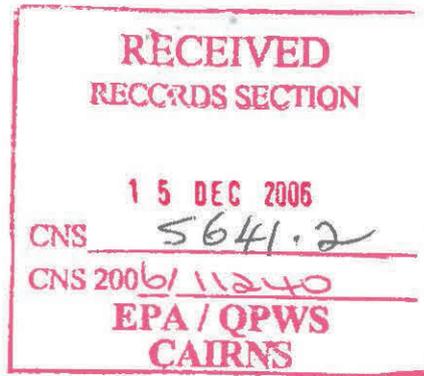
14/12/2006

sch3(10)(1)(b) Confidential source of information

A large grey rectangular redaction box covers the content of the page below the header.

RTI DL RELEASE - EHP

@GLEN KVASSAY



M [redacted] Collins
sch4p4(6) Personal information

13/12/06

By email original by post

EPA
PO Box 2066
Cairns 4870

Attention:
Glenn Kvassay
Senior Environmental Officer
Northern Region - Environmental Operations
Ph: (07) 4046 6735
Fax: (07) 4046 6606
E-mail: glenn.kvassay@epa.qld.gov.au

Dear Sir

I write this letter in response to our phone conversations with regards to the complaints you have received about our mining activities and to clarify our operating procedures.

Prior to commencing mining on ML 20463 we built 4 in-stream settlement ponds. These ponds were constructed at the up stream end of a water hole. No in stream ponds were constructed in the water hole.

We have finished mining in this area until mid next year and as per your request and our plan we have levelled off all our in stream ponds.

My sole reason for constructing in stream settlement ponds is because it is a requirement in the Code of Environmental Compliance for Mining Lease Projects,

- Condition 24 which reads: Alluvial miners operating mobile processing plants in flowing waters must discharge waste water into an in-stream settlement pond.
- Condition 39 which states: When mining in a watercourse the holder of the environmental authority must construct and use in-stream ponds where necessary and ensure that. (You can read the rest in the code.)

When constructing our in stream ponds we

- Do not divert the normal channel flow so as to cause erosion of the stream banks
- Do not compact the bund walls of the settlement ponds

- And ensure the top of the bund wall is at least 300mm below the lower bank of the normal flow channel.

Conditions 41 to 46 we are well in adherence to.

s78B(2) - Confidential are lodging complaints about my activities, they have you on my back when in fact I am very much within the code and doing my best to make sure I keep with in the code and follow your requests, I am sure if you were to make them aware of the above points they will accept this, if this is their real reason for complaining.

We have had Cultural Heritage clearance as required and are working within the terms of an Indigenous Land Use Agreement. I have also told s78B(2) - Confidential that if they have any issues about my activities to let me know and I will do my best to work in with them.

Another issued raised was the 2 causeways we have in and the planed construction of small dams in the water course for the purpose of ponding raw water for our mining operations.

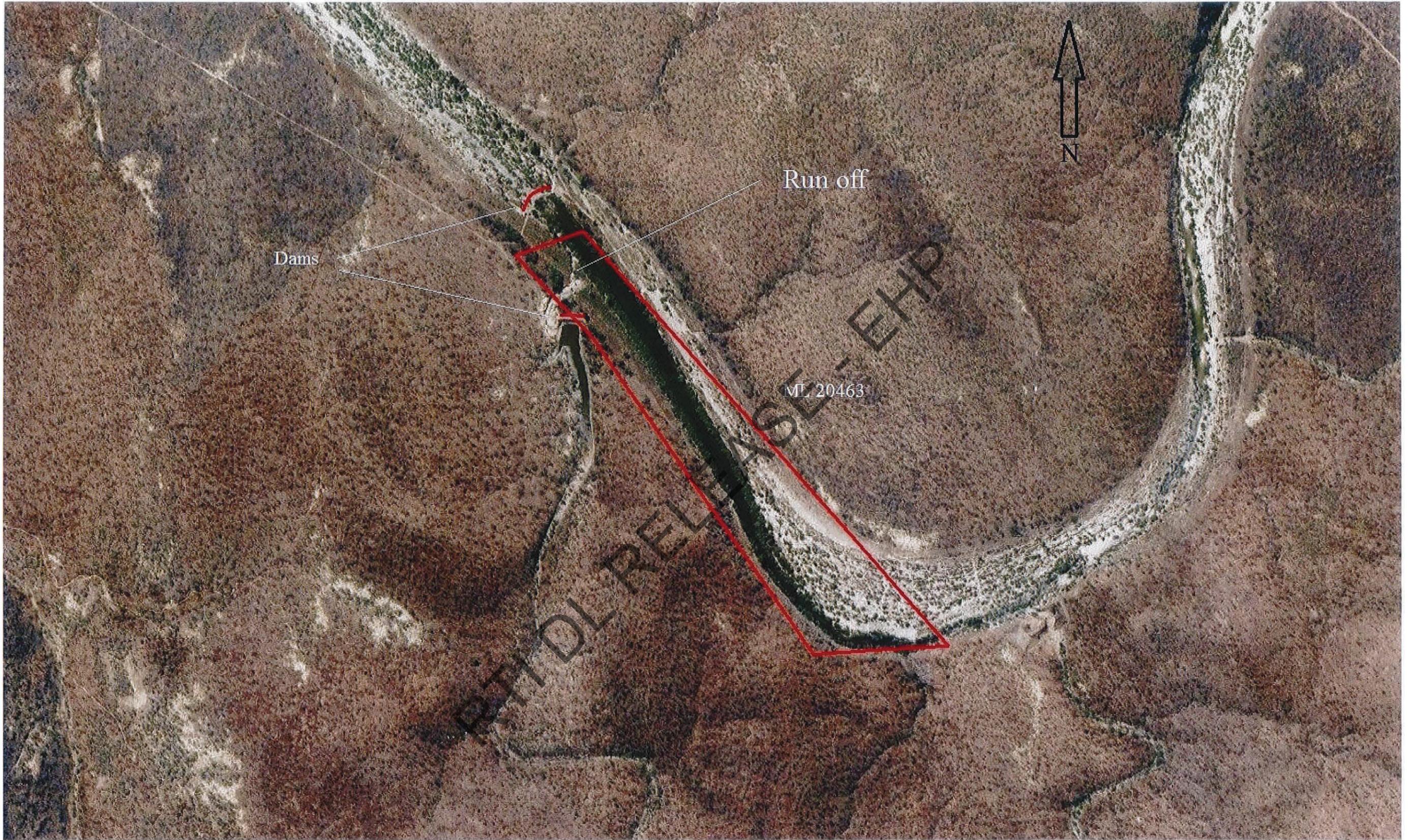
Our dam walls are going to be on average 1mtr (absolute maximum 2mts) in height, 8 metres long and 2.5 meters wide. The dams will be installed at the end of the wet season; they will not interrupt the normal flow of water. These dams will not affect the biodiversity as we will put pipes in to allow the free movement. These dams are non referable and non hazardous. I will contact the Dept of Natural Resources to find out what licensing is likely to be required.

I get the opinion from our conversations that you are more concerned about keeping nitial happy than keeping to the Code of Environmental Compliance for Mining Lease Projects or are looking for rules in the Code of Environmental Compliance for Mining Lease Projects to support there claims.

In review of the code, our operations are well within the code and well within our submitted plan of operations. I would be most grateful if you could advise the people making the complaint accordingly and forward me a copy of your letter to them.

Yours sincerely
Mike Collins

sch4p4(6) Personal information



Dams

Run off

ML 20463



PT/DIREKTORAT/GE/DEHP

Image date 13/06/2011



Run off

Dams

ML20462

RTI DILEKLE SLEP



CNS 5641 d



From: SHARPE Dean [Dean.Sharpe@ehp.qld.gov.au]
Sent: Wednesday, 19 November 2014 5:07 PM
To: GIBBS Teale
Subject: FW: Complaint

Teale

I have recovered some e-mails relating to the original complaint handled by Glenn Kvassay.

Happy to discuss.

Thanks

Dean Sharpe
Manager (Assessment) Minerals
Environmental Services and Regulation
Department of Environment and Heritage Protection
Level 3 | 5b Sheridan Street| Cairns
Tel 07 4222 5325
dean.sharpe@ehp.qld.gov.au
www.ehp.qld.gov.au

ehp-email-signature



From: Glenn Kvassay
Sent: Tuesday, 19 December 2006 12:01 PM
To: Mike Collins
Cc: Dean Sharpe
Subject: Complaint

Mike,

Thank you for clarifying the issues raised the other day.

I would like to confirm that you may construct in-stream settlement ponds as long as you comply with the code. You have indicated that you will construct these in accordance with the code and have noted the requirements for alluvial miners (conditions 39 through to 46).

As discussed the other day you have agreed to remove the embankment walls and sediments downstream of your present site, and to add a through pipe on the main crossing over the river.

In regard to the construction of instream storages (including crossings which store water upstream), you are reminded that they must be constructed in accordance with condition 23, and appendix B of the code which has a number of requirements for the construction, maintenance and decommissioning of dams.

Please advise the agency when the embankments/through pipe work has been completed. Once the works have been completed we will contact the complainant of the actions you have undertaken.

Please note that ^{sch4p4(6)} Personal information

and any further enquires can be directed to Dean Sharpe ^{s78B(2)} - Privacy

Regards

Glenn Kvassay

Senior Environmental Officer
Northern Region - Environmental Operations
Environmental Operations Division
Environmental Protection Agency
Ph: (07) 4046 6735
Fax: (07) 4046 6606
E-mail: glenn.kvassay@epa.qld.gov.au
Visit us online at www.epa.qld.gov.au

From: Mike Collins sch4p4(6) Personal information
Sent: Thursday, 14 December 2006 8:10 AM
To: Glenn Kvassay
Subject: Letter to EPA re s78B(2) - Confidential complaints.doc

M Collins
sch4p4(6) Personal information

13/12/06

By email original by post

EPA
PO Box 2066
Cairns 4870

Attention:
Glenn Kvassay
Senior Environmental Officer
Northern Region - Environmental Operations
Ph: (07) 4046 6735
Fax: (07) 4046 6606
E-mail: glenn.kvassay@epa.qld.gov.au

Dear Sir

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- Do not divert the normal channel flow so as to cause erosion of the stream banks
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- And ensure the top of the bund wall is at least 300mm below the lower bank of the normal flow channel.

Conditions 41 to 46 we are well in adherence to.

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We have had Cultural Heritage clearance as required and are working within the terms of an Indigenous Land Use Agreement. I have also told s78B(2) - Confidential that if they have any issues about my activities to let me know and I will do my best to work in with them.

Another issued raised was the 2 causeways we have in and the planed construction of small dams in the water course for the purpose of ponding raw water for our mining operations.

Our dam walls are going to be on average 1mtr (absolute maximum 2mts) in height, 8 metres long and 2.5 meters wide. The dams will be installed at the end of the wet season; they will not interrupt the normal flow of water. These dams will not affect the biodiversity as we will put pipes in to allow the free movement. These dams are non referable and non hazardous. I will contact the Dept of Natural Resources to find out what licensing is likely to be required.

I get the opinion from our conversations that you are more concerned about keeping s78B(2) - Confidential happy than keeping to the Code of Environmental Compliance for Mining Lease Projects or are looking for rules in the Code of Environmental Compliance for Mining Lease Projects to support there claims.

In review of the code, our operations are well within the code and well within our submitted plan of operations. I would be most grateful if you could advise the people making the complaint accordingly and forward me a copy of your letter to them.

Yours sincerely
Mike Collins

RTI DL RELEASED EHP

From: SHARPE Dean [Dean.Sharpe@ehp.qld.gov.au]
Sent: Wednesday, 19 November 2014 5:07 PM
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Manager (Assessment) Minerals
Environmental Services and Regulation
Department of Environment and Heritage Protection
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Tel 07 4222 5325
dean.sharpe@ehp.qld.gov.au
www.ehp.qld.gov.au

ehp-email-signature



From: Dean Sharpe
Sent: Friday, 15 December 2006 10:45 AM
To: Glenn Kvassay
Subject: RE: Letter to EPA re s78B(2) - Confidential complaints.doc

Glenn

We can review this next week.

Dean Sharpe
Principal Environmental Officer
Cairns District Northern Region
Environmental Operations Division
Environmental Protection Agency
Phone: (07) 4046 6725 Fax: (07) 4046 6606
E-mail: dean.sharpe@epa.qld.gov.au

Visit us online at www.epa.qld.gov.au

From: Glenn Kvassay
Sent: Thursday, 14 December 2006 2:05 PM
To: Dean Sharpe
Subject: FW: Letter to EPA re George Arthurs complaints.doc

Hi Dean,

This is an email I received from Mike today. When I spoke to him yesterday, he advised he now proposes to add an additional 5 walls instream (for ponding water) for water supply. I need to have a chat to you about instream storages and the code before I get back to him.

He agreed to remove the D/S walls and sediment. He challenged having to put a pipe through the crossing, but has agreed to do it to resolve the issue.

I will call you tomorrow to discuss.

Glenn

Glenn Kvassay

Senior Environmental Officer
Northern Region - Environmental Operations
Environmental Operations Division
Environmental Protection Agency
Ph: (07) 4046 6735
Fax: (07) 4046 6606
E-mail: glenn.kvassay@epa.qld.gov.au
Visit us online at www.epa.qld.gov.au

From: Mike Collins sch4p4(6) Personal information
Sent: Thursday, 14 December 2006 8:10 AM
To: Glenn Kvassay
Subject: Letter to EPA re s78B(2) - Confidential complaints.doc

sch4p4(6) Personal information M Collins

13/12/06

By email original by post

EPA
PO Box 2066
Cairns 4870

Attention:

Glenn Kvassay

Senior Environmental Officer
Northern Region - Environmental Operations
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RTI DL RELEASE - EHP

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We have had Cultural Heritage clearance as required and are working within the terms of an Indigenous Land Use Agreement. I have also told the aboriginals that if they have any issues about my activities to let me know and I will do my best to work in with them.

Another issued raised was the 2 causeways we have in and the planned construction of small dams in the water course for the purpose of ponding raw water for our mining operations.

Our dam walls are going to be on average 1mtr (absolute maximum 2mts) in height, 8 metres long and 2.5 meters wide. The dams will be installed at the end of the wet season; they will not interrupt the normal flow of water. These dams will not affect the biodiversity as we will put pipes in to allow the free movement. These dams are non referable and non hazardous. I will contact the Dept of Natural Resources to find out what licensing is likely to be required.

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Yours sincerely
Mike Collins