From:

Jon Black (Energy and Water Supply)

Sent:

Wednesday, 29 January 2014 8:32 PM

To:

Jon Grayson

Cc:

Andrew.Powell@ministerial.qld.gov.au; troy.collings@ministerial.qld.gov.au

Subject:

Points on Qld Nickel for Premier's Visit to Townsville

Attachments:

EHP Points Qld Nickel - 29 Jan 14.docx

To: DG DPC

Cc:

Minister EHP CofS Minister EHP DDG ESR

ΕO

Dear Jon,

RE: Points on Qld Nickel for Premier's Visit to Townsville

As discussed this evening, attached is a brief to inform the Premier about the latest situation with QN refinery at Yabulu.

Please call if you require further clarification.

Regards, Jon

Jonathan (Jon) PC Black

Director-General

Department of Environment & Heritage Protection

Queensland Government

Level 13, 400 George Street

Brisbane 4000

Telephone 07 3330 6297

Email jon.black@ehp.qld.gov.au

Website www.ehp.qld.gov.au



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The information in this email together with any attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. There is no waiver of any confidentiality/privilege by your inadvertent receipt of this material.

Queensland Nickel

- The Queensland Nickel(QN) Yabulu Refinery has been operating since the mid-1970s.
- In January 2013 EHP approved a transitional environmental program (TEP) for QN to undertake actions at the Yabulu Nickel Refinery to improve water management.
- The TEP consisted of a number of milestones which included an assessment of the options to achieve the required spill risk before the 2013/2104 wet season.
- The assessment was completed in April 2013 and recommended that a lift to the Tailings Storage Facility (TSF) in combination with improved stormwater control was necessary to achieve the required spill risk.
- It was also a requirement of the TEP to implement the preferred option to achieve the spill risk prior to the expiry date of the TEP, 2 December 2013.
- On the 18 June 2013, QN advised EHP that the TSF wall lift would take approximately 11 months and could not be completed prior to the 2013/2104 web season.
- On 29 November 2013, QN submitted an application to extend the completion date for the TSF wall lift from 29 November 2013 to 5 December 2014.
- EHP refused this application on 18 December 2013.
- On 13 December 2013 QN submitted the final TEP report which showed that QN had completed all other milestones with the exception of the TSF wall lift.
- The report also outlined the planning, engineering and construction impediments to completion of the TSF within the timeframe requirements of the TEP. In addition it outlined the risks associated with type of construction activity in the wet season.
- EHP completed the review of the facts and circumstances in relation to the noncompliance with the TEP and has issued QN with a Penalty Infringement Notice.

Spill Risk

- While the TSF did not meet the required spill risk, there is substantial water storage available in the TSF and associated infrastructure.
- Current advice from QN is that they can contain on site in excess of an average Townsville wet season which is approximately 750 mm of rain.
- The last EHP compliance site inspection was 10 Jan 14.
- Officers have assessed the spill risk associated with the current TC Dylan forecast plus storm surge and concluded that the TSF has sufficient buffer storage. This risk will be re-assessed if there are likely heavy follow on rainfall combined with further storm surges.
- While the new Environmental Authority issued for the site allows one year to meet the
 design storage allowance for the TSF, QN must meet all other conditions of the
 environmental authority. This includes conditions that require any release from site to
 meet water quality criteria to ensure the risk of environmental harm is minimised.
- QN has committed to the TSF wall lift during the 2014 dry season to ensure compliance
 with the new Design Storage Allowance specified in the environmental authority for the
 site. EHP has and will continue to closely monitor the situation with the tailings storage
 facility throughout the course of the 2013/14 wet season and will continue to closely
 monitor compliance with the new Environmental Authority.
- EHP will take strong enforcement action if QN breaches any conditions of the Environmental Authority.

Environmental Authority Amendments (Background Information)

An amended EA which raises the bar considerably for this site was issued in November last year and represents a very significant improvement in terms of the required environmental performance of the refinery.

- In negotiating the amendments, EHP was very conscious of the communities concerns around the environmental performance of the refinery and has gone to considerable effort to make sure these community concerns were addressed. For example:
 - The community has expressed concerns about water management at the refinery. EHP has addressed these concerns by amending the conditions relating to stormwater management to significantly improve stormwater management practices and impose criteria about the quality of stormwater water that can be released from the refinery. EHP has also included conditions relating to the operation of the dams at the site to ensure that the dams are operated according to current standards.
 - The community has expressed concerns about the safety of the dams at the refinery. EHP has addressed these concerns by including a requirement for an annual dam safety inspection by a Registered Professional Engineer of Queensland. This will ensure that if there was a safety issue with the dams it can be quickly identified and fixed.
 - o The community has expressed concerns about leakage from the dam impacting on the environment. EHP has addressed these concerns by including comprehensive monitoring requirements for surface waters and groundwater as well as a requirement for a receiving environment monitoring program to continually assess the environmental impacts of the refinery over the long term.
 - The community has expressed concerns about dust emissions from the refinery.
 EHP has addressed these concerns by including new requirements for ambient air quality monitoring and a range of new emission limits for dust.

These are examples of how EHP has raised the bar on environmental regulation for the Yabulu refinery and taken heed of the communities concerns.

• The amended Environmental Authority does include transitionary provisions for the existing dams at the site in terms of how the available storage requirement is calculated. It could be perceived that these provisions are a concession as they provide a period of twelve months for the dams to transition to the new design storage requirements. However, it is important to note that all other conditions in the EA are in force and must be complied with during the dam transition period.

- The onus for managing the risk of a spill and complying with the EA conditions remains firmly with Queensland Nickel.
- EHP has and will continue to closely monitor the situation with the tailings storage facility throughout the course of the 2013/14 wet season.

Ocean Outfall

- QN do not currently have the required joint approval (Commonwealth & State Marine Park) to discharge into the marine park via the ocean outfall.
- Secondly, water is not permitted to be released from the Yabuiu Refinery under its new EA unless it meets strict quality criteria which have been developed to prevent environmental harm from occurring.

From:

Jon Grayson

Sent:

Wednesday, 29 January 2014 9:15 PM

To:

Campbell Newman; Lee Anderson

Subject:

Fwd: Points on Qld Nickel for Premier's Visit to Townsville

Attachments:

image001.jpg; ATT00001.htm; EHP Points Qld Nickel - 29 Jan 14.docx; ATT00002.htm

Premier

Attached is a note I requested from DG EHP regarding risks associated with the Qld Nickel tailings dams.

QN is subject to a Transitional Environmental Program to improve water quality and specifically to reduce spill risk by raising the dam wall level by 2/12/13. QN failed to meet this deadline (and sought an extension on 29/11/13). A penalty infringement notice was issued - the fine is minimal (just over \$2k).

Notwithstanding this, the dams have been assessed as having sufficient capacity to cope with more than the expected rains and storm surge (in fact it can hold more than TVL's annual rain of 750mm). The spill risk has therefore been assessed by EHP as low.

A site compliance inspection occurred recently (10/1/14).

Note that QH is also subject to strict water quality criteria for any water that is released.

I hope your trip is successful.

JDG

Sent from my iPhone

Begin forwarded message:

From: "Jon Black (Energy and Water Supply)" < jon.black@ehp.qld.gov.au>

Date: 29 January 2014 8:31:44 pm AEST

To: Jon Grayson < jon. Grayson@premiers.qld.gov.au>

Cc: "Andrew.Powell@ministerial.gld.gov.au" <Andrew.Powell@ministerial.gld.gov.au>,

"troy.collings@ministerial.qld.gov.au" < troy.collings@ministerial.qld.gov.au >

Subject: Points on Qld Nicke for Premier's Visit to Townsville

To: DG DPC

Cc:

Minister EHP

CofS Minister EHP

DDG ESR

ΕO

Dear Jon,

RE: Points on Old Nickel for Premier's Visit to Townsville

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Please call if you require further clarification.

Jonathan (Jon) PC Black

Director-General
Department of Environment & Heritage Protection
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Level 13, 400 George Street
Brisbane 4000
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Email jon.black@ehp.qld.gov.au
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From:

Jon Grayson

Sent:

Wednesday, 29 January 2014 9:31 PM

To:

Jon Black (Energy and Water Supply)

Cc:

Andrew.Powell@ministerial.qld.gov.au; troy.collings@ministerial.qld.gov.au

Subject:

Re: Points on Qld Nickel for Premier's Visit to Townsville

Thanks Jon. Can you clarify a couple of points please?

-is there any concern about the structural integrity of the dam wall?

-strict water quality criteria apply to releases. Does this mean tailings are treated and treated water released? Where is water released to? (It can't be released in to the marine park.). What is the sanction if quality criteria are not met?

-was the TEP agreed by QN or imposed? Was it developed in collaboration with GBRMPA?

Thanks

JonDG

Sent from my iPhone

On 29 Jan 2014, at 8:32 pm, "Jon Black (Energy and Water Supply)" < jon.black@ehp.qld.gov.au > wrote:

To: DG DPC

Cc:

Minister EHP CofS Minister EHP DDG ESR EO

Dear Jon,

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Regards, Jon

Jonathan (Jon) PC Black

Director General

Department of Environment & Heritage Protection

Queensland Government

Level 13, 400 George Street

Brisbane 4000

Telephone 07 3330 6297

Email jon.black@ehp.qld.gov.au

Website www.ehp.qld.gov.au

Please consider the environment before printing this email

From:

Jon Grayson

Sent:

Wednesday, 29 January 2014 9:34 PM

To:

Adrian Jeffreys

Cc:

David Hourigan

Subject:

Fwd: Points on Qld Nickel for Premier's Visit to Townsville

Attachments:

image001.jpg; ATT00001.htm; EHP Points Qld Nickel - 29 Jan 14.docx; ATT00002.htm

Adrian- FYI. I will also forward my follow up questions.

JDG

Sent from my iPhone

Begin forwarded message:

From: "Jon Black (Energy and Water Supply)" < jon.black@ehp.qld.gov.au

Date: 29 January 2014 8:31:44 pm AEST

To: Jon Grayson < Jon. Grayson@premiers.qld.gov.au >

Cc: "Andrew.Powell@ministerial.qld.gov.au" < Andrew.Powell@ministerial.qld.gov.au >,

"troy.collings@ministerial.qld.gov.au" <troy.collings@ministerial.qld.gov.au>

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Queensland Government

Level 13, 400 George Street

Brisbane 4000

Telephone 07 3330 6297

Email jon.black@ehp.qld.gov.au

Website www.ehp.qld.gov.au

From:

Jon Grayson

Sent:

Wednesday, 29 January 2014 9:35 PM

To: Cc: Adrian Jeffreys

David Hourigan

Subject:

Fwd: Points on Qld Nickel for Premier's Visit to Townsville

Sent from my iPhone

Begin forwarded message:

From: Jon Grayson < Jon. Grayson@premiers.qld.gov.au>

Date: 29 January 2014 9:30:33 pm AEST

To: "Jon Black (Energy and Water Supply)" < jon.black@ehp.qld.gov.au>

Cc: "Andrew.Powell@ministerial.qld.gov.au" < Andrew.Powell@ministerial.qld.gov.au >,

"troy.collings@ministerial.qld.gov.au" <troy.collings@ministerial.qld.gov.au>

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-was the TEP agreed by QN or imposed? Was it developed in collaboration with GBRMPA?

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Cc:

Minister EHP

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ĐDG ESR

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Email jon.black@ehp.qld.gov.au
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<image001.jpg>

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<EHP Points Qld Nicke! - 29 Jan 14.docx>

From:

Jon Black (Energy and Water Supply)

Sent:

Wednesday, 29 January 2014 9:36 PM

To:

Dean Ellwood

Cc:

Jon Grayson; Rob Lawrence

Subject:

Fwd. Points on Qld Nickel for Premier's Visit to Townsville

Dean - please see below- can we get answers ASAP please -

My answers:

Yes

Yes and yes if not met, cannot release

Yes but no to grmpa (I recall raising this matter)

But please check.

Jon

Jon Black

Director-General

Department of Environment and Heritage Protection

Mob:

S.73 Telephone I

Begin forwarded message:

From: "Jon Grayson" < Jon. Grayson@premiers.qld.gov.au

Date: 29 January 2014 9:30:33 PM AEST

To: "Black Jon" < jon.black@ehp.qld.gov.au>

Cc: <Andrew.Powell@ministerial.qld.gov.au>, <trey.collings@ministerial.qld.gov.au>

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<EHP Points Qld Nickel - 29 Jan 14.docx>

From:

Jon Grayson

Sent:

Wednesday, 29 January 2014 9:40 PM Jon Black (Energy and Water Supply)

To: Cc:

Dean Ellwood; Rob Lawrence

Subject:

Re: Points on Qld Nickel for Premier's Visit to Townsville

Thx Jon. If yes to concerns about structural integrity, does your assessment of low risk relate only to dam overflowing? If so, is the risk of the wall failing a high risk and is it increased by the forecast weather?

JDG

Sent from my iPhone

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Director-General

Department of Environment and Heritage Protection

Mob:

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From: "Jon Grayson" < Jon Grayson@premiers.qld.gov.au>

Date: 29 January 2014 9:30:33 PM AEST

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Cc: < Andrew.Powell@ministerial.qld.gov.au >,
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<EHP Points Qld Nickel - 29 Jan 14.docx>



From: Sent: **Daniel Barrett**

Sent: To: Subject: Thursday, 14 November 2013 7:11 AM 'Francis.Quinlivan@ministerial.qld.gov.au'

Daily Report - 14 November

Mediaportal Alert

Daily Report - Francis Quinlivan (9 items)



[continued] Austin asks Newman about why Clive Palmer split from ...

612 ABC Brisbane, Brisbane, Mornings, Steve Austin Duration: 8 mins 55 secs - ID: W00055246344

13 Nov 2013 9:50AM

[continued] Austin asks Newman about why Clive Palmer split from his side of politics, despite being involved with the LNP. Newman says Palmer tried to 'preferential treatment from my Government'. Newman mentions he told Palmer he would welcome mining and investment in tourism, but he had to follow the process everyone else followed. Newman adds that in meetings with Jeff Seeney and himself, he became more agitated. Newman mentions he wrote to the CMC to investigate himself, and not Palmer. Austin asks Newman about whether Palmer turned up with his own form of a Galilee Basin project. Newman shares a story from July 2012 where he was at a Liberal Party conference at the Sofitel Hotel, and he recaps details of a meeting with Palmer, Bruce McIvor, and Chief of Staff Ben Myers. Newman mentions Palmer showed details of his proposed Palmer Coolum Resort. Newman adds the plan had radical plans of buildings on sand dunes, monorail going to the airport, and a casino license on public land. Newman insists Palmer often says things that are untrue and misleading, and he explains how Palmer wanted to discharge nickel refinery pollutions to the Great Barrier Reef. Newman mentions Andrew Powell and his team are seeking action by the Palmer companies to ensure some dams can safely hold material. Newman criticises Palmer's job promises, and the railway line. Austin asks Newman about a deal with GVK Hancock, and Newman adds there always should be one single rail corridor.

Interviewees

Campbell Newman, Queensland Premier

__ AUD 7,432 ASR

34,000 ALL

15,000 MALE 16+ 19,000 FEMALE 16+

Local commuters will benefit from more trains

Nambour Weekly, Nambour QLD, General News

07 Nov 2013

Photo: No - Type: News Item - Size: 86.16 cm² - ID: 221873991

MORE than 200 additional train services a day will be added to the south-east Queensland network from January 20 next year.

Member for Glass House Andrew Powell said residents in the Glass House electorate would benefit as part of the major timetable overhaul across south-east **Queensland**.

"This is a great result for local commuters, with two new express services between Nambour and

Brisbane," he said. "The new timetable will boost frequency and extend current services, with more than 234 train services to be provided between Nambour and Brisbane's CBD each week. "There will be a new inbound morning service departing Nambour station at 5.07am and arriving at Central station at 6.53am, and a new afternoon outbound service to depart Central station at 4.22pm and arrive at Nambour station at 6.10pm." The new services will run express between Caboolture and Northgate, with the afternoon peak service an express between Bowen Hills and Northgate. It will start on Monday, January 20. "Public transport users can expect improved connections, better connections, better reliability and more frequent services," Mr Powell said. Queensland Rail and TransLink will host information sessions at stations in the coming months. For more information, visit www. translink.com.au. Copyright Agency licensed copy (www.copyright.com.au) Download print article AUD 107 ASR 11,036 CIRCULATION Local independence Nambour Weekly, Nambour QLD, General News 07 Nov 2013 Page 18 - 91 words Photo: No - Type: News Item - Size: 39.75 cm2 - ID: 221874059 MEMBER for Glass House Andrew Powell has congratulated Palmwoods on being named among 54 Queensland state schools to adopt the Independent Public Schools model from the start of 2014. Mr Powell said the local schools were selected from more than 100 expressions of interest statewide. "As an Independent Public School, Palmwoods State School will be well-placed to benefit from increased autonomy to deliver the best possible outcomes for their students and this community," Mr Powell said. "The government is investing \$21 million in establishing 120 Independent Public Schools by 2016." Copyright Agency licensed copy (www.copyright.com.au) Download print article AUD 49 ASR 11,036 CIRCULATION

Woodford Art Show

Kilcoy Sentinel, Kilcoy QLD, General News

07 Nov 2013

Page 10 - 475 words

Photo: Yes - Type: News Item - Size: 886.12 cm² - ID: 222438731

one arriving early to enjoy themselves.

Greg Chippendale and Adrian Raedel opened the evening.

Greg commenting on how well we have done over the years and that we have been going for twenty years.

Then it was Adrian Raedel's turn to say a few words on the group and how the club has gone from strength to strength over the years.

Poet. He recited one of his poems for the evening which was enjoyed by one and all. He then introduced Bobby Winkle who is the President to say a few words.

Bobby thanked all for coming thanked the artist who participated then went on to thank the sponsors as well as every one who helped in the organising of the art show.

Hazel Nichols The State Member Andrew Powell was also in attendance and said how well the exhibition looked.

Hazel Nichols made a beautiful cake for the occasion and we also had photos and newspaper clippings from over the years on display.

Then it was over to Mark Thelman who was the emcee for the evening, and who is also a very good bush received flowers for all the help she has down over the years and all the help she put in to this exhibition.

Dalerie Paterson was the judge for the painting and drawing section of the exhibition, and is the technical editor of the Artist Palette magazine.

There was a very good showing this year from the people who entered.

This year we had a photography section, which attracted quite a number of entrants.

The peoples choice went this year to Craig Rankmore for his painting called Barramundi Dreaming.

People commented how well everything looked, the art work was exceptional.

Well the Woodford Community Art Groups's Art Show got off to a great start on Friday night (18 October). It was the place to be, with every

Water Colour: 1st Dana Boyd (Papa Meilland Rose) Members Work: 2nd Veronica Nichols Racheal Craig & Va! Lemmin

Caption Text:

Jule Varten (Lollipop Land) & Adrian Raede! at the Woodford Art Exhibition

Shirley Armstrong, Sharon Adams, Roni Nichols & Kaye Burton

Sharon Hail bought one of Bobby Winkel~s painting at the Woodford Art Exhibition

Acrylic 2rd Rose Van Oyen (Sailing)

Members Work: 1st Bobby Winkle

Stephen Hall (Woodford Fruit Shop) brought one of the paintings that went up for auction

Water Colour: 2nd Ellen Adriaansen (Dogs at Play)

Leonie Gray, Haze! N!chols & Betty Sippel

Rose Van Oyen with some of her ceramics at the Woodford Art Exhibition

Dawn Evans & Dana Boyd at the Woodford Art Exhibition

Andrew Clews & Andrew Powell having a chat at the Woodford Art Exhibition

LeonhiGray, Betty Sipple, Sandy Van Scherpenseel & Hazel Nichols cutting the 20' Anniversary cake Annette Van Rhyn stood in for Tim Lynch who was the Photographic judge who could not make it to the presentation ceremony

Or Adrian Paedel Annette Van Rhyn Robby Winkel Andrew Politicall MP- Denuty mayor Mike

Newman claims Palmer sought 'preferential treatment' 1,500 circulation 13 Nov 2013	Charlton & Cr Greg Chippendale 3rd in the Photography section Judy Hewitt (Another Day)	
Newman claims Palmer sought 'preferential treatment' Brisbane Times, rss.feedsportal.com 13 Nov 2013 752 words ID: 222848742 One year ago the LNP and Clive Palmer were duking it out in the press. One year on nothing has changed. Having broken the seal on his self-imposed ban on speaking about Mr Palmer, Premier Campbell Newman shows no sign of running out of steam on the. Read on source website AUD 87 ASR 23,750 UNIQUE DAILY VISITORS 179 AV. STORY AUDIENCE Clive Palmer's refinery in government's sights Brisbane Times, www.brisbanetimes.com.au 13 Nov 2013 S502 words ID: 222928280 Clive Palmer's Townsyllie nickel refinery has less than a month to meet the government's environmental requirements. But the government is yet to work out the consequences if Queensland Nickel fails to meet its deadline. The Department of Environment	Copyright Agency licensed copy (www.copyright.com.au)	
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NEWMAN APPLAUDED FOR CUTS

Daily Mercury, Mackay QLD, CQ Industry

14 Nov 2013

Page 22 - 131 words

Photo: No - Type: News Item - Size: 47,56 cm² - ID: 222523547

THE Queensland Resources Council has called out the "unrelenting leadership" of Premier Campbell Newman and support of Deputy Premier Jeff Seeney and Environment Minister Andrew Powell in welcoming a landmark agreement with the Commonwealth to streamline major project approval processes.

Commenting on the signing of a Memorandum of Understanding between the governments, Queensland Resources Council acting chief executive Greg Lane said Premier Newman set his sights on ending inefficient and duplicative approval processes during the 2012 State Election campaign. "Mr Newman made it very clear to QRC members that his focus was on securing the best environmental outcomes for the state," Mr Lane said. "Moreover, it's refreshing to see the Qld and Australian Governments working together, rather than at loggerheads, over duplicative processes used too often in the past for political motives."

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AUD 205 ASR

11,798 CIRCULATION

Seeney vow over Palmer

Gold Coast Bulletin, Gold Coast QLD, General News, Sarah

14 Nov 2013

Vogler Jason Tin
Page 2 - 366 words

Photo: Yes - Type: News Item - Size: 202.31 cm² - ID: 222935025

DEPUTY Premier Jeff Seeney will make public his dealings with billionaire MP Clive Palmer during the final sittings of State Parliament next week, including a meeting at which he says the magnate presented him with draft regislation.

It is the latest in the escalating public stoush between the new Federal MP and the Newman government following a falling out last year which saw Mr Palmer quit the LNP and form his own political party.

"Clive Palmer did indeed present me with a draft Bill to introduce to Parliament to further his own business interests," Mr Seeney (pic- tured) said.

"I will be making a statement on this and pro-viding com-plete details of my contact with Mr Palmer in the Queensland Parliament next week." Earlier this month claims were made that Mr Palmer had presented Mr Seeney with draft legislation he wanted the Newman government to enact during a meeting to discuss approval of his Galilee Basin projects.

Mr Palmer, however, denies the claim.

Yesterday Mr Newman defended himself against claims being made by Mr Palmer about himself and his government.

He revealed details of meetings he held with Mr Palmer, including a breakfast meeting in Melbourne last year during which he said he felt pressured to say yes to the husinessman's major development

plans for his Coolum resort, which Mr Newman said included multiple highrise buildings and a possible casino licence.

"He was proposing to build stuff on public land owned by the people of Queensland and I felt as a significant member of the party that I was under quite a lot of pressure to somehow say yes at this meeting," Mr Newman said.

"I was respectful but tried to convey to him my concerns with what he was proposing.

"I was concerned he was proposing a development on public land. I also indicated the government had no policy position at that stage on a casino licence." Mr Newman also rejected claims Mr Palmer had held a fund-raiser for him and raised concerns about Mr Palmer's Townsville nickel refinery.)

Environment Minister Andrew Powell said Queensland Nickel had until December 2 to address major water accumulation issues at the Yabulu Refinery with fears toxic water held at the mine could destroy nearby wetlands and spill out into the Great Barrier Reef

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AUD 1,277 ASR
31,017 CIRCULATION

Dam fears spill over

Townsville Bulletin, Townsville QLD, General News, David □ Sparkes

14 Nov 2013

Page 4 - 540 words

Photo: No - Type: News Item - Size: 516,08 cm2 - 1D: 222958533

david.sparkes~news.com.au

A BUSHLAND Beach resident has criticised QNI re finery and the State Government for leaving the community in the dark about potential damage if Yabulu tailings dam overflows thiE wet season.

Rosalie McDonald said shifeared for the wetlands and coastline around her hom and demanded information on the state of the dam.

"There has been nothing said of the pollution," Mn McDonald said.

"There have been a leasticles (in the media), bat there is not much information. I'm concerned that people don't seem to kno- about it." The nickel refinery, owned by new Fairfax MP Clive Palmer, has come under renewed scrutiny after a report revealed the Department for Environment and Heritage Protection considered the dam was still a "spill risk".

Environment Minister Andrew Powell told the Bulletin Mr Palmer should be aware of how serious the situation was at the tailings dam, because he said last year that "wetlands would be destroyed, the fish breeding grounds would be destroyed" if a spill occurred.

in January this year the Government approved a Transitional Environmental Program for Queensland Nickel to address the issues, with a December 2 deadline.

Officers from the **department** have been in "regular discussion" with QNI, including a recent compliance inspection of the site.

QNI has had some success in improving the situation, including reducing the amount of water in the dam, but a requirement of the agreement was to lift the storage level higher and that will not be

"Under the (agreement), Queensland Nickel is working to further reduce the risk of a spill from the tailings storage facility and increase contaminated water storage capacity for the 2013-14 wet season," the department spokesperson said.

"A lift to the tailings storage facility, in combination with improved stormwater control, is necessary to provide a spill risk of less than 1 per cent through the 2013-14 wet season.

"Queensland Nickel has carried out a range of works to improve water management under the terms of the (agreement), however the company has indicated there is not sufficient time to carry out a lift to the tailings storage facility." QNI did not respond to questions yesterday about the likelihood of the dam overflowing this wet season, or whether there was a contingency plan if it did.

Instead, the company resent a statement it released on Friday, in which Mr Palmer said QNI was "legally compliant with respect to its tailings dams and environmental management". "G-NI is committed to the protection of both the environment and our local community," he said.

Mr Palmer said News Corp, which owns the Bulletin, had "continually attacked him with misleading reports regarding the refinery".

Mrs McDonald said she also wanted Townsville City Council to provide information.

"Toxic sludge and water pose a threat to residents and recreational fishing, not to mention the Reef and the tourist industry," she said.

"Prices for real estate along the northern beaches will plummet (if there is a serious spill) and this scenario will lose more jobs than the closure of the refinery.

"But if the refinery stays and is a continued place of employment, the toxic effluent and air pollution must be addressed."

Caption Text:

There has been nothing said of the pollution Rosalie McDonald TELL US: Bushland Beach resident Rosalie McDonald says the community deserves to know the risks if the Yabulu tailings dam leaks. Photo: MEGAN TAYLOR

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AUD 3,132 ASR

22,551 CIRCULATION

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