



Crown Law  
Queensland Government

QUEENSLAND FLOOD COMMISSION OF INQUIRY  
– STATE REPRESENTATION

DPC  
STATEMENT OF JOHN BRADLEY

Volume 1 of 2

Requirement no. 1751169

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CRS/PRE052/1856/LAP

**QFCI**

Date:

10/11/11

jm

Exhibit Number:

950

**QUEENSLAND FLOODS**  
**COMMISSION OF INQUIRY**

**STATEMENT OF JOHN NEVILLE BRADLEY**

I, **JOHN NEVILLE BRADLEY** of c/o- 100 George Street, Brisbane in the State of Queensland, Director-General, Department of Premier and Cabinet (DPC), solemnly and sincerely affirm and declare:

**Requirement from Queensland Floods Commission of Inquiry**

1. I have seen a copy of a letter dated 14 October 2011, which is attachment **JNB-01**, from the Commissioner, Queensland Floods Commission of Inquiry to me requiring a written statement under oath or affirmation, and which details the topics my statement should cover.

**Role**

2. I am currently the Director-General of the Queensland Government Department of the Premier and Cabinet having commenced on 6 June 2011. Before becoming the Director-General of DPC I was the Director-General of the Queensland Government Department of Environment and Resource Management (DERM) from 26 March 2009 when DERM was established.
3. I was on leave from 25 December 2010 to the afternoon of Tuesday 11 January 2011 when I returned from leave early. However I did make and receive relevant telephone calls and emails during some of this time.

**Item 1: a summary of all personal contact with any mining company or other resources company between 1 October 2010 and 31 July 2011 in his capacity as Director-General of the Department of Environment and Resource Management regarding water management at:**

4. I have requested that searches be conducted of my computerised diary, my emails and the records at DERM to provide the information required by the Commission of Inquiry. This material has been collected, collated, summarised and compiled into two chronologies that outline the personal contact that I have had regarding water management during the relevant period. Sometimes water management was the sole purpose for the contact and at other times it was one of many topics discussed.
5. The first chronology summarises my meetings, teleconferences and functions and is attachment **JNB-02**. **JNB-02** lists the meetings, teleconferences and functions that I had or attended with the relevant people and refers to bundles of documents

that are relevant to those occasions. The bundles of documents are separately identified and attached to **JNB-02**. The bundles include briefing notes for meetings, meeting agendas, emails about meetings, emails written to me to prepare for meetings and my computerised diary entries for the meetings. The computerised diary entries show invitees to meetings but the entries may not accurately reflect who attended the meeting and it appears that some meetings were postponed to other days and not held on the day nominated in the diary entry. However, I have provided all of the diary entries for completeness.

6. The second chronology is a summary of personal correspondence between me and the relevant companies and people. It is attachment **JNB-03** and it lists the threads of personal emails and mailed correspondence. The emails threads and correspondence are separately identified and attached to **JNB-03**.
7. The chronologies are as accurate as possible however there may have been other contact with relevant parties that has not been captured by the searches undertaken and that I do not specifically recall.

**Item 2: in particular, details of all personal contact with Mr Pier Westerhuis of Ensham Resources Pty Ltd during the period 1 October 2010 to 31 July 2011 regarding water management at mines**

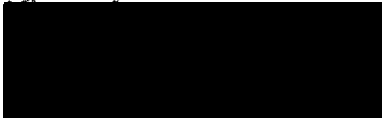
8. The details of my personal contact with Mr Pier Westerhuis are provided in attachments **JNB – 02** and **JNB- 03** and may be found in the following bundles of documents attached to those chronologies;
  - JBM 13
  - JBM 24
  - JBC 20
  - JBC 23-30 (inclusive)
  - JBC 63

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867*.

Signed

  
John Neville Bradley

Taken and declared before me, at Brisbane this <sup>31<sup>st</sup></sup> day of October 2011

  
Solicitor/Barrister/Justice of the  
Peace/Commissioner for Declarations

Our ref: 1751146

14 October 2011

Mr [REDACTED]  
Assistant Crown Solicitor  
GPO Box 5221  
BRISBANE QLD 4001

Dear [REDACTED]

**Requirement to Provide Statement returnable 26 October 2011**

Please find enclosed a Requirement to Provide a Statement directed to Mr John Bradley,  
Director-General, Department of the Premier and Cabinet.

The material is returnable to the Commission no later than 4 pm, Tuesday, 26 October 2011.

If you require further information or assistance, please contact [REDACTED] on  
telephone [REDACTED]

We thank you for your assistance.

Yours sincerely

[REDACTED]  
Jane Moynihan  
Executive Director

Encl.

Our ref: Doc 1751169

14 October 2011

Mr John Bradley  
Director-General  
Department of the Premier and Cabinet  
PO Box 15185  
BRISBANE QLD 4002

### REQUIREMENT TO PROVIDE STATEMENT TO COMMISSION OF INQUIRY

I, Justice Catherine E Holmes, Commissioner of Inquiry, pursuant to section 5(1)(d) of the *Commissions of Inquiry Act 1950 (Qld)*, require Mr John Bradley to provide a written statement, under oath or affirmation, to the Queensland Floods Commission of Inquiry, in which the said John Bradley gives an account of:

1. a summary of all personal contact with any mining company or other resources company between 1 October 2010 and 31 July 2011 in his capacity as Director-General of the Department of Environment and Resource Management regarding water management at mines, coal seam gas projects, power stations and other resource-related projects
2. in particular, details of all personal contact with Mr Pier Westerhuis of Ensham Resources Pty Ltd during the period 1 October 2010 to 31 July 2011 regarding water management at mines

Mr Bradley should attach all relevant emails, notes of telephone conversations and meetings and other documents relevant to 1 and 2, above.

In addressing these matters, John Bradley is to:

- provide all information in his possession and identify the source or sources of that information;
- make commentary and provide opinions he is qualified to give as to the appropriateness of particular actions or decisions and the basis of that commentary or opinion.

John Bradley may also address other topics relevant to the Terms of Reference of the Commission in the statement, if he wishes.

The statement is to be provided to the Queensland Floods Commission of Inquiry by 4pm  
Tuesday 26 October 2011.

The statement can be provided by post, email or by arranging delivery to the Commission by  
emailing [info@floodcommission.qld.gov.au](mailto:info@floodcommission.qld.gov.au).



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Commissioner  
Justice C E Holmes

Reference	Date of Meeting	Type of Contact	Principal Contact/s	Subject
JBM-1	4.10.10	Meeting	[REDACTED] and [REDACTED] Australian Petroleum Production and Exploration Association Limited	Meeting to introduce [REDACTED] Director, Queensland CSG
JBM-2	6.10.10	Meeting	[REDACTED] Australian Water (Qld) Pty Ltd	Capabilities of Australian Water
JBM-3	8.10.10	Meeting/Lunch	Michael Roche, Queensland Resources Council	Varied topics
JBM-4	7.10.10	Meeting	[REDACTED] Queensland University of Technology	Basin wide model and decision support system that would identify and underpin risks associated with CSG and CSW extraction
JBM-5	13.10.10	Meeting	[REDACTED] Hancock Coal Pty Ltd	Funding for Department of Infrastructure and Planning to engage external consultants
JBM-6	18.10.10	Meeting	[REDACTED] Queensland Gas Company Limited	Regulatory water management matters
JBM-7	19.10.10	Meeting	[REDACTED] Australian Petroleum Production and Exploration Association Limited	Changes to preferred options for water management and other matters
JBM-8	22.10.10	Meeting	[REDACTED] and [REDACTED] BG Group	Water and Other Legislation Amendment Bill and recent media reports
JBM-9	3.11.10	Meeting	[REDACTED] Xstrata Copper	Transition meetings
JBM-10	8.11.10	Function	Queensland Gas Company Limited	Varied topics
JBM-11	10.11.10	Function	BG Group	Queensland Curtis LNG Project
JBM-12	29.11.10	Meeting	Michael Roche, Queensland Resources Council	Fitzroy mines and water discharge
JBM-13	6.12.10	Meeting	Peter Westerhuis, Ensham Resources	Ensham Mine Flood Dewatering - Transitional Environmental Program
JBM-14	8.12.10	Meeting	Michael Roche, Queensland Resources Council	DERM / QRC Quarterly Stakeholder Meeting
JBM-15	8.12.10	Meeting	Queensland Resources Council and Department of the Premier and Cabinet	Ensham Mine
JBM-16	9.12.10	Meeting	[REDACTED] Macarthur Coal Limited	Water management issues
JBM-17	10.12.10	Meeting	[REDACTED] Arrow Energy Limited	Arrow Water Model
JBM-18	15.12.10	Meeting	[REDACTED] Hancock Coal Pty Ltd	Alpha Coal Environmental Impact Statement
JBM-19	6.1.11	Phone conversation	Michael Roche, Queensland Resources Council	Expedited approval process for water discharge during high flows in watercourses
JBM-20	10.1.11	Meeting	Michael Roche and Frances Hayter, Queensland Resources Council and Matthew Paull, Australian Petroleum Production and Exploration Association Ltd	Flood impacts on mining and CSG

Reference	Date of Meeting	Type of Contact	Principal Contact/s	Subject
JBM-21	18.1.11	Meeting	Michael Roche, Queensland Resources Council	Coal mine water discharge
JBM-22	24.1.11	Meeting	[REDACTED], Arrow Energy Limited	Water management in Surat Basin
JBM-23	25.1.11	Meeting	Queensland Resources Council and Department of the Premier and Cabinet	Use of emergency directions powers
JBM-24	31.1.10	Five meetings	[REDACTED], Rio Tinto Coal [REDACTED], BHP Billiton / BMA Peter Westerhuis, Ensham Resources [REDACTED], Anglo Coal [REDACTED], Xstrata Coal	Water management at mines
JBM-25	4.2.11	Meeting	[REDACTED], BHP Billiton / BMA	Amendments to Transitional Environmental Programs
JBM-26	4.2.11	Meeting	Michael Roche, Queensland Resources Council	Water discharge from mines
JBM-27	10.2.11	Meeting	[REDACTED], BHP Billiton / BMA	Releases from dams
JBM-28	11.2.11	Meeting	Michael Roche and Frances Hayter, Queensland Resources Council	Transitional Environmental Program assessment status
JBM-29	14.2.11	Function	Queensland Resources Council Regional Executive Committee	Varied topics
JBM-30	21.2.11	Meeting	Michael Roche, Queensland Resources Council	Transitional Environmental Program update
JBM-31	10.3.11	Meeting	Michael Roche, Queensland Resources Council	Mine water issues
JBM-32	16.3.11	Meeting	[REDACTED], BG Group	Permitting for an LNG project and discussion of BG/QGC environmental breaches
JBM-33	18.3.11	Meeting	[REDACTED], Xstrata Coal Queensland	Issues relating to Xstrata's operations
JBM-34	30.3.11	Meeting	[REDACTED], Arrow Energy Limited	Briefing on Arrow Energy's operations and outline of work undertaken around the Condamine Flood Plain
JBM-35	7.4.11	Meeting	Macarthur Coal	Conditions of Environmental Authorities for Macarthur Coal mines
JBM-36	28.4.11	Meeting	[REDACTED], Santos Ltd	CSG, LNG and hydrofracking
JBM-37	28.4.11	Meeting	[REDACTED], Ciris Energy Inc	Presentation
JBM-38	3.5.11	Meeting	[REDACTED], BHP Billiton / BMA and Department of the Premier and Cabinet	Discharge of water at BHP Billiton Mitsubishi Alliance Mines
JBM-39	11.5.11	Meeting	[REDACTED], Origin Energy Resources Limited	Water management



Reference	Date of Meeting	Type of Contact	Principal Contact/s	Subject
JBM-40	20.5.11	Meeting	[REDACTED] BHP Billiton / BMA and Department of the Premier and Cabinet	Discharge of water at BHP Billiton Mitsubishi Alliance Mines
JBM-41	26.5.11	Meeting	[REDACTED] BHP Billiton / BMA and Department of the Premier and Cabinet	Discharge of water at BHP Billiton Mitsubishi Alliance Mines
JBM-42	25.5.11	Meeting	[REDACTED] Australian Water (Qld) Pty Ltd	Water solutions for coal seam gas

Reference	Contact Date	Type of Contact	Principal contact	Subject
JBC-1	5.10.10	Email	[REDACTED] Hancock Coal Pty Ltd	Enclosing a letter sent to [REDACTED] Associate Director-General, Department of Employment Economic Development and Innovation (DEEDI), dated 4 October 2010, regarding Hancock Alpha Coal Project
JBC-2	8.10.10	Email	Michael Roche, Queensland Resources Council	Expressing concerns about the Natural Resources and Other Legislation Amendment Bill
JBC-3	8.10.10	Email	[REDACTED] Australian Water (Qld) Pty Ltd	Following up from a meeting and enclosing information on solutions to waste water problems
JBC-4	11.10.10	Email	[REDACTED] Arrow Energy Limited	Forwarding feedback from Bowen Basin and Gladstone region consultations
JBC-5	13.10.10	Letter	Michael Roche, Queensland Resources Council	Responding to the Queensland Resource Council's (QRC) submission which raised concerns with the implementation of Fitzroy environmental authority amendments
JBC-6	14.10.10	Email	Michael Roche, Queensland Resources Council	Raising concerns about proposed notification amendments and other matters
JBC-7	20.10.10	Email	[REDACTED] BG Group	Advising that comments have been provided to the Commonwealth regarding proposed decision making and draft conditions
JBC-8	22.10.10	Email	Michael Roche, Queensland Resources Council	Enclosing a letter dated 15 October 2010, regarding the Natural Resources and Other Legislation Amendment Bill (No. 2)
JBC-9	25.10.10	Email	[REDACTED] BG Group	Consulting about a draft paragraph for a letter about water recycling management plans
JBC-10	27.10.10	Letter	Michael Roche, Queensland Resources Council	Responding to a letter dated 15 October 2010 about the QRC concerns with the Natural Resources and Other Legislation Amendment Bill (No. 2)
JBC-11	8.11.10	Email	[REDACTED] Origin Energy Resources Limited	Regarding Spring Gully water discharge approvals
JBC-12	12.11.10	Email	[REDACTED] Origin Energy Resources Limited	Regarding Spring Gully water discharge approvals
JBC-13	16.11.10	Email	Michael Roche, Queensland Resources Council	Providing workshop discussion and conclusions on discharging of water pre-wet season
JBC-14	23.11.10	Email	[REDACTED] Queensland Gas Company Limited	Enclosing a letter addressed to the Directors-General of DEEDI, DERM and Department of Infrastructure and planning regarding matters requiring the attention of Government and the BG Group
JBC-15	24.11.10	Email	Michael Roche, Queensland Resources Council	Advising of QRC members views on water discharge and enclosing a letter from DERM to the QRC regarding Fitzroy River Basin Model Conditions for Mine Water Management
JBC-16	24.11.10	Email	Michael Roche, Queensland Resources Council	Advising of issues with Fitzroy water conditions
JBC-17	2.12.10	Email	[REDACTED] Arrow Energy Limited	Regarding the rollout of an Arrow water model
JBC-18	4.12.10	Email	Michael Roche, Queensland Resources Council	Regarding Central Queensland Rains and providing links to Bureau of Meteorology websites
JBC-19	4.12.10	Email	Michael Roche, Queensland Resources Council	Expressing concern about DERM media comment on Central Queensland mine discharges

Reference	Contact Date	Type of Contact	Principal contact	Subject
JBC-20	6.12.10	Email	Peter Westerhuis, Ensham Resources	Regarding flooding at the Ensham mine and a Transitional Environmental Programs (TEPs)
JBC-21	6.12.10	Email	Michael Roche, Queensland Resources Council	Discussing events at Ensham and TEPs with the QRC
JBC-22	9.12.10	Email	Frances Hayter, Queensland Resources Council	Advising of DERM activities in response to Central Highlands rainfall and discussing TEPs
JBC-23	10.12.10	Email	Michael Roche, Queensland Resources Council	Regarding a media release about the situation at Ensham mine
JBC-24	31.12.10	Email	Peter Westerhuis, Ensham Resources	Providing an update of the flooding situation at Ensham mine and the Nogoia River
JBC-25	31.12.10	Email	Peter Westerhuis, Ensham Resources	Providing an update of the flooding situation at Ensham mine and the Nogoia River
JBC-26	31.12.10	Email	Peter Westerhuis, Ensham Resources	Providing an update of the flooding situation at Ensham mine and the Nogoia River
JBC-27	31.12.10	Email	Peter Westerhuis, Ensham Resources	Providing an update of the flooding situation at Ensham mine and the Nogoia River
JBC-28	31.12.10	Email	Peter Westerhuis, Ensham Resources	Providing an update of the flooding situation at Ensham mine and the Nogoia River
JBC-29	3.1.11	Email	Peter Westerhuis, Ensham Resources	Regarding the situation at Ensham mine and the discharge of water under a TEP
JBC-30	3.1.11	Email	Peter Westerhuis, Ensham Resources	Regarding the situation at Ensham mine and the discharge of water under a TEP
JBC-31	3.1.11	Email	Michael Roche, Queensland Resources Council	Expressing the view that Cabinet needs to consider coal industry production at an emergency meeting
JBC-32	6.1.11	Email	Michael Roche, Queensland Resources Council	Regarding a meeting with Anglo Coal and coal mine water discharge
JBC-33	6.1.11	Email	Michael Roche, Queensland Resources Council	Regarding a meeting about TEPs
JBC-34	6.1.11	Email	Michael Roche, Queensland Resources Council	Acknowledging receipt of a draft TEP template and raising questions
JBC-35	19.1.11	Email	Michael Roche, Queensland Resources Council	Expressing thanks for the provision of a meeting and indicating that water discharges would require intervention
JBC-36	20.1.11	Email	Michael Roche, Queensland Resources Council	Providing a link to BHP Billiton's quarterly production report
JBC-37	20.1.11	Email	Michael Roche, Queensland Resources Council	Providing feedback from QRC members about water discharge / TEPs
JBC-38	21.1.11	Email	Michael Roche, Queensland Resources Council	Expressing thanks for the provision of an update and expressing urgency for a follow up meeting regarding TEP and mine discharge issues
JBC-39	21.1.11	Email	Michael Roche, Queensland Resources Council	Enclosing a letter of update on DERM progress in processing TEPs and addressing concerns raised

Reference	Contact Date	Type of Contact	Principal contact	Subject
JBC-40	23.1.11	Email	Michael Roche, Queensland Resources Council	Advising of availability for a meeting
JBC-41	25.1.11	Email	Michael Roche, Queensland Resources Council	Providing notes for a scheduled meeting
JBC-42	28.1.11	Email	Michael Roche, Queensland Resources Council	Acknowledging receipt of a response to a letter sent to the Premier and clarifying a QRC request
JBC-43	28.1.11	Email	Michael Roche, Queensland Resources Council	Following up on a regular update about TEPs and indicating an intention for a future meeting
JBC-44	28.1.11	Email	Michael Roche, Queensland Resources Council	Expressing concerns about TEPs and suggesting a delegation of coal company representatives
JBC-45	28.1.11	Email	Michael Roche, Queensland Resources Council	Providing a letter sent to the Premier by the QRC regarding the Queensland coal industry and water inundation
JBC-46	1.2.11	Email	Michael Roche, Queensland Resources Council	Seeking an update on TEP status
JBC-47	4.2.11	Email	[REDACTED] BHP Billiton / BMA	Expressing thanks and discussing TEP applications
JBC-48	4.2.11	Email	[REDACTED] BHP Billiton / BMA	Seeking a return phone call to discuss TEP quantum and timeframes and arranging details about Ministerial visits
JBC-49	4.2.11	Email	Michael Roche, Queensland Resources Council	Providing correspondence between DERM and Peabody
JBC-50	7.2.11	Email	Damien Brown, BHP Billiton / BMA	Arranging a visit to BMA sites
JBC-51	8.2.11	Email	[REDACTED] BHP Billiton / BMA	Discussing an invitation for a Ministerial visit
JBC-52	12.2.11	Email	[REDACTED] BHP Billiton / BMA	Discussing BHP Billiton TEPs and a site visit at Peak Downs mine
JBC-53	12.2.11	Email	[REDACTED] BHP Billiton / BMA	Acknowledging receipt of an email about BHP Billiton TEPs
JBC-54	12.2.11	Email	Damien Brown, BHP Billiton / BMA	Discussing the progress and details of TEPs
JBC-55	12.2.11	Email	[REDACTED] BHP Billiton / BMA	Discussing the progress and details of TEPs
JBC-56	15.2.11	Email	Michael Roche, Queensland Resources Council	Discussing arrangements for a meeting
JBC-57	18.2.11	Email	[REDACTED] Anglo Coal	Commenting on a missed phone call and Dawson TEP
JBC-58	18.2.11	Email	[REDACTED] Origin Energy Resources Limited	Arranging bi-monthly meetings
JBC-59	21.2.11	Email	Michael Roche, Queensland Resources Council	Discussing TEP update and providing further advice
JBC-60	22.2.11	Letter	[REDACTED] Origin Energy Resources Limited	Responding to a letter regarding priority regulatory issues for Origin and TEPs
JBC-61	24.2.11	Email	[REDACTED] Xstrata Copper	Following up from a meeting about Xstrata's approach to environmental performance and Mount Isa operations
JBC-62	25.2.11	Email	[REDACTED] BHP Billiton / BMA	Providing phone numbers and requesting a call back about Peak Downs TEP
JBC-63	10.3.11	Email	Peter Westerhuis, Ensham Resources	Providing a video clip <i>Note: Attachment is in Audio Video Interleave (AVI) format and is not produced</i>

Reference	Contact Date	Type of Contact	Principal contact	Subject
JBC-64	10.3.11	Email	Michael Roche, Queensland Resources Council	Providing dot points on a salinity trading paper
JBC-65	12.3.11	Email	Michael Roche, Queensland Resources Council	Providing comment on material featured in a 7.30 report
JBC-66	16.3.11	Email	[REDACTED] strata Coal Queensland	Seeking a meeting about strata operations
JBC-67	16.3.11	Email	Michael Roche, Queensland Resources Council	Providing an update titled [TEPs Authorising Discharge of Mine Affected Water]
JBC-68	16.3.11	Email	Michael Roche, Queensland Resources Council	Discussing TEP issues regarding Jellinbah East
JBC-69	20.4.11	Email	[REDACTED] Macarthur Coal Limited	Discussing a meeting request and a potential onsite visit
JBC-70	21.4.11	Email	[REDACTED] BHP Billiton / BMA	Discussing BMA Site Water Issues
JBC-71	10.5.11	Email	[REDACTED] BHP Billiton / BMA	Discussing solutions to issues at Peak Downs mine and arranging a meeting