

# Adani mine in court

## Is Carmichael project legal?

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ADANI'S Carmichael Mine is the subject of another legal dispute, with an environmental group questioning in court whether or not the Queensland Environment Department lawfully approved the Galilee Basin coal mine.

Environmental group Coast and Country have legal action against the Queensland Government and Adani and a one-day hearing as part of a judicial review was held at Brisbane Supreme Court yesterday.

Coast and Country spokesman Derec Davies said he believed the government failed in its obligations under environmental protection laws and did not properly consider the breadth of issues when it approved the mine.

Environmental Defenders Office is representing Coast

and Country and its solicitor Jo-Anne Bragg said the environment department did not implement a safety net.

"What we hope to achieve today in putting forward this legal argument... they will find the environmental authority issued to Adani invalid," Ms Bragg said.

An Adani statement said Queensland's strict environmental approvals process coupled with the Federal Government's rigorous environmental assessments, had been applied to the Carmichael Mine project.

The statement said suggestions that the government erred in applying the legislation defied common sense. "At the heart of this approach is their consistent attempt not to seek their day in court, but years in court," it said.

The statement also said the legal challenge was

designed to delay the benefits of Adani's Carmichael mine that would flow to workers and communities in central and north Queensland.

But Ms Bragg said it was a legitimate court case questioning whether the department breached environmental laws.

The department did not issue a statement.

The court will hand down its decision at an unknown future date.

Ms Bragg said Friday's hearing was more specific than the previous Land Court hearing.

She said the previous case was merit review and including an analysis on several aspects of the project but yesterday's judicial review was about a point of law.

**“...they will find the environmental authority issued to Adani invalid...”**

# Adani back before court over its mine

ADANI'S Carmichael Mine is the subject of another legal dispute — environmental group Coast and Country says the Queensland Environment Department's decision to approve the Galilee Basin coal mine did not comply with the law.

Coast and Country, represented by Environmental Defenders Office (EDO), took action against the Queensland Government and Adani at a one-day hearing held at the Brisbane Supreme Court on Friday. EDO CEO and solicitor Jo-Anne Bragg said the environment department did not implement a safety net.

"The department failed to comply with Section 5 of the Environmental Protection Act ... Section 5 is a vital safety net that places a duty on decision makers to exercise their power in the way that best achieves the ecologically sustainable development object of the Act," Ms Bragg said.

The proposed open-cut and underground coal mine covers 45,000 hectares and would be one of the biggest in the world.

Mining conglomerate Adani defended itself and its proposed \$16 billion Carmichael coal project, issuing a statement that Queensland's strict environmental approvals process coupled with the Federal Government's rigorous environmental assessments, had been applied to the mine project.

"The suggestion by serial litigant Land Services of Coast

and Country in statements today [Friday] that a five year

approvals process is rushed, or that approvals sought and given under successive governments of both political persuasions is anti-democratic, or that the government has erred in applying the legislation, defies common sense," the statement said.

"At the heart of this approach is their consistent attempt not to seek their day in court, but years in court.

"Plainly, this politically-motivated, activist-led chal-

lenge is designed to delay the benefits of Adani's Carmichael mine that will flow to workers and communities in central and north Queensland crying out for job-creating major projects such as the company's mine, rail and port projects to proceed".

The Queensland Environment Department did not issue a statement. It is expected the court will hand down its decision in three months.

Last year, Coast and Country took the proposed Adani mine project to the Land Court and that court handed down its judgment recommending the mining lease be granted, subject to conditions.

Coast and Country has claimed Carmichael Mine is an unacceptable danger to climate change, groundwater, the Great Barrier Reef and the endangered black-throated finch.

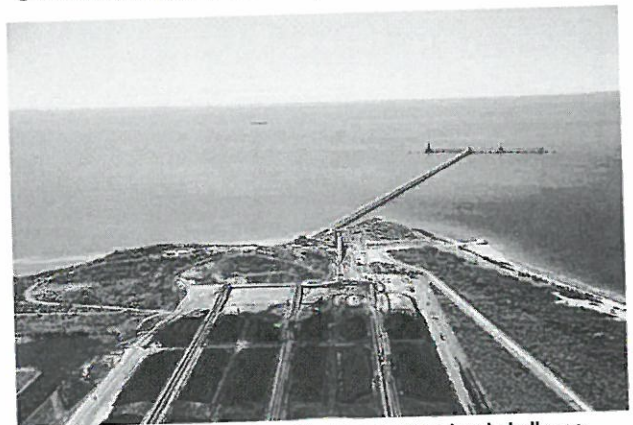
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Adani's Carmichael Mine is subject to another legal challenge. Adani plans to export coal from the mine through Abbot Point.