

Adani Mining Approval Set Aside

By Patrick Kelly, 6 August 2015



On 4 August 2015, the Federal Court of Australia ordered that the Commonwealth Government's approval of Adani's Carmichael Coal Mine and Rail Project be set aside. In what has been seen as a victory for environmentalist groups, the project, which received approval on 24 July 2014, was set aside by consent for what Adani describe as 'a technical legal error from the Federal Environment Department'.

Representatives of the Mackay Conservation Group, who challenged the approval granted to Adani Mining Pty Ltd (a subsidiary of India's Adani Group), have released a statement indicating that the factor which led to the decision of the Court to set aside the approval was the failure by the Federal Environment Minister to have regard to conservation advices for two vulnerable species (the Yakka Skink and the Ornamental Snake). Further issues raised by the Mackay Conservation Group relating to the Minister's failure to consider greenhouse gas emissions which would arise from the approval, and in particular emissions that would arise from the burning of the coal in India, remain unresolved.

The outcome has divided opinion within the local community of Mackay, where a number of businesses are currently facing difficult economic conditions. While the approval of the coal mine would no doubt have resulted in reinstating some economic confidence within North Queensland, and particularly in Mackay, this must be balanced with the preservation of the natural environment which supports the tourism industry locally.

Adani have stated that they will await the Minister's reconsideration of the application for the Carmichael Coal Mine and Rail Project, which reportedly will be able to occur within a matter of weeks. Any decision is sure to face intense scrutiny, not just by conservation groups, but also the general public.

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