



Fossil Fool Bulletin

Fossil fools in the spotlight this week: A resource for people working to end the fossil fuel era in Australia

Published by Eve Sinton • fossil.fool.bulletin@gmail.com

FFB 2:11 • 15 FEBRUARY 2019

EDO NSW celebrates historic court win: Coal mine rejected due to climate impact

By Environmental Defenders Office NSW

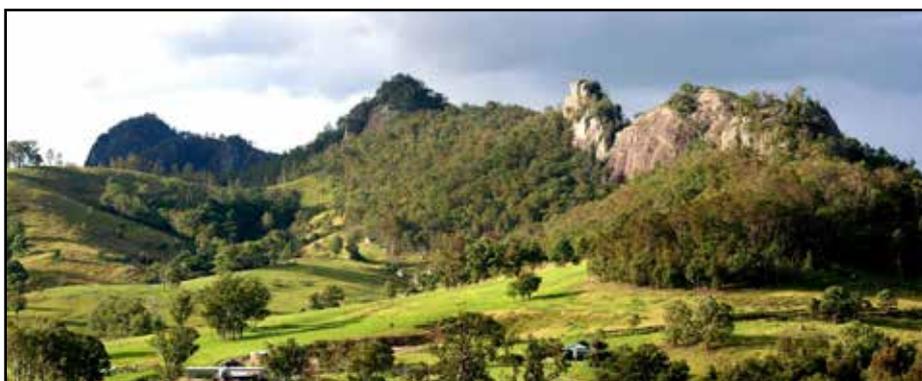
Last week the Chief Justice of the Land and Environment Court Brian Preston SC handed down his judgment in our landmark case, refusing approval of a new coal mine to be built just outside of the town of Gloucester in the NSW Upper Hunter Valley.

This is the first time an Australian court has refused consent for a coal mine on the basis of its climate change impacts. The Court also poses a foundational question for all future fossil fuel projects: “the wrong time” test.

The Court accepted our scientific evidence and the concept of a global carbon budget.

NSW Environmental Defenders Office CEO David Morris stated “In the face of that acceptance, the judgment presents a foundational question for all decision makers. It is this: given that, if we are to remain within the global carbon budget, only a finite amount of additional carbon can be burned, and that existing approvals already exhaust that budget, why should this particular project be prioritised over any other, or displace an existing approval? That is ‘the wrong time’ test and will prove an insurmountable barrier for many projects going forward”.

Representing community group Groundswell Gloucester, EDO NSW argued the mine was contrary to the public interest and principles of ecologically sustainable development because of its significant social and climate change impacts.



Wrong place, wrong time: The beautiful Gloucester landscape is no place for a coal mine, according to a Land and Environment Court decision. Photo: EDO NSW, Facebook

This is the first time an Australian court has refused consent for a coal mine on the basis of its climate change impacts.

The Court accepted those arguments in deciding to refuse approval for the mine, finding that carbon emissions from the mine will contribute to global warming, such that approving it will not assist in achieving the rapid and deep reductions in emissions needed in order to meet Australia’s Paris targets.

Significantly, the Court held that it was not important that emissions from the mine would be a fraction of global total emissions, noting that the global problem of climate change needs to be addressed by multiple local actions to mitigate emissions. The Court also found that the mine’s economic benefits had been substantially overstated

The Court found that the Rocky Hill coal project will cause a variety of serious negative social impacts to the Gloucester community, including visual, noise and dust impacts, and significant impacts to Aboriginal Cultural Heritage, stating that the mine will severely impact on people’s sense of place.

In summing up his judgment, Chief Justice Preston SC said: “In short, an open cut coal mine in this part of the Gloucester valley would be in the wrong place at the wrong time. Wrong place because an open cut coal mine in this scenic and cultural landscape, proximate to many people’s homes and farms, will cause significant planning, amenity, visual and social impacts

“Wrong time because the greenhouse gas emissions (GHG) of the coal mine and its product will increase global total concentrations of GHGs at a time when what is now urgently needed,

• Continued p2

• P3: Govt looks for Linc well pluggers

• P3: Adani’s job hoax: a cruel scam on hopefuls

• P4: Wrong & dangerous: power reliability hysteria

Gloucester: Historic court win on climate change

• Continued from p1

in order to meet generally agreed climate targets, is a rapid and deep decrease in GHG emissions. These dire consequences should be avoided. The Project should be refused.”

David Morris concluded: “This is a seminal moment in the development of climate litigation in Australia – and will weigh heavily on the minds of decision-makers considering whether to approve new fossil fuels projects.”

This landmark case puts Australia well and truly on the map in terms of international climate change litigation. The NSW Environmental Defenders Office (EDO NSW) is at the forefront of public environmental interest lawyers using the law to protect our climate and environment for current and future generations.

A first since Paris Agreement

This was a once in a generation case: the first hearing of its kind since the historic Paris Agreement, in which a superior jurisdiction Australian court heard expert testimony about climate change, the carbon budget and the impacts of burning fossil fuels.

Acting for local community group, Groundswell Gloucester, the Environmental Defenders Office, with counsel Robert White, heard from expert witnesses on visual and noise impacts, climate science and energy finance, the economics of coal, town planning and the social impacts of a mine on the town’s doorstep.

This included detailed evidence from Emeritus Professor Will Steffen on the global carbon budget, which must not be exceeded if temperature rise is to be kept at less than 2C on pre-Industrial levels. Steffen said that in order for Australia to meet its obligations under the Paris Agreement, the coal reserve at Rocky Hill cannot be developed: “Step number 1, if you’re really serious about the Paris targets, is no new fossil fuel developments ... You cannot reduce emissions by increasing them.”

Expert evidence of impacts

The court also heard from energy analyst Tim Buckley on the risk that the coal mine would become a stranded asset, given market trends away from coal; acoustics expert Stephen Gauld on the noise nuisance from the

mine; and anthropologist and expert on regional communities and displacement Dr Hedda Askland on the social impacts should the mine go ahead.

David Morris said, “Our argument was based on science, economics and – we argued – the proper application of the law. The climate contention as a ground for refusing this mine was innovative; the first time climate change has been addressed this way in an Australian court using the concept of a carbon budget as its basis.

“Like so many great ideas – its strength was its simplicity. While there was lots of necessary evidence and discussion about the carbon budget, geopolitical climate policy and Australia’s legal framework for climate change, ultimately our argument was simple: if you accept the science, then the local legal framework compels you to refuse the mine because it’s clearly not in the public interest to increase emissions.”

As Professor Steffen said “it’s one atmosphere, it’s one climate system, it’s one planet - and so we need to start thinking more carefully about the net effect of wherever coal is burnt, or oil or gas... The project’s contribution to cumulative climate change impacts means that its approval would be inequitable for current and future generations”.

60 community objectors testify

Sixty community objectors, including farmers, doctors, Traditional Owners, old people and young people, gave evidence. Some were opposed because of noise impacts, others worried about how the mine might tear at the fabric of their community. Many were very concerned about their children and grandchildren and the kind of world they will live in if projects like this, which contribute to climate change, continue to be approved.

Julie Lyford, Chair, Groundswell Gloucester, said: “The Gloucester community is deeply grateful to EDO NSW staff and Barrister Robert White for their unstinting support of the Gloucester residents and assisting in the protection of our beautiful valley. We are ecstatic that the court has ruled against the proposal for an open cut mine, 250m deep and less than 1km from family homes. Climate change is the major threat to our regions, water, health and to the planet.”

Rocky Hill mine: The backlash begins

Lock the Gate Alliance has hit back at what it says is a hysterical and blinkered reaction by the NSW mining industry to the recent decision by the Land and Environment Court to uphold the Planning Commission’s refusal of the Rocky Hill coal mine near Gloucester.

A range of the negative headlines appear in FFB’s round-up, p11-13.

LTGA spokesperson Georgina Woods said the writing had been on the wall for a long time that the world could not continue to burn coal indefinitely and also avoid catastrophic climate change.

“The court’s decision merely reflects what climate scientists have been saying about the incompatibility of coal burning with global efforts to address climate change and protect our communities from its devastating effects,” she said.

“This requires serious consideration, not ill-informed tantrums from the coal industry as we’ve seen since the decision was handed down.

“The decision will not lead to the end of the coal industry as claimed by the mining industry, but it should deliver more robust assessments of the climate impacts of coal mines by decision makers.

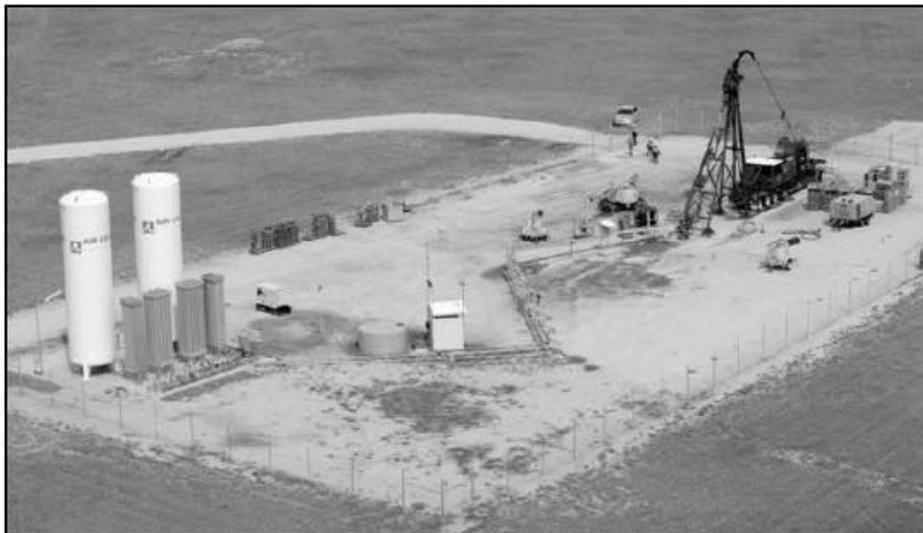
“One of the key findings of the judgement was that the Rocky Hill mine should have been assessed against existing NSW climate policies, which is hardly a radical outcome.

“It is common sense that this should be the standard by which future mines, such as the Bylong project, are assessed by decision makers.”

Ms Woods said that the NSW Premier needed to resist pressure by the mining industry to weaken environmental regulations in response to the court decision

“If Rocky Hill is the hill upon which coal industry and the government wishes to die rather than admit that change is underway, it will do a great deal of damage to the communities in regional New South Wales that urgently need concerted support and planning for the future.”

Qld govt to plug and abandon Linc gas wells



Linc's toxic UCG experiment was once valued at \$1 billion. The costs of rehabilitation is currently estimated at \$78 million over 30 years – to be financed by taxpayers.

The Queensland government has called for expressions of interest for plug and abandonment services at the ex-Linc Energy underground coal gasification (UCG) site near Chinchilla.

There are 54 wells to be plugged.

Linc neighbour, Helen Bender, commented, "Queensland Labor move in to start the cover-up process on their own failures – for approving the project while having a major conflict of interest, (being a joint venture partner

with Linc); for allowing the site to go unmonitored and unregulated till the landholders' voice became too loud, and government officials were admitted to hospital."

The Bender family farm was severely affected by contamination from the Linc site, with livestock deaths and soil contamination.

The stress contributed to family patriarch, George Bender, taking his own life in October 2015.

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Leigh Creek Energy extends UCG experiment

Leigh Creek Energy's (LCK) underground coal gasification project has been given three more months to operate by the SA government.

The project was initially supposed to run for three months only. As gas failed to flow at commercial rates, they got a one-month extension. This latest extension means the 'pre-commercial demonstration site' will be in action for at least seven months.

The extension has angered nearby Leigh Creek and Copley residents opposed to the project, which employs the same technology and many of the same people as Linc Energy's toxic Qld disaster.

Correspondence obtained by resident Carrie-Ann Smith reveals the ASX is asking questions about LCK's continuing negative financial position and whether the company is complying with ASX disclosure matters.

This prompted Ms Smith to ask the

government what subsidies were being given to prop up the failing project, which she says has no social licence and is an environmental hazard.

Community consultation on the project was conducted on the basis the trial would run for three months only.

Meanwhile, the company has deviated from its aim to generate energy and will now focus on fertiliser production.

Ms Smith said she believes that, like Marathon's uranium fiasco in Arkaroola and Linc's Chinchilla disaster, LCK is playing a stock market game without an authentic intention to set up a productive and sustainable industry.

"They are doing this at the expense of investors, taxpayers, communities and our environment. LCK will be protected while everyone else suffers from the financial and environmental wreckage. What is our government doing to protect us from these stock market cowboys?" she asked.

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The Adani job hoax

By Eve Sinton

Adani spent years promoting the 10,000 jobs promised by its \$16 billion Carmichael Mine project.

The figure was a myth.

When Adani's own consultant, Jerome Fahrer of ACIL Allen Consulting, was put on the spot in the Land Court of Qld, January 2015, he said the true figure was 1,464.

That is, 1,464 direct **and** indirect jobs over the **lifetime** of the mine. Not all at once, but spaced out over its construction and 30-year operational life.

This could mean as few as a couple of hundred employees at any one time. Many will be in Adani HQ, because the mine is intended to be as automated as possible 'from pit to port', as Adani head honcho Jeyakumar Janakaraj liked to boast, before he disappeared from the media – to be replaced by new CEO Lucas Dow.

Under Dow's leadership, the mine has been scaled down to a \$2 billion project, but the figure of 14,500 jobs has been introduced to its mythology.

That's because Dow says 14,500 people have lodged expressions of interest in working for Adani.

These are not job applications – just expressions of interest. A look at Adani's jobs portal today reveals only four actual Adani positions.

Enthusiastically amplified by Murdoch papers, such as the *Townsville Bulletin* and *Courier-Mail*, the 14,500 figure has found its way into social media.

Plastered all over the 'Our Coal Our Future' Facebook page, for example, are memes hailing 14,500 jobs. Yobbo followers are encouraged to post greenie-bashing responses.

At more cautious moments, Lucas Dow speaks of 1,500 jobs. But he has never explained how a vastly scaled-down project is going to provide even more jobs than the original.

Employment is one of the strongest arguments for Adani's unpopular project, but the figures used are a scam, and a cruel hoax upon hopeful workers.

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Knitting Nannas to gather in Sydney: 'No Water No Life'

The Knitting Nannas are planning a direct action – United to Protect Our Water – in Sydney on International Women's Day, March 8.

"The state and federal governments' response to the IPCC report and the Menindee fish kills has been an abomination, and we have a message for them: Water is Life," said spokesperson Judi Summers.

"We must stop government and industry from stealing our water, and ensure every person has access to clean drinkable water 24/7. No Water No Life," she said.

The Knitting Nannas are working hard to stitch up sashes and banners to convey their message. Nannas will travel to Sydney from far and wide, and will be joined by supporters from a range of organisations.

They will gather outside the NSW Parliament in Macquarie Street from 8am to 1pm on Friday, March 8.

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The Knitting Nannas made an appearance outside the office of Greens candidate for Page, Sue Higginson's office in Lismore on Thursday. The Nannas have been making a point of needing all politicians equally, visiting the offices of all candidates.

Renewable reliability hysteria: Wrong and dangerous

The popular perception that Australia's electricity supply has become less reliable with more renewable energy, and that this is inevitably going to get worse, is wrong and dangerous, according to a new Grattan Institute report.

Keep calm and carry on shows the idea is wrong because almost all outages are caused by problems in transporting electricity, and have nothing to do with whether the power was generated from new renewables or old coal or some other technology.

And it's dangerous because if politicians over-react to public concern and rush to intervene in the market, electricity bills could rise even higher.

Political leaders and media commentators have linked the 2016 state-wide blackout in South Australia with that state's high level of wind power. But they haven't recognised that the electricity market operator has since changed management practices to better suit the changing shape of the energy system, and a combination of regulatory obligations and market mechanisms are being applied to support grid stability as the system continues to evolve.

Poles and wires cause 97% of failures

Equipment failures, falling trees, inquisitive animals and crashing cars can all cause the power to go out in the local distribution network. Over the past 10 years, more than 97% of outages across the National Electricity Market could be traced to the poles and wires that transport power to homes and businesses.

But it would be prohibitively expensive to try to prevent all these outages. The NSW and Queensland governments spent \$16 billion more than was needed on distribution networks over a decade, while achieving only very small improvements in reliability – and households and businesses are still paying for this through their power bills.

Regulators and network businesses need to carefully balance cost and reliability as technology and consumer preferences change. Consumers will not be happy to pay for another round of network 'gold-plating'.

Events in Victoria and SA in January highlighted the current tight balance between supply and demand. As old coal generators are closed and sum-

mer heatwaves become more severe, outages will increase unless investment in new supply follows. But a lack of generation capacity on hot days caused only 0.1 per cent of all outages over the past decade. To encourage investment and keep this problem rare, governments need to create a stable policy framework to reduce greenhouse gas emissions and ensure that retailers have enough supply.

"What Australia needs now is not panic and politicking, but cool-headed policy responses to manage electricity reliability without unnecessarily adding to consumer bills," says Grattan Institute's Energy Program Director Tony Wood.

"Increased renewable generation does create challenges for managing the power system. But if we keep calm and carry on, these challenges can be met without more big price increases for households and businesses."

• *The report can be downloaded here:*

<https://grattan.edu.au/wp-content/uploads/2019/02/914-Keep-calm-and-carry-on.pdf>

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David Rowe reproduced with permission: <https://www.facebook.com/david.rowe.5070>



Inside the news

The rejection of **Rocky Hill** mine in court, **Adani's finch fight** and the **Coalition** dropping its '**Big Stick**' energy bill brought forth a torrent of words – over 37,000 of them. That's how many **FFB** analysed, so you don't have to read the entire out-pouring, in this week's rather long news summary.

Adani's ongoing jobs hoax has been dealt with on page 3. The company has also hit the headlines with another **polluted water spill** at its Abbot Point coal export terminal (p6).

Adani is outraged that ecological experts have found fault with its **finch conservation plan**. In what is emerging as a consistent pattern, the company is now **attacking individual scientists** with personal smears (p8), much as it is **victimising** individual Traditional Owners who object to the mine.

The eminent **Judge**, whose rejection of the **Rocky Hill** coal mine took climate change into account, has been targeted with a **disrespectful piece** in the *Daily Telegraph* accusing him of bias (p13). Local **Nationals MP Michael Johnsen** hopped on 2GB to vent his fury over the mine's defeat – yet another reason why the Nats deserve the title of **National Mining Party**. The **Minerals Council** also attacked the decision, which has huge implications for future fossil fuel developments.

The **Coalition** has avoided another defeat in Parliament by dropping a bill known as the '**Big Stick**', which aimed to keep **Big Coal** foremost in energy generation. This leaves the lame duck government with no energy policy, well explained in Giles Parkinson's *Renew Economy* article (p15).

This week, **multiple events** such as Queensland's floods, the Menindee fish kills, Walgett running out of water, bushfires all over the country and summer snow in Tasmania clearly **demonstrate** how **our climate is destabilised**.

The Australian went on the attack (p10), wheeling out its **denialist hacks** to deride this conclusion as '**attribution science**', and labelling those opposed to fossil fuel expansion – such as **The Australia Institute** – as unpatriotic.

FFB to go bionic

Fossil Fool Bulletin's editor is falling apart here and there, and will be in hospital next week for repairs.

She will emerge as a bionic woman, with high-tech screws holding her spine together.

This will likely mean there will be no **FFB** on February 22. Publication will resume as recovery permits, probably March 1.

The editorial advisory board offered to sniff out some stories, but as it comprises six dogs lacking opposable thumbs, their keyboard skills are not up to the production task.

However, the terriers will dig out some secrets, the collies will round up some facts and the Dingo will hunt down a fossil fool to feature in our post-op edition.

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Barnaby needs more booties

Barnaby Joyce is adding to family No. 2. News Corp reports: "Barnaby Joyce and his partner Vikki Campion are expecting their second child, another son which they plan to name after the politician's late younger brother, Timothy." The child is due in June.

Knitting Nannas gifted a set of booties to Barnaby well before the mainstream media broke silence on his first extramarital child because – well, your Nannas are always watching, and they know everything.

While on the subject of Barnaby, his first cousin, Michael, just happens to have acted as a senior legal counsel for Adani, QCG, Linc Energy, Comet Ridge and many other fossil fools. Comet Ridge holds the gas exploration licence over Barnaby's land at Gwagebar, which is now up for sale to fund his divorce.

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<https://knitting-nannas.org/bulletins.php>

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In the news this week

This week Fossil Fool Bulletin has summarised 37,000 words of news for your convenience. [Click on the links](#) to view original articles. (Subscriptions may be required)

THE ADANI SAGA

<https://www.theguardian.com/business/2019/feb/08/adani-releases-stormwater-into-caley-valley-wetlands-near-abbot-point>

Adani releases stormwater into Caley Valley wetlands near Abbot Point

Lisa Cox, *The Guardian*, 08/02/2019

The mining company Adani released water into the Caley Valley wetlands during a week of intense monsoonal rain and flooding in north Queensland.

The company issued a statement saying it had suspended operations at Abbot Point this week because the extreme weather had made it unsafe for workers.

It said an inspection on Thursday had found floodwater had been released into the wetlands from an authorised release point, but a spokesperson said no water had gone into the Great Barrier Reef Marine Park. ...

<https://www.greenleft.org.au/content/adani-ramps-propaganda-war-intimidation-activists>

Adani ramps up propaganda war, intimidation of activists

Margaret Gleeson, *Green Left Weekly*, 08/02/2019

Adani has once again missed its own deadline for starting construction at its Carmichael coalmine in the Galilee Basin, but the coalmining giant is ramping up its propaganda war and intimidation of activists.

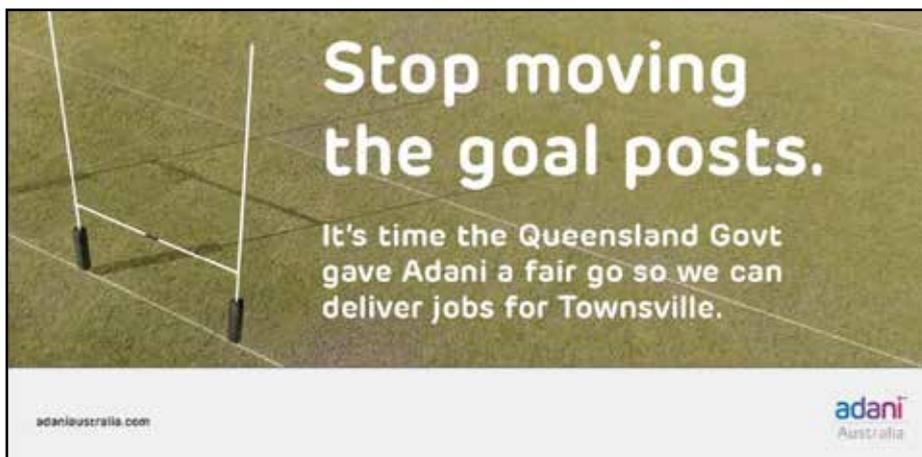
Adani is continuing to run advertisements and opinion pieces in newspapers, along with paying for huge billboards in Brisbane, all talking up the supposed jobs that the proposed mine will create. ...

<https://www.couriermail.com.au/news/queensland/adani-coal-mine-critic-slammed-as-hypocritical-over-native-title-deal/news-story/4ae410d8df2ef1bc3efcd05b0375a571>

Adani coal mine critic slammed over native title deal

Domanii Cameron, *Sunday Mail (Qld)*, 10/02/2019

An outspoken traditional owner who vigorously opposes Adani's Carmichael coal mine has been slammed by some other traditional owners as new documents reveal he welcomed almost \$40,000 from another miner's native title agreement.



Adani has splashed out on digital billboards across Brisbane carrying the message 'It's time the Queensland Government gave Adani a fair go'. Radio, social media, newspapers and 90 office tower elevators in Brisbane will also be used in the campaign. Graphic: Adani Australia

Adrian Burragubba, the "lead spokesman" for the Wangan and Jagalingou Family Council, has become the face of the anti-Adani campaign. However several Wangan and Jagalingou traditional owners contacted The Sunday Mail, frustrated with him after it was revealed he received \$39,500 from Glencore's Clermont Aboriginal Community Development Fund. ...

<https://www.theaustralian.com.au/opinion/activists-are-the-new-colonialists/news-story/d5d-283b867617ae77c34359fa2194464>

Activists are the new colonialists

Matt Canavan, *The Australian*, 11/02/2019

Well-funded green activists have targeted the Wangan and Jagalingou people's dignity and intelligence in an attempt to undermine the result.

The activists claim that Adani "paid off" the people at the meeting because Adani paid for food and accommodation costs. Federal law requires Adani, and other similar proponents, to pay for the travel and accommodation of attendees so that representation at such native title decision-making meetings can be maximised.

Even so, what is the point being made here? ...

Unfortunately, a gullible committee of the United Nations, based in Geneva, has fallen for such hogwash. ...

• **Matt Canavan is Minister for Resources and Northern Australia**

<https://www.couriermail.com.au/news/queensland/adani-mine-media-campaign-hopes-to-heap-public-pressure-on-government/news-story/d4da70939a03bd1ab36a49d79ed76db9>

Adani mine media campaign hopes to heap public pressure on government

Domanii Cameron, *Courier-Mail*, 11/02/2019

Indian mining giant Adani is hoping its expansive, new advertising campaign will heap pressure on the State Government to finalise two remaining management plans.

Adani Mining chief Lucas Dow called for the \$2 billion Carmichael project to be given a fair go in front of the Government's headquarters in Brisbane yesterday.

The company launched an extraordinary statewide campaign this week, which will feature on radio, social media, in newspapers and at 90 office tower elevators in Brisbane. ...

<https://www.theguardian.com/business/2019/feb/12/calls-for-inquiry-as-adani-confirms-it-released-contaminated-water>

Calls for inquiry as Adani confirms it released contaminated water

Lisa Cox, *The Guardian*, 12/02/2019

Activists have called on the Queensland government to investigate after mining company Adani confirmed that contaminated water released into the Caley Valley wetlands during last week's Queensland floods occurred at almost twice the rate it is licensed for.

The company issued a statement on Tuesday to say investigations at Abbot Point had concluded the flood waters did not enter the Great Barrier Reef marine park area.

But polluted water had entered the wetlands from an authorised release point at elevated levels it said were “minor”.

The company said flood water released into the wetlands was sent for an analysis that found the volume of total suspended solids and debris material – such as soil, plant, dust and other pollutants – was 58 mg/L.

Adani is licensed to release water containing a maximum of 30 mg/L in contaminants. ...

<https://www.theaustralian.com.au/business/mining-energy/caley-valley-wetlands-spared-damage-from-adanis-abbot-point-floodwater-spill/news-story/7c017ac49def45ff6da602125c7525c4>

Caley Valley Wetlands spared damage from Adani's Abbot Point floodwater spill

Jared Owens, *The Australian*, 12/02/2019

North Queensland's Caley Valley Wetlands have been spared any environmental damage from floodwaters spilled from Adani's Abbott Point coal terminal during the region's extraordinary monsoon rainfall, according to scientific tests.

The Indian company, which is proposing a major new Galilee Basin coalmine, credited its hardworking staff and new infrastructure upgrades for protecting the wetlands, which environmentalists had claimed were threatened by the company. ...

<https://www.couriermail.com.au/news/national/adani-claims-state-government-stopping-regional-queensland-jobseekers-from-gaining-work-on-carmichael-coal-mine/news-story/0fe406437dd5459d0f86d65bb620162a?c-spt=1550003402|204264a8bab24ff7c84df0e551b66ed2>

Adani claims State Government stopping regional Queensland jobseekers from gaining work on Carmichael coal mine

Clare Armstrong, *Townsville Bulletin*, 12/02/2019

Adani claims it is being inundated with requests from jobseekers demanding to know what is required for construction of its coal mine to start.

Adani Mining chief executive Lucas Dow said there was a “growing frustration” throughout regional communities about the slow progress of the proposed Carmichael mine in the Galilee Basin. ...

Last week a Queensland Department of Environment and Science spokesman confirmed receipt of draft preliminary advice from an independent



AAP captured the moment W&J anti-Adani spokeswoman, Murrawah Johnson (left) interrupted mining minister Matt Canavan's press conference, featuring Patrick Malone (centre), a W&J man who supports the Adani mine. Canavan's Facebook page expressed his fury that Johnson was 'smuggled' into Parliament. He suspected the Greens. Photo: AAP

panel reviewing Adani's Black-throated Finch Management Plan.

“Adani was offered the opportunity to receive a detailed briefing by the Panel on their draft findings, but declined,” the spokesman said. ...

A spokeswoman for Adani said the company declined to meet with the review leader, Professor Brendan Wintle because he has made “anti-coal” and “anti-Adani” statements in the past. ...

<https://www.dailymercury.com.au/news/traditional-owners-adani-meeting-hijacked/3646219/?c-spt=1550003411|098910dc867773fda669e37d8905b3ae>

Traditional owners' Adani meeting 'hijacked'

Zizi Averill, *Daily Mercury*, 13/02/2019

Divisions within the Indigenous communities over the controversial Adani mine have flared up in Canberra.

A press conference meant to show off the support of the Wangan and Jagalingou people for the Carmichael coal mine, only shone a light on the continuing debate within the community.

Representatives of the WJ people Patrick Malone, Jonathan Malone and Kelvin Dunrobin met with Federal MPs to discuss the mine's impact.

Mr Malone said the majority of traditional owners supported the mine, saying the project could bring long-term employment and other benefits to the WJ people.

Indigenous anti-Adani protester Murrawah Johnson soon interrupted him, accusing Mr Malone of having no right to represent her people.

Federal Member for Dawson George Christensen accused Ms Johnson of “hijack(ing)” the conference, saying “the voices of the majority (were) drowned out again by an extreme green-funded activist with the loudest voice”. ...

https://www.sbs.com.au/news/heated-exchange-at-adani-media-event?fbclid=IwAR07cp_qQ04Ym026tX9S1C3XbEzZiF66XllhNF9EQVofgXo_hSV6ux4s

Heated exchange at Adani media event

SBS, 12/02/2019

A press conference to showcase the support of indigenous traditional owners for Adani's Carmichael coal mine has served to show divided opinions on the project.

A fiery war of words has broken out at a press conference designed to highlight the support of Indigenous traditional owners for Adani's controversial Carmichael coal mine.

Spokesman for the Wangan and Jagalingou people of central Queensland, Patrick Malone, spoke up about the benefits of the project, including a boost to local employment alongside Resources Minister Matt Canavan at Parliament House in Canberra on Tuesday. ...

But he was soon interrupted by fellow Wangan and Jagalingou representative Murrawah Johnson.

“Not appropriate,” Ms Johnson declared upon arriving at the scene. ...

With the exchange showing no signs of cooling down, Senator Canavan swiftly wrapped up the conference, with security arriving to usher away the interrupters.

But fellow Nationals representatives, MPs George Christensen and Michelle Laundry, fronted the camera once again with Mr Malone. ...

The stoush followed a morning protest against the Carmichael mine on parliament's front lawn ...

<https://www.abc.net.au/news/2019-02-13/adani-facing-government-probe-abbot-point-wetland-release/10805206>

Adani facing government probe into latest coal terminal water release into wetlands

Josh Robertson, ABC, 13/02/2019

The Queensland Government is investigating whether Indian mining firm Adani has breached its environmental licence for the second time in two years with the release of coal-laden floodwaters from its coal port at Abbot Point in the state's north.

Key points: Adani has not applied for an emergency water release permit for Abbot Point; Water flowed into Caley Valley wetlands this month after monsoonal rain; The Queensland Government is prosecuting Adani over a 2017 wetland water release.

https://www.abc.net.au/news/2019-02-13/adani-show-cause-notice-coal-floodwaters-abbot-point-qld/108086182?fbclid=IwAR2IXICDHSSMkEmd-BYvSDxAsUjZmDcim4sEmqJJaSkoNqHBxD1awVYVaq_Mfiw

Adani to be issued with 'show cause' notice over coal-laden floodwaters at Abbot Point

Josh Robertson, ABC, 13/02/2019

The Queensland Government says it is poised to act against Indian energy giant Adani over the release of coal-laden floodwaters from its coal port at Abbot Point in the state's north.

Key points:

The DES is investigating whether Adani breached its environmental licence at Abbot Point for the second time in two years

DES will now issue a show cause letter, inviting Adani to make representations as to why enforcement action should not be taken

Abbot Point operations chief executive says the water released into the Caley Valley wetlands is not "coal-laden sludge"

<https://www.couriermail.com.au/news/queensland/queensland-government/adani-slammed-over-floodwater-release-at-abbot-point/news-story/ef4ad2330ae-b575151ec0f988b839bfa>

Adani slammed over floodwater release at Abbot Point

Domanii Cameron, Courier-Mail, 13/02/2019

Adani has come under fire for not applying for a temporary emissions licence before it released water from Abbot Point coal point into the adjacent Caley Valley Wetland. ...

<https://www.theaustralian.com.au/business/mining-energy/threat-to-finch-the-latest-hurdle-for-adani-coalmine/news-story/e79d8665b588c3d29c7c99e981e65bf5>

Threat to finch the latest hurdle for Adani coalmine

Jared Owens, The Australian, 14/02/2019

Queensland's Labor government has flagged a further delay to the final approvals for Adani's proposed Carmichael coalmine after missing a deadline on a controversial review of the project's environmental strategy.

The Indian conglomerate has lashed the state government over delays in approving its environmental management plans for the mine ...

The department said it would consider the final report and any submissions by Adani before making a decision on whether to accept the black-throated finch management plan.

Adani has refused to meet with the review panel conducting the black-throated finch management plan review amid criticism of its head, Melbourne University academic Brendan Wintle, for associating himself with anti-coal activism. ...

<https://www.townsvillebulletin.com.au/news/townsville-business-owners-see-adani-as-critical-for-recovery/news-story/d8afabcf5582b82a81dfde19d9ecd9cc7c-spt=1550097007|2cf99a2b937e4c05ce58efcbcbce5a60>

Townsville business owners see Adani as critical for recovery

Tony Raggatt, Townsville Bulletin, 14/02/2019

Townsville business owners and managers have highlighted the importance of Adani's \$2 billion coal and rail project for the city's economic recovery amid flagging business confidence.

The support for the mine came in a survey by local firm PVW Partners taken before the floods ...

A total of 86.1 per cent said the project was either important or extremely important for the region's recovery, 11.1 per cent said it would have "no impact" and 2.8 per cent said it was "not very important". ...

<https://www.theaustralian.com.au/business/mining-energy/blackthroated-finch-derails-adanis-coalmine/news-story/c33f767d71228fbaa05e475a3bc91cb2>

Black-throated finch derails Adani's coalmine

Jared Owens, The Australian, 15/02/2019

The endangered black-throated finch is on the verge of halting Adani's controversial coalmine after a review by a Melbourne academic, commissioned by the Queensland government at the 11th hour, found the multi-billion-dollar project's plan to protect the rare bird was inadequate. ...

A copy of the report, obtained by *The Australian*, recommended the Carmichael coalmine face a tough new monitoring scheme that would shut down mining if the finch population reduced over the project's first five years. ...

Adani's spokeswoman criticised the draft report for raising questions about how the finches would cope with climate change, and for citing research by an academic who had been "actively campaigning against the Carmichael project for years". ...

The Minerals Council of Australia said Professor Wintle was "clearly biased" against coalmining and Queenslanders had "every right to be angry". ...

<https://www.couriermail.com.au/news/queensland/report-over-endangered-bird-labelled-antiadani-lobbying-brochure/news-story/e0809ff97281142b4b59b7a-3d5e2879c>

Report over endangered bird labelled 'anti-Adani lobbying brochure'

Steven Wardill, Courier-Mail, 14/02/2019

The controversial report ordered by the Palaszczuk Government into the Carmichael coal mine's proposed management plan for an endangered bird has been lampooned as an "anti-Adani lobbying brochure" by the company. ...

The opening sentence of the report claims the existing management plan "does not meet the content requirements of an acceptable plan to manage an endangered species". ...

The report repeatedly references the work of finch researcher April Reside, who was part of a contingent of environmentalists who attempted to convince Bill Shorten not to support the mine during a charter flight over the Galilee Basin paid for by the Australian Conservation Foundation in 2017.

"As we anticipated, this draft report reads like an anti-coal, anti-mining, anti-Adani lobbying brochure," an Adani spokeswoman said. ...

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<https://knitting-nannas.org/bulletins.php>

COAL ROCKS ON

<https://www.dailyexaminer.com.au/news/victims-of-mine-dust-diseases-seek-coal-levy/3643207/?c-spt=1549836669|40aad07a7a02f8343b8207ef8d42e17a>

Victims of mine dust diseases seek coal levy

Angela Seng, Daily Examiner, 09/02/2019

Victims of mine dust diseases and their supporters have kicked off a campaign in an effort to establish a support fund.

The group of 16 former mine workers attempted to meet with the Member for Capricornia Michelle Landry at her electorate office in Rockhampton yesterday morning.

Ms Landry was unavailable to meet with the group, though a representative from her team confirmed she will be meeting with them later this month.

A proposal for a one cent per tonne, per week levy on coal produced is part of what the Mine Dust Victims Support Group would like to present to politicians. ...

<https://www.singletonargus.com.au/story/5899538/wambo-united-welcomed-by-some-rejected-by-others/>

There remains a continuing community divide between miners and those opposed to expansion plans

Louise Nichols, Singleton Argus, 12/02/2018

Like so many public meetings held to review proposed mining projects there are always the two distinct groups of attendees.

Those wearing suits and high-vis support the project and those carrying placards do not.

This was once again the case at the Independent Planning Commission (IPC) meeting in Singleton last week held to review the United Wambo Open Cut Coal Project. ...

In what maybe a first for such a meeting two local GPs Barry Thomas and Bob Vickers spoke against the mine's approval with both specifically concerned about its impact on health and the wellbeing of future generations due to climate change. ...

<https://www.southburnettimes.com.au/news/licence-renewed-for-kingaroy-coal-mine/3646117/?c-spt=1550003446|36467f76542de897216f4df71bb3d279>

Licence renewed for Kingaroy coal mine

Jessica McGrath, Sth Burnett Times, 13/02/2019

The mining licence for the company investigating the proposed Kingaroy coal mine has been renewed.

A Department of Natural Resources Mines and Energy employee renewed a mineral development licence held by Moreton Resources on January 17. ...

Kingaroy Concerned Citizens Group, who are opposed to the mine, said in a Facebook post they had previously written to the Queensland Government to request the licence was not renewed on the grounds that to do so would not be in the public interest. ...

<https://www.theguardian.com/australia-news/2019/feb/14/nsw-accounting-trick-lets-miners-dodge-appropriate-rehabilitation-costs>

NSW 'accounting trick' lets miners dodge appropriate rehabilitation costs

Ben Smee, The Guardian, 14/02/2019

New South Wales taxpayers could be shortchanged up to \$500m by a state government "accounting trick" that allows mining companies to dodge paying appropriate contingency costs for site rehabilitation.

A 2017 report by the NSW auditor general found that security deposits paid by miners for future rehabilitation were inadequate and made several recommendations ...

Rick Humphries, the mine rehabilitation coordinator at Lock the Gate, said the new arrangements were "an accounting sleight of hand" that had the effect of not forcing mining companies to meet the standards outlined by the audit. ...

GAS, GAS, GAS

<https://www.abc.net.au/news/2019-02-08/outback-oil-canavan-best-chance-for-national-production/10791164>

Outback oil Australia's 'best immediate prospect' for domestic production: Canavan

Jane Bardon, ABC, 08/02/2019

The Northern Territory outback contains Australia's best current prospect for finding a new domestic oil source.

That's according to Federal Resources Minister Matt Canavan, who has declared the NT's Beetaloo Basin as "the best immediate prospect" for a major new national oil and gas hub. ...

It follows briefings to investors in December and January by some of the oil and gas companies with exploration permission in the huge area, stretching from Mataranka to Elliott, that they intend to target "liquid-rich" shales.

Senator Canavan said there were "a lot of people excited about the potential for liquid production in the shale fields of the Beetaloo Basin".

"And that could help return us to self-sustainability in oil, which is very important for our national security," he said. ...

Antifracking groups questioned why the NT Government's fracking inquiry didn't model the risks of fracking for liquids as well as dry gas. ...

The Australian Petroleum Production And Exploration Association said the risks and mitigation measures for fracking for gas and oil were the same, so the inquiry's recommendations on gas could also be applied to liquids. ...

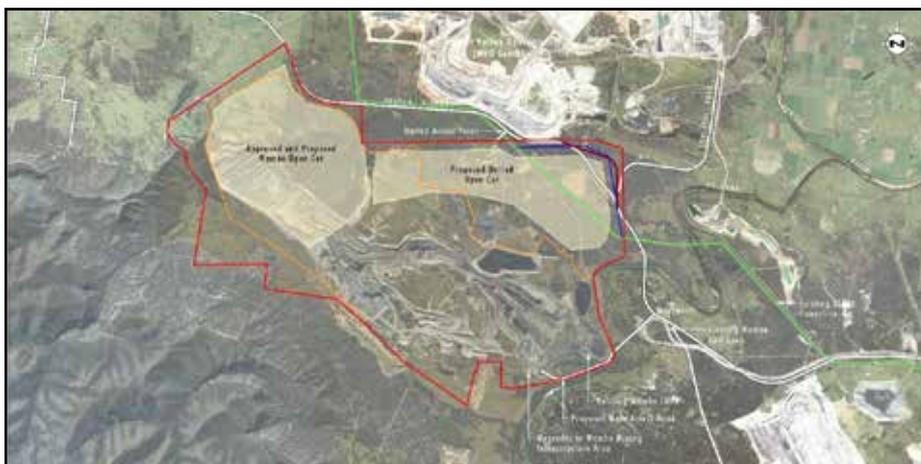
https://thewest.com.au/business/energy/safety-strife-for-shells-lng-giant-prelude-ng-b88109475327fbclid=IwAR2ZCgHa_5a4ypQ3bxYR4LXL1Ees7KnuUNV2A9iSW03NG9IhY5r7QbF88E

Safety strife for Shell's LNG giant Prelude

Peter Milne, West Australian, 09/02/2019

Shell has struggled through a series of safety missteps as it readies its cutting-edge Prelude floating LNG vessel for production.

Shell reported 17 incidents to the offshore safety regulator NOPSEMA between May and October 2018 that



Map of the United Wambo Open Cut Coal Project. Graphic: Glencore



Shell's Prelude floating LNG unit has experienced safety issues. Photo: Shell

the regulator classified as dangerous occurrences. ...

One difficulty with floating LNG vessels is that an LNG carrier must berth alongside as the two vessels bob about in the sea, unlike floating oil production facilities that offload oil to a tanker a safe distance away through long flexible hoses. ...

<https://www.abc.net.au/news/science/2019-02-11/great-australian-bight-seismic-oil-gas-environment/10777330>

Oil fields clash with natural wonder in the Great Australian Bight

Nick Kilvert, ABC, 11/02/2019

The Great Australian Bight is one of the most pristine marine ecosystems on the planet.

Home to orcas, seals, dolphins and southern right whales, much of the biodiversity found here exists nowhere else on earth. ...

Between September and November, [Petroleum Geo-Services (PGS)] will begin seismic testing. This involves setting off a series of underwater blasts that send soundwaves through the ocean floor, reflecting off different substrates to locate fossil fuel deposits. ...

Seismic testing uses airguns to pump out a series of blasts up to 240 decibels, and can cause major disruptions to marine life, according to Nathaniel Pelle from Greenpeace. ...

STOP WATER MINING THE NEXT RESOURCES BATTLE



<https://www.dailytelegraph.com.au/news/northern-territory-chamber-of-commerce-and-industry-leading-gas-mission/news-story/0e2c248be32239d8b956b974640b01f3?cspt=1550003435j67d4beab88c4e33f7b49f3836d3b1afba>

Northern Territory Chamber of Commerce and Industry leading gas mission

NT News, 13/02/2019

A 16-strong delegation of Northern Territory industry heavyweights is heading to Texas to investigate the opportunities flowing from the onshore gas industry.

The Northern Territory Chamber of Commerce and Industry is leading the cross-industry group to see first-hand how the industry has benefited regional US communities. ...

The group will visit onshore gas operations in the Eagle Ford Group in Southern Texas and will see at first hand the latest developments in exploration and production. ...

HYDROGEN HYPE

<https://www.abc.net.au/news/2019-02-14/latrobe-valley-coal-to-hydrogen-project-approved/10812464>

Victoria's Latrobe Valley coal-to-hydrogen pilot project gets green light from EPA

Jarrod Whittaker, Emma Field & Beth Gibson, ABC, 14/02/2019

A world-first pilot project which will turn brown coal from Victoria's Latrobe Valley into hydrogen has been approved by the Environmental Protection Authority (EPA).

The Hydrogen Energy Supply Chain project, spearheaded by a Japanese-led consortium, will test the feasibility of producing hydrogen from brown coal and shipping it to Japan for use in the domestic market.

The one-year project, led by Kawasaki Heavy Industries, will begin in mid-2020, with production to be handled at a plant adjacent to the Loy Yang power station.

It will use 160 tonnes of brown coal from Loy Yang's mine to create three tonnes of hydrogen which will be shipped to Japan at a loading terminal in the Port of Hastings via a specially-designed boat. ...

Cam Walker from Friends of the Earth said the EPA decision was not transparent and the Victorian government should not be investing \$50 million in coal projects. ...

CLIMATE CRISIS

<https://www.theaustralian.com.au/news/inquirer/latest-forecast-a-climate-of-fear-that-ignores-the-facts/news-story/efb1279bb128db84bd68cbd61848229d>

Latest forecast: climate of fear

Graham Lloyd, The Australian, 08/02/2019

Weather and climate used to be different things, but the capture of weather by climate change advocates is now all but complete. Wild weather is a political statement worldwide. ...

It is being legitimised by a new branch of "attribution science" that links climate change influence to what were otherwise weather events. ...

<https://www.theaustralian.com.au/news/inquirer/patriots-cant-hate-nations-top-export-coal/news-story/875a10f924e9100f1e7ff5c1a7a21c7e>

Patriots can't hate nation's top export, coal

Chris Kenny, The Australian, 09/02/2019

We have a national crisis in energy affordability and reliability, and The Australia Institute is subverting efforts to find solutions, preferring to pursue the same ideological crusade for renewable energy investment that created the mess. ...

We have a taxpayer-funded national broadcaster that routinely amplifies The Australia Institute's efforts to sabotage investment in our natural resources yet mocks commercial media that can see a positive angle on enterprise and employment. ...

<https://www.couriermail.com.au/business/shell-australia-chair-says-cheap-gas-is-almost-gone/news-story/776c7564b8129a531ee9eac626af6d35>

Shell Australia chair says cheap gas is 'almost gone'

John Dagg, Herald Sun, 13/02/2019

The era of cheap gas is over and the nation's booming export industry has

kept prices lower than they otherwise would be, the chair of Shell Australia has said.

Zoe Yujnovich said it was incorrect to blame high gas prices on exports, and \$200 billion invested in the local industry would not have happened without overseas customers. ...

“Gas exports from Queensland have unlocked the huge resource held within Queensland’s coal seams — a resource that would have stayed in the ground were it not for the economies of scale provided by the export industry. ...

NUKE MADNESS

<https://www.abc.net.au/news/2019-02-13/foi-documents-show-kimba-divided-over-nuclear-waste-site/10807462>

Nuclear waste site selection process triggers mental health concerns, business boycotts and division, FOI documents reveal

Gary-Jon Lysaght, ABC, 13/02/2019

Freedom of Information (FOI) documents reveal the Federal Government has been aware of potential mental health issues, from as early as 2017, caused by the search for a site to store the nation’s nuclear waste.

The Federal Government is currently considering two sites at Kimba and one near Hawker for a facility that would permanently store low-level waste and temporarily store medium-level waste.

Kimba, a small town on South Australia’s Eyre Peninsula, has been divided on whether to support or oppose the facility. ...

Centre Alliance Senator Rex Patrick obtained the Freedom of Information documents and hoped the concerns were a catalyst for change.

“In my view, that creates a very strong obligation for the Government to act,” he said.

“They’ve clearly known about this issue since 2017 and it is now time to ask the minister exactly what he is doing in relation to that.”

Industry, Innovation and Science Minister, Matt Canavan, is responsible for determining which site should be chosen for the facility.

“If anyone in Kimba advises they have concerns about their health, they can be referred to the Kimba Mental Health and Wellbeing Group,” a department spokesman said. ...



Opponents of the Rocky Creek coal mine celebrate their court win. The NSW Minerals Council describes them as ‘urban greenies’, despite them mostly being Gloucester locals. Photo: supplied

ROCKY REJECTION

<https://www.abc.net.au/news/2019-02-08/rocky-hill-mine-plans-qaushed-in-nsw-court/10792902>

Rocky Hill mine plans quashed in Land and Environment Court

Meredith Griffiths, ABC, 08/02/2019

A new coal mine near Gloucester on the NSW mid-north coast has been refused by the Chief Justice of the Land and Environment Court, who ruled the development would increase greenhouse gas emissions at time when they urgently need to be cut. ...

<https://www.smh.com.au/environment/climate-change/we-won-landmark-climate-ruling-as-nsw-court-rejects-coal-mine-20190207-p50wer.html>

‘We won’: Landmark climate ruling as NSW court rejects coal mine

Peter Hannam, SMH, 08/02/2019

Environmental groups are cheering a decision in NSW’s Land and Environment Court that found the emissions of greenhouse gases and resulting climate change from a proposed coal mine were among the reasons to reject the project. ...

<https://www.smh.com.au/environment/climate-change/delicious-irony-how-miner-s-challenge-became-a-climate-change-win-20190208-p50wv0.html?cspt=1549836627/d-2fbff7751dab852fdd6a0482dec5494>

‘Delicious irony’: How miner’s challenge became a climate change win

Peter Hannam, SMH, 08/02/2019

Instead of settling the future of Gloucester Resources’ controversial Rocky Hill coal mine near Gloucester, the NSW Land and Environment Court

just cast a cloud over coal mining in general. ... In what EDO chief David Morris describes as a “delicious irony”, the court got to hear about the project’s detrimental impact on climate change and the town’s social fabric - despite Gloucester Resources arguing such intervention would be a “side-show and a distraction”. ...

<https://www.theguardian.com/australia-news/2019/feb/08/court-rules-out-hunter-valley-coalmine-climate-change-rocky-hill>

Court rules out Hunter Valley coalmine on climate change grounds

Michael McGowan & Lisa Cox, The Guardian, 08/02/2019

The controversial Rocky Hill coalmine in the Hunter Valley will not go ahead after a landmark ruling in the land and environment court on Friday that cited the impact it would have had on climate change. ...

https://reneweconomy.com.au/nsw-coal-mine-ruled-out-due-to-climate-change-in-landmark-court-decision-86781/?utm_source=RE+Daily+News-letter&utm_campaign=3149772849-EMAIL_CAM-PAIGN_2019_02_08_01_53&utm_medium=email&utm_term=0_46a1943223-3149772849-40461137

NSW coal mine ruled out due to climate change, in landmark court decision

Sophie Vorrath, Renew Economy, 08/02/2019

Australia’s coal-lump caressing prime minister won’t speak its name, but a NSW judge has cited climate change in a landmark ruling on Friday, blocking plans to develop an open-cut coal mine in the state’s Hunter Valley region. ...

<https://www.echo.net.au/2019/02/coal-joins-tobacco-asbestos-one-had-guys/>

Coal joins tobacco and asbestos as one of the bad guys

Eve Jeffery, Echonet Daily, 08/02/2019

You could hear the cheers emanating from a small herb nursery in Gloucester this morning, as a few hundred kilometres away, the NSW Land and Environment court ruled out a new coal mine for the town. ...

“The NSW Land and Environment court has effectively ruled that coal – just like tobacco and asbestos – is bad for us,” said the Climate Council’s CEO, Amanda McKenzie. ...

<https://www.smh.com.au/environment/climate-change/smacks-of-judicial-activism-nationals-mps-accused-of-contempt-of-court-after-rocky-hill-decision-20190209-p50wp7.html?fbclid=IwAR16vM8c7AqSKdmdeyh0DwLIS8ZqmnRFK9wajhA7RirmNAc907ujQMjzWZU>

‘Smacks of judicial activism’: Nationals MPs accused of contempt of court after Rocky Hill decision

Esther Han, SMH, 09/02/2019

A Nationals MP’s claim that the Land and Environment Court’s decision to block a coal mine in his electorate reflected an “ideological position” and “smacked of judicial activism” has prompted a rival MP to accuse him of contempt of court.

After the court on Friday rejected Gloucester Resources’ bid to open the Rocky Hill mine on the Mid North Coast because of “climate change impacts”, Nationals MP for the Upper Hunter Michael Johnsen hopped on 2GB to vent his fury. ...

Independent Upper House MP Jeremy Buckingham has fired off a letter to the registrar of the court saying he believes Mr Johnsen’s comments “may be in contempt of ... court and bring the court and its decisions into disrepute”. ...

John Watts, a retired barrister who lives in Gloucester and was heavily involved in the court case, accused Mr Johnsen of prioritising the interests of a coal mining company over the interests of the community.

“What is even more appalling is that he has chosen to gratuitously attack the credibility of the very senior judge who decided the case,” he said.

Mr Watts will be a candidate for the NSW upper house in the upcoming election standing as an independent on Mr Buckingham’s ticket.

<https://www.theaustralian.com.au/business/mining-energy/coal-ruling-risks-up-to-100bn-in-projects/news-story/121f1dfc172c8f77d3768017dc9cda8f>

Coal ruling risks up to \$100bn in projects

Perry Williams, The Australian, 09/02/2019

An unprecedented court ruling that links Australia’s coalmines to global climate change may place a \$100 billion pipeline of fossil fuel developments in peril. ...

Former BHP boss Don Argus said he was concerned about the judge’s decision ...

“The demonisation of coal is something you have to be concerned with. We are being sucked into a debate without thinking about the economic consequences,” Mr Argus said. ...

<https://www.smh.com.au/environment/climate-change/coal-miners-derided-climate-action-sideshow-now-it-s-the-main-event-20190208-p50wmc.html>

Coal miners derided climate action ‘sideshow’. Now it’s the main event

David Morris & Brendan Dobbie, SMH, 11/02/2019

The nascent field of climate litigation in Australia came of age on Friday. The Chief Judge of the NSW Land and Environment Court, Brian Preston, delivered a landmark judgment refusing to approve a new coal mine because of its impacts on climate change. ...

The ramifications are likely to ripple out across Australia and possibly the world. This is climate litigation writ large. ...

We suspect we are only beginning to understand how profoundly influential this judgment will be on the legal landscape in Australia.

This won’t be the last project consigned to the dust-bin of history on the grounds of climate change. It is just the first.

• *David Morris is CEO of the NSW Environmental Defenders Office and Brendan Dobbie is its acting principal lawyer.*

<https://www.theaustralian.com.au/business/mining-energy/alarm-over-coal-climate-ruling/news-story/7b868aaab-4d5ed326fbbde6d714698b>

Alarm over coal climate ruling

Perry Williams, The Australian, 11/02/2019

Two of Australia’s largest mining producers have raised concerns over a controversial court ruling linking new coal mines to worsening global climate change, amid fears investment may plunge in the nation’s biggest export earner.

Peter Coates, a non-executive director of Australia’s biggest coal producer Glencore, said he was worried about the decision ...

Whitehaven Coal, which operates the Maules Creek mine in NSW, said it was “surprised” by the decision. ...

Nearly 50 coal projects worth \$70bn are being developed in Australia, according to government figures, raising fears that the pipeline of future mines may be delayed or cancelled due to the link made in the court ruling. ...

The Minerals Council – funded by the country’s largest companies including BHP, Rio Tinto and Glencore – said it was considering the impact of the legal ruling for the industry. ...

<https://www.theaustralian.com.au/opinion/editorials/green-lawfare-decision-will-deter-global-capital/news-story/e240d130cc5355bf3caa2530dc490ebf7c-spt=1549836048|589d627db960a27bf64e063d77f50228>

Green lawfare decision will deter global capital

The Australian, 11/02/2019

The “wrong time” decision used to block development of the Rocky Hill coking coal mine in NSW is a worrying example of judicial overreach, with profound implications for the nation’s future prosperity. ...

<https://www.afr.com/news/politics/green-lawyers-draw-up-hit-list-of-coal-mining-projects-after-landmark-court-win-20190210-h1b2sj>

Green lawyers draw up hit list of coal mining projects after landmark court win

Andrew Tillett, AFR, 10/02/2019

Environmental lawyers emboldened by a landmark ruling will target at least three other NSW coal-mining projects they say are vulnerable to legal challenge because of the industry’s contribution to climate change.

As coal-mining supporters urged the NSW government to appeal the decision, the NSW Environmental Defenders Office said Glencore and Peabody’s Wambo joint venture near Singleton, Kepco’s Bylong mine near Mudgee and Whitehaven Coal’s Vickery expansion in the Gunnedah basin shared characteristics to their successful challenge on behalf of local residents to a proposed mine on the mid-north coast. ...

But the resources industry warned the ruling should not be allowed to stand.

“I thought judges had to apply the law,” coal power station owner Trevor St Baker said.

“What has been quoted in his judgment hardly accords with the law as I understand it. I hope it is challenged.” ...

The Minerals Council of Australia chief executive Tania Constable said ... “Activism has got out of hand in Australia and they should not have the influence over mining projects as they do. Governments have to show courage.”

The Institute of Public Affairs also said the NSW and potentially the federal government should appeal the ruling, which he argues misunderstood Australia’s obligations under the Paris accord. ...

<https://www.afr.com/business/miners-must-appeal-anti-coal-landmark-court-decision-20190210-h1b2vr>

Miners must appeal anti-coal landmark court decision

Matthew Stephens, AFR, 10/02/2019

You have to admire the collective against coal mining. It sure does know when and how to pick its fights. ...

Left to stand, the decision by Judge Brian Preston would seem to establish precedent because it moves all three categories of carbon emissions to the front and centre of the state’s planning approval process. ...

While there is a lot of legal advice flying about already that suggests angles for appeal, it is accepted equally that challenge of the climate declaration might be unlikely given Preston’s ruling and the conclusions of the PAC process are so aligned on more typical public interest tests.

In other words, the case looks to be a lost cause of the issues that matter and that might see Gloucester accept it is done. Thus, en passant, Preston’s conclusions on carbon might be left unchallenged in a court of appeal.

Mind you, if Gloucester finds itself disinclined to afford further legal challenge, then it might well serve the bigger and more established end of Australian coal to offer a bit of crown funding to encourage further contest ...

<https://www.dailytelegraph.com.au/news/nsw/chief-judge-who-dismissed-rocky-hill-mine-appeal-founded-eco-legal-centre-that-helped-win-case/news-story/9f2d19eb7247996e9dafce4c38c0cc33>

Chief judge who dismissed Rocky Hill mine appeal founded eco legal centre that helped win case

Jack Houghton, Daily Telegraph, 11/02/2019

The Chief Judge of the NSW Land and Environment Court who blocked a coal mine due to factors including climate change founded the group of activist

lawyers for whom he last week ruled in favour.

The Daily Telegraph can reveal Justice Brian Preston co-founded the Environmental Defenders Office (EDO) NSW in 1987 and acted as its principal solicitor before leaving the organisation in 1995 to join the bar. ...

The Telegraph is not suggesting any bias on the part of Judge Preston. ...

• **Editor’s note: Despite the denial, this article appears to be crafted to suggest the Judge is biased.**

<https://www.dailytelegraph.com.au/news/opinion/stephen-galilee-urban-greenies-waging-a-pointless-war-on-regions/news-story/352993fbce8e459f7ae53cc20a8b5bed?cspt=15500970471344a6e5a8963fc00f1abd801662ec2eb>

Urban greenies waging a pointless war on regions

Stephen Galilee, Daily Telegraph, 13/02/2019

Mega-economies like China are responsible for more emissions in a few days than all of NSW generates in an entire year.

Yet here in NSW a small regional coking coal mine has been refused partly because emissions generated overseas from using its coal to make steel would apparently have “dire consequences” for global warming.

It’s a decision from a parallel universe where denying the world a tiny amount of NSW coal from a small regional mine will lead to the shutting down of blast furnaces around the world, saving us all from “wicked” climate change. ...

Right now, there are 25 new mining projects, extensions and modifications in the NSW planning system pipeline that have the potential to deliver almost \$11 billion in investment and over 13,000 jobs over the next two decades. ... Make no mistake, the city-based activists have declared economic war on regional NSW. ...

• **Stephen Galilee is CEO of the NSW Minerals Council**

<https://nit.com.au/wrong-place-for-a-coalmine-such-lush-cultural-country/>

Wrong place for a coalmine – such lush, cultural country

Andrea Cantle, National Indigenous Times, 13/02/2019

The NSW Land and Environment Court has rejected an appeal by Gloucester Resources in relation to the proposed Rocky Hill coalmine. ...

Michael Manikas gave evidence on behalf of the Cook family, Traditional

Owners of the land in the Gloucester area.

He said the NSW court’s rejection was a “big win” for Indigenous people in the area. ...

Janine Phillips, who submitted a statement to the court for Kim Eveleigh and Ken Eveleigh, Elders of the Worimil/Goorengai people, said the valley was “a significant sacred place as this is our Ancestor’s daughters’ birthing and naming area.”

“As they travel over this part of the land they shared knowledge of our Ancestors’ medicines, hunting and gathering of food, the weaving of fishing baskets whilst singing to the spirits of the Ancestors,” she said. ...

FOSSIL POLITICS

<https://www.crikey.com.au/2019/02/08/energy-political-donations/?ins=SlVocjdPbFQzbi9obk9tZxj0WURQUt09>

Energy sector fired up donations as electricity dominated politics

Bernard Keane, Crikey, 08/02/2019

Recently released Australian Electoral Commission data shows that donations from the energy sector surged in 2017-18. ...

Energy sector donations to the major parties increased 45% on 2016-17 and nearly 50% compared to 2015-16, despite the lack of a major election. Indeed, last year was the biggest year for energy sector donations since 2013, when US company Peabody Energy (which later sought bankruptcy protection), Caltex, Chevron and now-shuttered Linc Energy threw hundreds of thousands of dollars at the Coalition.

This time, however, the donations were almost evenly split; \$450,000 flowed to the Coalition across all state branches, and \$428,000 went to Labor. ...

<https://www.thesaturdaypaper.com.au/opinion/topic/2019/02/09/the-stop-adani-convoy/15496308007421>

The Stop Adani Convoy

Bob Brown, Saturday Paper, 09/02/2019

I am 74 and acutely aware that every minute of every day our planet is hotter than when I was a boy, due to the burning of fossil fuels. Storms, droughts and bushfires are all the worse, as predicted 30 years ago. Yet the rate of burning of fossil fuels is still growing in 2019, as is the consequent heating. ...

Now is not the time to give in to despair. Now is the time to take action.

My foundation, the Bob Brown Foundation, is preparing for a public showdown with the coalmining industry and its political backers. In the run-up to the federal election, our focus will be Adani – as the global mining giant looks set to be pushing ahead with its colossal Carmichael coalmine in central Queensland.

Before Easter, my partner, Paul, and I will be driving from Hobart to the ... site of the proposed Carmichael mine. Along the way we will be joining more than 1000 fellow Australians ...

The convoy is a simple option for people who can spare some time, money and courage to act on their commonsense convictions in this age of absurdity.

We will cop it from the radical powerbrokers who put coal before coral. There will be outrage about us not being at work, driving petrol-burning cars – in fact, our Stop Adani Convoy's vanguard of electric cars will challenge the government to catch up with comparable countries in facilitating non-petrol vehicles – or simply our being “greenies”, “do-gooders” or a threat to big corporations.

To offset this, there will be a special chair available at public meetings along the way for Gautam Adani – but not his understrappers – to personally take us on. Should he fly in, I think we will manage. ...

<https://www.theaustralian.com.au/business/tv-ads-push-resource-giants-agenda-with-warning-to-labor/news-story/e35d29b7f85b1d76d01d1b28ae5de521>

TV ads push resource giants' agenda with warning to Labor

Perry Williams, The Australian, 11/02/2019

Australia's resources giants have started their biggest ad campaign since fighting off Kevin Rudd's mining tax and fired a warning to unions that they expect federal Labor to resist any push for the return of industry-wide bargaining.

The Minerals Council of Australia, funded by the nation's largest companies including BHP, Rio Tinto and Glencore, have stumped up more than \$2 million for advertisements that started running on commercial television networks last night.

Dubbed “There's more to Australian mining”, the campaign will run in the lead-up to the election and continue until July.

A subsequent series in the second half of the year will focus on the use of the nation's minerals for modern living,

marking the first major campaign to reposition the mining industry in several years. ...

<https://www.theaustralian.com.au/business/mining-energy/grattan-institute-report-network-flaws-blamed-for-blackouts/news-story/2532cc9f85a52366e-1b381984b176ae6>

Grattan Institute report: Network flaws blamed for blackouts

David Uren, The Australian, 11/02/2019

Rising investment in renewable wind and solar power is being unfairly blamed for electricity blackouts, which are much more likely to be caused by failures in the network, a new Grattan Institute report contends. ...

<https://www.theaustralian.com.au/business/shell-carbon-call-riles-coalition/news-story/63378400f9bdee-a9ed330d1b09bb6512>

Shell carbon call riles Coalition

Perry Williams, The Australian, 14/02/2019

Energy giant Shell has reignited climate tensions between big business and Canberra after its call for the reintroduction of a carbon price was slammed by the federal government, which warned the move might threaten jobs and lift power prices.

Shell, one of Australia's top foreign investors and largest LNG exporter, said the government needed to consider lower emissions targets and pursue carbon pricing to ensure energy producers continued to invest in the industry. ...

Shell's call for action on carbon pricing backs up similar demands from Woodside Petroleum, Rio Tinto and BHP, which argue that having such a mechanism would clarify the marginal cost of reducing emissions across business.

However, the call by such a large industry player to reintroduce carbon pricing ahead of a looming federal election drew a withering response from the Liberal Party some five years after its former leader Tony Abbott dismantled the carbon tax, citing economic concerns.

“Australia has already seen the disastrous ramifications of Labor's carbon tax,” Environment Minister Melissa Price told *The Australian*. “A carbon tax costs jobs and pushes up electricity prices. Over 500,000 Australians are employed in energy-intensive manufacturing and the coal and metal ore mining, oil and gas extraction and electricity generation sectors.” ...

<https://www.sbs.com.au/news/climate-protesters-stage-parliament-sit-in>

Climate protesters stage Parliament sit-in

SBS, 14/02/2019

About 100 Indigenous people and supporters have occupied the foyer of Parliament House in Canberra to demand better protection of their water, country and climate.

Watched by Greens senators Mehreen Faruqi, Jordon Steele-John, Larissa Waters and Sarah Hanson-Young, the group is calling for an end to fracking, coal mining and water sharing.

“Aboriginal and Torres Strait Islander people are hit first and worst by climate change,” Amelia Telford from the Indigenous Youth Climate Network said on Wednesday.

“We are hurting in the face of water shortages, extreme heat, environmental pollution and the destruction of country and culture.”



Aboriginal and Torres Strait Islanders protesting in the Marble Foyer, Parliament House, Canberra, on Thursday. Photo: SBS/AAP

News this week ... from previous page

<https://www.dailytelegraph.com.au/news/nsw/how-nsw-taxes-are-used-to-fight-greenie-war/news-story/7362424d077a6e26264e9fbbc65261c8>

How NSW taxes are used to fight Greenie war

Jack Houghton, *Daily Telegraph*, 14/02/2019

Resources Minister Matt Canavan has called for taxpayer funding to be pulled from a NSW ecoactivist lawyers group trying to block projects across Australia.

The Environmental Defenders Office NSW (EDO) pocketed \$260,000 from the state government last year despite a ban on funds being used for “political advocacy or political activism”.

EDO has declared a new set of targets after it was emboldened by last week’s decision of the Land and Environment Court to block the Rocky Hill coal mine on the mid-north coast, in part because of climate change concerns.

After the ruling, the EDO vowed it would mount legal challenges to “phase out most coal globally by 2030” ...

But NSW Attorney-General Mark Speakman said the EDO – which says it offers free legal advice to more than 1000 individuals and groups each year – was welcome to apply for more tax dollars.

“These applications will be considered by an independent panel which will make recommendations to the Attorney-General,” he said. ...

<https://reneweconomy.com.au/coalition-ditches-big-stick-energy-bill-in-bid-to-save-coal-underwriting-deal-28510/>

Coalition “ditches” big stick energy bill in bid to save coal underwriting deal

Giles Parkinson, *Renew Economy*, 14/02/2019

The Coalition has been forced to ditch its controversial “big stick” divestiture bill after deciding it no longer has the numbers in the House of Representatives following the landmark defeat over the so-called “medevic” bill earlier this week.

The reported abandonment of the bill represents a major backdown for the Coalition and energy minister Angus Taylor.

They insist it has not been dropped from the official program, but will now not run the risk of defeat in parliament, choosing instead to promote it as a policy in the lead up to the election ... It was this pursuit of coal that inspired the Greens to put in an amendment to the big stick legislation



THESHOVEL.COM.AU

Scott Morrison Gives Wife Gorgeous Lump Of Coal For Valentine’s Day – The Shovel

<http://www.theshovel.com.au/2019/02/14/scott-morrison-gives-wife-gorgeous-lump-of-coal-for-valentines-day/?fbclid=IwAR3UU5emHe5lAmc1x1dbtE9Z7Qotn2Ar0cdncXGqvwWjs7mZgk80LWkyL0w>

that would have banned the government from funnelling money to any generation that had emissions of more than 620g/tonne – effectively ruling out coal.

That won the support of Labor and the cross-bench, and after the defeat of the government in the Medivac amendments, the Coalition decided not to risk their underwriting program by pushing the bill through the house. ...

The legal status of that underwriting proposal is also under a cloud.

Labor, while celebrating the dumping of the “big stick” legislation, made it clear on Thursday that any contracts signed by the Coalition before the care-taker period begins (likely in mid April) would be honoured.

However, there is a rider to that commitment. Labor believes any such deal will require legislative approval, and that will not be given if Labor and the independents have their way.

Presumably, Taylor’s team are desperate to find a way around that restriction. ...

<https://www.theaustralian.com.au/national-affairs/pms-energy-policy-backflip-irks-nationals/news-story/67e096925febb1cdbe424e422f48b6d>

PM’s energy policy backflip irks Nationals

Ben Packham & Perry Williams, *The Australian*, 15/02/2019

Scott Morrison’s move to shelve his signature “big stick” divestment legislation to deal with market misconduct by energy companies has sparked a backlash inside the Nationals and accusations by Labor that the Coalition no longer has an energy policy. ...

Nationals MP Keith Pitt attacked the decision, seeking an emergency meeting of colleagues with the support of at least six MPs, including Barnaby Joyce. ...

FFB

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