

Tony Abbott wedges Bill Shorten on coal jobs

SID MAHER, The Australian, August 19, 2015

Tony Abbott has escalated his attack on anti-coal activists and challenged Labor to stand up for jobs, by moving to ban green groups from using the courts to stop major developments such as the Adani coalmine. The government used the announcement, which would strike out the provision in environmental laws that allows green groups to challenge development consent for major projects unless they have a direct interest in the project, to declare that only the Coalition was standing up for workers.

Labor and the Greens immediately declared they would not support weakening environmental protections.

The Prime Minister said the issue was a test for the Labor Party. "Are they more interested in the politics of the green movement and are they more interested in the preferences of the Greens Party or do they really care about the workers of Australia?" Mr Abbott said. Industry Minister Ian Macfarlane said the government was concerned that groups with a philosophical opposition to coal were determined to delay and disrupt every coal project using protracted litigation. "It is about time the Labor Party stood up for the workers," Mr Macfarlane said. "We stand up for workers. How about you guys stand up for the workers for a change."

Adani's Carmichael coal project in central Queensland has proven a flash point between green activists trying to stop the development of new coalmines to limit climate change and the Abbott government, which has backed the development on the basis it will bring up to \$31 billion in investment and create 10,000 jobs. Mr Abbott this month lashed the Federal Court action that sparked the delay in the approval of the mine, warning against allowing the courts to evolve into a "means of sabotaging projects".

Attorney-General George Brandis yesterday announced the government would remove Section 487 of the Environment Protection and Biodiversity Conservation Act, the provision that he said "allowed radical green activists to engage in vigilante litigation to stop important economic projects". The move would return legal action against projects to the common law, meaning litigants would have to have a direct interest in the case to be given standing, such as landholders affected by a resources project.

Senator Brandis said Section 487 of the EPBC Act "provides a red carpet for radical activists who have a political, but not a legal, interest in a development to use aggressive litigation tactics to disrupt and sabotage important projects". The government's move won the immediate backing of resources groups but was savaged by green groups.

Minerals Council of Australia chief executive Brendan Pearson said a large number of new projects and mine expansions in recent years had been “subject to a calculated campaign of protests and harassment, including vexatious and incessant legal appeals lodged by a small band of extreme environmental groups”. “If unchecked, this gaming of legal and approvals processes campaign will exact a significant toll on the Australian economy,” Mr Pearson said. “This strategy has already led to a delay in the Carmichael project in Queensland’s Galilee Basin, posing a threat to 10,000 jobs and billions of dollars in investment.”

Australian Conservation Foundation chief executive Kelly O’Shanassy said the government seemed “determined to strip Australians of the right to legitimate legal action to protect nature in this country”.

WWF-Australia chief executive Dermot O’Gorman cautioned that proposed changes to the EPBC Act “increase the risk of corruption by removing checks and balances in government decision-making”. Greenpeace accused the Abbott government of “throwing a tantrum” and said the move would “gut national environmental protection laws”.

Mr Abbott said the Adani issue was “a setback for the reputational risk of Australia” and jobs were being threatened by “the militancy of the green movement led by the Mackay Conservation Group”.

He said the group was located 600km from the mine and was represented by the NSW Environmental Defender’s Office, which was located a 13½-hour drive from the mine.

“There has been a litany of challenges against a mine that in fact is going to power up the lives of 100 million impoverished people in India,” Mr Abbott said. “It represents \$20bn of investment in Australia and 10,000 new jobs in Australia. And they are real jobs for truck drivers, train drivers, electricians, engineers, mechanics and geoscientists stretching from Cairns to Mackay, Brisbane to Perth.”

Ellen Roberts, the co-ordinator of the Mackay Conservation Group, accused the government of seeking to divert attention from its drop in the polls. “Coal companies should not be above the law and the government should not be doing their bidding by changing the law to remove the rights of the community to have a say,” Ms Roberts said.

Opposition environment spokesman Mark Butler and legal affairs spokesman Mark Dreyfus declared Labor would not support weakening environmental protections or limiting a community’s right to challenge government decisions. “Since being passed by the Howard government 15 years ago, the EPBC Act has been the overriding national environmental protection law, including throughout the mining boom — and environmental groups are required to operate within this law,” Mr Butler said.

The government had been caught out for not properly managing the approval process for the Adani mine under the act, he said.

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