

## **MEDIA RELEASE**

Monday 7 March 2016

### **LANDMARK QLD LAND COURT HEARING BEGINS: FARMERS CHALLENGE NEW ACLAND COAL MINE EXPANSION**

FARMERS and residents battling to stop New Hope's controversial Stage 3 expansion of the New Acland coal project will begin a landmark case in Queensland's Land Court today.

Oakey Coal Action Alliance (OCAA), alongside 30 other community objectors, says the proposed expansion of the open cut mine will ruin prime agricultural land, risk precious groundwater, damage community health and put an end to their close-knit community.

Environmental Defenders Office Qld (EDO Qld) are lawyers for objector OCAA, a community group with more than 60 farmers and residents of the region who do not want the expansion.

EDO Qld CEO Jo-Anne Bragg said: "These hardworking Queenslanders have faced over a decade of pressure and inequality from the New Hope coal mine project and this proposed expansion continues to divide the community and leave families uncertain about their health and future.

"This hearing is the community's chance to present clear evidence to the Land Court, the government and the public as to why the proposed project is damaging and should not proceed," she said.

"The court will scrutinise whether the social, environmental and economic impacts on Queensland of expanding the mine are worth the claimed benefits of the 12-year coal project.

"Without this case, the costs and benefits of this project would not be scrutinised before the independent Land Court, which is central to holding government and projects accountable.

"The hearing will gather evidence from more than a dozen water, noise, air quality and economic experts as well as from landholders over a 10-week period making it one of the largest cases of its kind in Queensland's history.

"This will also be the first court case in Queensland to focus on strategic cropping land and mining, and to shine the light on the health impacts of coal dust."

Ms Bragg said the main grounds for OCAA and other objectors were:

- The mine expansion's impact on Queensland's best and richest farmland (1,361 hectares (13.61km<sup>2</sup>) of strategic cropping land), and the negative economic impact that will flow from this as a result.
- The potential drop in precious groundwater - up to 47 metres on the site - and one metre or more across a 21 kilometre-wide area around the site - and subsequent impact this will have on farms in the region who rely so heavily on groundwater; and
- The mine expansion's additional impact on already degraded air and noise quality, and how this will affect the health of farmers and residents living near the mine.

The Land Court will hear opening statements from parties today (Monday 7 March), followed by a site inspection starting on Tuesday (8 March) before opening statements and expert evidence begins on Wednesday 16 March. The hearings will be held in Brisbane and Dalby with dates for grounds yet to be confirmed.

"It's the decision of the Queensland Government, not the Land Court, to make the final decision on whether or not the project goes ahead. However, the Government must take the Court's recommendation into consideration when making this decision."

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**FURTHER BACKGROUND:** See [edoqld.org.au/acland-media-materials](http://edoqld.org.au/acland-media-materials) for:

- Detailed media explainer, including timeline and key documentation
- High quality stills and footage of the region and farmers
- Case studies of locals impacted by the mine
- A series of case studies on farmers involved.

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## SHORT OVERVIEW

In the town of Acland in Queensland's Darling Downs, which boasts some of Australia's best agricultural land, New Hope Coal plans to expand their existing open-cut New Acland Coal mine, threatening to further erode the future of the region's farming economy, water security and Acland's social fabric.

Many from the local and broader community are vehemently opposed to the expansion, as is evidenced by the unprecedented roll call of 30 community objectors plus a local community group of more than 60 members, the Oakey Coal Action Alliance. All of the objectors are challenging the mine in the QLD Land Court, due to run from 7 March 2016 for up to ten weeks.

The existing mine has caused extensive hardship, damaged community members' physical and mental health and livelihoods, and eroded the once-thriving and cohesive rural community, in existence since the 19th century. Objectors fear any further expansion would be an unsustainable blow to the community and the region.

The mine expansion, known as Stage 3, will see an increase in the annual production of coal from 5.2 to 7.5 million tonnes for just 12 years to 2029 – but potentially will leave a legacy of major ongoing impacts to the health of residents and integrity of the community, productive food-growing farmland, and vital water resources.

Oakey Coal Action Alliance will argue the expansion will permanently disturb over 1,361 hectares (13.61km<sup>2</sup>) of prime agricultural country identified by the government as 'strategic cropping land'. It will potentially drop groundwater levels up to 47 metres on the mine site and one metre or more across a 21 kilometre-wide area around the site; and seriously degrade air and noise quality in the area. This further threatens the health of local residents, some who are already suffering the impacts of coal dust from the current operation.

The proposal comes at a time when the coal price is plummeting, and when, post the Paris climate agreement, the world more than ever is turning to renewables. The approvals process also takes place as the Palaszczuk Government prepares to reverse previous commitments and implement Newman era law changes that will provide mining companies with a statutory right to take groundwater and remove the requirement for them to obtain water licences. This is adding to farmers' concerns about the long-term impacts on their water resources.

New Hope claims that it will rehabilitate strategic cropping land to lower quality grazing land, which already represents a reduction in agriculture value. However, experienced farmers neighbouring the mine have serious doubts about the ability of the mine to restore mined land to productive farming land.

Outside of the case, the project is clouded in political controversy. The former Newman LNP government made a pre-election promise to the community in 2012 that the project would not go ahead because of its effect on high-quality agricultural land and proximity to townships. The government later reversed its opposition to the mine, issuing a Coordinator-General approval in December 2014, just before losing office. During the term of the Newman LNP government, New Hope and associated companies donated some \$700,000 to state and Federal Liberal and National Parties. The Palaszczuk Labor government, which came to office in early 2015, committed to conduct a review of the approval process, but has failed to act on that commitment.