

Senate Standing Committee on Environment and Communications
Legislation Committee
Answers to questions on notice
Environment portfolio

Question No: 71
Hearing: Supplementary Budget Estimates
Outcome: Outcome 1
Programme: Environment Assessment and Compliance Division
Topic: ABBOT POINT - ADANI
Hansard Page: N/A
Question Date: 29 October 2014
Question Type: Written

Senator Waters asked:

The Indian company Adani was given two EPBC approvals by Minister Hunt – the Abbot Point T0 Coal port construction and operation (EPBC 2011/6194, approved 10 December 2013) and the Carmichael coal mine (EPBC 2013/6885, approved 23 September 2014).

1. Is the Department aware of the multiple adverse findings against Adani and related companies in India, in particular the following established by established by an Indian Ministry of Environment and Forests investigative committee – (Ministry of Environment and Forests (April 2013) Report of the Committee for Inspection of M/s Adani Port and SEZ Ltd. Mundra, Gujarat. Ministry of Environment and Forests p76: <http://moef.nic.in/sites/default/files/adani-report-290413.pdf>)

a. Destruction of mangroves in a dedicated conservation area
b. Reclamation using dredged material carried out on mangrove areas at the site
c. Obstruction of tidal flows to mangroves by pipelines and reclamation.

2. Further to the above, is the Department aware of findings by the same Committee that Adani was “less than serious” about mitigation and monitoring non-compliance with a range of environmental conditions including those relating to fly ash pollution, salinity intrusion in groundwater and effluent temperature?

3. Further to the above, is the Department aware of findings by the same Committee, and by the Gujarat High Court relating to illegal construction of:

a. An intake channel for the its power plant at Mundra (Gujarat High Court (2012) Order for Civil Application - For Direction No. 3370 of 2011; Gujarat High Court (2011) Order for Special Civil Application No. 11023 of 2010 with Civil Application No. 3370 of 2011.)

b. Infrastructure inside the Mundra Special Economic Zone (Gujarat High Court (2012) Judgement of Writ Petition (PIL) No. 194 of 2011)

4. Further to the above, is the Department aware of a current court case in the Gujarat High Court relating to allegedly illegal construction of employee accommodation on pastoral land near Siracha village? (High Court of Gujarat Writ Petition (PIL) No. 137 of 2013; ‘PIL accuses Adani SEZ of land grab, HC issues notices’ 21 June 2013, The Indian Express. Available from <http://www.indianexpress.com/news/pil-accuses-adani-sez-of-land-grab-hc-issues-notices/1131956/>)

Answer:

- 1., 2. and 3. The Department is aware of information relating to M/s Adani Port and SEZ Limited complying with environmental conditions with respect to activities in Gujarat, India.
4. The Department is aware of information relating to a Gujarat High Court case with respect to construction by Adani Power Limited near Siracha village in Gujarat, India.