

4.3 Land and Resources Tribunal Queensland ruling 15 February 2007 (Suttor Creek mine)

On 15 February 2007 the Land and Resources Tribunal Queensland handed down its decision cited as *Re Xstrata Coal Queensland Pty Ltd & Ors [2007] QLRT 33*. In considering objections by the Queensland Conservation Council and Mackay Conservation Group Inc. (Objectors), the Tribunal noted the assumptions on which the objectors had based their case and stated, quote: ***“it is based upon an assumption concerning the cause and effect of global warming. In the present case, I am not satisfied that that assumption (relevantly, a demonstrated causal link between this mine’s GHG* emissions and any discernable harm—let alone any “serious environmental degradation”—caused by global warming and climate change) has been shown by QCC to be valid. Indeed even if this mine’s GHG emissions were eliminated completely, QCC failed to show that that would have the slightest effect on global warming or climate change.”***
*greenhouse gas

The objectors had relied on UN IPCC reports. The Tribunal correctly concluded that no evidence had been presented to support the claim that human production of carbon dioxide affects climate. That is because there is no such evidence.

In that regard, the situation has not changed in that there remains no such evidence. There is a change though in that understanding of empirical evidence now proves that human production of carbon dioxide can have no discernible impact on atmospheric carbon dioxide levels and further that carbon dioxide has no effect on global climate or climate variability.

The Tribunal stated, quote: *“If a comparison is made of temperatures over the last 55 years (1951-2006), as the IPCC presumably did in reaching its conclusion, the chart shows that average temperatures increased from 13.85°C (1951) to 14.45°C (2006)—an increase of 0.6°C. As “most” of that increase is said by the IPCC to be due to increases in GHGs, it follows that the temperature increase of concern is about 0.45°C (0.45°C being 75% of or “most” of 0.6°C). With all respect, a temperature increase of only about 0.45°C over 55 years seems a surprisingly low figure upon which to base the IPCC’s concerns about its inducing many serious changes in the global climate system during the 21st century.”*

Please refer to section 4.4 presenting the empirical evidence.

The Tribunal decision follows. Including this page, this sub-section totals 20 pages.