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## **Mining Bill threatens property rights**

The NSW Farmers' Association says the Mining and Petroleum Legislation Amendment Bill 2010, due to be debated today, will take away farmers' right to privately enforce the environmental conditions of mining exploration licences.

"The mining sector's assertion that this Bill will not take away farmers rights and, further, that it will make it easier for landowners and explorers to come to an agreement on access is disingenuous," Mr Armstrong said.

"The Bill will allow multiple, confidential access arrangements to be established over the same parcel of land. Farmers will not know what conditions have been agreed to by other parties.

The Association is very concerned that the Bill will prevent Exploration Licence conditions being included in Access Arrangements and, thereby, will prevent landholders from taking private action to enforce licence conditions relevant to the protection of their property.

"Conditions that apply to the avoidance of environmental harm are placed in Exploration Licences for good reason. It is entirely reasonable for landholders to include such conditions in written Access Agreements and to take private action to enforce such conditions, should this become necessary," Mr Armstrong said.

Mr Armstrong says the Bill will also remove the rights of landholders to renegotiate access arrangements when prospecting titles are sold or otherwise transferred.

"Our legal advice is that validation of already agreed access arrangements can be achieved without any need for major amendments included in the Bill. We will continue to fight to see this happen," Mr Armstrong said.

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