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Supreme Court win means mines must ask

The NSW Farmers' Association says funding from the Association and the Australian Farmers' Fighting Fund has helped secure a win for the Liverpool Plains farming community in the Supreme Court.

The NSW Supreme Court found that BHP Billiton's licence to explore for coal on the properties of two Liverpool Plains farmers were invalid because the company had not consulted all landholders.

"The previous mining exploration access agreement failed to put in place adequate protections for farmers, so to see it thrown out, providing some balance to the mining approval process is a great win for our Members," NSW Farmers' Association President Charles Armstrong said.

Legislation states banks must be told by mining companies about exploration work on land where the banks have an interest, because mining may change the value of the land.

Last year the Mining Warden said it was not vital for mining company to notify a bank of its activities but that decision was quashed by the Supreme Court.

"Association Members and the Caroon Coal Action Groups are concerned about the environmental effects of coal exploration in the region, particularly drilling due to the underground aquifers present in the area and the erosion of their property rights in the process," Mr Armstrong said.

"The Association has been working hard on issues surrounding property rights such as mining access and will continue to do so, particularly in the lead up to the next Federal Election and 2011 NSW Election.

"While this latest decision isn't the end for battles in the Liverpool Plains, it does provide greater certainty of the rights of farmers whose land is covered by an Exploration Agreement and recognition of the protections for land.

"The Association is very proud to support our Members and their communities in this way. This and other recent wins show just another way the Association, and the Australian Farmers Fighting Fund, is working for our rural communities," Mr Armstrong concluded.

Contact:

Ellen McNamara (Media Officer) 0429 990 218
Amanda Barwick (Media Manager) 0428 400 736

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