



Carooona Coal Action Group Inc.

www.ccag.org.au PO Box 4009 Carooona NSW 2343

24 March 2010

LONG-RUNNING CAROONA COMMUNITY BLOCKADE LIFTED AFTER LANDMARK SUPREME COURT VICTORY

The Carooona community has lifted its 615-day blockade on the Liverpool Plains after legal advice confirmed a recent NSW Supreme Court decision invalidating all access arrangements imposed by the Wardens Court on farmland covered by the coal Exploration Licence EL6505.

Earlier this month, Justice Schmidt ruled that BHP had breached the Mining Act 1992 by failing to notify all interested landholders, including mortgagees, and that the NSW Wardens Court (since abolished) had made serious legal errors in finding in BHP's favour. In addition and importantly, Justice Schmidt found that BHP had not adequately detailed how it intended to protect the environment during its exploration operations, validating a key community concern.

"This is an important day for our community because the NSW Supreme Court decision effectively justifies the extreme action the community took to blockade this land. We knew BHP's access arrangements were inappropriate and threatened the environment," said CCAG spokesman Tim Duddy.

"It has been a hard fight. Through the courts we have sought to hold BHP to its own, published, environmental standards – including that it seeks to do zero harm to health, safety, the environment and communities. We thank the almost 5,000 people who supported the blockade and congratulate those in the community who took a stand to ensure mining exploration was not simply allowed to bulldoze ahead without proper consideration of the impact on landholders freehold rights and the environmental values of this extremely fertile district."

"Now that this blockade has achieved its objective and the inadequacies of the old access regime have been exposed, we look forward to any future access arrangements giving comprehensive protection to landholders and the environment," Mr Duddy said.

The community is awaiting the commissioning of the comprehensive catchment-wide water study of the Namoi promised by the NSW Government and part-funded by the Federal Water Minister Penny Wong.

While this blockade is lifted, the community has made it clear that it will not hesitate to put in place a new blockade wherever it is required, if any exploration or mining operations are authorised to proceed before proper, detailed scientific assessments are completed, to ensure that Liverpool Plains food production and the wider environment is protected.

"This community has demonstrated from the outset that we are not opposed to mining as long as it can be demonstrated that it does not pose any risks to the water systems and

"We must ensure mining does not destroy our environment, agricultural production, people's livelihoods, health and attachment to the land"

soils of this region which make it one of the nation's most productive and valuable farming areas," Mr Duddy said.

"BHP is forever telling us its goal is to cause zero harm to the environment - we will continue doing whatever it takes to hold them to that pledge and ensure they mean what they say," he said.

Contact: Tim Duddy 0427 106267

"We must ensure mining does not destroy our environment, agricultural production, people's livelihoods, health and attachment to the land"