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## **CAROONA FARMERS TAKE ON BHP AND WIN**

In a David and Goliath battle and a win for other local landholders, Caroonia farmers, Les and Margaret Alcorn and Geoff and Sharon Brown have won a major legal battle against BHP Billiton over access to their land to prospect for coal.

Justice Schmidt in the Supreme Court of New South Wales ruled this morning BHP had failed to give proper notice of its intention to access their land.

The ruling quashes a recent decision in the Warden's Court and an arbitrator's determination that BHP had the right to enter the land which is in BHP's Caroonia Coal Exploration Licence Area.

It also brings into question all prior access arrangements imposed by the Mining Warden and whether mining companies that have accessed land under invalid access arrangements and despite landholders' objections may be guilty of trespass.

Mr Peter Long, Slater & Gordon Practice Group Leader in Gunnedah who has represented 22 Caroonia landholders in their fight against BHP said the win was a victory for the farming community.

"Mining companies are happy to bulldoze their way through the system without regard to the proper legal process," Mr Long said.

"It is a tragedy that landholders have had to fight against the almost limitless resources of BHP to prove the giant miner failed in its obligations under the Mining Act.

"Each landholder has had to go through protracted legal proceedings in an attempt to get the BHP to do things right.

"In Caroonia, BHP will now have to re-consider each access application which may now end up being determined by the Land & Environment Court," Mr Long said.

### **Media inquiries**

Peter Long, Practice Group Leader: (02) 6742 5677

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