

Greens deputy leader, Christine Milne, says farmers should team up with the party to lobby on key issues.



See p16-17

www.theland.com.au

# ANALYSIS

The Land 27 May 2010

## Nats fall short ... saying one thing and doing another

While farmers have won some hard-fought changes to the State Government's new Land Access Bill, Greens MP, LEE RHIANNON, says a better deal could have been brokered if the likes of The Nationals had worked with her party to block the bill.

**L**ISTENING to the debate in the NSW Upper House on the Land Access Bill last week, you could be forgiven for thinking the Greens and Nationals were working together to defend Liverpool Plains farmers against mining companies exploring for coal.

The NSW Government legislation sought to overturn a Supreme Court decision that upheld the right of Caroonna farmers to deny BHP Billiton access to their farms.

The farmers should have had the solid support of The Nationals. But instead of standing firm against this blatant attempt to erode landholders' rights, The Nationals voted with the Labor Government to pass the bill, along with Liberal and Shooters Party MPs and Fred Nile. Granted, The Nationals moved numerous amendments affecting the extent to which the Government would erode farmers' rights.

But in doing so, they failed to clear the first and most important hurdle - if the Opposition and Shooters Party MPs had voted against the bill

with the Greens, they could have stopped this legislation from going through the Upper House.

Unfortunately for farmers in areas where mining companies are eyeing off their land, The Nationals helped give credibility to NSW Mineral Resources Minister, Ian Macdonald's, spin that the bill was needed to restore certainty for exploration title holders and validate existing land access arrangements.

Last month the Government tried, with indecent haste, to rush the Land Access Bill through both houses of Parliament in one day.

Farmer lobbying blocked this. With the benefit of extra time, it became clear the Government was using the bill as cover to grant further concessions to the mining industry, well beyond the scope of simply overturning the Supreme Court decision against BHP Billiton.

For example, under the Mining Act before it was amended, when a property changed ownership, any existing access agreement between the previous landholder and a

mining exploration company was cancelled. A prospector was required to negotiate a new agreement with the new landholder if they wanted to continue exploring.

The Land Access Bill overturns this. Now, a new landholder must object to the pre-existing land access agreement within 28 days of purchase. The mining company then has 60 days to reach a new agreement.

During that period, which could be up to three months, the miner can continue exploration work.

Much of this new regime will hinge on template access agreements being developed by the Government, NSW Farmers Association, and NSW Minerals Council.

The Greens moved amendments to ensure these template agreements provided better prospecting, environmental protection and rehabilitation procedures, but again the Coalition and the Shooters MPs joined forces with the Labor Government to vote them down.

As well as advocating for farmers, the NSW Nationals leader in the Upper House, Duncan Gay, also placed on the record the concerns of Dr Nikki Williams from the NSW Minerals Council, and the chief executives of Xstrata, Centennial Coal and Northparkes mine.

The Nationals at the federal level have a similar style: talking big about their farming connections while often siding in Parliament with the miners.

Last June Greens Senator, Bob Brown, moved in the federal Senate for an independent groundwater study to be undertaken on the Liverpool Plains before any further coal exploration or large-scale mining was considered.

The Nationals voted with the Government against the Greens motion.

The affected farmers are now casting a critical eye over the voting record of the MPs who have voted against their cause.

The Nationals need to start matching their words with their voting record.

Lee Rhiannon is a NSW MP and mining spokeswoman for The Greens.



D-MAX 3.0L DIESEL 4x4 Single CC EX

\$29,999

DRIVE AWAY

INCLUDES ALLOY GPA