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## Media Release

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# BHP admits mistake in court

Reports of contradictory evidence being presented at the Mining Wardens Court in Gunnedah by a representative of BHP has drawn the concern of the Independent Member for New England, Tony Windsor about the credibility of the company in other aspects of their dealings on the issue of mining on the Liverpool Plains.

Mr Windsor was particularly concerned about comments reportedly made by Mr Stephen David, BHP's Project Manager, when questioned about whether BHP intended to follow the recommendations of the two water experts (Dr Mudd and Mr Briese) and grout all aquifers which were encountered during the drilling process on any of the four properties in this application.

He (Mr David) is reported to have said in the ridge country on the Alcorn property they would already be drilling into bedrock and that casing and grouting the aquifers was not necessary or really possible. He said that after the hole was drilled and finished with, a cement plug was placed in the hole but that it wasn't necessary to seal it during the drilling process.

He (Mr David) was then shown his affidavit in which he swore that the holes in the ridge area would be cased and sealed in the same way as the drilling holes in the alluvium. Mr David is then reported to have immediately said what he had written in his affidavit 'is not accurate'. "I made an error" he said. When questioned, "How do you explain how you made such an error?" Mr David replied: "I'm human."

Mr Windsor is concerned with Mr David's change of evidence saying that it goes to his credibility and that of BHP in their dealings with landholders is questionable.

"If BHP's Project Manager swears an affidavit and then says it is not accurate, that he made an error, then what else is inaccurate in what is being said to the Liverpool Plains landholders and what is actually happening on the ground.

If this is the case now when they are only at the exploration stage, will BHP use the same defence if they irreparably damage the groundwater system of the Liverpool Plains to say they made a mistake and it is not accurate and they are human?

It will be too late then to rejoin the artery and the area both on site and further downstream offsite will suffer as a consequence.

It's not good enough to sit back and just allow this to happen without the independent water study to clearly identify where the groundwater system travels and where mining can therefore be allowed to take place.

BHP needs to remember that the landholders are human too and they don't want mistakes to be made at their expense. They may not be BIG Australians but they are hard working Australians," Mr Windsor said.

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