

## **MEDIA RELEASE**

March 26, 2014

### **Walarah 2 rejects Darkinjung's opportunistic \$300 million cash grab for land access**

Darkinjung Local Aboriginal Land Council is concealing its real motives for suddenly opposing a development application made by the Walarah 2 Coal Project on a small section of its land at Wyong.

Walarah 2 has had ongoing discussions with Darkinjung for many years regarding compensation for accessing Darkinjung land to build a rail spur to connect to the existing railway line in order to transport export coal to the Port of Newcastle.

Walarah 2 has offered Darkinjung a generous compensation package, including cash compensation, support for a proposed Darkinjung training centre, apprenticeships for local Aboriginals and tertiary scholarships over the life of the proposed mine.

Recently Darkinjung's CEO suddenly rejected this generous offer and instead demanded \$300 million "compensation" to access a corridor of land measuring 1750 metres by 40 metres. This equates to \$30 million per hectare, or \$170,000 in land access fees for every lineal metre of railway track built across Darkinjung land.

This demand amounts to extortion. The CEO of Darkinjung, Sean Gordon, has not justified his land council's outrageous demand for \$300 million, and has sought to avoid media scrutiny on the issue.



25 Bryant Drive  
TUGGERAH NSW 2259

PO Box 3039  
TUGGERAH NSW 2259

Phone: (02) 4352 7500  
Fax: (02) 4352 7599

Email: [info@walarah.com.au](mailto:info@walarah.com.au)

Mr. Gordon's has falsely stated (on ABC radio, March 24) that Wallarah 2's 2010 project application did not include Darkinjung land. In fact both the 2010 and current applications have always included Darkinjung land. These applications and plans for a railway line by Wallarah 2 can be found on the NSW Department of Planning website.

Darkinjung has submitted numerous plans for industrial development on its land which have always included the presence of the Wallarah 2 railway spur line.

Walarah 2 also rejects Darkinjung's claims that it has no legal right to lodge a development application for the railway line without approval from the NSW Aboriginal Land Council.

Walarah 2 has strong legal advice that it has met all legal requirements with its Development Application. This advice states that under NSW planning laws Wallarah 2 does not in fact require approval from Darkinjung or the NSW Aboriginal Land Council to lodge a State Significant Development (SSD) application where the Development Application has been duly advertised.

Irrespective of this legal certainty about landowner consent not being required, Wallarah 2 has continued good faith negotiations to establish an agreement with Darkinjung. This would build on Wallarah 2's previously good relationship and support over a number of years to Darkinjung and to consolidate a long term relationship on both social and commercial terms.

Walarah 2 is extremely disappointed that Darkinjung has ended negotiations over access and started a media campaign to extort \$300 million from the project. We remain open to resuming constructive discussions toward the finalisation of a fair and equitable outcome for both parties.

**Media inquiries:**

Patrick Southam, GSG Counsel  
0419 415 998



25 Bryant Drive  
TUGGERAH NSW 2259

PO Box 3039  
TUGGERAH NSW 2259

Phone: (02) 4352 7500

Fax: (02) 4352 7599

Email: [info@walarah.com.au](mailto:info@walarah.com.au)