



tasmanian conservation trust inc

Media Release

26 October 2011

TCT seeks Tasmanian Supreme Court determination that the Tamar Valley Pulp Mill permit has lapsed

On the 25 October 2011 the Tasmanian Conservation Trust lodged proceedings with the Tasmanian Supreme Court in Hobart seeking a determination by the Court that the Tamar Valley Pulp Mill permit has lapsed as the pulp mill was not substantially commenced before midnight on 30 August 2011.

TCT Director Peter McGlone said that 'It is a matter of the utmost public interest for all Tasmanians and in particular the people of the Tamar Valley that the legal status of the Tamar Valley Pulp Mill permit be resolved.

'We are advised that only the Tasmanian Supreme Court can determine the legality of the pulp mill permit.

'As the state's oldest conservation organization we see it as our duty to resolve this important matter.

'We believe we have strong arguments that substantial commencement was not achieved by the permit deadline of midnight 30 August 2011.'

The TCT claims that on the 31 August 2011 there was no evidence of construction of any part of the pulp mill at the Long Reach site or other sites and all that had occurred was clearance of native vegetation. There is a long list of things the proponent should and could have done by the end of 30 August 2011 which it failed to do.

'If the TCT is successful and the Court upholds our claims then the Tamar Valley Pulp Mill cannot proceed under the permit issued in 2007.

'In that event this case may end the Tamar Valley Pulp Mill.

'The TCT has only been able to commence this case with the generous financial assistance of many supporters and we thank them and our legal team,' Mr McGlone concluded.

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Floor 2, 191 Liverpool Street, Hobart TAS 7000 Australia

p (03) 6234 3552 f (03) 6231 2491 e tct6@bigpond.com ABN 63091237520

The TCT will be represented by barristers Duncan Kerr SC and Stephen Estcourt QC.

A summary of the TCT's statement of claims for the court is:

A) to seek a determination that the Tamar Valley Pulp Mill permit has lapsed as the pulp mill was not substantially commenced before midnight on 30 August 2011;

B) to seek a determination that the dam works permits under the Water Management Act lapsed at midnight on 30 August 2011;

C) to seek a determination that the Assessment Committee for Dam Construction has no power to grant a new permit under Water Management Act for dam works for the purpose of constructing and/or operating the pulp mill.

Further comments:

Peter McGlone

Director

0406 380 545