



**For The Attention of:**  
**The Director, Planning Services**  
**Dept of Planning and Environment**  
**GPO Box 39 SYDNEY 2001**  
**Email to: [information@planning.nsw.gov.au](mailto:information@planning.nsw.gov.au)**  
**Date: 20160905 (5<sup>th</sup> Sept 2016)**

**RE: Submission of significant objections to The Wallarah 2 Coal Project and The Coal Project SSD 4974 Amended Development Application.**

To whom it should be of major concern

My name is Paul Robert Burton representing Our Land Our Water Our Future.

A Central Coast based not for profit Incorporated Association.

<http://www.ourlandourwaterourfuture.org>

I am speaking both as an individual and as the designated representative for all members of OLOWOF Inc on the Central Coast of NSW Australia.

Not only do we object to the proposal for Wallarah 2 Coal Project Application No. SSD-4974 Amended Development Application, we must hereby inform you that we cannot and will not allow this project to proceed. We fail to comprehend how any government representing it's community could even be considering such a proposal?

Since many groups will submit significant information concerning the realities of Climate Change, Water Preservation, Environmental Protection, Protection of People, Air Pollution, Noise Pollution, Land Subsidence, Traffic and any other significant impacts, we will focus our submission on facts in reference to this specific amended development application. We use the word "fact" as being something indisputable morally, ethically, legally and economically.

Please see our first submission (attached to email) Ref: 20130613 from approximately three years ago. These same facts still apply today and are independent of this amended development application. Please again read our original submission as it addresses the key issues of climate change and protection of water resources. The issues raised in our previous submission have not been adequately addressed by the amended development application.

Our Objections to this current amendment are:

1. The modifications under this amendment are so significant, particularly in terms of air pollution from moving coal and dumping from a gantry into coal wagons and noise pollution becoming a 24/7 activity, that a new EIS and Social Impact Study should have been included. **Where are these studies? and why have they not been completed ?**

The Central Coast is one of the largest regions in Australia, the risks to our water supply by the proposed mine far exceed any potential benefit from economic growth, jobs or royalties of the proposed mine. The Central Coast is a billion dollar economy, what government would risk all this for a short term income. There is no life without clean water. The proposed mine represents and unacceptable risk to both our water supply and our water quality, it should therefore be denied on these issues alone.

2. Everyone in Blue Haven and Wyee communities should have been notified of this proposal as the coal loader will be 220m and 400m from the nearest homes in those suburbs, respectively. **Why were they not notified?**

3. Given the original EIS modeled an additional 1:100,000 deaths per annum from coal dust and diesel particulate air pollution, the modification suggests even more people are expected to die so that South Korea can import coal for electricity generation.

It is highly likely that the modeled deaths per 100,000 are severely underestimated as a result of the amended application. The damage caused by particulate air pollution is proven. The application makes no allowance for the damage to the health of 1000's of individuals including young children whose health will suffer as a result of this amendment.

The proposed mine will result in significant damage to human health, with health cost running into millions of dollars over the life of those affected.

Australia does not need this coal, no does the world. No Australian should be expected to die, have their life cut short or be subject to serious health conditions which are easily preventable. On this issue alone the amended application should be refused.

**Does the state government now cost those deaths in their royalty calculations?**

**Does both the State and Federal Government now consider economics above the killing of the very people it is supposed to represent?**

4. It is also publically known that the mining industry is incapable of monitoring it's own activities, incapable of any kind of sustainable rehabilitation and cannot even protect it's own workers. So as a community we have no trust in either the mining corporations or the governments that now appears to represent them far more than the community they were elected to represent.

5. Notwithstanding that:

a) The liberal state government was elected on a promise to not allow this mine and then lied outright to the public.

b) Several members of that same government in this region have been found to be corrupt and accepted bribes from corporations to approve corporate development applications.

We would like to point out that approval of this mine is in breach of the Australian Constitution Act. Namely sections 44 part 5 and section 100.

### **The Commonwealth Of Australia Constitution Act**

#### **Commonwealth of Australia Constitution Act 1900 Chapter 12 sections**

#### **44(i) & 44(v)**

44. Any person who-

(i.) Is under any acknowledgment of allegiance, obedience, or adherence to a foreign power, or is a subject or a citizen or entitled to the rights or privileges of a subject or a citizen of a foreign power :

or

(v.) Has any direct or indirect pecuniary interest in any agreement with the Public Service of the Commonwealth otherwise than as a member and in common with the other members of an incorporated company consisting of more than twenty-five persons:

Shall be incapable of being chosen or of sitting as a senator or a member of the House of Representatives.

#### **Commonwealth of Australia Constitution Act 1900 Chapter 12 section 100**

The Commonwealth shall not, by any law or regulation of trade or commerce, abridge the right of a state or of the residents therein to the reasonable use of the waters of rivers for conservation or irrigation.

Please consider this submission of utmost importance.

We hereby request the Dept of Planning and Environment perform their rightful duties, to not only the local community of 300,000 people whose water, air and land you threaten, but to our enormous global responsibility as a nation.

Further to this, as my democratic right and by written request, independent of your decision on this matter, could you please respond to my questions above (highlighted) in this document.

A handwritten signature in black ink, appearing to read 'PBA', with a long horizontal stroke extending to the right.

Paul Robert Burton  
President  
Our Land Our Water Our Future Inc