

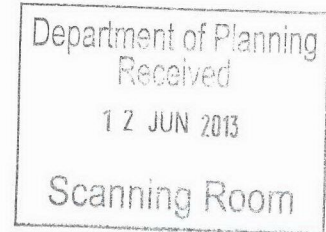


PCU045196

Garry Malone

7 Barwon Close

BlueHaven, 2262



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Director, Mining Projects

Development Assessment Systems & Approvals

Dept. Planning & Infrastructure

GPO Box 39 SYDNEY NSW 2001

OBJECTION TO PROPOSAL WALLARAH 2 COAL PROJECT APPLICATION NO. SSD – 4974

Dear Sir/Madam

The original application by Wyong Areas Joint Coal Venture (WAJCV), Kores P/L, in 2010 was rejected by the previous NSW Government in March 2011 on grounds of unsustainability (ESD principles) and the Government's application of the Precautionary Principle. Nothing in the new application changes that concept as essentially it is a reworking of the previous application. The current NSW Government's "Aquifer Interference Policy" as intended should nullify the application at hand.

. The Wyong Water Catchment was protected under a proclaimed NSW Statute in 1950 (Gazette no 153 of the LGA 1919, 1950). The now extinguished Part 3a of the EPA Act overrode this Statute, so effectively the original protective measure should now be in place.

. Some 300,000 people in the Wyong and Gosford LGA's rely upon the 53% of their potable water emanating from these critical valleys. Recently the completed \$80 million Mardi-Mangrove pipeline was funded by the Federal Government specifically to transfer water from this system to the Mangrove Dam on the escarpment during flood rains. The valleys above this mine regularly flood as agreed in the proponent's submission.

. In 1999 groundwater consultants, ERM Mitchell McCotter, found that transient pathways for water to travel downwards to the coal strata were evident and so bulk water would not be impeded on its downward path.

. Kores claim that there will be no effect upon the water supply due to impervious layers between the surface and the mine seam. Professor Phillip Pells, Senior Lecturer at the University of NSW dismisses these claims. Kores do admit to a so-called tiny loss of water rated at 2ml per day per square metre. This extrapolates over the whole mine area some 8 megalitres per day or 3000 megalitres each year once mining is complete. The professional uncertainties characterised within the Kores submission paint a very tentative picture for protection of the coast's natural potable water supply.

. The Peer Review by Professor Bruce Hepplewhite (page 258, Appendix H) questions many of the terms used and assumptions made during the geological modelling upon which subsidence and water loss are based. For

instance (page 258, Appendix H) indicates...

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“Page 73.- a similar issue of semantics occurs when discussing changes to stream alignment. MSEC states that there will be no significant changes, but what is regarded as significant? Can this be quantified at all?” ..and.. again.. “Page 74..(part).In discussion of valley floor closure and upsidence, it is noted that such behaviour is expected to occur in a number of valleys, but will be masked by overlying alluvium. It is noted that small zones of increased permeability might develop in the top few metres of the rock head beneath the alluvium, but due to the saturated overlying alluvium, these increased permeability zones will not result in any impact on surface water levels. This conclusion may be correct, but is it not possible that some conditions may exist due to localised geological changes, and changing climatic conditions such that the alluvium is not always saturated and some loss of water level in the streams may occur? “....

. Some 46 panels are to be mined, including in the Hue Hue Subsidence Area where 150 houses (Appendix H Map on page 240) mostly of modern brick design exist on subdivided acres and will be subjected to subsidence up to one metre but may well suffer further subsidence due to the existence of Awaba Tuff strata below the mine on which the remaining pillars are supported. Much discussion within the application refers to the uncertain nature and caution needed re the soft bedded Awaba Tuff leading to a scenario of adaptive management as mining begins to proceed. This type of experimental mining should only be carried out in an outback remote location and not under modern homes within the expanding outer suburbs of Wyong. The Department of Infrastructure and Planning should be alarmed by this and immediately inform the unsuspecting owners of the properties in the Hue Hue Subsidence District.

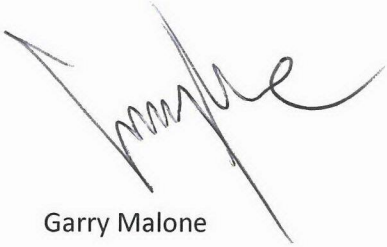
. A total of 245 houses (Append.H Page 130) will be impacted by subsidence from a conservative one metre to 1.6 metres throughout the mine area. A total of 755 Rural Building Structures will be impacted (Append. H >page 179) and 420 Farm Dams suffering subsidence to some degree (Append.H>page 187). As can be seen the projected damage inside the mining lease area would be catastrophic. The hinterland of the valleys are to be subsided 2.6 metres; Little Jilliby Jilliby Creek at the southern end is predicted to fall 2 metres; the main artery into the Jilliby/Dooralong Valley, Jilliby Road is destined to be subsided 1.75 metres in places, remembering that these valleys flood on a regular basis leaving residents isolated from all directions.

. Dust and noise from stockpiling and rail movements will impact on the established suburbs of Blue Haven, Wyee and all along the rail corridor from Morisset through Cardiff and southern suburbs to the port of Newcastle. The proponent fails to adequately address these ramifications. New burgeoning suburbs being created in northern Wyong shire will be impacted by the mining proposal. It is placed amid these developments and should not be considered based on known high rates of asthma and bronchitis as voiced by the medical profession for decades.

. 19 species of avian migratory waders in the area are protected under the Federal EPBC Act with binding agreements with China,(CAMBA) Japan(JAMBA) and Korea itself(ROKAMBA). The proposal directly affects these agreements.

. The Director-General's Requirements are extensive and in most areas Kores have failed to address these adequately. The proposal should be rejected outright as the long term damage to the coast's water,infrastructure , amenity and health is breathtaking. The addition of the result of burning this resource

within the next 30 years has not been evaluated upon damage to the earth's climate and will be wholly condemned as the trend to reject fossil fuels gains momentum.

A handwritten signature in black ink, appearing to read 'Garry Malone', with a stylized, cursive script.

Garry Malone