

Project Refusal

Section 75J of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, refuse the project application referred to in Schedule 1.

The reasons for refusal of the project application are as follows:

- uncertainty around the subsidence predictions for the project, particularly in the western portion of the site under Jilliby Conservation Area and the Wyong State Forest;
- the project does not adequately address potential surface water quality impacts, resulting in uncertainty around the ability of the project to meet acceptable water quality outcomes;
- uncertainty around the ecological impacts of the project, particularly in the western portion of the site, as a result of a lack of ecological survey effort combined with uncertainty as to subsidence predictions in this area;
- uncertainty around the heritage impacts of the project, particularly in the western portion of the site, as a result of a lack of heritage survey effort combined with uncertainty as to subsidence predictions in this area;
- in light of the above, the project is not considered consistent with the principles of ecologically sustainable development, including the precautionary principle, and as a consequence is not considered to be in the public interest.



3 MAR 2011

The Hon Tony Kelly MLC
Minister for Planning

Sydney

SCHEDULE 1

Application Numbers:	07_0160
Proponent:	Wyong Areas Coal Joint Venture
Approval Authority:	Minister for Planning
Project:	Wallarah 2 Coal Project
