

## COMPLAINT.

Submission & Oral Address to Public Hearing of Independent Planning Commission into Whitehaven Coal Vickery Extension Project, Boggabri. 2-7-2020. Crossing Theatre, Narrabri.

Dear Sirs,

Some house-keeping.

There is a lack of continuity in the panel from last hearing, with Prof Willgoose replaced by Prof Lipman. Knowledge of the process will be lost.

I object to how these hearings are being run with no regard to Common Law, and in particular,

-on the IPC website under Merit appeal rights it states **"After this hearing, no merit appeal may be brought under Division 8.3 of the Environmental Planning and Assessment Act 1979 in respect of any future decision made by the commission as consent authority for this SSD application"**.

This is a Treasonous statement by the Commission. It totally tries to override and subjugate the Peoples Common Law Rights by the use of a mere Treasonous statute law that has never had the scrutiny and Judgment of a fully informed Common Law Jury or Grand Jury. There should be a Jury of local residents determining Judgment on this project, not outsiders, as decreed by the Constitutional Enactment of the Imperial Acts Application Act 1969 (NSW), Cap 29 of Magna Carta 1297, a ROYAL DECREE.

Any Judgment can be appealed in Common Law.

The people behind these "Environmental" "laws" are very strong advocates for the Catastrophic Anthropogenic Global Warming **pseudoscience** because they are the types of people that have hijacked the environmental movement in order to use it to their political advantage.

The unlawful Stalinist corporation, UN Agenda 21-30/Lima Declaration/Rio Earth Summit, Statute Environment spiel from 1979 tries to dictate our Rights after these hearings with Treasonous directions such as "No Merit Appeal may be made".

The unlawful NSW corporation State "government" has no authority.

-The Commission is not operating to its prescribed "Multi-stage public hearings".

"Town hall" style forums are the advertised process.

Covid distancing presently does not require this over- the- top personal separation.

Thirty two (32) presenters only, in total are registered for Day 1. This is unreasonable and would confirm another agenda of the Commission. Separation in booths of presenters on speaking and the Members not being in person at the Hearings is reducing scrutiny.

I believe your Commission is trying to separate the hearing from the majority of concerned residents, in person submission presenters and stakeholders and make it less likely that they

will attend the hearing in person, so reducing the atmosphere of opposition to this project and the mood of a disapproving audience.

Your Commission is trying to reduce scrutiny of, and participation in this Review Process. It would appear that there is no reason why these Hearings could not be postponed until the Covid crisis has further dispersed. The coal will possibly not be mined for five (5) years, if ever.

-How "independent" is the Independent Planning Commission?

Who pays your Salaries? Obviously, the NSW State government.

Your logo/emblem/Coat of Arms/Seal and your email address confirms your control by NSW State government.

To whom do you swear/"affirm" your Oath of Office?

Is it a lawful Sovereign or a foreigner or a Body Corporate?

Your so called personal "Commission" is not lawful, as is that of the uncommissioned, unlawfully appointed Governor of NSW.

I believe this is a fake, whitewash consultation and a corrupted hearing, but I suppose your masters must have their half billion (\$500,000) dollars, what-ever, in Royalties; not the lawful owners of the land under which it lies.

**I totally object to & oppose this Extension Project.**

Firstly, we should not be holding these hearings because the State does not lawfully own this coal resource. In a Common Law country such as Australia, under Torrens Title in Fee Simple, "the owner of land owns to infinity above the land and to infinity below the surface" - a Legal Maxim.

Treasonous Statute "laws" cannot take away Common Law Rights of the individual.

It is lawfully owned by the original farmers who had title to and owned the land, prior to Whitehaven Coal. If there was to be a hearing, the only lawful jurisdiction in the Cth of Australia and NSW to sit in Judgment, is a fully informed Common Law petit Jury or a Grand Jury, of the People. The Judgments and Orders of any other jurisdiction is Treason & Theft against the People.

Secondly, I wish to deal with your authority, the authority of the NSW State corporation government and the authority of the Independent Planning Commission (IPC) to hold these hearings and make decisions and orders affecting the People of NSW.

Both the gov't that created the IPC i.e. the NSW State gov't and the Cth gov't have stepped outside their Constitutions without the **Consent** of the People and become corporations and they have registered themselves as corporations on the US Securities and Exchange Commission and Australian Business Registries (ABN), and on other corporate registries, notably Dun and Bradstreet with the NSW State Legislature having a Duns No.:756261488 . They are no longer **sovereign gov'ts** of the People of the Cth. They have done this without the knowledge of, or **Consent** of, the People of NSW by way of Referendum. They do not have lawful authority to do anything. They are no longer lawful governments.



The NSW gov't through the Constitution (Amendment) Act 1987 changed the NSW Constitution, without **Consent** by Referendum of the People of NSW "with respect to the office of Governor", essentially "**appointment of the Governor**".

The '**joke**' is that when Queen Victoria and her successors, on 9 July 1900 with the proclamation of an Act to Constitute the Cth of Australia Act 1900 and The Constitution, ceased to have any **Executive power** over the Cth of Australia and Australia ceased to be the property of the Crown of the United Kingdom, on that date. There has been no such thing as "Crown Land" since that date and land that is not privately owned is Cth Land. This is a myth perpetuated by deceitful Gov'ts.

The Joke and the Fraud have been perpetuated against the People of the Cth since then. There should have been a new, stand-alone Federal Constitution, drafted and ratified by Referendum on that day, **Inception Day**, 1 January 1900 that was not part of a British act of Parliament and that didn't have Queen Victoria as our Head of State. The Cth of Australia gov't has created a new name – the Australian Government, without the **Consent** by Referendum of the People. We no longer have a valid Constitution, after this name change. Little matter as it has not been valid since enactment and definitely not since Australia joined the League of Nations in 1919 and the United Nations (UN) in 1946. Queen Victoria became the Head of State of our Constitution and a **foreigner** on 9 July 1900 and these treaty organisations in their Articles of Association specify that member States must not have a foreigner as the head of State. Therefore we have had an unlawful, invalid Constitution since Inception Day and at least since 1919. PM Billy Hughes acknowledged this in the Parliamentary Hansard on returning from France.

This new gov't is a "government of political persuasions" controlled for and by the political parties for their benefit. It is no longer **OUR gov't, OUR sovereign gov't**. State and Cth gov'ts under PM Paul Keating, have created the **unlawful** Council of Australian Governments (COAG), without the **Consent** of the People by Referendum. We have the "**the illusion of Government**".

**So you, the IPC for whom you work and the NSW State gov't do not have lawful and I emphasise lawful, authority to be here in your position, or to do anything affecting NSW residents.**

The IPC became a Corporation on 1st March 2018.

Why are you not called the IP Corporation instead of Commission?

Are you trying to hide your corporate, money making, for profit business model from the People?

Why did the IPC become a corporation?

The IPC does have an ABN that is 38755709681 and an Australian Company No. ACN but you don't advertise them on your website, like most businesses.

Are you trying to hide your corporate structure and business from the people?

Why do you need a corporate structure, if you are not a for profit business?



Do you have to make a profit, and how do you do that?

You are obviously not a Sovereign government agency operating under the Consolidated Revenue Fund. The IPC is not a lawful entity.

The IPC and the "Department" (in inverted commas) of Planning & Environment corporation- ABN: 38755709681, (they both have the same ABN – so how can you be truly independent when you are both the same business?) & any committee/tribunal/commission/etc. have no Jurisdiction or LAWFUL AUTHORITY to make decisions/recommendations/orders or forfeitures having effect over the People of the Commonwealth of Australia or NSW.

\* The People of the Commonwealth of Australia are not slaves or under any Bureaucratic Administrations of Parliaments or other Statutory Bodies or unlawful Corporations.

\*The People of the Commonwealth do indeed have the **Right of Consent, the Right to Property and the Right to Trial by Jury.**

Common Law (the Law of Juries) overrides Statute law & all other law i.e. Maritime, Admiralty, Corporation, Computer, Cannon, Commercial, etc.

\*The only lawful Jurisdiction in Australia is Common Law, in a Court also lawful within Chapter III The Judicature of the Cth of Australia Constitution.

The unlawful **non** Common Law corporation Courts (with no Juries) operating throughout the Commonwealth from the Local Courts- ABN:68199215208 to the High Court of Australia- ABN: 69445188986 [which has only one Courtroom with a Jury Box out of four (4) Courtrooms in Sydney & Canberra, and that has never had a Jury trial !] and including the Land & Environment Court of NSW- ABN: 52659114436; making unlawful Fines & Forfeitures against residents of this State in favour of their corporation govt & bankster masters or corporation "mates", in Judge only trials, in Star Chamber, Kangaroo Courts. The Habeas Corpus Act 1640 did away at that time with the "Court of Star Chamber" by way of massive fines & disablement and although this Act is a Constitutional Enactment in Australia, the judiciary blatantly & criminally disregard it & it is not enforced.

WHO OWNS AUSTRALIA?

+Another Constitutional Enactment in NSW & the Cth by virtue of the Imperial Acts Application Act 1969 & Sect 118 of the Cth Constit'n that states "Full faith and credit shall be given, throughout the Commonwealth to the laws, the public Acts and records, and the judicial proceedings of every State" is the Rule of Law- **MAGNA CARTA 1297** & encompassing the Common Law. (Magna Carta - the Great Charter of Liberties .. is a ROYAL DECREE...not a mere Statute). The People have the Right to Trial By Jury "**forever**" & if they own land, they "own to infinity above the surface & to infinity below the surface", or in another way, "Whoever's is the soil, it is theirs all the way to Heaven and all the way to Hell". This is a Legal Maxim - as is "A Man's home is his castle". It is a principle of property Law that property owners have Rights not only to the land itself, but also to whatever is above it to an indefinite height and whatever is below it to an indefinite depth.

So, the People of the Cth OWN AUSTRALIA. Landowners (not Landholders) that have title for their land, own the rain, etc, that falls on that land, not the State & the soil & all minerals including coal, etc, below the surface of that land, not the State, therefore any govt, especially corporation govts or any parliament, in particular, corporation parliaments cannot remove those Rights by mere Statute Law or Instrument, without Referendum.

In 1981, the unlawful Stalinist, Maoist, communist **Wran NSW govt** enacted the **Coal Acquisition Act 1981** that took away landowner **Rights** to own the **coal beneath their land**, to say what happened to that **coal** and to benefit from that **coal** away from farmers and **landowners** and vested them in the State, to create Mining Licences to sell to mining

companies. This was the best act of criminal Stalinism ever seen in Australia & goes against all concepts of Legal Maxims and the Common Law, & just shows what criminals the political parties are.

Under this unlawful **COAL ACQUISITION ACT 1981**  
- As at 6 July 2009 - Act 109 of 1981

**COAL ACQUISITION ACT 1981 -**

**SECT 2 COMMENCEMENT**

**(1) This section and section 1 shall commence on the date of assent to this Act.**

#(What assent does this refer to? Does not say by whom. Possibly assent by my Kelpie sheepdog, because as you would now realise, the Governor, or Queen Elizabeth II of United Kingdom and Ireland or the fake, titular "Queen of Australia" enacted, invented with express rejection by QE II in 1973 in the Royal Styles and Titles Act and later by Bob Hawke in the unlawful Australia Act 1986, has no more authority than my dog.)

**(2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.**

#(Not Proclaimed or Gazetted, no Proclamation Certificate has ever been produced.)

The NSW Mining Act 1992 - also not Proclaimed or Gazetted, no Proclamation Certificate has ever been produced.

**MINING LICENCES ARE ILLEGAL AND UNLAWFUL.**

***"When someone owns land, they own everything above it to an indefinite height and everything below it to an indefinite depth."***- this is a Legal Maxim.

**LAND THAT IS NOT PRIVATELY OWNED IS COMMONWEALTH LAND. IT IS NOT CROWN LAND, AND IS OWNED BY THE PEOPLE OF AUSTRALIA. AUSTRALIA CEASED TO BE THE PROPERTY OF THE CROWN OF THE UNITED KINGDOM ON THE 9<sup>th</sup> OF JULY 1900.**

**PARLIAMENTS CANNOT ISSUE MINING LICENCES OVER PRIVATE PROPERTY..... AND PARLIAMENTS CANNOT ISSUE MINING LICENCES OVER COMMONWEALTH LAND WITHOUT THE CONSENT OF THE AUSTRALIAN PEOPLE.**

**TO STOP THIS ILLEGAL ACTIVITY, SIMPLY GO TO AN AUSTRALIAN COMMON LAW COURT FOR THE UNANIMOUS JUDGMENT OF A JURY OF 12 FREEMEN WHO JUDGE THE FACTS AND THE LAW IN ORDER TO ADMINISTER JUSTICE.**

**The denial of Trial by Jury is an act of Treason, because:**

**AUSTRALIA IS A DEMOCRACY WHERE SOVEREIGNTY LIES WITH THE PEOPLE.**



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**TO PROTECT AGRICULTURAL LAND, WHEN PARLIAMENTS DO NOT, GO TO A COURT TO SET THINGS RIGHT BY HAVING A JURY OF 12 FREE MEN WHO JUDGE BOTH THE FACTS AND THE LAW.**

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**A SLAVE has NEITHER the RIGHT of CONSENT, NOR to PROPERTY, and NOR to TRIAL BY JURY. ARE YOU A SLAVE or ARE YOU A FREE MAN?**

The unlawful corporation governments, Commonwealth of Australia- ABN: 122104616

(note, not Australian Government- there has been no Referendum to change it) & State governments (the State of NSW- ABN:066561153; Crown in Right of NSW- US Securities & Exchange Commission CIK No#: 000071545; NSW State Legislature, DUNS No: 756261488) with their unlawful Council of Australian Govts ( COAG)- no Referendum either, with their unlawfully appointed Governor General & Governors (no valid appointment by Queen Elizabeth the Second of Great Britain and Ireland, Head of State of our Constitution) & the totally unlawful corporation Local govts (unlawful by all the Referendums to alter the Constitution in 1974, 1988 and 1999- Not Carried).

AUSTRALIA is a COMMON LAW JURISDICTION.

COMMON LAW is the LAW OF THE PEOPLE, BY THE PEOPLE and FOR THE PEOPLE.

The People of AUSTRALIA are a COMMONWEALTH and any attempt to DISENFRANCHISE the PEOPLE is not only UNLAWFUL – it is TREASON.

To try to take away the Rights of the People is TREASON.

To CORPORATIZE Sovereign Governments of Australia, and the People's Sovereign Common Law Courts without the CONSENT of the People is TREASON.

To ALTER any CONSTITUTION without the CONSENT of the PEOPLE is TREASON.

It follows, altering the COMMONWEALTH OF AUSTRALIA (C of A), the CROWN IN RIGHT OF NEW SOUTH WALES (NSW State Gov't) and Government Departments, Government agencies, etc. by UNLAWFUL governments, from Sovereign Governments of the People, to corporations and then registering them with Dunn & Bradstreet Corporate register - Duns Number for the Commonwealth of Australia: 750027179, State Government of New South Wales: 758591293 and the Legislature (NSW State Legislature): 756261488, Australian Company Numbers (ACN) with ASIC, Australian Business Numbers (ABN) on the Australian Business Register and the UNITED STATES SECURITIES and EXCHANGE COMMISSION, with the C of A registration as CIK#: 0000805157 and NSW CIK#: 000071545; SIC: 8880 - American Depository Receipts, State location: DC | Fiscal Year End: 0630 Business Address:1601 MASSACHUSETTS AVE NW,C/O AUSTRALIAN EMBASSY, WASHINGTON DC 20036 and operating as 'for profit' Corporations and 'for profit' businesses, not Sovereign government departments operating under the Consolidated Revenue Fund, do not have authority and have never been given authority or mandate by

Referendum of the People of the Commonwealth to trade as Corporations, etc. They do not have consent or authority to operate in this way, without the **CONSENT** by Referendum of the People and this is **TREASON**.


The privatization or corporatisation of the govts or govt depts or COURTS of AUSTRALIA, or any infra-structure regarded as the PROPERTY of the PEOPLE, is UNLAWFUL...it is THEFT...it is TREASON.

"RIGHTS NEVER DIE" is a Legal Maxim and reinforced in s 30 of the Interpretation Act 1987 which says: at "(1) *The amendment or repeal of an Act or statutory rule does not: ...at (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Act or statutory rule,*"; and the Common Law.

All Govts & the Judiciary in Australia are totally corrupt & unlawful & directed by & are subservient to the Rothschild bankers.

I totally & vehemently object to & oppose the extraction of coal by the multinational corporation Whitehaven Coal or anyone else in this location. There cannot be certainty that underground aquifers & other resources will not be negatively affected, damaged or completely ruined forever. The science of these types extractive industries is unproven in regards operations near rivers, with the effects on stream flows and river gravel and other aquifers unknown, with the major problems in the Hunter River flows, etc, all too familiar and ongoing, along with many other sites around Australia and around the world. Much of Australia relies on submerged aquifers & springs for stock & domestic supplies as well as for irrigation in many areas. Will Whitehaven Coal corporation and executives be required to deposit billions of dollars in trust as assurance with Govt & land owners to repair or compensate for the destruction, when land becomes degraded or useless? Will Whitehaven executives put their life on the line, if things go wrong and wrongs are committed? I doubt very much.

Politicians, Independent Commissioners, government employees, mining corporation executives, and others will not be able to hide from damaged claimed by dispossessed and forfeited communities when they invoke Common Law Grand Juries with indictments for Petit Juries to **try** these perpetrators and deliver judgments and convictions and enforce fines, forfeitures and custodial sentences or capital punishment.

Here's for lawful Governments,  
cyril baker.   
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