



namoi water

Mr David Way
Independent Planning Commission NSW
Level 3, 201 Elizabeth Street
Sydney, NSW 2000

30th November 2018

Submitted by email

Dear Mr Way,

Re: Six specific requests to IPC in regards to Vickery Extension IPC process

Namoi Water writes to you as a representative of Water users in the Namoi Catchment, regarding the Vickery Extension Project in north west NSW and the planned Independent Planning Commission (IPC) public hearing.

We understand that the IPC is assessing this project under the new guidelines and that this project will be the first to experience this process. We also understand that the date for the first public hearing has been set in an effort to meet the Minister's request of a report within 12 weeks of the close date of the EIS public submissions.

With respect, this timeframe is inappropriate during the current prolonged drought in this region, the timeframe being so close to year end with many family and business commitments. There is a high level of anxiety and dissatisfaction in the region regarding the timing of the first IPC public hearing.

Request One: That the IPC panel members travel to the region to explain the process, guidelines and timeframes to the community to assuage some of the stress currently felt

In terms of the new process, we seek clarification regarding the process that will be used at the IPC public hearing, specifically;

- will the panel be active in their investigation of the information presented to them both by the proponent and their consultants?
- what outcome is intended from this first public hearing?

The response to these questions determines the value of community participation from those that are already under duress from drought.

Based on our experiences of the previous 7 PAC's held to date, in the Namoi we would also request:

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Request Two: That the ability of the IPC to utilise a Counsel Assisting to play an investigative role, ensuring full rigor and reliability of information presented, be fully implemented in the Vickery IPC Public Hearing

Request Three: That the ability of the IPC to call specific witnesses to appear to provide a full understanding of the issues, be fully implemented in the Vickery IPC Public Hearing.

We suggest that the following consultants and agencies be called (at a bare minimum) to give witness:

- Hydrogeologists and Engineers used in the development of modelling of the impacts on water and the floodplain
- Noise and Dust consultants used in the development of modelled impacts to crops, neighbours and communities
- Other consultants used in developing the risk assessment of the projects impacts, such as Social and Heritage
- Department of Industry, Water: department offices responsible for the technical assessment of the proponents submission
- Environmental Protection Agency and Federal Department of Environment and Energy
- Department of Planning and Environment

Similar to other groups such as Carooona Coal in the Shenhua PAC, Namoi Water and the Boggabri Farmers Group request the ability for our key witnesses to present sequentially. These presentations will cover Social licence, Water/Floodplain, Noise, Dust, Heritage value and Economics. We would be happy to provide these witness names closer to the date of the public hearing.

Request Four: For Namoi Water and the Boggabri Farmers Group to hold sequential presentations by key witnesses

Our experience also gives rise to our concern for the appearance of equitability by the IPC in the public hearing process. In past PAC processes the “public” hearing part of the process has not been applicable to the proponent, with their ability to have a closed-door part of the hearing to present their evidence. Yet the rest of the witnesses, are deemed to take part in the “public” process. This is a clear inequity in the process.

Request Five: That Namoi Water members and Boggabri Farmers group members be provided the same privilege as the proponent, in having the opportunity for a closed door session of the hearing.

Given we have an understanding of the local context, we believe it is not acceptable to hold the IPC public hearing for Vickery at Gunnedah. Boggabri is the closest town to the development and by the proponent’s own evidence in the Social Impacts chapter of the EIS, Boggabri is where the greatest impact of the mine will be felt. It is most applicable therefore that this is where the meeting is held.

Request Six: That the IPC Public Hearing be held in Boggabri

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Thankyou for your prompt response to this letter and in particular, these six requests, given the impossible timeframes we are working under.

Regards



Jon-Marie Baker
Executive Officer

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