



Ms Samantha McLean
Executive Director
Independent Planning Commission

By email to: bradley.james@ipcn.nsw.gov.au

10 August 2020

Dear Ms McLean

Vickery Extension Project (SSD 7480)
Proposed amendments to recommended conditions of consent

I refer to your letter dated 4 August 2020 seeking comment from the Department on proposed amendments to the recommended conditions of consent for the Vickery Extension Project.

The Department has reviewed the proposed amendments and consider that in the main they are workable and appropriate. The following advice is provided on the following conditions:

- B49 – propose to insert “*The design and construction of the Project Rail Spur must provide for its complete elevation above the 1% Average Exceedance Probability flood level west of the Namoi River.*” The Department notes that there is a short transition zone of embankment proposed that would tie into the main rail line and that the rail spur line superstructure would be elevated above the 1% AEP, rather than all components of the rail spur line.
- B51 – propose to insert additional performance measure under ‘Overburden emplacements’: “*Design and construct emplacements to ensure that groundwater seepage is directed to the open cut and final void for appropriate treatment*”.

The Department notes that existing performance measures for ‘Overburden emplacements’ together with the performance measures for ‘Alluvial aquifers’ would adequately address the intent of the proposed additional performance measure. As such, the Department does not consider it necessary to include this as an additional performance measure.

It is noted that the proponent’s assessment indicates that there would be a small volume of seepage from the emplacement to the alluvium, however there would be no adverse water quality impacts due to proposed management of PAF and sodic materials. The proposed wording would potentially preclude any seepage towards the alluvium which may not be workable, rather than ensuring appropriate management of materials that may cause migration of pollutants. The Department’s assessment report paragraph 279 relevantly notes that:

seepage of water through the emplacement near the alluvium is still a possibility, however it considers that the emplacement can be designed and constructed to ensure that the material that may pose the highest risk of pollution is placed closer to the pit, and the areas of the emplacement over the alluvium are constructed with more inert material

The Department’s conditions include performance measures for:

- negligible impacts to alluvial aquifers caused by the development beyond those predicted in the document/s listed in condition A2C, including negligible impacts to water quality;
- Design, install and maintain emplacements to encapsulate and prevent migration of acid forming and potentially acid forming materials, and saline and sodic material; and

- Design, install and maintain out-of-pit emplacements to prevent and/or manage long term saline seepage
- comply with the Minimal Impact Consideration for Aquifer Interference Activities for Alluvial Water Source (highly productive groundwater sources) under the *NSW Aquifer Interference Policy* (DPI, 2012)
- B104(i) – suggest review the wording as there are some grammatical issues;
- C2 – request confirmation of wording, ie. either ‘uses’ or ‘users’. The Department notes that Table 2 of the *Interim Construction Noise Guideline* applies to residences. Removal of wording “at other sensitive land uses” would clarify the intent of this condition.

If you have any questions, please contact me on [REDACTED]

Yours sincerely,



Stephen O'Donoghue
Director
Resource Assessments