

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development modification
Application number and project name	SSD-7480-Mod-3 Vickery Mine Extension - Modification 3
Applicant	VICKERY COAL PTY LTD
Consent Authority	Independent Planning Commission of NSW

Decision

The Director under delegation from the Independent Planning Commission has, under 4.55(2) of the *Environmental Planning and Assessment Act 1979* (**the Act**) modified the consent subject to the recommended conditions.

A copy of the Department of Planning, Housing and Infrastructure's assessment report, instrument of modification and the consolidated consent is available at <https://www.planningportal.nsw.gov.au/major-projects/projects/mod-3-coal-haulage>

Date of decision

5 August 2026

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's assessment report;
- the prescribed matters under the Environmental Planning and Assessment Regulation 2021
- the reasons given by the consent authority for the grant of the original consent;
- the objects of the Act;
- the considerations under s 7.14(2), 7.16(3) and 7.17(2) of the *Biodiversity Conservation Act 2016* (NSW);
- all information submitted with the modification application during the assessment and information considered in the Department's assessment report;
- the findings and recommendations in the Department's assessment report;
- the submissions made concerning the modification; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's assessment report were accepted and adopted as the reasons for making this decision.

The decision maker was satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted was modified.

The key reasons for granting the modification are as follows:

- the modification is permissible with consent, and is consistent with NSW Government policies;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent. Engagement on the project is considered to be in line with the *Undertaking Engagement Guidelines for State Significant Projects*, including the community participation objectives outlined in these guidelines; and
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The department exhibited the modification from 21 April 2026 until 6 May 2026 and received 7 submissions, including four objections.

The key issues raised by the community (including in submissions) and considered in the department's assessment report and by the decision maker relate to transport.

<i>Issue</i>	<i>Consideration</i>
<i>Traffic</i> Increased impacts from currently approved haulage	<i>Assessment</i> - While the proposal would increase the amount of ROM coal that may be transported on the southern section of the approved haulage route, the use of higher payload vehicles mean that the forecast haulage truck movements would remain below those assessed for the original Vickery Coal Project. - The road network has sufficient capacity to accommodate the proposed increase in run-of-mine coal haulage. - The road transport assessment concluded that additional vehicle trips generated by the modification, combined with both existing and forecasted traffic volumes would continue to result in an acceptable impact on the local road network. <i>Conditions</i> - Changes to conditions include an increase to the haulage limit to allow up to 4.1 million tonnes per annum of run-of-mine coal to be transported on the approved haulage route.