

## **Submission**

### **McPhillamys Gold Mine Project proposal –(SSD-9505)**

#### **IPC**

#### **Dear Commissioners**

After extensive investigation, Orange and Region Water Security Association (**ORWSA, the Association**) cannot determine any justification for the approval of the McPhillamys Gold Mine Project and strongly objects to its approval.

Main concern – the future of water and the ecology of the Belubula River

The Association is a stakeholder on the McPhillamys Community Consultative Committee (**CCC**).

In appraising this project, the State of the Environment Reports in the past year indicate the poor state of the environment whether International, National, State or local - must be taken into account when assessing the McPhillamys Mine. All indicate that much more attention should be given to “retaining”, “restoring” and “enhancing” the natural environment, which is promoted by NSW DPE- Environment.

The first Recommended condition in the Development Consent – Schedule 1, should be re-written to reflect this aspiration as: “neutral or beneficial environmental impact”. Water authorities advocate fixing a leaky tap therefore it is appropriate that environmental authorities promote the stopping of the gradual loss of the natural environment. This project would be a good starting point. Authorities must emphasise the “prevent” and not the “minimise” and advocate for stopping of the inefficient and inadequate “offsets”.

This project proposal is based on little or no value considerations given to the value of the natural environment. Some value is given to loss habitat, say for koalas, but no value given to any koala. The same could be said for trees. There are no significant “Nature Capital Accounting” provisions included in this proposal. If they were, it would probably produce a negative balance, which would support a case for not approving the McPhillamys Mine.

The Rehabilitation Strategy – B98 – should include a section requiring the void to be filled and to restore appropriate vegetation. The planning approval does not include a provision for ensuring profits for the proponent but to ensure protection of the environment – humans and natural. If approved, Regis Resources should fill the void, as was the case with the gold mining pit at the Friskies Pet Food site (on the boundary to Orange from Blayney). Regis could possibly consider including more grassy- box woodland habitat into their rehabilitation strategy rather than creating too many forest.

It is only right and necessary that **water availability** continues to be the major consideration for this project. The proponent must be able to prove that sufficient water is legally guaranteed before any Consent for the project is given. The McPhillamys Mine would impact adversely on the surface water, groundwater, irrigation water and environmental water in the Belubula-Lachlan River catchment.

The DPE-Water expressed concerns, Draft Regional Water Strategies (**Draft RWS**) -Fact Sheet pp 2-3, about the future water availability over the life of this project (15 years). \* reference The Macquarie/Castlereagh and the Lachlan Draft Regional Water Strategies states: “NSW’s water supplies less secure than we thought”. A four - step approach was adopted in the Draft RWS and “found that the method was consistent **with best practice** in the field and a major advance over using historical records or only climate models”. “The strategies are a roadmap for the next 20-40 years” and the Association would suggest are applicable for not only the life of this mine but for the next 1000 years or more. Best practice should be a feature of this proposal, but sadly it is not.

- 131 years of data – disguises the impact of climate change in the past 30 years – disguises the change in streamflows in the past 30 years. The latest information, as outlined in the Draft Regional Water Strategies, has not been considered properly. The Association requests that the Commissioners review this aspect.

The EIS for this project is based on 130 years of historical data, Draft RWS -“even 500 years’ worth of it assumes that everything will stay the same” (Fact sheet p8). DPE and other learned professionals know that is not the case and must conclude that the McPhillamys Gold Mine EIS is not-fit-for-purpose in the evaluation of water needs and water impacts. The expected impacts for the life of the mine and for eternity are reduced streamflow, water table disturbance, acquisition of water licences require to be accounted for before consent.

The Association requests a review of points 261, 262, 263 ( “around 22% of the catchment” or sub catchment ?), 264,265, 266, 267 with special attention to 302 of the Assessment Report taking into account the aspirations of the Draft RWS and submission 62.

In the post mine period (eternity), water losses due to rainfall and runoff inputs to the final void (estimated 472 ML/year) and evaporation (519 ML/year) is totally unacceptable. This quantity of loss is comparable to the yearly water consumption (extraction minus possible return to the catchment) by all the activities in Orange during the assessment period of the Macquarie River to Orange Pipeline (refer to Assessment point 302). There is a lack of appreciation for the impact of water loss in this Assessment Report, the EIS and Recommended Consent for the McPhillamys Gold Mine. The void should be appropriately filled-in.

Citing Submission 62 from the 2<sup>nd</sup> Draft Macquarie/Castlereagh Water Strategy which deals with the reducing streamflows in the Central West. It mentions 2 research papers that were sent to Bathurst Regional Council:

Paper 1 – “Climate Change Impacts on Streamflow – a Local Bathurst Focus, Feb 2022 by Norm Wise – (retired) Water Efficiency Officer - WaterNSW or NOW and

Richard Cook – Senior Hydrologist – Macquarie River Management

Paper 2 – “Bathurst Town Water Supply – Background & Issues Paper 2022 – unpublished report to Bathurst Regional Council February 2022” by Norm Wise

Please note: most of the information contained in the 2 research papers is included in the Submission 62: Draft RWS

[https://www.dpie.nsw.gov.au/\\_data/assets/pdf\\_file/0009/548694/Submission-62.pdf](https://www.dpie.nsw.gov.au/_data/assets/pdf_file/0009/548694/Submission-62.pdf)

**Conclusion** in the 2<sup>nd</sup> Draft Macquarie/Castlereagh Water Strategy – submission 62

“Over the past 30 years (1991 – 2020), median streamflows in the upper catchments of the Central Tablelands of NSW have decreased by 50-65% compared to the 30 years (1961-1990). Median Rainfall for the same time period has decreased between 11-12%”.

Professor Mark Howden – MDBA River Reflection Conference at Griffith – in his presentation predicted a possible further reduction in streamflows in the MD Basin of possibly 30% over the next 30 years.

These findings and predictions are very concerning. It would be prudent to prevent any flow impacts to the Belubula River by not approving this project. At least a serious review of B 39, consent provision.

Regis representatives dismissed concerns raised about reduced streamflows at the CCC meetings (Regis website minutes) and provided no further information on streamflows. Regis could have cooperated by providing their data from their v-notch structures from the last 10 years, or referenced the appropriate sections of the EIS. Association would ask the Commissioners to gain further details before consenting to this project. The combination of greatly reduced flows and additional take (including the void water) by Regis would be devastating for the Belubula River.

It would be useful to have some assurance of the expected flow in the Belubula during the life of the proposed mine as it would be difficult to settle any later compensatory water claims. Referring to B42 – B 43- B44 - was it the mine or natural changes that caused a reduction of water in the Belubula?

Local water authorities – Central Tablelands Water, Orange City Council and Bathurst Regional Council, acknowledge the changes in streamflows and reduced runoff to storages and are actively seeking to diversify their water supplies by pipelines, water reuse, possibly purified water and continuing with water conservation programs. Confirming that streamflow should be rigorously assessed for this project as it could impact on the region's water balance. The impact of Cadia Valley Operations' water requirements will be explored later in this submission.

There will be no process for accounting for water loss due to the operation of McPhillamys Gold Mine (if approved), for eternity if the void is not filled. There is no water licence or social licence that would last for eternity.

Further "uncertainty" water issues are raised in the NSW Smart Sensing Network Final Report- Dec 2021 – "Where is All the Water?", but it is not clear to what extent it applies to the Belubula River catchment. The NSSN gives NRAR a valuable tool to oversee water compliance, if approved, for the McPhillamys Mine. A condition should be included that Regis Resources finance the setting up and operating cost of the NSSN for the Belubula River Catchment. **W: [nssn.org.au](https://www.nssn.org.au)**

<https://www.nssn.org.au/where-is-all-the-water>

Many presenters at the IPC Hearing - McPhillamys made mention of and compared the proposed McPhillamys Mine to the existing Cadia Valley Operations' Mine (**Cadia, CVO**) and its impact. The Association was interested in a former Mayor of Orange liking the process of McPhillamys approval to the Cadia Mine approval process. The Association believes that the planning process has greatly improved over the last 25 years and that this is reflected in the determination of the McPhillamys Mine Project.

Orange and Region Water Security Association remains concerned about the continued impact Cadia has on the Raw Water Supply for Orange. These concerns were raised when presenting evidence to the NSW Upper House Water Augmentation Inquiry. The main concerns are: # loss of baseline flows in the Summer Hill to the Macquarie River and the associated ecological impact on Summer Hill Creek

# creating difficulties for Orange to diversify its raw water source(s) as witnessed in the approval process for the East Orange Stormwater Harvesting Project.

Attached is ECCO's submission to the stormwater project.

# that the awarding winning recycled water pipeline can't operate as planned- mostly using potable water. [www.watersensitivecities.org.au](http://www.watersensitivecities.org.au) Case Study: Stormwater to Potable.... P25

# the Productivity Commission (May 2019) questions agreements whereby water authorities (Council) subsidises private corporations in their activities – in this case, Council giving treated water to Cadia – average 9 ML/day (Orange Raw Water Report- Council)

# the need to provide environmental water releases from Suma Park Dam - the main water storage for Orange - in a very wet year (2021-2022 Raw Water Report) amounted to 396 ML but in a drier year could be about 900 ML ( NCAT Dec 2015 conditions)

# residents' paying additional cost for water by using water from the Macquarie River and for including a recycled pipeline in 4 500 new homes (Case Study)

# less efficient energy homes in the recycled water subdivisions as Council grants credits as if they had recycled water.

On a positive note, the Association is excited about the future possibility of a direct potable water supply, but again Cadia will be a big influence on the outcome - as treated water from the sewer treatment plant is transferred to Cadia (Effluent Transfer DA – Orange Library)

The Association believes that Cadia Valley does not have the social licence to operate when Orange suffers the impacts as outlined above. The approval of the McPhillamys Mine should not have similar impacts. The Association requests a rigorous review of all the points regarding water in the Assessment Report (261- 344, more importantly 241, 264, 299,302, 306,321-344) as it disagrees with “the project would result in acceptable impacts on water resources - 344.”

The influence of large corporations and the intervention of the NSW Water Minister may not produce a good planning result or an appropriate environmental outcome. The Association holds reservations regarding the use of SPALs.

Regis Resources will change the water balance in the Belubula by purchasing water licences to cover the reduced streamflow in the above Carcoar Dam section, due to mining activity. This will impact on the downstream water users. The intention to pursue sleeper licences (not currently used), underused licences, and fully active licences will increase the water take from the Belubula River on the current usage as Regis would make greater use of the entitlements.

**In conclusion:** Orange and Region Water Security Association confirms that the latest and most appropriate data on expected changes to surface water and groundwater has not been properly considered in this approval process for the McPhillamys Gold Mine Project. Accordingly, the Association questions the validity of the water case for the McPhillamys Gold Mine Project. There is no justification for approving the project based on expected water impacts as outlined.

Orange and Region Water Security Association

17 Feb 2023