



**New South Wales Government**  
**Independent Planning Commission**

**TRANSCRIPT OF PROCEEDINGS**

RE: McPHILLAMYS GOLD PROJECT (SSD-9505)

**PUBLIC HEARING DAY 1**

COMMISSION PANEL: DR PETER WILLIAMS (PANEL CHAIR)  
MS CLARE SYKES  
PROFESSOR NEAL MENZIES

COUNSEL ASSISTING: MR JAMES EMMETT SC

LOCATION: BLAYNEY SHIRE COMMUNITY CENTRE

DATE: 10.00AM, MONDAY 6 FEBRUARY 2023

**RECORDED BY CREATE ENGAGE AND TRANSCRIBED BY REV**

Commissioner Williams:

Good morning and welcome to Day One of the Independent Planning Commission's public hearing into the State significant development application for the McPhillamys Gold Project SSD-9505. I've got an opening statement which will last a couple of minutes. The opening statements of the next two days will be considerably shorter.

I'm Peter Williams, and I'm the Chair of the Commission Panel. Joining me are my fellow Commissioners, Ms Claire Sykes and Professor Neil Menzies. We have also James Emmett SC as a Senior Counsel, assisting the Commission.

I would like to acknowledge the traditional owners of the land on which we meet, the Wiradjuri people. I would also like to pay my respects to Elders past and present, and to the Elders of other communities who may be participating today.

Before we begin, I would also like to acknowledge the passing of our colleague and dear friend, Professor Christopher Fell, AO. Chris was the Chair of this Panel before me, and as many of you know, Chris passed away in December last year, as we were traveling here, to Blayney, to hold this public hearing.

I'd like to say a few brief words about Chris. Chris was a world-renowned expert in nanotechnology. He was formerly the Dean of Engineering and Deputy Vice Chancellor at the University of New South Wales, and his work has been recognized through many honors, including being made an Officer of the Order of Australia for distinguished service to science and engineering. Chris was a strong supporter of young researchers, and his contributions throughout his career have benefited our society, both in Australia and internationally.

Chris was a wonderful colleague, a dear friend, and a great Australian. His death has been very sad for us, and for all who knew him.

I would like to thank Professor Neil Menzies for joining this Commission Panel as we determine the, the application for the McPhillamys Gold Project. All the case materials that Chris have reviewed, have now also been provided to Neil.

I would also like to thank all of you here today, and those listening online, uh, for your understanding and condolences. This public hearing was postponed just before it was due to commence in December last year, as the situation around Chris's sudden death was unfolding. On behalf of the Panel, and broader Commission, I'd like to thank you all for making yourselves available again today.

Now, to the application before us. The applicant, LFB Resources NL, a wholly owned subsidiary of Regis Resources Limited, proposes to develop the McPhillamys Gold Project, an open cut goldmine to extract up to 60.8 million tons of ore, and produce up to two million ounces of gold over 11 years, and build an associated underground water supply pipeline.

Sorry? Not working? I'm sorry. I'll try and keep my head still. That might help

Commissioner Skyes:

- - - Peter's microphone is not working.

James Emmett SC:

Could we pause for one minute while Melbi brings another microphone?

Commissioner Williams:

Yes.

Commissioner Williams:

Okay. Can you hear me?

Yeah, thanks. Oh, my apologies. Um... the Department of Planning and Environment, in its assessment report, has concluded that the application is approvable, subject to conditions.

The Commission is the consent authority for the State significant development application, because more than 50 unique public objections were received. The Minister for Planning has directed the Commission to hold a public hearing into the application. The Minister has asked the Commission to determine the application within 12 weeks of receiving the whole-of-government assessment report from the Department.

In the interest of openness and transparency, we are live streaming proceedings on the Commission's website. A full transcript of the three-day public hearing will also be published on the Commission's website in the next few days.

So, where we are in the process. This public hearing forms one part of the Commission's process. We have also undertaken a site inspection and locality tour, and met with the Department, DPE Water, the applicant, Blayney Shire Council, Cabonne Shire Council, Bathurst Regional Council and Lithgow City Council.

The Commission Panel has undertaken site inspection and two separate locality tours, and note some transcripts of the meetings held to date have been published on our website or will be published in the next few days. After the public hearing, we may convene further with relevant stakeholders if clarification or additional information is required on matters raised.

The next steps. Following the public hearing, we will endeavor to determine the application as soon as possible, noting that there may be a delay if we find that additional information is needed. Written submissions on this matter will be accepted by the commission up to 5PM Australian Eastern Daylight Time on Wednesday the 15th of February, 2023. You can make your submission using the, the submissions portal on our website.

The hearing purpose. We invite interested individuals and groups to make any submission they consider appropriate during the hearing. However, the Commission is particular assisted by submissions that are responsive to the Department's assessment report and recommended conditions of consent. All submissions made to the department during the exhibition of environmental impact statement have been made available to the Commission. As such, today's

speakers are encouraged to avoid repeating or restating submissions they've previously made on this application.

The Commission must emphasize that there are certain matters that by law it is not permitted to take into account when making this determination, and therefore, submissions on such matters cannot be considered. These factors include the reputation of the applicant, and any past planning law breaches by the applicant.

How the hearing will run. Before we get underway, I would like to outline how today's public hearing will run. We will hear first from the Department of Planning, on the findings of its whole-of-government assessment of the application currently before the Commission. We will then hear from the applicant. We will then proceed to hear from our registered speakers. While we will endeavor to stick to our published schedule, this will be dependent on registered speakers being ready to present at their allotted time.

Counsel Assisting, James Emmett SC, will introduce each speaker when it's their turn to present to the Panel. Everyone has been advised in advance how long they have to speak. A bell will sound when the speaker has one minute remaining. A second bell will sound when the speaker's time has expired. As Chair, I will enforce timekeeping rules to ensure that everyone receives their fair share of time. However, I do reserve the right to allow extra time for the Panel and Counsel Assisting to ask questions or to hear new information.

If you have a copy of your speaking notes, or any additional material to support your presentation, it would be appreciated if you would provide a copy to the Commission. Please note that any information given to us may be made public. The Commission's privacy statement governs our approach to managing your information. Our privacy statement is available on our website.

Um, thank you, thanks for putting up with the technology. It's now time to call our first speaker. So, Mr Emmett, could you call our first speaker, please.

James Emmett SC:

Sure. The first person to address the Commission will be Steve O'Donoghue, on behalf of the Department of Planning and Environment.

Steve O'Donoghue:

Thank you Chair and Commissioners. Good morning. My name is Steve O'Donoghue, Director of Resource Assessments with the Department of Planning and Environment.

I would also like to acknowledge that the public meeting today is held on Wiradjuri land, and I would like to extend my respects to elders past, present and emerging, and to any Aboriginal persons attending here today. I'd also like to thank the Commissioners for giving the Department the opportunity to present here today on the McPhillamys Gold Project, and also for those here attending in person and virtually.

I would like to use this opportunity today to provide details on the key assessment issues, and our evaluation of the project. And in particular, the, the key reasons for the Department's recommendation to the Commission that the project is, is approvable.

The assessment report is by no means meant to be a full compilation of all the information that has been presented to us throughout the assessment process. All of the key relevant information informing the, the assessment is, is publicly available on the Department's website and can be accessed if necessary.

Our assessment report is a distillation of this material, and is designed to, to give the decision maker, in this case the, the Commission, sufficient information to make a determination. I won't go into detail about the project itself, as this is well described in the department's assessment report. All of the information in the EIS and the subsequent amendment reports that were, were submitted as part of the project.

Before I say anything further about the development of the key issues, I think it's important to say from the outset that assessing a greenfield mine, uh, such as McPhillamys is, is inherently difficult and complex. In that it is, is introducing a new industrial activity into a, a rural setting in this case. A couple of the key aspects of this project are that the mine is close to the Kings Plains residences, and rural subdivision south of the project, and it's also located in the Upper Belubula River catchment, which requires careful consideration or project design due to potential downstream impacts and environmental consequences.

As a result, we consider there are two key issues for the assessment. Firstly, amenity impacts in the Kings Plain area and the surround, the surrounding residences, including noise, air quality, visual and lighting, along with the associated social impacts more broadly and on the community. But particularly in the Kings Plains area, which must be weighed against the project's social and economic benefits. Secondly, the impacts on water resources, given the location upstream of the Carcoar Dam and Blayney, and potential impacts on downstream users in the Belubula River.

The Department also considers that the following assessment issues to be important, and the assessment report provides a summary of the Department's consideration of these following matters.

Biodiversity, mainly related to mine footprint and to a lesser extent the, the pipeline corridor. With the clearing of native vegetation including Box Gum woodland and habitat for threatened species. Aboriginal cultural heritage, due to the loss of cultural heritage values associated with artifacts within the, within the impact area, and, and broader cultural landscape values of the Belubula River catchment. Agriculture, particularly on the local apiary industry. Loss of agricultural production that, in the mine footprint, and concerns about downstream impacts as well. And, and economics, including employment in regional and local business opportunities, along with the importance of mineral mining in New South Wales and Australia.

I also note that the Department has undertaken a comprehensive assessment of a range of other matters, including traffic, transport, lasting in vibration, history heritage, hazards and risks, human health, greenhouse gas emissions, which are documented, documented in our report.

First, I just wanted to talk a bit, a little bit about the strategic context of the project. It's important to provide some strategic context about the project in relation to the location and importance of the, the resource and existing land uses surrounding the site. The mine site lies within Wiradjuri Country, and the Belubula River and cultural landscape, with, within and around the mine is of significance to the Aboriginal community.

As shown in the consultation on the, on the cultural heritage assessment and submissions on the project. The regions surrounding the mine site also has a long history of both agriculture and mining land uses dating back to early European settlement in the mid-19th century. And also associated with this European settlement, conflict with the Wiradjuri people in the region. Both the Federal and State Governments recognize the importance of investment in rural mining and exploration industry, and the economic benefits, yet there are strategic policies are reflected in key documents, including Australia's Global Resources Statement, and the New South Wales Minerals Strategy, which promoted strong focus in minerals and high tech metals within the mining sector, with less reliance on coal and fossil fuel projects.

The region does has a, uh, a strong history of mining in the area. Since the, since the 1850s, with the three largest goldmines in New South Wales currently operating in the same geological zone. Uh, recent exploration of the McPhillamys site commenced in 2006, and the resource estimate was published in 2017. So recent activities at this site have, have occurred for around 16 years in the vicinity of McPhillamys itself.

Mining is, is already a key industry in the Central-West and Orana region, um, but based on recently updated regional plan contributes around 23 percent to the regional economy. However, a large part of this industry currently involves coal mining near Mudgee, as New South Wales phases out of formal coal mining and development of minerals, mineral mining would support diversification of the mining industry.

I would, I will now summarize the key, the Department's consideration of the two key assessment issues. The amenity social aspects, and water resources. I will also touch on some of the other key assessment issues, particularly impacts on biodiversity, agriculture, Aboriginal heritage along with the economic benefits of the project.

First, in relation to amenity and social impacts. We, we are acutely aware of the community's concerns regarding the potential social and amenity impacts of the project. This has been expressed to the many submissions that have been raised that these impacts are an issue, particularly for the residences around the mine site. The Department acknowledges that greenfield mining composes in particular, such as McPhillamys, would introduce an impressionable change to surrounding communities and regions, and also that social impacts are, are already occurring as a result of the investigations into the proposed mine and, and assessment of the project.

Social impacts are therefore a key issue for the project, and considerably, in detail with the Department's assessment report. This is because there are, there are, are 85 privately owned residences, receivers, within about two kilometers of the project boundary, with 19 privately owned residences receivers located in Kings Plain settlement area, largely settled around Walkom Road.

Regis prepared a social impact statement that found that the likely social impacts of the project on the Kings Plain include change, changes to the existing rural way of life and character of the area, social cohesion, including acquisition of some properties that have already occurred by Regis and potential for existing residents to leave the area. Impacts on health and wellbeing of residents including stress and anxiety. Perceived inequity given that the main impacts of the project are felt in the locality, whereas the benefits are, are, are more focused in the, the regional area.

The SIA, the social impact assessment or SIA, also identified the potential broader social impacts on the region, which include the influx of the mining workforce, such as accommodation shortages and affordability and demand for services, and the potential loss of employees for local businesses to the mine. The social benefits of the project were also identified, which include the economic benefits to, to Blayney and the broader region employment and training opportunities.

Many of the social impacts on Kings Plains are associated with amenity impacts and the cumulative changes experienced, uh, by the surrounding residents of, across these amenity impacts. I would discuss those further, however it is important to recognize that, that the amenity impacts along with impacts from water resources are largely addressed through long established government policies and industry best practice site management and monitoring practices. The department's, uh, social impact assessment team, which undertook the comprehensive assessment of the, of the SIA, acknowledged that the social impacts associated with these amenity impacts could be mitigated if Regis demonstrated through comprehensive monitoring programs that the mine was operating within regulatory limits, and that this was effectively communicated with the local community. The Department also acknowledges that while the predicted impacts don't trigger mitigation or acquisition rights in the government policy, the changes in the rural setting would still be no-, be highly noticeable, which contributes to the overall social impacts.

We note that Regis has been negotiating with the most affected residents of Kings Plains, to offer mitigation measures at their properties, and acquisition if the, if the landowner so wishes, and that Regis at the time of referral to the commission advise that eight of 16 landholders have, have signed an, an agreement. However, we also understand that many resi-, residents have been reluctant to sign these agreements, citing concerns that, around fairness and lack of transparency, or to await the outcomes of the IPC process.

Predicting the nature and extent of social impacts is not exact, and the Department believes that an adaptive management approach is the most appropriate way to monitor and respond to the social impacts of the project. Regis identified a range of management and mitigation measures in relation to social impacts, including for example, stakeholder engagement, near neighbor management, local content strategy, local recruitment and training, workforce accommodation

strategy, Indigenous participation and, and strategies around mine closure, as implemented through a proposed broader social impact management plan.

The Department has recommended that the, the SIMP, or social impact management plan, be, be prepared incorporating the miscommunication techniques, and it is important that if the project were to be approved that Regis maintained ongoing monitoring, reporting and transparent communication about the performance of instruction and operation of the project. The SIA team also raised concerns about the effectiveness of the proposed measures, particularly on, on protecting vulnerable members of the community. For example, through massive price increases due to accommodation shortfalls.

The SIA team also, also recommended that key stakeholders, stakeholders such as representatives of vulnerable and marginalized groups, uh, social service groups, be involved in, in preparing the, the SIMP and community benefit program. To this end, the Department notes that Regis proposes to involve the Aboriginal community in the project through two strategies. An Indigenous Participation Plan would be prepared to encourage Indigenous business and employment opportunities, and a cultural heritage management plan to address management of cultural heritage values during development and operation of the, of the project.

The Department has recommended that the SIMP be prepared for the consultation of affected stakeholders, and that it be prepared having regards with Department's SIA team's recommended comprehensive recommendations, and to include a community benefits program which describes measures aiming to enhance community wellbeing and cohesion. Similarly to the other management plans, it will need to be supported by performance measures and triggers for action, and provide for adaptive management.

In summary, the Department considers the SIA has assessed the range of potential social impacts and benefits in sufficient detail. While the Ddepartment's SIA team has identified residual social impacts, particularly on the Kings Plains community, and potentially on vulnerable people in the Blayney area, Regis has committed to a range of mitigation adaptive management measures to limit, manage and monitor the social impacts of the project.

I just wanted to make some, uh, comments about the noise impacts, uh, one of the amenity impact. In response to the issues raised in public submissions that, and advice from the Environmental Protection Authority, or EPA, and the Department, Regis amended the mine design and proposed operational measures, uh, to mitigate some of the, the amenity issues, particularly in relation to noise and air quality.

This included them revising the schedule of construction activities, mining and waste rock operations, and relocating the mine access, uh, site, and, and the undercut coolage access. The amendments also included revised mitigation measures, such as the use of lower sound power levels in the mining fleet, and limiting speed in, in work, working as long with other measures. These changes reduce the predicted noise impacts on Kings Plains, such that through the application of reasonable and feasible measures, the noise generated by mining operations would not reach levels that would trigger the New South Wales Government's voluntary land acquisition mitigation policy, or VLAMP.

When managed to the predicted levels, the noise impacts are considered acceptable under the, the VLAMP, and the EPA's noise policy for industry, but would, would require effective management and monitoring by Regis to ensure compliance with the rec-, with the, the recommended noise limits. The department has recommended strict conditions for noise, including that construction limits, which, which had a higher, uh, daytime noise management level, only apply at the mine site for a period of six months, from the commencement of construction. Uh, then more stringent operational noise limits would apply.

Limiting operations to daytime hours only, for construction works and works in the Southern area of the project, both during construction and operations to minimize the noise, uh, during the more sensitive evening and nighttime periods. Also, setting an overall upper noise limit, um, to be met under all weather conditions, including adverse conditions such as inversions or low wind speed towards residences. Mealtime monitoring of noise at represented locations, particularly targeting the Kings Plains area. It, and to monitor the noise levels and set triggers to implement operational controls on the site.

Also, validation and monitoring of noise source power levels, which show consistency and commitments in the EIS, and, and to sort of roll that all together, preparation and implementation of the noise and blasts management plan.

In relation to air quality, air quality impacts were also raised as a key concern to the community around the mine, particularly dust impacts including finer particles of, um, PM10 and PM2.5. Air quality emission sources of the project will include dust generated by earth moving activities or handling and processing. Operational plant and equipment, and, and wind erosion. The amendments to the project in-, included changes to waste rock scheduling, um, which provided a more even distribution of materials handling and processing rates, with lower peak material through, through, through the year, resulting in lower peak dust emissions.

The proposed use of larger haul, uh, capacity haul trucks as well, also proposed, um, from 177 to 221 tons, which also reduces dust emissions through, through less, uh, vehicle hour-, hours traveled, traveled compared to the, the model completed in, for the EIS. Regis proposes a number of best practice measures to reduce air emissions, including chemical dust suppression on haul roads, water suppression on other areas, use of dust control systems, uh, in the processing facility. Hydro mulching, uh, and interim, as an interim measure during importation.

Importantly, the EPA advised that, that its initial concerns regarding dust emissions have been addressed, and re-, recommended a comprehensive air quality management plan be prepared and implemented. Incorporating management measures, key performance indicators, trigger action response plan, and uh, real time monitoring. The department also notes similarly to noise, that air emissions from the site could also be regulated by the EPA under an Environment Protection License, and are the general statutory obligation to minimize their emissions. The air quality assessment also considered metal emissions from, uh, waste rock or, or obtained material, and also gaseous emissions including hydrogen cyanide, uh, from the use of cyanide for ore processing, and nitrogen oxide or nox emission from the mobile fleet processing plant, but also from blasting. The air quality impact assessment predicted that with the application of reasonable and feasible measures, that air emissions including the particulate metal and gaseous emissions

would comply with the strict air, air quality limits in set at, out in the EPA's approved methods for the modeling and assessment of air pollutants in New South Wales. The department has also set strict emissions for air quality, incorporating the EPA's recommendations, and also including ambient air quality limits for particulate matter.

I just want to touch, uh, briefly on visual amenity, one of the, the key sort of amenity impacts, raised, raised about the project, uh, visual impacts along with lighting were a key concern in public submissions, given the proximity of, of the project to resident, residential receivers, particularly the Kings Plains area. And potentially high visual impacts during the early years of the project, through the development of the pit in the Southern and [inaudible 00:28:46].

These impacts would be reduced somewhat from year six, as the rehabilitation progress is across the southern facing landforms. This includes the use of contemporary natural landform design principles, uh, and incorporation of micro leaf to reduce the artificial appearance of the final landform. The reduction of visual impacts that occur for this project is an important factor in the overall assessment of visual impacts. This type of approach to minimizing visual impacts through staging op-, operations to establish and reveg-, revegetate, uh, amenity bungs, uh, early in the project is common in, in mining and resource projects. And it's, but it's not available for example in other types of developments, uh, such as with farms. However, we also acknowledge that even following rehabilitation of the face of the southern placement, the landscape character of the area would be permanently changed, particularly views from Kings Plains. In that context, the project has been staged to substantially reduce impacts after the initial years, and Regis has also offered negotiated agreements with 18 landholders in relation to visual impacts, and committed to implement landscape and mitigation measures to reduce the impacts, acknowledging that this may be difficult at some residence, due to topography and sight lines.

The department has also reco-, recommended conditions to implement measures to minimize visual and lighting impacts. Uh, undertake landscape three planning and maintenance of, of this, would require visual impact mitigation on request to receivers that have a high visual impact over life of the mine.

I'd just like to touch on, uh, with second key issue, which is, uh, water resources. In regards to water resources, the department assessed the following key aspects. Ser-, service water quantity and quality, particularly impacts to water take from the project on downstream users in the Belubula River catchment. Uh, above Carcoar Dam, but also in the regulated river below Carcoar Dam, along with potential, potential impacts from discharges and seepage from the mine site.

The other key component is ground water draw down and, and quality, including impacts on private bores, groundwater dependent ecosystems, and base swelling the Belubula River. And probably a third aspect that, uh, which is a large consideration for the partner is water licensing, uh, particularly the ability to obtain su-, sufficient entitlement under the water management act for the tapered water in, in the Belubula River above Carcoar Dam water source.

The EIS and subsequent amendment reports to the project were informed by groundwater and surface water modeling, with the model subject to si-, significant scrutiny from, uh, from both

the department's water group experts, uh, including ground, groundwater modeling peer reviewed by Mr. Hugh Middlemas on behalf of the, of Regis. Uh, and Mr., and Mr. Justin Bell who was engaged by the department to, to, uh, do a peer review of the groundwater modeling assessment.

Importantly the models were, were considered fit for purpose by these experts including, including DP Water. The department acknowledged that many of the concerns about impacts to water resources stemmed from the location and presence of the Tailings Storage Facility, or TSF in the Belubula River catchment, and the risk of dam failure or discharge to downstream, um, receiving waters. Given that the recent flood events in the region has increased community concerns around this issue, I just wanted to focus on, on this aspect, uh, at the moment.

First, the Tailings Dam, designed, construction and conditioning, operation and decommissioning is, is undertaken under a highly regulated environment led by Dam Safety New South Wales. Another provision for the Dam Safety Act, and the associated, uh, regulation, which was recently ame-, uh, amended in 2019 to further strengthen the regulation of tailings dams. These include that a competent independent panel be involved in undertaking safety reviews and dam designs. The department has also recommended conditions requiring design or regulation in accordance with these contemporary requirements.

One key design aspect of the tailings dam is the extreme consequence classification of the dam. This requires the highest level of regulation and design, including strict inspection and monitoring requirements, also noting that the dam would be constructed as a downstream lift design which increases geo technical stability and the fact that it, safety in relation to dam failure.

Secondly, comprehensive water balance was completed for the project. It was based on extreme weather cycles that demonstrated the mine could operate as a nil-discharge site in relation to the discharges from the tailings dam, but also from mine water storages. Importantly the, the water balance is based on 131 climate sequences from rainfall from, from the period 1889 to 2019, with the range of dry and wet cycles over this period. Further, the tailings dam will be operated to have sufficient free board from a one in 10000 year 72 hour storm event, which is equivalent to about 350 mils of rainfall, and the water management system would include transfer of mine water into the open-cut pit as temporary storage, which has been, which has been factored into, into the water balance of the site.

In relation to groundwater drawdown, the inflow into the pit, uh, and inflow into the pit, the predicted longer term drawdown indicates that the project would comply with the minimal impact considerations of the NSW aqua policy. Um, the predicted drawdown would all- would not reduce groundwater, nu- uh, that was more than one meter below existing levels beyond the project boundary, with the exception of the small area to the south of the mine.

James Emmett SC:

Mr. O'Donoghue, can I, um, interrupt you briefly-

Steve O'Donoghue:

Sure.

James Emmett SC:

Your time is up subject to the Chair's discretion.

Commissioner Williams:

Uh, Mr. O'Donoghue, if you could, just another minute to round up please.

Steve O'Donoghue:

What's that, sorry?

Commissioner Williams:

One more minute, please, to quickly round up, and we might have one or two questions as well, if that's okay. Thanks.

Steve O'Donoghue:

Okay. Well probably, that was probably near the end of the water section anyway, so I might just, um, just do sort of sum up, uh, of the, on the whole evaluation. The Department's carrying out the details as we, the merits of the project, with a particular focus on the issues raised in public submissions, representations, government agency advice, and advice provided by the Departments experts. The Department does acknowledge the high degree of public interest in the project, and the broader community concerns, and recognizes that the prospect of a new mine in a long-established rural character area would, uh, cause other associated social impacts, such as fear, stress, and anxiety due to the uncertainty, um, and different perceptions of how the actual impacts, um, uh, may be experienced in the future.

Based on its assessment, the Department consider that Regis has designed the project in the way to achieve practical balance between maximizing resource recovery, and minimizing the social impacts on the surrounding landholders and the environment through best practice in contemporary mitigation measures. The Department has carefully considered all the issues raised throughout this assessment process, and has recommended a strict and precautionary set of conditions in consultation with key, uh, government agencies.

Uh, we also note the significance of the project's resource to, to the state, and, uh, focused on, on mineral exploration and mining. The Department considers that the project result in considerable economic benefits to the region, with the employment of up to 710 people during construction, and 320 during operations.

On balance, the Department consider that the benefits of the project outweigh its residual costs, and that the project is in the public interests, and is approvable subject to the conditions of consent. So thank, thank you for your time.

Commissioner Williams:

Thank you Mr., Mr. O'Donoghue. Uh, Claire, do you have any questions?

Commissioner Skyes:

I, I just had one question. Thanks, Steve, very much for your, for your presentation. Is my microphone working?

Commissioner Williams:

No, want to try that?

Commissioner Skyes:

I'll try that one. Um, you mentioned, um, just in the water piece, that the design was a nil discharge site, and, um, modeled over climate sequences between sort of 1889 to 2019, both wet and dry period, and to model around one in 10,000 year, which equates to a 350 mil rainfall event. Could you just clarify a point that you mentioned immediately after that, which was any, in, in the event of an extreme consequence and or failure, that water flow would be directed to the open-cut pit?

Steve O'Donoghue:

Yeah, so, in, in, the water balance that was, that was done for the project, the, it did include, uh, under larger wetter cycles, that the pit itself, was, the storage opportunity for the site. So if, if the main water storages were full, and the tailings dam had reached its operational capacity, there's an opportunity to pump back in to the pit.

Commissioner Skyes:

Okay, yeah.

Steve O'Donoghue:

And that was included in the water balance, the water balance modeling, and including, um, you know, the, the amount of time that the pit operations could be affected as a result.

Commissioner Skyes:

Thank you.

Commissioner Williams:

Sorry, just one question from me too, Mr. O'Donoghue. It might be dealt with by a later speaker, but the new scheme of compensating water licenses that have been developed for this project of for the Belubula River, can you say anything about that, that at this stage or...

Steve O'Donoghue:

I, look, I can fill out a little bit. Um, and, and the company might be able to provide more detail. So, essentially, one of the issues for the site is that there was limited, um, water access license in, in that, in that water source above Carcoar. At the moment, Regis own probably, uh, probably 99% of those available ones between 200 and 300 megaliters. But in terms of the water that, that's captured on, for example in the, in the tailings storage facility, and, and other, dams on site, including the, the clean water dams, additional, uh, water license would be required. The minister, minister for water, issued a specific purpose access license for the McPhillamys gold project, which could be activated if, if the project were to be approved. That would be a, there's a process there that Regis would then apply for that, you know, through, through, uh, the water

group and the minister, for the issue of any specific purpose access license, and meet the requirements under that.

Commissioner Williams:

Great. Thanks Mr. O'Donoghue. That's, that's all from me, I think.

Commissioner Menzies:

I would like to follow up on, on Claire's question regarding the tailings dam. So the... To repeat, I'd like to follow up on the question regarding water balance on the tailings dam. Uh, the answer that you gave referred to the period of time while the mine is operational, and there are people onsite, and equipment to move water around. Post mining, what's the stance on the water balance of the tailings dam in that period and, and stability and high rainfall events?

Steve O'Donoghue:

The, that comes down to the, the rehabilitation of the tailings dam at the end of the day. So, the, it is, it is proposed to rehabilitate it, so it's a free draining structure.

Commissioner Williams:

Mm.

Steve O'Donoghue:

So there wouldn't, there wouldn't be a dam onsite, uh, per se, capturing water, but it would, it would need to meet, it, we've got we've got water performance measure in both rehab, uh, and water performance measures about the tailings dam that, that would need to be met to the satisfaction of a resource regulator, but also, DPE Water in terms of drainage control of, of the site. Um, so it would be a, it would be a question for rehabilitation, giving the landform back to the local free draining-

Commissioner Williams:

Yeah.

Steve O'Donoghue:

Which, also Dams Safety NE South Wales, would also be involved in decommissioning requirements for the dam as well.

Commissioner Menzies:

Thank you.

Commissioner Williams:

Thanks, Mr. O'Donoghue.

James Emmett SC:

The next person to address the Panel, Mr. Jim Beyer and Mr. Tony McPaul of Regis Resources.

Jim Beyer:

Thanks and good morning. Thanks to the IPC for the opportunity to speak this morning, and also for the opportunity to get, get the, uh process on its final stages.

I'd just like to introduce myself. My name is Jim Beyer, I'm the Managing Director and CEO of Regis resources. I've been working in the mining industry for nearly 40 years, and, I joined it because I thought that it was an industry that provided a service and provided materials that the community needs for its growth and progress. But over that, over that period, I've spent nearly 20 years living in rural locations with mining, and I've also had the opportunity to see, uh, the benefits, the direct benefits that mining can bring to a local community, and the economic prosperity that it can bring. So, I'm very pleased to be part of this. Once again, thanks for the opportunity to talk this morning.

Uh, the first thing that I'd like to do is, uh, acknowledge... Uh, the board, and the executive, and the employees, and the team at Regis Resources, acknowledge the local Wiradjuri people, along with the Spinifex, and the Wangkatha people, who, uh, those last four also are in Western Australia. We recognize and respect them as the traditional custodians of the lands on which we operate, and also on which we plan to, and hope to develop a new operation, of course, which is here with the Wiradjuri. We recognize their ongoing connection with the land, with the water, and the general community, and pay our respects to their Elders past and present.

I'd also like to take the opportunity to, uh, acknowledge, as uh, Commissioner Williams already has, uh, just briefly the tragic passing of Professor Fell, uh, and reiterate our sympathies to his family, and to those who knew him. He certainly made a significant contribution to development in New South Wales.

Uh, next couple of slides, please. Next one. Okay. Thanks, trying to get up to speed here. Okay, so first of all, just, who is Regis, and what do we do? Regis Resources is publicly listed on the ASX stock exchange, it's, uh, Australia's fourth largest gold miner. Uh, and, we have a purpose, and our purpose is to create value for our people, for our communities, the communities we operate in, our shareholders by mining safely, and by doing that responsibly. And our values are respect, integrity, teamwork, ownership and courage. Our operations exist in Western Australia, we own 100%, a series of mines and processing plants at a place called Duketon, it's been running for nearly 12 years and we have about 1,400 people employed at that site. We also have a 30% share in a mine called Tropicana, uh, our joint venture partner there is a group called AngloGold Ashanti, an international gold mining company, and that site has over 1,000 people employed at it. And the other key asset that we have, which is what we're here to talk about today is the McPhillamys project, uh, which we'll discuss as we progress. Next slide, thanks.

So, uh, ESG these days has a, is a growing, environment, social responsibility and governance, has a raising profile, but mining, for the last 20 or 30 years, has taken its social license to operate very seriously. Incorporated in that is safety, the environment, and the general community with which we operate in. Now, where does, uh, where does Regis' safety sit? Uh, as measured by lost time injury frequency rate, we sit at 70% below the WA industry average. We're very proud of the, uh, safety, uh, performance at our operating site, or sites. We have a target net-zero by 2050, and we also have interim targets, where we're developing the plans to achieve, uh, the, um, set targets for 2030. In fact, we're in the process at Duketon of installing a solar farm, which will,

uh, a key part of helping to ensure that we deliver on our carbon emission reduction, uh, uh, objectives.

We've increased the rehabili- the rate of rehabilitation, it's not something that we like to leave to the end of a project, we think it's important for progressive rehabilitation, and it forms a very important part of this project. We directly employ nearly 400 people, 398. We have over 1,600 indirect employees, now that numbers, you can add numbers together on the previous slide, it won't quite add up, but that's our, we've done a pro rata based on our 30%. We pay, at the moment, 71 million dollars in direct salaries and wages. Uh, we have 22%, uh, females in our workforce, that's, uh, well above industry average, which is running at around 17 or 18%. And over recent times, we've seen significant increase in our investment in the community, and, uh, and support.

So let's talk a little bit more now, more closely to home here at McPhillamys. Next slide please. So Regis bought the asset, uh, McPhillamys, the deposit back in 2012, and acquired it for 150 million dollars. In 2013, it started its baseline studies, and in- investigation, and the monitoring commenced to ensure that we understood what the background was, uh, to this site. In 2014, 2017, uh, we undertook drilling, and we upgraded the knowledge of the deposit to the point where we could declare a resource, and then a reserve of 10 million ounces. In 2018, we put in the PEA, the preliminary environmental assessment, and then in 2019, we submitted our environmental impact statement, the EIS. And here we are in 2023, uh, in the final stages of assessment and determination. I think it's safe to say that everybody's pleased that we've, were at this final point.

Let's point out that toady, including the acquisition price, the company has spent nearly, or approximately 300 million dollars on this project when you include, uh, the cost of acquisition, the drilling, uh, the extensive research that's been done, uh, looking at the environment, the engineering and the impacts. Next slide please.

Now, we'll talk a little bit more in detail on this, but the project, as I mentioned, before, why did I get involved in mining, because I, we, I like to, uh, be involved in an industry that's providing, uh, a primary industry which is here, it already is, and has long been a gold, recognized gold producer as well, but we also see significant benefits in the forms of local employment, local business growth, uh, recruitment. We'll see, uh, community investment, and we'll see benefits to the sate more broadly in New South Wales, and in fact we see some benefits to the environment, and we'll also see the, uh, opportunity for significant water, uh, um, water infrastructure assets that will spin off from the backend of this project. So there's a lot to be gained. Uh, next slide please.

So I'm just going to shortly pass on to Tony McPaul, our manager of special projects, but before I do that, this one's the land... And, and hold off, on this, uh, page for a moment. Well, we've taken some of the excerpts from the, from the DPE's assessment, and sort of look at these and say, there's probably three key areas, three key messages we take away when we, when we read these. The first, which is the largest one, notes that the project takes a practical balance between resource recovery and impact. There are certainly some compromises that we- we've done in the mining, in the extraction process, to ensure that we minimize that impact.

The second point that they make is that there is a recognition this is a significant resource, and it's certainly, I see it ties in with some of the regional 2041 plans of the area for the New South Wales region. And I think the last one, but no means least, uh, and one that, uh, does reflect our values, I think, we have been responsive to feedback. We put in our submission in 2019, as we mentioned, we've done an upgrade, we've made some significant improvements to the project, and changes, now, some of that you do as normally as part of a continuous improvement process, but also we've done this in terms of, um, listening to some of the, listening to, uh, concerns that some of the people in the, um, in the community have made, and adjusted our plans to suit. And maybe to talk a little bit more on that, I'll now introduce Tony McPaul, our manager of special projects to elaborate some more.

Tony McPaul:

Thanks, Jim, good morning, Commissioners, ladies and gentlemen, thank you for all coming along.

Uh, just a little bit of my background. I was born and bred in Crookwell on a sheep and cattle farm, a farm that we still own and operate today. And in fact I was down there on the weekend, checking stock. I'm a little bit older than Jim, I've worked in the mining industry for over 40 years, I joined the mining industry here in New South Wales in 1981, before moving around the country, as we do in mining, and I returned, uh, back here to New South Wales into the central west in 2004. Uh, I worked for another very large gold mine not too far from here. I joined the Regis team in December 2016 as part of the McPhillamys project here in Blayney, I've met a lot of people in and around the Blayney area, and made a lot of friends in fact, particularly out in that Kings Plains area where we've had a lot of dealings with the people out there.

When I started with Regis, their, uh, our office was in a little backstreet calls Charles Street off the main street, we made a conscious decision to move that office into the main street, put some very large signage up to encourage, um, more visibility and drop-ins, and to that, uh, end, we've been pretty successful. Uh, next slide please.

Just in relation to, um, interactions and community consultation, the team's had a lot of interactions, since 2018, with the community. I won't read every number on that slide but what I will do is just do an overview. So we've held over 1,100 individual meetings, 2,700 phone conversations have been had. We've presented formally to over 40 community groups, using presentations, uh, we've also attended community events like the Blayney Show, uh, farmers markets, et cetera, et cetera, and there's, um, very, uh, a, a lot of different numerous events that we've, um, we've taken part in. We've taken out a, a fortnightly ad in the Blayney Chronicle, and we've, we've published 98 cron- nay- 98 of those cr- Blayney Chronicle ads, we've distributed 21 newsletters to over 4,400 local households, and we established very early on a community consultative committee. Importantly, that community consultative committee is made up of local residents, interest groups, councils, and it's chaired by an independent chairperson. And I think even more important, of that committee, there are a number of residents of the Kings Plains area, and the Belubula Headwaters Protection Group are represented on that, um, on that committee.

The purpose of the committee is for members to be informed about the project, and all of the presentations and, uh, minutes from those meetings are available on our website. But it's also an

opportunity for committee members to collect, um, questions, concerns, et cetera, from the local community, and bring those to that CCC meeting for us to be able to address those. And to that end, we believe the committee is working very well. I think Steve O'Donoghue said there was a lot of information that's been prepared in relation to this project, and we acknowledge that, and you would expect that with a greenfield, uh, mine site in a location like we're, we're in. What we've done is we've tried to simplify, um, some of that information by preparing, um, fact sheets and there are a number of those, and again, they're available on our website, and we've made them available at those, uh, at those, uh, functions like the, the shows and the farmers markets that we've attended. Uh, next slide, thank you.

Again, there's a lot of information on this, and I'm not sure how well the commissioners can see this, but I won't point to everything I talk to, but what I will do, as I talk to these points, I'll start up in this top left-hand corner, and I'll make my way down, and then around and up to the, to the other side of the slide. We've listened to the concerns of the pe- that people have raised, and where possible, we've, using the hierarchy of controls, i.e. avoid, minimize, mitigate, changed the project design, this is not an exhaustive list of all the things we've done, but simply an example of some of the changes that have been made.

So, right up in that top left-hand corner, we've of or- been able to change the design of the project to avoid the historical Hallwood Cottage. We've located the processing plant in a central location on land that we own to minimize the visual and noise impacts. We've avoided the bio physical strategic land, which is down close to the Belubula, second from the bottom on that, uh, left-hand side. And we've removed the western waste rock emplacement, and moved the administration area up close to where the, um, the processing plant is. We've relocated the site access based on feedback from the local people in Kings Plains, and they are on the right-hand side of the slide. We've improved the open pit design as s- as Steve mentioned, we've re-revised the mining and waste rock emplacement schedule to minimize noise and do- dust impacts. We've added pit amenity bund and the southern amenity bund to minimize noise and, noise, visual and dust impacts. We've reduced the size of the mining fleet, and as Steve said, we've looked at equipment selection criteria there. We've, we've maximized clean water diversions to transfer as much water as we possibly can around the site. And we've altered the design to minimize the impact on [inaudible 00:57:04] woodland, which I'll touch more on shortly.

Our nearest neighbors, as Steve pointed out, are to the south of the project in Kings Plains, and even though we don't trigger the voluntary land acquisition policy, we've offered agreements to 18 of these residents in Kings Plains. These agreements, it's fair to say, have evolved over time, with discussions with people in the local area. 16 of those 18 agreements offered have an acquisition clause that can be exercised any time within the first 10 years of the project. Eight agreements have been signed, seven are close, and, and well progressed, and close to signing, and three have stalled, and we are, we are committed to progressing those agreements if we possibly can, and our, our door is open for, for those discussions to continue. Uh, next slide, thank you.

So just on some of the, the, the key community concerns. Noise, I've already mentioned the changes that we've made to the mining schedule and the equipment selection, uh, in order to help mitigate that. I've also mentioned the mitigation agreements that we've offered to the 18 residents in King Plains, and as Steve pointed to, we'll have monitoring and reporting of noise levels, and we're exploring how we can make that information as close to real-time as we possibly can to share that data with the community. Visual amenity, to date, we've planted over 10,000 trees in and around the local area, and we've got plans to plant in excess of another 100,000 trees, if the project is approved, during the life of the project. And we're committed to progressively rehabilitating the site to minimize the impact, and as already mentioned, we've offered the mitigation agreements to the people in Kings Plains.

In relation to air quality, progressive rehabilitation, and limited, to limit the exposed areas, dust suppression controls, noting that the unique thing about the project is our access to water, and that pipeline, and that gives us, um, almost an unlimited amount of water to be able to use on dust suppression, which is pretty unique in my experience for, for any operation. The landholder agreements that I've already mentioned, and again, we'll have monitoring and reporting. Biodiversity, I have a separate slide coming up, so I won't speak anymore about biodiversity right now.

Aboriginal culture and heritage, we've consulted with the Orange Aboriginal Land council, and other registered Aboriginal parties. Surveys, as you'd expect, have been carried out on our site. All identified sites have been assessed and recorded. We will have management plans that will involve monitoring and reporting, and we're committed to continuing to work with the Orange Aboriginal Land Council, and other registered Aboriginal parties as we move forward. Uh, next slide, thank you.

Water, as I said, um, uh, the pipeline gives us a pretty unique situation in relation to water, um, water, as we all know, is essential for the environment, for our communities, for farming, for agriculture, and for industry. We are very conscious of that. Our pipeline, which originates in the Springvale area, can supply, or could supply all of the water we require for the operating phase of the project, which means we don't need any water from the local area. Just to clarify though, as a nil discharge site, we are required to capture and use, and reuse water from disturbed areas, and we need to license that water. As mentioned earlier, we've maximized water diversion around the site to minimize the impact on the Belubula River downstream of the project. And, as already noted, questions around water licensing, hence I'll say water licensing in New South Wales is very complicated, however, the New South Wales government confirms there is a pathway to secure all of the water licenses the project requires. And can I also say the 90 kilometer long pipeline will remain into the future, and I believe be a, uh, beneficial asset for the state and in particular this local area. Next slide, thank you.

Uh, again, I won't point to each of these circles, but I'll start by talking to the circle down the bottom left-hand side, um, of this slide. And it really is, this slide is really talking about closure and positive legacies, and, and some of the things that we will do, during, um, the life of the project. So there are three areas that will undergo significant biodiversity improvement. The 384 hectare [inaudible 01:02:01] property south of Blayney, this property has been surveyed including using koala detection dogs, and we believe, as the department does, it provides a good

offset area. Moving up the side towards the top right-hand corner, second circle from that, that top right-hand corner, there's 105 hectares of, on the Belubula Rive within the project area, this area will be fenced, the willows will be removed, fish passages, and snags will be introduced, and we've, we've been in active discussions with the Orange Aboriginal Land Council about what involvement they might have in this project.

And then finally, there's 22 hectares of box gum woodland that will be planted to enhance the bee foraging. And while I'm on, bee, uh, bees, and bee foraging, we've been in consultation with, with a number of the, the apiarists, or the beekeepers, in and around the local area, including those that keep bees out around the Cadia mine. And finally, the, the final land form will be safe, stable, nonpolluting, suitable for grazing, and it will include woodland areas. 94% of the disturbed area will be returned for, to agriculture. We're committed to working with the Blayney council, and the community consultative committee, and the local community on alternative uses for the site and the infrastructure thought, post mining. And then, in finishing, I think it is important, and I'll leave that slide there for a second, the comment that's made by the department. So the department considers that, subject to conditions, the project could be undertaken in a manner that would result in acceptable short-term impacts on biodiversity values, and the proposed offsets would result in improved biodiversity outcomes in the medium to long-term. Thank you, commissioners, ladies and gentlemen. And I'll now hand back to Jim, to finish up.

Jim Beyer:

Thanks, Tony. Uh, look, uh, Tony's just talked about the changes, and also, I suppose, finished up on talking about what the department sees as being the medium to long-term improvements to diversity that this project would deliver, uh, which is a key piece, the improvements to diversity. What I'd like to talk about now, next slide, thanks, is to the benefits, not just to the biodiversity, but the benefits that this'll bring to the, to the community, uh, and the economic prosperity that, that mining brings, which I've seen, uh, as I mentioned before where I've lived over, over a number of years.

Um, the first thing, the project will bring local employment, uh, there'll certainly be a, a surge during construction, but, you know, construction happens, starts and finishes. Uh, really the long-term employment opportunities sit within the mine operations where there's nearly, you know, circa 300 direct jobs that will be employed, uh, on the mine site. And our task here is locals first. Uh, look I've, you know, talked to people, and they've, uh, not everybody has a, has a, has a future mapped out for their kids, or themselves even, and this is an opportunity where skills, training, uh, sustainable and transferrable skills can be provided to, to, I guess, a sector of the community that might be a little bit, um, wondering what their future is looking like. So this is a great opportunity to not only to provide direct employment, but also to provide a future. We'll be working on plans so people are job-ready. Uh, and as I said, wherever possible and practical, we will be working to keep jobs local.

Local businesses will gain from this, the direct and indirect household income alone from the employment of 67 million dollars will have flow-on benefits to the, to the local community. Uh, as with any mine site, there local procurement opportunities for established businesses and other

businesses that will, will come here and grow, uh, not just in Blayney, but ur- in the region. So we can see good commercial impacts, not just, uh, jobs, but also, uh, local businesses will gain.

And then even the Blayney community itself will, will benefit from it, even those people that are not directly employed at the mine, and don't directly have businesses associated with mining. The VPA, um, which is already been noted as o- well over four million dollars worth of, uh, benefits to the local shire over the life of the project, and there's also multimillion dollars that'll be paid to the, to the local, uh. Shire in the form of rates. And we already look around us, and in fact, I think the building that we're seeing here is, is part of a spinoff, is a benefit of mining, that mining brings. So even for people who aren't directly, uh, involved, uh, with the mining or the mining process will see benefits that spin into the community. This will provide benefits for New South Wales in the form of, uh, tax redistribution as well as royalties, and the numbers are up there for you to read.

And then finally, uh, on the, on the benefits which, uh, uh, Tony already touched on, um, adding to the environment through biodiversity, uh, I think that's a, personally, I think that's, uh, something we can be very proud of, but also the infrastructure and the water pipeline. That water pipeline will be here long after, and will be a very important, um, in this ever-growing water security environment. That's a great asset to be in the region.

And I think that people in general are actually seeing that. Next slide, thanks. In com- in surveys, in community sentiment surveys, we're seeing that 70% of the local community, that's in the local government area of Blayney, support and str- or strongly support this project. 15% are neutral and 15% are opposed. So you can see there's an overwhelming majority of people that recognize the strengths of this project and also, our supporters, as I said, are strong supporters. And we have hundreds of written submissions that have come in through our office through this IPC process. So I think, and I'm pleased to say that I think that's a good reflection of the fact how well the community views overall this project. Next slide, thanks.

In summary, I think the goal project will provide significant benefits to the local community, the local region in the state of New South Wales. Importantly, our design has evolved as we have taken part in the extensive communications that Tony talked about with thousands of discussions, opportunities for feedback, um, and DPE, uh, Steve and his initial, um, uh, um, presentation talked about the changes that were made to improve the project. We have taken onboard, uh, peoples concerns and we have made in some cases some quite material changes to the project. Um, so you know, we have taken into account that feedback.

We do value the strong community support that we have and we're committed to working together with the community in the long-term. So really this does align with our, our purpose of looking forward to creating value for our people, for our communities, and for our shareholders by mining safely and responsibly. So I'd like to wrap up, and I thank Tony for his contribution to this as well to the next slide. Um, closing out on I think the closing statement, uh, from the DPEs assessment that on balance the department considers the benefit of the project outweighs its residual cost and the project is in the public interest and is approvable subject to the strict conditions of consent, which we are more than happy to make sure that we operate under. Thank very much for the opportunity.

Commissioner Williams:

Thank you, Mr Beyer and Mr McPaul. Uh, one question perhaps for Mr McPaul if I could please. Um, just to reconcile comments, uh, for him if you wouldn't mind. In relation to the water pipeline, uh, you mentioned that it will kind of all supply, uh, all operational requirements for the site. And then in relation to water licensing, the special purpose access licenses as what you've talked about referring to there, that's to, that will provide all the water that the site needs. Um, so I'm asking what's the relationship between the two water sources in terms of provision of water for the site?

Tony McPaul:

Yes, sorry. Just can you repeat the last - - -

Commissioner William):

I thought the last one, the last comment if I copied it correctly, was the water licensing will provide all the water that the site needs.

Tony McPaul:

So, so the water pipeline?

Commissioner Williams:

Yes, but also then you mentioned water licensing.

Tony McPaul:

Yeah, yeah. So let me... I think I've got that right. So the water pipeline could, or can, and could provide all of the water required for the operation.

Commissioner Williams:

Mm-hmm.

Tony McPaul:

So, 15 mega liters a day it will be designed to transfer and we don't need that much water. We do have to capture any water that falls on disturbed areas.

Commissioner Williams:

Yes.

Tony McPaul:

And we have to use and reuse that. So we will be required to, to license some of that. Not all of it. Water licensing in New South Wales is complicated, let's say that. We'll transfer as much water as we can around the site, both around the palings there and around the southeastern side of the site. And even though we put some of that water back into the river, to minimize the impact on the Belubula River we still have to license some of that water.

Commissioner Williams:

Okay. Great. Thank you.

Commissioner Menzies:

Yep, a quick question from me, uh, and this is relating to the work that you're doing on biodiversity. So you detailed some of the things that you're going to do in the river. I wonder if you'd just give me a quick coverage of the work that you're going to do on the 340 hectare additional site that you purchased.

Tony McPaul:

Yeah. Look, I think it's fair to say that property when we purchased it was, pretty well rundown. So the first things that we've done out there is obviously, uh, weed and pest control. Um, there's certainly some erosion out there and we have plans to deal with that. And then, um, tree planting to enhance, um, the, the, the species out there that, that will hopefully, um, mean more koalas. And we, we used this, I mentioned the detection dogs out there. We found scats. We didn't find any koalas, but as it's been pointed out in, in a meeting I think you had with, um, the group on Wednesday, they're fairly difficult things to find if you don't, if they don't want to be found. But you know, we found scat so we know that they can live out there. So we will do all of the things that you would expect to be done to enhance that, that property.

Commissioner Williams:

Thank you very much gentleman.

James Emmett SC:

Next I invite Wayne Taylor or Regis Resources to address the Commission.

Wayne Taylor:

Morning commissioners, ladies and gentlemen. My name is Wayne Taylor and by way of background I'm a mine engineer with more than 35 years experience in hard rock mining. I've been in numerous roles throughout my career covering project development, operations and corporate. Via work around Australia and internationally a significant proportion of my career had been spent in New South Wales resources sector. I'm passionate about the mining sector being an industry that delivers essential materials that allows society to function at its most fundamental level.

I've seen it evolve over my career to being a work front that leads many industries in its approach to mitigating potential impacts. I recently joined Regis Resources as McPhillamys project director based in Blayney and now residing in Kings Plains. I have the pleasure of working with a local team of employees and specialist that have dedicated a considerable amount of time to see this project advance and succeed.

I'm about to touch on two aspects today, firstly, my experience at the Woodlawn mine, and secondly, a personal view on the standard of work in presenting this project for approval. It's not my first exposure to New South Wales mining project approvals. A few years ago I was involved with the company which redeveloped the Woodlawn mine south of Gulgong. This was grandfathered through on the part 3A of the environmental protection and assessment act. Planning and Assessment Act, sorry. And while not entirely the same as the current process there are some key or fundamental aspects which are similar.

We went through the process of complying with EIS, putting that out for public exhibition, addressing the submissions, agreeing to conditions of consent and then implementing them as part of the project development. Every project is different and the conditions of consent of Woodlawn provided the basis for a tailored form of standards and controls to ensure the project integrated with its wider environment in the most practical and reasonable way. I believe I see that in McPhillamys and know that the process to arrive at the conditions of consent has been more rigorous than what I experienced at Woodlawn.

The conditions of consent for McPhillamys are considered ex stringent and I believe the residual impacts of the project have been minimized as much as regionally practically. I would have played my part in ensuring they're implemented and adhered to. Albeit I've had a limited time with the company I've been impressed with the level of work done and the standard set in presenting this project for approval. An example of this is the proposed town storage facility. The facility is being designed to the highest category or level on the Ancoals standards. By this I'll refer to the downstream wall of construction approach, embankment slope angles, seismic stability, design freeboard levels in the floor line of design. The valley location minimizes the amount of wall construction required and the dam footprint placement and planned water diversion ensures the water catchment area is minimized.

While I'm not a tailings dam expert, my point of reference here is my most recent prior work assignment which was at [inaudible 01:16:37]. It's a gold-copper mine recently constructed by an Australian company to international standards. The environment is hilly terrain with a monsoonal climate with an annual rainfall of two to two and a half meters, or two to three times that experienced at McPhillamys. Part of my role was the oversight of two existing town dam facilities as well as the planning and site investigation for the third 15 million ton capacity dam. Although [inaudible 01:17:05] was a more challenging environment in terms of terrain, rainfall and downstream exposure, these dams are constructed to the same standard as that proposed in McPhillamys.

We'll also point to the comment made by the, in the independent review of the McPhillamys design by globally recognized towns expert that concluded Regis had gone beyond leading practice. Noting that there was no high design standard I believe it's clear that Regis has adopted best in class risk management in its approach and this has been consistent throughout the design review and refinement work that has led to the overall project proposal that is tabled before the commission today. In conclusion, throughout my career I've observed and experienced the positive benefits of the mining industry, um, that the positive, uh, benefits the mining industry brings to the places that would otherwise struggle to grow and even maintain the status quo. I believe McPhillamys is a well considered, well designed project that will simply deliver the benefits to the local region and its visitors. Thank you.

Commissioner Williams:

Thank you, Mr. Taylor. Any questions? No. Thanks very much Mr. Taylor.

James Emmett SC:

Next, can I have Scott Ferguson, the Mayor of Blayney Shire Council, to address the Commission?

Scott Ferguson:

Thank you. Good morning Commissioners and very, very warm welcome to Blayney. And I'd like to acknowledge that we gather here today on Wiradjuri country and I'd like to pay my respects to the Elders both past, present, and emerging.

And if I may, uh, just on behalf of the wider community, also pass on my sincere condolences for the sudden tragic death of the former Chair, uh, last year. Very, very sad.

I'd like to thank the Commission for the opportunity to present, uh, Blayney Shire's submission and offer some comment in regards to the department of planning reports and recommendations. I'm also particularly grateful for the chance to do so, uh, in a face-to-face format rather than online which I know have been the norm during the COVID. So it's most, most appreciated.

As McPhillamys proposal is a great interest to our community it is important that all stakeholders are able to directly present to the commission. I will be generally referring to Blayney Shire Councils original submission and noting some of the issues that have progressed or changed during the assessment process. Council has found Regis Resources to be very forthcoming in providing updates with regular meetings and open engagement with Council and generally the wider community. Council have appreciated, uh, the manner in which Regis staff have always been available for communications and discussion over what has been to us a very long assessment period. I'll also like to acknowledge the assessment staff of the department of planning, uh, for their experienced advice and availability also throughout this process.

Blayney Shire Strategic Community Plan 2018/28 recognizes that Blayney Shire is a successful agriculture shire with a strong mining heritage. The Blayney Shire has enjoyed the economic benefits and opportunities that both these sectors have provided for generations. Blayney Shire Council acknowledges the positive economic stimulus and important opportunities that the McPhillamys project, if approved, would offer. Not only for our shire, but indeed for the wider region. While we're a relatively small little shire we see ourselves as playing an important role in the success of the entire region.

In our submission Council has referred to the Regional Economic Development Strategy 2017 where the vision for the region needs to be a larger and more diverse regional economy with a vibrant network of towns and villages which may reach opportunities to grow wealth and prosperity. The primary aim of this strategy includes developing agriculture, agri-technology, and agri-manufacturing, supporting economic growth in mining and mining services, realizing economic opportunities in education and public illustration driving growth and to result an enhanced livability for our region.

As part of this process Blayney Shire Council has entered into a planning agreement with Regis Resources. If the mine is approved this agreement will provide an ongoing path, funding pathway to manage impacts on community infrastructure. This regular contribution from Regis being 1% of the capital investment will be allocated to community, sporting, environment and road infrastructure projects as identified by Councils strategic planning process and the wider community. Council has also negotiated with Regis Resources regarding the closure and sale of a large section of Dungeon Road. This process has ensured no financial loss to the Blayney Shire

community and Council has resolved that these monies from the sale will only be allocated to roadworks and improvements around the Kings Plains precinct.

It is known that the assessment report confirms Regis will upgrade and seal the first 550 meters of Dungeon Road to mitigate the impact to private residents who have been impacted by dust prior to the construction of the new proposed entrance of the mid-western highway. In this regard though I note that this proposed road upgrade is not specifically captured as a condition in the recommended conditions and raised whether could be considered as a condition. Around the social impact, while the economic benefits associated with mining are enjoyed by the wider region and New South Wales economy generally it is important to note that council sincerely acknowledges the impact that will occur to our residents of Kings Plains who ultimately will bear the direct impact and disruption to their normal lives if the mine is developed.

The EIS contains a vast amount of data and analysis regarding the potential impacts for the proposal that has been already mentioned here this morning. Uh, because the Kings Plains community would exist in very close proximity to the mining operation and there is an expectation that these impacts would be mitigated as much as possible. This has been a very difficult time for our residence of Kings Plains dealing with the obvious uncertainty over the last three-year plus assessment period. Council acknowledges that Regis has been working closely with this community to understand the possible impacts and options for mitigation. While Council is not privy to any personal arrangements the individuals might like to share their experience and outcomes with the commission during this hearing. Our council supports the procedures and recommendations of the environmental management strategy around receiving and responding to issues raised regardless, regardless of the proximity to the mine. A very important point. Council strongly supports the development where a robust social impact management plan required in condition B101, especial condition 9C which states that the plan be developed in consultation with Council the ccc that stakeholders and including and especially the Kings Plains residents. Regards to H11, a three yearly independent survey of the attitudes of the community about the development, Council would like to see this amended to a three-year yearly review of the social impact, uh, statement with all individual identified stakeholders. This would support condition 5, undertaking additional research if necessary to address new or changed social risk and impacts.

From experience we know that the impact of mining can change overtime and it's important that impacts are identified, considered, and addressed in partnership with the community. There's also some confidence to be had in relation to the very comprehensive requirements in condition B3 defining access to information. Accommodation. Mining production, while a significant economic driver has the potential to place extra pressure on housing affordability and availability within our shire and indeed the wider region particularly during the development phase projects. An existing mining operation in the shire has provided funding for an accomodation coordinator to help facilitate and identify accommodation options throughout the region while also minimizing impacts on tourist events and the like throughout the region. So minimize the conflict. Blayney Shire Council would encourage a similar approach as McPhillamys works at progress to a developing stage and we talk about this in our solution.

Council has identified accommodation as a very important issue as there are currently other large projects in the development phase within our shire and Council has recently approved a motel comprising of modular accommodation with approximately 100 rooms seeking to alleviate some pressure potentially caused by the large developments being undertaken and/or proposed in the shire. Blayney township and villages do have the potential for future residential growth and we would welcome any future permanent residents who may be attracted to full-time jobs in new projects throughout the shire.

Heritage. Blayney Shire Council acknowledges that the EIS appears to contain a robust assessment of the potential impact on aboriginal culture heritage and post European historic heritage and fully support the requirement for condition B66, to prepare a comprehensive heritage management plan. Transport. The project, if approved, will create a significant number of traffic movements particular during the development period. These movements have the potential to significantly impact our council road networks. Council has requested in its original submission that a transport management plan be developed and are very happy to see this specifically conditioned in B73.

Council's concern around possible construction traffic impacts on Victoria Ingoing Road and note that condition B70 requires traffic mentioned to be developed and approved by the planning secretary prior to use of these roads. It is essential that while Blayney Shire Council is mentioned we would also suggest that [inaudible 01:28:36] Council who also control a section of the road to the north of us are also consulted during the preparation of this plan and note this requirement in B73. Victoria Road especially is currently heavily impacted by high traffic movements, um, which will continue and poor road conditions especially during the recent weather events and again, we have more commentary in our solution in regards to the road network.

The environmental impact. A key environmental concern, which has readily been raised, is the potential impact to the groundwater and surface water. I want to lean to the lake and the river. The river which has its headwaters within the disturbance footprint is the main water source for a number of rural properties whose livelihood depends on safe and reliable water for their stock and farming operations. The river also supplies Carpal Dam storage which in turn supplies water for stock, household, and irrigation within the Belubula river system.

Some of these concerns should be minimized by the requirement E1, section E, point 1, that the local community and relevant agencies are kept informed about the operation and environmental performances of the development. A water management plan that's required in condition B53 also reinforces the requirement for groundwater and surface water monitoring, reporting and protection and Council fully support the requirement for an independent review every three years of the surface water management plan and the groundwater management plan.

In regards to rehabilitation, council acknowledges the comprehensive condition of rehabilitation and the decommissioning in regards to end of mine life and is glad to see our specific points raised in our submission reflected in the conditions including to include the post mining land use strategy, to investigate and facilitate beneficial land use that will align to regional and local strategic land use plan objectives and outcomes, to support and contribute to sustainable future for our community, utilize existing mining infrastructure where practical, include longterm land

management objectives including bush fire management, weed and feral animal control, water quality and public safety, regular updates of the rehabilitation strategy and strategies to minimize adverse socioeconomic effects within the mine closure.

On this last point, council identifies the opportunity to minimize the negative effect on workforce at mine end of life by ensuring a planned desizing of workforce and ensuring that where practical the workforce has transferable skills to continue working and living in their communities. Loss of employment is one of the biggest impacts on the communities at end of mine life. Regis has expressed and it has been noted here this morning a genuine understanding of this concern and I believe do understand this potential impact. Council would also like to consider the formation of a mine closure rehabilitation community group, um, which with council and a proponent maybe two or three years before, uh, closure of the mine to help facilitate some of these outcomes.

I thank the commission, uh, for the option to present today and I finish with this brief summary. Council acknowledges the important role that mining has played and is playing in supporting economic prosperity and growth within our community and within our region. In regards to the conditions of consent and indeed the EIS, Council does not employ staff with the required specialist technical skills and/or experience in these fields. It is extremely difficult for Council to interpret and comment of the various technical assessments and studies against interest in best practice and acceptable thresholds. Council and our community are heavily relying on New South Wales government agencies with other specialists who have the expertise and experience and this commission to make well-informed decisions regarding this proposal in behalf of our wider community. It's clearly important that if approved the recommendation conditions of consent are effective and enforceable. I thank you for your time again and Council will also make a submission during the period.

Commissioner Williams:

Thank you very much Mr. Ferguson. Uh, just one, just noting, Councils support for the application. Uh, you spent time talking about, in your presentation, the conditions and so on. Uh, just in relation to the VPA, has it in principle been reached with -

Scott Ferguson:

Yes. In regards to the VPA we have a signed VPA at the moment. Um, we are hopefully to, uh, potentially renegotiate that depending on what the final CAPEX is that, uh, I think that's something that we will be able to manage and facilitate.

Commissioner Williams:

Also, the, the applicant's offer, or Councils requests, for the sealing of the first 550 meters of Dungeon Road. You mentioned that hasn't been included as a condition.

Scott Ferguson:

Uh, not to my understanding. I mean, Regis has been very supportive of that and I've certainly agreed to it. But uh, we I guess, um, would like to see that potentially conditioned, for Commission consent I guess just to make sure it's in there. Um, but Regis certainly have, um, been very supportive of that and understanding the circumstances because it is a public road, it

will become a public road and it will become, obviously, it will stay in ownership of Council after the new potential entrance way is constructed.

Commissioner Williams:  
Thanks Mr. Ferguson. Clare?

Commissioner Skyes:  
I did have one question actually.

James Emmett SC:  
I've got one.

Commissioner Williams ([01:34:49](#)):  
Sure.

James Emmett SC:  
Mr. Ferguson, could I ask you one question just by way of clarification. You referred to Council's submission about the proposed condition for a three yearly independent survey as to community attitudes, and I may have misheard. I think you said that Council proposes a condition for an annual revue, um, with all stakeholders. Am I correct that's instead of once every three years?

Scott Ferguson:  
Uh, no. A three yearly like a review, not necessarily a survey.

James Emmett SC:  
I follow.

Scott Ferguson:  
As I know it's maybe a new point, but um, I think the opportunity and I'm sure the applicants or the proponents will take that up that, um, uh, it's one thing to have a survey done. I think they'll actually sit down with stakeholders just to have out of good faith and re look at what's been happening for the previous three years.

James Emmett SC:  
Thank you Mr. Ferguson. And just to follow up, this may be in the Council's proposed written submission, but if the Council could explain want sort of a review the Council had in mind that would assist the Commission.

Scott Ferguson:  
Well - - -

James Emmett SC:  
If that is in the written review you don't need to do so.

Scott Ferguson:

- - - all good reviews should have identified stakeholders at the, at the table obviously.

James Emmett SC:

Thank you Mr. Ferguson.

Commissioner Skyes:

Um, thanks very much Mr. Ferguson for your presentation. You mentioned a point towards the end, um, you know, where you raised concern if approved of potential loss of employment at the end of mine life. The presentation from Regis noted, you know, the potential benefits of the water pipeline. Um, and I'm interested in your perspective of what opportunity you see that could bring to the region and do you see that, you know, navigating that role is the role of the mine rehabilitation community group that you, you mentioned would be formed?

Scott Ferguson:

I guess, um, one can only imagine what the world might look like in 15 or so years. Certainly the pipeline as it's proposed now has the potential to be, um, uh, quite a substantial value add to our region to be able to move water. Now a lot of things may change between, between now and then. I think the bigger, um, uh, the bigger really issue is that instead of traditionally the mine and moving on that the community has an opportunity to look at that site, look at the mining infrastructure to maybe develop it into something else.

And with the change in world around energy and alternate energy in different proposals I think it's quite an exciting opportunity to redevelop or potentially redevelop some of these sites, not only mine sits, but in some of the more industrial, redundant industrial sites. So the pipeline could be an important part of that, but of course, who know where coal mining is going and whether that will even still be available? But certainly to have that pipeline bringing water into catchment in between catchments could just be an opportunity that we can't even imagine at this point in time, but in 15 or 20 years could be something quite special.

Commissioner Skyes:

Thanks.

Commissioner Williams:

Thanks very much Mr. Ferguson. Thank you.

Scott Ferguson:

Thank you.

James Emmett SC:

Next we've got Mick Madden on behalf of the Orange Local Aboriginal Land Council to address the Commission.

Mick Madden:

I'll take my glasses off so I can see the commission I'd like to acknowledge. Thank you. Good day commissioners. My name is Mick Madden. I'd like to acknowledge the Wiradjuri country, it's people whose traditions and ceremonies occur in this country where we're having this, uh,

assembly today. I'd like to pay my respect to all the true elders past, present, emerging and acknowledge everyone of all nations present today. Commissioners, I don't identify as aboriginal but I speak today with the authority Orange Local Aboriginal Land Council, the chairperson, Annette Steele, who is present today, the board, the CEO, the cultural and heritage committee I am an employee and have been for a while.

We are not for or against this mine. You don't go ahead with it, well and good. Although that land out there is unrecognizable from a thousand years ago, um, it's a matter for you, you have that expertise. But if it does go ahead we want to make some points. You'd ask then why are we hear if we don't really care? We do care, but we're here to truth tell. You'd be well aware that truth is one of the pillars of the uluru statment. It's a foundation of our submission today as it is the basis of your deliberations that I expect, which in Wiradjuri embraces respect. Whilst we raised concerns we will not name individuals or organizations because they don't need to be named, they need to be given respect because their view does count.

We say that if an aboriginal person appears before you and speaks of their connection to land that should be respected. You've heard of RAPs, Registered Aboriginal Persons. If they speak of their connection to the mine land, the said land, that needs to be truth tested. Any non-aboriginal person or organization who speak of aboriginal culture and heritage in regard to that site does so without any consultation with us. We have not been consulted by anyone and they do it without our authority. What is that authority? We say our authority lies within the Aboriginal Land Rights Act. An act put in place by parliament mainly to control aboriginal people regarding to lands but still if we can get some authority we'll take it. It says in 52, section 52:4, it says aboriginal culture heritage, local aboriginal land council has the following functions in relation to aboriginal culture and heritage.

To take action to protect the culture and heritage of aboriginal persons in the council's area subject to other laws to promote awareness in the community of the culture and heritage of aboriginal persons in that council's area. We take those areas serious. You go out there, there's not a barbed wire fence around them. It doesn't need to be but the way you come in if you're outside of that area, you do it through consultation. You come and you speak and we'll take your view aboard. In regards to the development consent, specifically section 438 of the EPA Act, we say recommendations should consider and include that authority. We started that authority extends to such things as water, biodiversity, rehabilitation. And I still like the way, what he really just said rehabilitation extends to 116%. You give consent for this mine, I say it should be 200%. As well as land management and bushfire management, we don't need parameters around the input that we can have.

We understand we do live in a mining company from Western Australia. You used to only deem of that breach of organizations under native title i expect. Paying in gold is probably because they have to. We do not want their money, we want their respect. If you oppose this mine, oh, if you approve this mine, sorry. If you approve this mine, they have a great opportunity to give us a voice. The question is, will they genuinely consider and consult not because they have to but because they choose to. Just in case they don't, which unfortunately aboriginal historical perspectives makes this a bit questioning. Then I refer to our written submission where we say

pre-request relating to the mine site and surrounding areas based on surveys and information gathered today.

We've been doing this for a few years now. There's not an exhausted list and we ask that if the mine is approved, the conditions be put in place to ensure proper protection and preservation of any potential and future firemen. That the oversight, which we know, is not in the disturbance area of the mine is preserved and any use of it to be in consultation through our Land Council. They're all mine workers and contractors who receive appropriate training in aboriginal culture heritage and consultation with our leading council at the induction stage before they started. If and when any burial sites are found or evidence that may exist, appropriate measures are put in place including scanning, to preserve the area in consultation with the Land Council. But the proposed establishers and Aboriginal Cultural Committee whose terms of reference deal with all the authority under section 52-4 including a fund established to support it's agreed activities. We also endorse the proponent's proposal to commission social and cultural mapping study for the project area and consultation with us as outlined in the project navigation measures.

Such measures will be a significant step forward to further the broader understanding of aboriginal culture and heritage values of the SAD industry. It would, would be encouraged to welcome broad participation in such a study for neighboring land holders, particularly in Kings Plains As a significant land holder in Blayney, Kings Plains, resources has the capacity to improve and enhance the management of agricultural land, stretches of the Belubula River and native bush area, both that are off the mine site. If the project is approved, the Land Council believes that the company has an opportunity, an obligation to undertake such improvements in order to leave a lasting, positive environment legacy. We believe that the company should undertake such improvements in consultation surrounding landholders, appropriate agencies and aboriginal landholders. The biodiversity offsets requires the project as an opportunity for such an approach on the property, reserve property that was mentioned previously.

There are numerous other opportunities for environmental protection enhancement of the mine and surrounding landscape which we urge the company consider the project does proceed. Its our hope that Regis will do some partnership with Auckland stakeholders including us as the custodians of this land, commencing to the planning stage and the mine development. Any approval of this project should only be done with the strictest conditions in place to protect and preserve aboriginal cultural heritage both on and surrounding the mine site. We ask that the Land Council, Blayney Council be recognized as the lead agency in that consultation. Coming to our conclusions, we've consulted widely with landholders, numerous site surveys, we've even proof-tested our own initial EIS. We've respectfully declined invitations of alliances and friendships with other interested parties. For they lack the experience expertise to hold themselves out as authorities from aboriginal culture and heritage. We question the motives of people and organizations who participate in promoting unsubstantiated claims and seek to hijack aboriginal culture and heritage in order to push their other agendas. We do not need environmental lobby to appropriate aboriginal culture and heritage. We need them to listen.

We do not need those that make money, that have made money from the land, complain of loss. A lot of them are responsible for it's deterioration. We need them to listen. We need mining companies to embrace this opportunity to listen and to give us a voice. They need to listen to the

land, they need to learn from what they see and respect what it tells them. Orange Local Aboriginal Land Council submits that the proposed development would not impact any known sites or artifacts of high significance. We have satisfied that the culturally identified items of aboriginal culture and heritage which we will be impacted can be properly managed and protected. What we ask you, Independent Planning Commission, place conditions on the project, if it is approved, to ensure thorough and appropriate measures to identify and protect items identified in the future in consultation with us. We thank you for the opportunity to clarify some significant issues relating to aboriginal culture and heritage. To be clear about our position and to reject the efforts of those who might suggest we're the support or opposed this project. We simply ask that you listen to our voice and let us speak for ourselves on these matters. Thank you.

Commissioner Williams:

Thank you very much, Mr. Madden. Have you submitted that material to the submission already or would you like to submit that for our consideration?

Mick Madden:

Uh, no, I just probably supplemented the written submission.

Commissioner Williams:

Right but if you'd like to submit that as well, we'd be happy to receive it as, also.

Mick Madden:

Okay, thank you.

Commissioner Williams:

It'd be very helpful. Thank you very much.

Mick Madden:

Thank you all.

Commissioner Williams:

Thank you. Questions? Yes, okay, uh, any questions for Mr. Madden?

Commissioner Menzies:

No, just a statement of thanks for, for, uh, very clearly delineating your stance and putting your submission to us. I've written some very useful notes, thank you.

Mick Madden:

Thank you for listening.

Commissioner Williams:

Thank very much, Mr. Madden, for your time.

We'll now adjourn for lunch, uh, for morning tea, sorry, I'm getting ahead of myself. Um, to catch up a little bit of time, we might just shorten the morning tea break by five minutes if that's

okay for everyone. So we'll adjourn back in about, uh, in about ten minutes. Thank you very much. Thank you.

Ian Hobby:

Hello, my name's Ian Hobby and I appreciate the opportunity to have my say on what I believe the McPhillamys Gold Project can do for the Blayney Shire.

I've been a resident for the Blayney area for most of my life. I was born in Blayney, completed my school here before moving [inaudible 02:07:39] as a nineteen year old looking for work and returned when I was 26. I'm married with two children, aged 24 and 20. As a family for many years, we've involved, been involved as players, coaches, administrators in many sporting associations in the shire including Rugby League, Cricket, Netball and Golf. My wife and I have owned Western White Women mainly since 2006 when we purchased, pardon me, the business from administrators. I've had a wide and varying employment history both as an employee and an employer which I believe makes me more than qualified to come in on the importance of local employment.

Prior to being a business owner, I was employed by the Brown's Group Gold Mine and Blayney Abattoir. Both times, losing my job and the facility shut down, I experienced a difficulty of looking for work when many other owners, other owners, locals were as well. After the Abattoir shut down, I had to work away from home for a short period until I secured work again as I had a mortgage to pay off. After losing my job at the mine, I started work at Western White Women. After six years, the business was in financial trouble and looked like I'd lose a job again, this time with a young family. My wife and I made the decision to purchase the business to secure our jobs and future. For 15 years, we had a workforce of around 35 people employed mostly from the Blayney Shire with wages of approximately \$2,000,000 per year in the area. We saw the importance of these people receiving their week, weekly pays and how it affected their lives. For a few reasons, we decided last year to downsize the operations and narrow our employee to seven.

It was very hard decision to make and even harder telling 28 employees they now longer have jobs. Knowing that horrible feeling, having there myself. Employment is the main concern for most of us. It's what makes our world go round. Without income, life is hard. The proposed mine can provide long-term, secure, well-paid and flexible employment near our town which can only be a positive. Locals may not have to travel to Bathurst or Orange or further to secure employment and understand not all employees made in Blayney, those traveling here may purchase their coffee, lunch, paper, fuel here which will support our local businesses and help the economy. Mining provides employment for people with many various skills, qualifications and education and that includes cleaners, labourers, trainees, drivers, machine operators, administration, engineers and environmentalists.

Jobs with a hard-working labour will put in their hours and just head home to a university qualified professional degree path. It would provide opportunities for our school leaders and for those who may choose to return after finishing University. I strongly believe having the mine will have a flying effect on other businesses in town and may even attract new business to the area, supply goods and services to the mine. Growth of our town is a positive thing. I can only

comment on the groups I've been personally involved with, however, I'm sure other organizations will benefit from town growth employment. Blayney has a strong sporting history, competing successfully against larger towns for many years. But over the last ten years or so, there's been a significant drop-off in the participation of sport in our town. This year, seeing the cricket could not field a side and we only have two junior sides.

Many sports have faced the same problem. Hopefully the new mine will attract families to live in the town and be involved in sporting associations or one of the other many groups in the town. We have all seen it, we have just all been very active in the community with donations and sponsorship from sporting, schooling and cultural and arts events. Many of the projects that have helped fund benefit all of our compu, community whether you support the mine or not. Having been involved in chasing the sponsorship as well as sponsoring many local and community events, I understand how difficult it is to leave organizations to function without funding from businesses. This has become increasingly hard over the last few years as many businesses doing tough and struggling financially. Many of these sports, cultural events and activities make Blayney close and small town we all know and a great community to be part of. We want our town to thrive and move forward. Hopefully, regions can continue their sponsorship and funding and this encourages other businesses who benefit from the mine to do likewise.

I understand the concerns of what effects the mine may or may not have on the environment and especially of those that live near the project, project. But I believe that Regis are undertaking every process possible to make sure any impact will be as minimal as possible and those affected are assisted. Speaking from experience with our own - - -

James Emmett SC:

Mr. Hobby, I'm sorry to have to interrupt, your time is up subject to the discretion of the Chair.

Commissioner Williams:

Just round up quickly. Thanks, Mr. Hobby.

Ian Hobby:

- - - through parts of many years, our many rules and regulations and restrictions we need to follow to stand the guidelines of the DA. There's a number of them we must abide by them. I trust the guidelines and the process for the mine and those experts with qualifications way down the line to do the best for our town and the environment. And as expected, I do believe any breaches would be punished severely. Mining has a massive power to rule our lives whether we like it or not. Without mining, we don't have enough with cars, computers, mobiles, essentials like electricity whether it be produced by coal solar or wind and our Shire is lucky to be rich in essential minerals and we should be taking advantage of the benefits that come with mining. Mining is in many Australian backyards, why shouldn't it be in ours? Thank you.

Commissioner Williams:

Thank you very much, Mr. Hobby. Thanks for your time.

James Emmett SC:

And Mr. Hobby and everyone, just to remind you, if you run out of time, please bear in mind that written submissions can be made until 5PM on Wednesday the 15th February, 2023.

Next, I, uh, invite Anthony Cashen to address the Commission.

Anthony Cashen:

Good afternoon. My name's Tony Cashen. Fourth generation at Kings Plains. I'm not, I'm not anti mining but the proposed mine at Kings Plains will be very damaging, the reasons being; health and lifestyle, devaluation of properties, all Kings Plains residents are within 600 to 1,000 meters from the mine site. I managed the property where the mine site is to be for 15 years. I ran 150 Greeden Cow, grew potatoes and bailed a lot of hay. I was told by rangers that the land was not productive. While I was picking up potatoes, I found aboriginal artifacts and found, access our artifacts and firepits. It was suggested to me that the artifacts didn't come from McPhillamys. Agricultural land in the central Tiger Lands is the most reliable and productive land in New South Wales. Any interference with springs and river catchment will be very damaging. Blayney Town is only five kilometers as the growth lies. I feel Blayney people will also have health issues if the mine goes ahead, it will be worse than any crime because it will ruin so many peoples' lives. Thank you, that's all.

Commissioner Williams:

Thank you, Mr. Cashen. Thank you very much, Mr. Cashen. Any questions?

Commissioner Skyes:

No.

Commissioner Williams:

Thanks. Thank you.

James Emmett SC:

Next, I invite Justin Press to address the commission.

Justin Press:

Thank you for listening to me. My name is Justin Press. I just want to speak about how the mine will affect our outlook on life and lifestyle. We are situated at 26 Walkom Road, Kings Plains. We bought our 100 acres of land 18 years ago and built our forever home here to raise our children and live the rest of our lives here. The parcel of land we bought adjoins our family farm, so it was a once in a lifetime acquisition. The Regis Mine project is directly looking straight at our front door and the edge of the pit is 800 meters from our house. We are on an elevated position, so we are at eye-level to the pit. We understand what mining can do to a small town like Blayney with employment and extra spending in the town. Now, Regis has offered us an agreement for us to sign and part of that agreement is that if the mine gets too much for us, they are offering us market value for us to leave. Market value. If we are forced to, to relocate, we would be leaving more than just a property with a market value.

We would be sacrificing our lifestyle. There has been three generations of farmers in our family on this land, with more to come. We moved here for the views, the outlook's location, excess

privacy, and peace and quiet. It was like winning the lottery when we took over the property. It would be very hard to replace what we have if we were forced to relocate. We've lived here for 18 years, we bought our house and established our home from nothing. It was not just about the value of the house or property, it was the life that we chose and worked hard for. It's the memories we have made and the connections we have built here. Why should we agree to flee everything we have built and achieved to be compensated for mere market value of our property? We have every intention of staying, but we have to be realistic about this. We can't live 800 meters from an open cut mine and continue to enjoy the lifestyle we have worked hard for. There will always be dust. There will always be noise. There will always be light. We will always feel like we are out in the open with no privacy.

To top it all off, our daughter has multiple allergies and a chronic asthmatic. We certainly can't have her locked up all day with the air conditioning on all the time to keep the dust out. So in closing, we think that Regis' offer of market value is just insulting. Our plan is not to leave but if we have to leave, we deserve more than just market value. Thank you for listening.

Commissioner Williams:  
Thank you very much, Cashen.

James Emmett SC:  
The next person to address the commission is Bridie Kramer. Can I invite her to speak?

Bridie Kramer:  
Good afternoon panel, and thank you for the opportunity for me to speak my truth to you today. The SSB assessment refers to loss of a sense of place as being one of the primary concerns for neighboring residents impacted by the proposed mine, and this talk details my family's personal connection with a specific sense of place, and the impact losing it has had on us. This particular place was my family's home and property, called Hopetown, which we traumatically moved away from in April, 2020, after my children's father could no longer live with the prolonged uncertainty and pressure of the looming mine that had plagued us for over a decade, and made the heartbreaking decision to leave the fourth generation farm. Hopetown is a 320 acre property of fertile grazing land supplying quality feed for its [inaudible 02:21:10] cattle. It sits up high with striking views of mountains to each side, Mt. Panorama, or Wahluu, to the east, and Mt. Canobolas to the west. But Hopetown was far more than a farm. It was a home. A sanctuary. A habitat for many gorgeous native species, including the vulnerable squirrel gliders and endangered koalas, and it was our heart.

It contain pockets of varied ecosystems, included the critically endangered Box gum plants, and these spaces were formerly referred to by our family as Witch's Wood, Goblin Green, and Golden Lanterns Forest. Like their grandma before them, my two children knew it as their home from birth and grew up indulging in all the tranquil beauty and the future this sacred space offered them. From planting trees, riding bikes and horses, to collecting natural treasures and building forts. We would awaken to the sound of magpies and kookaburras laughing, and our days were filled with the calls of abundant bird life who lived in the trees; and nights were crystal clear, alight with starry skies. Hopetown was our home, our sense of place, of belonging, of safety, and my children grew up with it in their souls. It was a part of them and gave them

their sense of self. But this sense of place, this home I speak of, is no longer called Hopetown, as it goes by another name. It is now referred by Regis as the mine access site of McPhillays gold project, and it was on the bottom right-hand side Tonys slide.

Since feeling pressured to abandon our home, I have witnessed my son change from being full of life, convicted, and engaged in the world, to being lethargic, disconnected from himself, and disengaged in life. He has lost his freedom, his trees, his land, his life-force, and his purpose. He has lost his sense of self because he has lost his sense of place, and heartbreakingly, I feel that I have lost my son. He's grieving still to his home. His new reality is the daily struggle living with extreme anxiety and depression. He turned 16 last month. I have witnessed first-hand that losing your sense of place is intimately linked with losing your sense of self, especially when loss of place occurs outside of personal choice, autonomy, or control. My boy's mental health issues have ensued from feeling displaced, from his uncertain future, and from the fear of his land being destroyed. His suffering is only one and I think many more will come as the magnitude of this proposed mine becomes a reality, and the likely high visual impacts during the mine's first six years leaves people feeling disempowered, disheartened, and depressed.

My family don't want the birds' song to be drowned out by the sounds of machines grinding and crushing and blasting. We don't want the glorious horizons obscured by waste rock as the cancer of the landscape grows. We don't want the clear, starry nights to vanish, the skies drowned in white pollution dust. We don't want animals losing their homes, but we are. And while Jim Beyer earlier tried to comfort us with his opinion about the enormous benefits to the environment that this project would have, I am a bit unclear of how turned habitat to blast a hole in the ground half a K deep, and over one kilometer wide, while permanently disrupting thousands of acres of healthy land and impacting the quality of fly-over Belubulea the river is of benefit to the environment, then I suppose opinions are subjective.

We are in a global climate crisis and at this point in our humanity, it is our responsibility to pre-preserve, conserve, and protect our natural environments to be sure that we have a healthy planet to pass on. We are stewards of this land. It is time, as a conscious collective, to prioritize our planet and its finite resources and end this self-entitled mentality of taking, depleting, and exhausting. It is outrageous to even entertain the idea of permanently destroying yet another piece of healthy land for an 11 year life-span. When will the greed and shortsightedness stop? We need to end the delusion that we are somehow separate from nature, when we come from nature and we are nature, and if mankind continues at this rate to allow, enable, and support projects and practices that destroy nature, we as a species will inevitably destroy ourselves in the process. So I speak as a mother, as a citizen of this community. I speak on behalf of my old home of Hopetown, of the thousands of healthy... Of the thousands of acres of healthy land at risk of destruction by Regis, and on behalf of all the flora and fauna who belong there. I beg to you to, please, use your brains to access the wisdom, and use your hearts to find the compassion, to access your humanity and say, "No," to approving yet another mine, and, "Yes," to honoring our role of protecting our sacred land. Thank you.

Commissioner Williams:

Thank you, Ms. Kramer. Any questions?

Commissioner Skyes:  
No

Commissioner Williams:  
Thank you very much, Ms. Kramer. Thank you.

James Emmett SC:  
Could I, next, invite Daniel Sutton to address the Commission? Mr. Sutton will first address the commission on behalf of the Belubula Headwaters Protection Group.

Daniel Sutton:  
Thank you, and, uh, and good morning. Firstly, I'd like to acknowledge the traditional owners of the land on which, uh, we meet, I live and I work, uh, with the tribe of the Wiradjuri People. Um, I acknowledge their connection to the land, water, and community, and I hope that my efforts and their efforts aim to strengthen, in particular, those connections in the future.

My name is Daniel Sutton. I'm the president of the Belubula Headwater Protection Group or, as I will refer to, the BHPG. We are a volunteer group of the community comprising people from all around Blayney, Kings Plains, Vittoria, and Gyong areas, and have members across Bathurst, Orange, and across New South Wales. I'm a chartered accountant, a financial advisor. I'm on of four in a public practice firm with offices across New South Wales. I was the manager of the Blayney office of that firm, uh, when it existed, and I still mana- manage all of the Blayney business clients of the firm to this day. I'm the president of the Orange Business Chamber, and I sit on the Western Regional Advisory Committee to business in New South Wales. I've done this work for 11 years, and I state that it is not because I speak on their behalf, but simply to provide context and background of my understanding and knowledge of business generally, small businesses, and businesses in the area, and economic viability of projects such as this one.

This also shows you that if I thought this project would bring any shred of business prosperity to the region, why would I be standing here today opposing such? The reason is because I have no doubt that any small potential benefit that may come to the local business community will be significantly outweighed by the negatives. The executive committee of the BHPG are all local business owners and operators, and work in excess of 40-hour weeks. We've committed the last half a decade of our lives to reading thousands of pages of the ISN amendment reports, agency advice letters, and learning more about mining than we'd ever like to admit, all in what would otherwise be their own leisure time, family time, or time that could be spent on our own community projects. When compared to a dedicated plan, department, and proponent that have paid to get this proposal approved, it is concerning that we have been able to identify and raise these areas that require further improvements, as substantiated from the multiple amendments and years of assessment that have ensued. If only we had the time and financial resources of the proponent, we could probably quite easily prove to you exactly how bad all the impacts would be.

We're all here on our own time, away from work and other productive outputs for the community to convince you that the people who are paid to be here with a vested interest benefits are, in fact, wrong. Next slide, please. Since the referral to the IPC, the proponent has been employing

ruthless campaign strategy to get as many submissions of support as possible, regardless of their quality or lack thereof. At the proponent's AGM on the 24th of November, Jim Beyer here asked all shareholders to make a submission in support of the proposal. These people have nothing at risk or to lose by this project being approved, simply the potential of more dividends. Not mentioning the fact that most of their shareholders are, in fact, institutions and overseas investors. When their staffer asks about, uh, why - - - Sorry. I've been told on behalf of Regis staff that Regis staff have been attending open markets and, uh, offering purchases of coffees and food for people if they come to see them about the benefits that this proposal may have to offer the area, uh, and in making a submission in support of the proposal. When their staff were asked about what someone should do if they'd like to object to the proposal, the staff become awkwardly unhelpful and provide no assistance.

Just this morning I'd been advised by a colleague of mine one of our junior staff, um, has a partner whose sister works at the law firm that represents the proponent, and she was, in fact, asked by the law firm to make a submission in support. When I asked her what her knowledge of the project was, she said, "Absolutely nothing." Um, but she said she had made a submission over the weekend following that request first on Friday. Although... Sorry, can you go to the next slide? Although the proponent argues and promotes the potential benefits to Blayney and surrounds, these are significantly overstated and when examined in the context of reality and the community, are demonstrated to actually be further adverse risk factors. There's no denying the proponent will need staff to support the work, but there aren't unemployed people in the Central West to fulfill those roles. We've already seen businesses in Bathurst and Orange close down permanently due to staff shortages. This proposal will only exasperate the problem. It can't be solved by bringing new labor over. Many businesses in the area are unable to source staff due to lack of housing and childcare services as it stands.

Blayney is not only home to a donga, which was earlier mentioned, in the CDV to house mine workers for Cadia due to their efforts with Orange 360 which was also mentioned as an accommodation in providing of service, rooming and hospitality. Uh, that they couldn't find sufficient rooms, so this was the alternative, is to put up, uh, mobile, um, rooms in the middle of Blayney. With local unemployment rates well below 2% and the average mine wage being nearly double the average Blayney resident, according to the ADS statistics, there will be two major impacts of this. One being an entice existing average Blayney employees to leave their employment seeking higher income which will result in businesses already employing those employees to either reduce capacity or lead to the second issue, which is that businesses will face increased costs of operating and will be left with no choice but to either increase the prices of their goods and services or close in the d- or close if the demand cannot sustain the increased costs.

This will cause increases in the cost of living to your average Blayney local. With the higher incomes would come higher propensity to consume for those employed by the mine. Of particular concern, as already touched on by the mayor, is rent. Both Blayney and surrounding LGAs already experienced nearly 30% rent increases in the last three years as the supply in housing dramatically diminished, and there was new flocks of people moving west from the city. And this will be inflated, uh, would then inflate the price of rent further, and specifically, puts the low-income famil- families and vulnerable individuals at risk of being homeless. This is

acknowledged by the DPE in their social impact assessment expert review, but is not addressed by the proponent and there are no recommended conditions from the DPE to actually address this despite their own internal review stating there needs to be.

The DPE states the economic benefits are considerable with the anticipated royalties to New South Wales in the garden of \$65 million over the life of the project. This represents less than 0.35% of the annual royalty income to the New South Wales government. For the DPE to consider 0.35% as significant is puzzling and contradictory when they deem several impacts as insignificant even though their impact represents a far higher proportional factor than 0.35%. The open cut pit will be left behind forever, and the buried [inaudible 02:35:34] will remain in the headwaters of the Belubula river for eternity. If there comes an issue with either of these which requires intervention or remediation, any financial benefits that would go onto the council or the local government would be quickly diminished, if not overspent, in the recovery and rehabilitation of such impacts.

The local council has VPA the proponent and whoever it employs for the purpose of the VPA, that should be immediately spent on mitigation and reparation efforts to deal with the impacts from their proposal. The value of the BPA is only \$212,000 a year, which is barely enough to repair a single road these days. The BPA is insufficient to cover the expenses of the council for the impacts of this proposal, and the remaining rent payers will be left to foot the bill. The council did not engage suitably qualified experts to assist with the- their assessment of the BPA, and was admitted by our mayor earlier this morning when said they do not have the resources or ability to do this. What was also not addressed in the application of the proponent or the assessment of the BPA is there are opportunity costs with any of the above. What I mean by that is, what is the cost of community and the lost- of the loss of an existing local farmland, the cost of losing a diversified industry to a local community, and what's the cost to re-skill employees in a decade when mining ceases?

Next slide, please. The DPE states that the negative impacts can be appropriately mitigated and managed to allow the proposal to be approved. As I've just demonstrated, the benefits are negligible, so let's go over some of the impacts. The springs that preempt the Belubula River are located all across the mine site, and those springs are perennial. That is, they last forever. It's not the water that the river provides in times of rain as we've seen in recent years, it's the regular flow that they provide in times of no rain and drought that makes the river so important. The open cut pit will never be filled in. This has not been openly communicated to the community, and a lot of the supporters of the proposal are under the impression it will be filled in, further demonstrating their poor understanding of the proposal. Even after we explained it will just be fenced off and left, then, for hundreds of years to fill with water, they then claim that we are liars and scaremongering.

The proposed intersection will result in a significant reduction to the only dedicated overtaking lane between Blayney and Fitzgerald mount, where heavy vehicles have a speed limited to 40 kilometers apart from travel 20 in first gear. It's an inclined overtaking area, and is always used to pass heavy vehicles prior to the slow decline. If you can't get past a heavy vehicle in this section, your travel time between Blayney and Orange increases by 25% traveling at the speed limit. Further to the definite known impacts, there are several potential negative impacts that

could occur if something as simple as a monitoring system fails or modeling inputs weren't accurate, including if the tailings wall... If the tailings wall fails or allows seepage, the proponent acknowledges that the tailings would enter the Belubula River and follow it downstream. This would contaminate the water source for all users of the Belubula River, Carcoar Dam, and into the Lachlan. The consequence of this would be catastrophic and is acknowledged by the proponent and the DPE, but is simply disregarded as a factor in determination on the basis that it shouldn't happen, and has been mitigated as much as possible.

It's a common theme that, uh, "Mitigated as much as possible," is relied on, but simply because it means it has been minimized as much as it can doesn't mean it should occur. The DPE's map of asbestos areas shows the entire mine site is above a mix of low-risk naturally occurring asbestos. There's a risk that if, in general digging explosions or road infrastructure construction, naturally occurring asbestos would be exposed and enter the air surrounding the mine site. If the monitoring system for the water entering the pipeline was to fail, and more toxic levels of water entered the pipeline, it could be catastrophic to not only the land holders along the pipeline route, but also downstream users of the pipeline. Uh, the pipeline would be bored under, uh, the [inaudible 02:39:37] River and many other water crossings along the way, and we've already had recent experience of bored-under pipes causing damage and then entering those waterways, uh, with the gas, uh, pipe bursting, um, we experienced a few months ago.

Separate from the known inference in carbon emissions, there is also unknown risk to future generations that would have to deal with any future failures of the tailings dam after mining ceases, and the land has been released back to the private owners. Additionally, the unfilled pit has no rehabilitation proposals, and the sink would not be suitable for drinking or recreational use. This will leave a large, toxic body of water which is simply fenced off for future generations to deal with. The impact and risks of having this new large body of water sit for an indefinite period of time was not assessed by the proponent, and is not queried or investigated or conditioned by the Department of Planning and Environment. The DPE recommended conditions relies on mitigation measures and management plans to deal with the pr- with the potential impacts, however, there are no consequences or remediation requirements if these systems fail and the potential impact of their traits. Their conditions are not detailed or specific enough. Next slide, please.

The images of the proposed mine site on the left, and the tributary rivers and creeks which crowd the Belubula River are on the right. Both images are from the proponent's own assessment and [inaudible 02:40:57] reports. You can see the streams that surround it on the right side all feed into the Belubula River which centers in the middle of the mine site. Five of these joining where the TSF has proposed, the others are either from the pit or other mine site infrastructure. It's important to note that only the area of to north of the TSF in the state files are proposed to be redirected. If the commissioners report from their site visit, the area where the TSF has proposed is a, is a significant sized valley. The volume of water that flows into this in terms of rain causes significant water-flow downstream. This doesn't just come from the flow from the state forest, which would be redirected, it's from the natural topography and size of the valley.

This is the source of why the assessment was hung up for so long, as it requires, the TSF area requires, in itself, over 1,100 megaliters of surface water licensing. Next slide, please. This is an

image of the mine site area with a map of the naturally occurring asbestos from asbestos.nsw.gov.au, which, you can see, the dark red colors are high potential for naturally occurring asbestos which does fall directly under the pit as well as several other, um, waste rock areas. The risks are either medium or low, and it's important to note that on this scale there is a category that is below low, so a low chance still means that there's something there, or potential for something there. Slide, please.

The DPE note in their assessment that they satisfy they meet requirement for stakeholder consultation. We couldn't disagree with this more. They spoke with our group on one occasion. This was in October of 2019. They did not consult with us following the submission period in which we asked them numerous questions for clarification, and to help our understanding of the impacts of the proposal, nor did they speak to us following any of the three project amendments. This cannot be classified as satisfactory consultation. It is not obvious if any of the issues we've raised were actually asked by the DPE of the proponent, uh, but what is obvious is that most of the items raised were not resolved. This has led us to losing trust in the DPE assessment and their independence given the volume of communication between the DPE and the proponent versus ourselves and other people in the community. The DPE does not understand the concerns of the local community or the reality of the impacts.

James Emmett SC:

Mr. Sutton, that's the end of the 15 minutes allocated to the Belubula Headwaters Protection Group. As you know, there's a further 15 minutes allocated to your personal submission on your, um, personal behalf subject to the discretion of the Chair. Do you seek to continue this presentation as part of that 15, that second 15 minutes?

Daniel Sutton:

Uh, no. There are only, uh, two paragraphs left of this.

James Emmett SC:

Thank you.

Commissioner Williams:

Well, yes. Finish that up. Thank you. Please.

Daniel Sutton:

Um, I encourage the commissioners, uh, if there's only one question I ask of each speaker through this hearing, and that question is when was the last time the proponent and DPE meaningfully engaged with you? You will quickly find just how poor stakeholder consultation has been for those who have been directly impacted, and the DPE proposed conditions would be ineffective as they're not specific and not measurable, and they're not governed and they're operated... And, sorry, and they're only governed and operated by the proponent. The DPE determination that on balance proposal is approvable with conditions is a conclusion based on superficial assessment and inadequate investigation. In the absence of an appropriate assessment by the DPE, we thank the commissioners for your time and expertise in assessing the reality of the impacts of this assessment and providing fully informed determination that the proposal must be rejected. Thank you.

Commissioner Williams:

Uh, thank you Mr. Sutton. What we might do, and just to break the two presentations, we might just hop onto your questions now - - -

Daniel Sutton:

Yep.

Commissioner Williams:

- - - Um, that relates to this material - - -

Daniel Sutton:

Of course.

Commissioner Williams:

- - - And then moving to the next presentation.

Daniel Sutton:

Mm-hmm.

Commissioner Williams:

Uh, I've just got one, myself. You made the point about - - - You've argued there's been a lack of consultation. Uh, but we've also learned today there's been over 20 meetings of the community consultative committee... Could you just explain - - -

Daniel Sutton:

Yep.

Commissioner Williams:

- - - that, perhaps, reconcile that please?

Daniel Sutton:

Yeah, of course. So, um, as my role, um, I've been involved in, in several different, uh, aspects, I guess you could say, um, of, of the point of contact with the proponent and the DPE. Um, I am... I differentiate this point of contact by clearly. as a, as an individual resident, my conversations from those facets, uh, with the impacts on my house. As president of the Headwater Group, the contact is in relation to the group and its members and what we represent, um, as the Orange Business Chamber president, it's very much business-oriented in Orange in what it can, what it can, uh, offer there. Um, as the Headwater Group, um, even prior to my presidency, I was only consulted by the DPE on one occasion. Um, and by the proponent on, on zero occasions. There was one time we invited them to a public community meeting which was declined, only to find out, uh, very shortly after that they were then going to hold their own public meeting, um, after decline to do such a meeting initially. So, um, as a group, we, we have not been consulted, uh, what I would call satisfactorily at all. One occasion with the DPE and that's it.

Commissioner Williams:

Thank you.

Daniel Sutton:  
Yes.

Commissioner Williams:  
Questions?

Commissioner Skyes:  
Uh, just, actually, with the slides. Would they be available?

Commissioner Williams:  
Yes.

Commissioner Skyes:  
Yeah.

Commissioner Williams:  
Will those slides be made available to the commission as you've put them, please?

Daniel Sutton:  
Yes. Yes, and we'll also be making a regular submission as well.

Commissioner Skyes:  
Yeah. Great.

Commissioner Williams:  
Thanks, Mr. Sutton. Thanks. Why don't you move onto your next presentation? Thank you.

Daniel Sutton:  
Thank you.

Hello, again. Um... I'm now speaking as a resident of Kings Plains and a local community member. I reside at 166 Walkom Road, shown as receiver 25 in the proposal. My wife and I purchased the vacant lot with DA approval for two [inaudible 02:46:52] seven years ago. It fit perfectly with what we intended to do for our lives, and is centrally located between areas of work, our areas of work, uh, which is Bathurst, Orange, and Blayney. It ticked all of the boxes, and we purchased the property knowing it would be the property we'd spend the rest of our lives at. Next slide, please. I'm an active contributor across all areas of the local community. I'm heavily involved in local businesses and lobby groups that advocate on their behalf. I offer my time to provide assistance to rural financial counseling services, present seminars, and provide pro bono advice as part of my efforts to improve the local business community. I volunteer at all motor-sport events at Wahluu, Mt. Panorama, in varying roles from track-side as flag marshal and second marshal, to being in race control and managing all track activities.

I manage to contribute all of this whilst also spending thousands of hours dealing with this proposal. Perfect example is that the last three days I was at the Bathurst [inaudible 02:47:45], um, and that's how we managed to put all of this together. I strive to help others and the

vulnerable in our community, and it disappoints me to think what else I'd be able to achieve and contribute to if I wasn't dealing with this proposal. I'm married with no children and my family are in Alice Springs. We have no family here. My wife and I chose to move to the area for its amenity, its location, its way of life, and the friendly community. All of our neighbors, although really upset by this proposal, are the most kind and gentle people I've ever met, and I've traveled this country over two times, originally being from Perth. They always manage to have a respectful and calm conversation in heated moments, but I just want the commissioners to make no mistake that the people you are hearing from over the next few days and in the written submissions may seem calm, they're simply kind. I can assure you that behind the sensitive words and respectful tones are very upset and angry community members.

It, uh, actually, very strongly upset me, the [inaudible 02:48:44] made a lot of friends in the Kings Plains area, uh, really. Next slide, please. We looked at two of the vacant lots that were for sale, and spoke to three different real estate agents. We visited the lots on several occasions at different times to examine the varied aspects to them and what we could see their potential in being. We decided on the larger dual dwelling entitled property. We wanted this so that we could build a smaller standing house at the bottom of the hill, as was already DA approved, which we would live in initially. We would then modify the DA for the larger house at the top of the hill to be completely custom to our preference, and that would be our permanent house. The bottom house would then be free for my parents to live in as they approach retirement, because they don't have a permanent place of residence. This was all planned to happen within a five-year period. At the time of building the larger house, we were planning to have our first child. We would then have our second with my parents living down the hill and children in the house, we were set. We'd grow old and support the community.

We got rolling on the... Early in raising the size shed to serve as a double garage, and our temporary living quarters whilst we built the house that's... The plan was to live in the shed for nine to 12 months whilst the first house was being built, and then it would convert into a workshop for my stepfather who is a carpenter. Within a few months of purchasing the property we were underway with our shed. After a rain delay period we finally moved into the shed. It had a bare concrete floor, no ceiling and no insulation. It will be fine because we're only gonna be in there for a few months. As we then began to finalize the details of that first house construction, we heard about the proposed mine in King's Plains and needed to know more. After attending a session in Orange where Regis staff claimed they had spoken with 99% of the residents of Kings Plains, my wife and two other neighbors, both in Kings Plains pointed out that they had yet been spoken to. Following this, I had to then follow up with Regis staff contact and a meeting to discuss the potential impacts on us, thus began the cycle of lack of communication and us having to push for outcomes from the proponent.

For the proposed over cut pit operating 24/7 within 1,500 meters of our property, we stopped everything, what was the point on sinking money into a property that we may not be able to live in, that we wouldn't be able to sell if the proponent didn't acquire it? We were given timelines of approvals and decided we'd sit tight in the shed, what's another 12 months as opposed to building a house and losing any equity that we may have left in the property? Thanks to the delays by the proponent, then the DPE, then the proponent again, we ended up living in the shed for five years, still with a base... bear concrete floor, no ceiling, and no insulation. We finally got to a point of

some pen on paper from the proponent about proposed mitigation and them working with us. We started to gain some confidence that maybe we could coexist. We had to get modified house drawings done to evidence the mitigation measures to the proponent. After spending so long in the shed the prospect of living in a house was too tempting for us.

Given the indeterminate timeline with the proposal and after many heated discussions in our house, we decided to build it first fully modified assuming the proposal would go ahead with the proposed mitigation measured included, although fully funded by us until we signed the agreement put to us by the company. That gets us to what was 16 months ago, the house was complete and we moved in, we still hadn't signed the contract but we paid for all the mitigation works and consulting fees to date. If the proponent withdraws the contract or we don't sign, we'll be reimbursed for the additional costs of litigation works in the house.

The time this proposal has taken out of people's personal lives is disgusting, reading reports, writing submissions, attending research meetings, attending community meetings and preparing for those, it adds up to months of people's lives. I was 25 when this started, my 20s, what a time in my life, a time I'll never get back given we'd spent the last five years of our lives in a shed, there was no way for visitors to stay, we could never have family visit as they were all out of town and had no rooms. It also meant we couldn't have social gatherings with friends out our place. We planned for my parents to be living with us at the latest three years ago, without our second dwelling, that still can't happen. They're not working beyond their desired retirement because they can't settle anywhere. This is causing physical discomfort and health complications due to their ongoing work and ages.

My wife and I are very likely not to... My wife and I are very likely not going to have children anymore due to the lag in our property development and our- our ages due to the time this whole process has taken. We can't fit the family in the house we built and we're not building the second building until we know the reality of what these impacts will be, which is going to be year six to eight of the proposal, being potentially seven or eight years from now. There're no mitigation proposals for the second dwelling on our property in our contract from the proponent, so we're unlikely to build it until mining ceases, i.e., being 12 years or more from now.

My wife and I have argued significantly in the past about the impacts of this proposal, the offered mitigation contract, what we should do, and the impact it will have on our lives. There is a literal cost to all of this as well, being unpaid leave from work, which costs us hundreds of dollars a day to attending meetings, the cost of consultants and people that actually know what is going on is also not cheap, the costs we will incur if this gets approved to our dust and noise monitors and to keep these maintained, assuming the proponent is not conditioned to have one on their own property. All of this is money that would otherwise be going in our local economy with us spending, and is not considered by the proponent or the DPE as a opportunity cost to this proposal.

The distraction from work can become significant which impacts not only my direct productivity but the management of my team. I'm yet to actually buy into the firm as I'm not able to make large scale, long-term financial commitment without knowing the reality of the proposed impacts. For reference I made partner five years ago, um, and so to this day I still haven't bought

into the firm. Not being able to have friends over and not being available to socialize due to the reading, writing, and meetings has taken a toll on our social lives as well. Next slide please. Sorry, and the next slide please.

The proponent spends money on groups and organizations in town and further away from the mine site not experiencing any impacts at all, but on those who are already directly impacted and will be further if this is approved. I've argued with myself months about whether or not to share this information on the following with you, following due to the implications from the proponent's behavior to date and the risk for losing any protection if this pro- proposal is approved. I've decided that the truth and the defense of the local community and residents is more important, so I'm going to raise the issues and the offered agreements that others are equally afraid to talk about, however Justin did mention them earlier, so I commend him on his efforts.

I feel that after my... I fear that after my presentation any attempts of my wife and I to reach an reasonable outcome with the proponent in a mitigation acquisition agreement will be gone, not because I've done anything wrong but based on the behavior of the proponent when I've tried to raise these issues in the past and the fact that they state on numerous occasions they're doing us a favor and that they don't have to offer these agreements. The proposed... I desperately appeal to you, the IPC, to please support those who are yet to sign the agreements or those who have not been offered any. As mentioned in the DPE, there's over 85 residents in the two kilometers, as yet as the proponents confirm, they only offered 18 agreements.

The DPE assumes that all residents will sign the agreements and have recommend the conditions on this assumption. They've not been interested in our concerns about the inadequacy of the offered agreements and just referred us back to the company, despite the act our evidence showed the proponent would not work with the residents as a group as part of their efforts to isolate us, they would not pay for the professional fees to assist us in getting advice on the agreements in their efforts to keep us ill-informed, and they're not willing to negotiate on the terms of these agreements. The proponent have a applied a one size fits all mentality to mitigation, even people are here for different reasons, have different property aspects and uses, are of different ages and health, and live different lifestyles. They're offering no compensation for those who need to form the option to sell their property and are forcibly relocated because they either can't tolerate or are unable to live nextdoor, nor those that chose to try and leave through this proposal.

They cap the reimbursement of costs incurred to try and negotiate or end to these agreements, many people don't see the appropriate professional help they need and they apply gentle pressure to get them signed. I've had those who have signed tell me, "What other choice do we have?" And other who are about sign it say, "They made it sound like everyone else had signed, so I got scared." They plan sealing stock for screening which will take longer than the entire mine life to grow to a level actually sufficient to screen the properties from the proposal. They need to be planting mature trees and need to maintain these for the residents. The residents are not are tandem water so they're using their own tank of drinking water.

Just some of the restrictions in the agreement include preventing anyone that signs them from going to anyone apart from the proponent if noise exceedences occur, rendering their conditions effectively meaningless from the DPE as they can't be held to account because it leaves the residents with no one to talk to but the proponent themselves. Speaking it... The... Sorry, the agreements prevent us speaking to anyone about the agreements or the impacts of the mine, resulting in significant mental health strain and domestic tension. The third impact is that, uh, in the event of selling your property without direct intervention from the company is impossible, they're designed to isolate the residents and put the power in the proponent's hands, they'll have a covenant over the title of your property, and anyone who has signed the pro... uh, the agreement to date is already bound by the restrictions of this agreement, even though they receive no mitigation or benefits until the board of the company actually approve the capital expenditure.

There is real risk that the board may not approve capital expenditure for months, years, or potentially indefinitely, as has been done in the past and demonstrated with many other SSD projects. This leaves anyone who had already signed the agreement in the hands of the proponent, it means should they need or want to sell, they have no power in their ability to go to market. The DPE has ignored the recommendations of their own SIA expert review which reports the offered agreements are contrary to the VLAMP guidelines and not transparent. I must insist the IPC spend the time to not only ensure those who are offered contracts have reasonable contracts offered, but also that they are extended to those beyond just Walkom Road. As I've already mentioned with over 85 dwellings within two kilometers of the mine site, the visual and noise mitigation efforts need to be offered to all within that area. I'm willing to offer my time to go through the contract we've been offered with the IPC to highlight the significant shortfalls of them and to evidence to how unreasonable they are. In reality, a proposal of this scale in such close proximity to some many unmitigated residents simply cannot operate without significant impacts on them.

The proponent claims they can having mitigation efforts, but the failure of just one of those will result in significant impacts, potentially health related and are irreversible. The IPC must be able to see that this proposal is too close to existing residents, there's too much risk and simply cannot be approved. Next slide, please.

The DPE claimed they're carried out adequate stakeholder engagement, as a nearby neighbor and one of only a few offered mitigation acquisition con... acquisition contract, the DPE spoke to us on one occasion during this entire assessment process, one conversation with Steven O Donahue in October of 2021 and we one of the few that were lucky enough to get that conversation, they did not adequately consult and they not factored in their own SAI expert review, they have not adequately assessed the social impacts of this proposal.

The reality is if this pr- project gets rejected, nothing changes for the existing community. Businesses continue to thrive on organic demand they have, which is already stretching their output, houses remain full of existing locals who intend to stay here for the long term, it's business as usual with organic, sustainable growth, for myself and the people of Kings Plains we can get back to our lives, I can focus my attention on helping the existing business community thrive, I can be happier in my home, get my family here, my wife and I can build our second house with confidence and maybe consider having children again. We get our lives back.

If this gets approved, our lives continue to be impacted, ongoing stress, anxiety, increase in negative impacts as the area we purchased into for our future continues to be permanently changed, both physically and socially. More time lost in monitoring the operation compared to its conditions and management plans to ensure compliance, we can't relocate for the same outcomes, so we'd have to make a significant li- lifestyle change if we decided to leave, the community hostility would still exist from those who think this proposal is needed.

Commissioner Williams:  
Just finish your sentence.

Daniel Sutton:  
The negative impacts would commence, the risks... would commence the risk of further and more substantial negative impacts would linger and the community would be torn apart. All of these issues and concerns currently being experienced would either continue or be amplified if this project gets approved.

Commissioner Williams:  
All right, thank you very much Mr. Sutton.

Daniel Sutton:  
Thank you.

Commissioner Sykes:  
Thank you.

Commissioner Williams:  
Questions?

Commissioner Sykes:  
No, this is a lot to absorb. Thank you.

Commissioner Williams:  
Neal, questions?

Commissioner Menzies:  
No, I'm good.

Commissioner Williams:  
Mr. Sutton, uh, have you made that submission to... us already or will you be - - -

Daniel Sutton:  
Uh, you- you'll get the presentation and I'll be making a personal submission.

Commissioner Williams:

Right, okay. Um, particularly also just some of the issues you've raised, you know, about the agreements and things like that - - -

Daniel Sutton:  
Yep.

Commissioner Williams:  
- - - uh, not that we want to go in the... There's certain things we really can't go into in terms of those sorts of issues, uh, directly, but, obviously, that's something for consideration as well.

Daniel Sutton:  
Yeah, no, no, that'll form part of my written submission.

Commissioner Williams:  
Yeah, great, thank you very much, Mr. Sutton, for your time. Thank you.

Daniel Sutton:  
Thank you.

Commissioner Sykes:  
Thank you.

James Emmett SC:  
Next, I invite Karen Sparks to address the Commission.

Karen Sparks:  
First, I'd like to thank you, the New South Wales Independent Planning Committee, for allowing me to speak today on behalf of myself and my husband Les. What I'll be covering today is the effects on our livelihood and health. I apologize if (laughs) I don't look at you and ready from my notes. (laughs) I would like to inform you that Regis send my husband a generic email requesting we speak on their behalf. I would like to make it clear we oppose the mine. Regis then contacted us on the 11th of November to let us know that they had rented the property next door and were leasing the land. Les was then asked, "Did you have any concerns about the mine when it goes ahead?" And he said that he was concerned about the noise as the noise travels in the valley. He was then informed they don't know how that will affect us until it's running. He felt a bit taken back as this point as he was expecting to be asked... he wasn't expecting to be asked about the mine itself as in the past they had requested meetings with us to discuss the progress or changes.

Regis co... new community consultant hasn't even bothered to introduce herself, let alone contact us. It was only brought to our attention at the Belubula Headwaters meeting that we attended on the 24th of November that Regis had changed the layout of the mine again, and he haven't be... had any consultation in relation to these changes. Kings Plains is known to some as God's country, those that know the area know the basalt soils can grow anything from crops to stock, but not only are the soils of high quality, it's the water in the area that is exceptional, from the river that sustains life, that had never stopped flowing, to the underground springs.

My husband I moved here more than 24 ye... 25 years ago to Woodlawn, 3212 Mid-Western Highway, Kings Plains. We own a small property of 100 acres, our property borders Regis property and we are two kilometers, as the crow flies, from the pit site. During the years we have lived here, we have hired contractors to do our cropping, fencing, electrical work to the shed, hired truck drivers to deliver fodder, take our cattle to sale at the CTLX, employ a stocking station agent to sell our cattle, hire a farrier for our horses and call on the local vet when needed. We buy from our Blayney 95% of the time, our purchases only go elsewhere when we cannot buy what we want or need. Over the years, the land has a support... has supported a wide range of wildlife, and we have enjoyed the echidna wandering through our backyard, watched the same majestic mating pair of the wedge-tailed eagles fly over hunting for food and producing a fledgling each year. The kookaburra, the hawk, kite, little blue wrens, crimson rosella and even a seagull stopping over along with numerous other birds. The copperhead lives here with various skinks, lizards, and frogs are abundance of different species, also the bees that live in our tree. The quiet of the night sitting outside with a drink listening to the frogs, watching the stars on a clear night along with the small bats collecting insects, and listening to the magpie warbling and hearing the train in the distance.

Will we still be able to see the stars with the mine lights lighting up the sky? Will we still hear the frogs sing with the constant humming of machinery? We have lived through drought, flood, and idle conditions. During that time, we have built up a cattle herd, waterproofed our property for droughts, and when conditions allow, we put in crops to feed our cattle during the winter and build up the stockpile for the next drought. The last drought that carried all our [inaudible 03:07:56] cattle through the drought, regardless of p- people telling us, " You've overstocked," but we did it utilizing the side of road as well as your neighbor's land, it just came down to good management and knowing your country. The same neighbor's land that Regis informed us they would honor any existing agreement with our old neighbor, which included using his land, yet they have leased it to one of their workers.

We experienced our drought... our first drought after the first year we settled on our property and realized the lack of water for our cattle. We had one small dam that was spring fed, but that wasn't enough. We realized we had the potential to build a larger dam and we four springs that were running into a old creek bed, the four springs Regis contractors couldn't even find. We paid an excavator to build a new dam and we also put a new pump on the old wall and part lines to trough to different paddings. When our neighbors build on their land, they installed a bore and while using it during the second drought, the flow our old bore stopped, so we had to put a second bore in and go deeper down to 42 meters, and it had never dried since. The dam that we put in has only gone down about a foot during the worst of droughts.

With the current climate, we have noticed new springs open. One thing we have learnt over the years is that springs are unpredictable, you don't know where they will open in a good season or close in a bad one. Les and I have experienced springs over the time we have lived there. When the road works were completed in the intersection of Dungeon Road Mid-Western Highway, one of the springs closed. We asked one of their hired experts that Regis employed a- about this at their open day, and she informed us that it will open lower down because of the underwater flow, it'll find its way downhill again. It's the same as if the spring's closed by me, it will open elsewhere. She was correct, it took a few months, but it did reopen in a different spot without

feeding the dam unfortunately. Regis has informed us that the head of Belubula River only supplies the river with 4% of the water intake. What is 4% of volume? If it wasn't for the springs on our property, we would have no water in our dams in drought. The 4% is what keeps the river alive. Is it truly worth messing with? Without water, everything dies. We are concerned if Regis is granted the license to mine and when they do, close the springs with the... What will happen with these springs, with the tailings dam on top of these springs? Where will the springs reopen? Because they will reopen according to their own hired expert, and what poison substance will be drawn down with it? Is it worth potentially poisoning a river? The possibility is real. Regis has a seepage management plan in place for the potential of seepage of their tailings dam let's hope if Regis is to mine that the backup intersection boards never detect any seepage because if they do, say goodbye to the river. And Regis to state the potential of Seepage, that tells me it's not a foolproof and the potential of disaster is highly possible.

Cadia said their tailing dam would never fail, and yet it did. I had seen it time and time again, everything works in theory but not always in practice, just like the Browns Creek mine, it would never flood and yet it flooded. What about Cadia? They recently mined in a area they shouldn't have been and it flooded. My husband and I also have concerns about the blasting. When Cadia's seismic incident in July '21, we felt it in our home. Can we expect to feel the blasting in our home as well and won't it cause damage to our property? And what about our animals, will they go through fences or onto the highway in front of the vehicles? Les also suffers from asthma and has lung condition, and we have been informed that they will be using Dungeon Road during the construction phase. We don't know the number of trucks that they would be using on the dirt road, we concerned about the dust levels this will create. We also concerned about the dust from the mine site itself if it is approved.

We have been informed of the noise levels and the dust levels cannot exceed certain levels. We don't know how to measure these levels, we don't know... have the equipment or knowledge go to so. How will we know if it is over or not? We feel the state regulator will not be proactive enough if the mine is... uh, goes ahead as it will... as it has failed to monitor, Cadia. If they pro... If they been proactive, Cadia would not mined in the incorrect spot and flooded and put their... an exhaust that... in the wrong place. Will this mine flood just like the mine's in the area have flooded before because their computer models show them that there is no water there? If there are springs, there is water.

Will our underground water level be compromised just like Spring Hill and the farms around Cadia? Will the river be 100% safe and not contaminated or dry up during drought? Will our house shake from the vibrations every time they blast? Will Regis cause an earthquake like Cadia has in the past? Will our crops be covered in dust? Will we still be able to enjoy the quiet of the night? So many unanswered questions which only time can tell, and even then the what if or will it happen doesn't leave your thoughts. You try to put them at the back of your mind, yet they are always there. In the scheme of things, 11 years is a very short period of time. Is it worth the potential of losing a river, leaving the countryside scarred for life? There are so many uncertainties, I ask you if the risk truly worth it?

If the decision is made to allow Regis to go ahead, we would like to propose the following conditions: if we are affected by excess noise, air quality, and vibration levels according to the

New South Wales EPA standards, that we have the right to voluntary mitigation of acquisition rights upon request in accordance with the government's VLAMP policy. All properties within five kilometers of the mine site boundary be offered mitigation acquisition agreements and that acquisition needs to multiple of market value to represent compensation for loss of my freedom of choice and forced relocation. IN the event there is loss of underground water levels to the extent that we no longer have water from our bore due to negligence from the mine, we have the right to a voluntary acquisition in line the same policy as the New South Wales government's VLAMP policy if we do not wish to stay our property and Regis are to drill a new or extent an existing bore until water is reached for every property affected. Any damage due to property due to blasting or vibration, Regis are to repair the damage for every property affected.

If livestock go through fences due to blasting and if livestock on onto the highway, Regis to cover the cost of damage to fence, livestock, and any accidents this may cause. Being neighbors, they are to touch base with us on a regular basis of changes and not treat us like mushrooms. Thank you for your time.

Commissioner Sykes:  
So I do have a quick question.

Commissioner Williams:  
Sorry, Ms. Sparks, we'll have a question for two for you, if that's okay. Thank you.

Commissioner Sykes:  
Thank you very much, um, Karen, for your presentation. Um, apologies, it's actually a fairly simple question, but I just wanted to clarify from your map the exact location of your property, um, in terms of the, I've got a map here and I was just trying to figure it out in terms of the, um, mine, um... the construction... sorry, the mine development project area - - -

Karen Sparks:  
Yes.

Commissioner Sykes:  
- - - and- and Dungeon Road. I just wondered if you could clarify exactly where you property is.

Karen Sparks:  
Our property borders Dungeon Road and the Mid-Western Highway.

Commissioner Sykes:  
Okay.

Karen Sparks:  
So if you would go to - - -

Commissioner Sykes:  
I see, so it sits in the corner there between Dungeon Road and Mid-Western Highway.

Karen Sparks:  
Yes, that is correct.

Commissioner Sykes:  
Yep, okay. Thank you very much.

Karen Sparks:  
Thank you. Is that all?

Commissioner Sykes:  
Yeah, that was it.

Commissioner Williams:  
Thank you very much.

Commissioner Sykes:  
Thank you.

Commissioner Skyes:  
Thanks Ms. Sparks.

James Emmett SC:  
The Commission will now take a break for lunch until 2:15 PM. Can I ask everyone be seated by 2:15, uh, thank you.

Right, I think everyone already has already taken their seats, thank you for that.

The hearing will now resume and can I invite the next person to make a submission, Scott Bennett.

Scott Bennett:  
Good afternoon, my name is Scott Bennett. I would like to thank the commission for allowing me to speak and express my objection for the McPhillamys gold mine at Kings Plains. Having moved into the Blayney Shire within the last two years and working here for the bast decade, I am extremely concerned about the detriment the impact such a mine would have my employment, my community, and my family.

Firstly, I am deeply concerned about the impact such a mine could have on my employment as I am the factory manager for Goldfields Honey at Victoria. We are the biggest beekeeping operation in the country. Our factory sits right at the headwaters of the Belubula River and there no way Regis can guarantee our water source will not be impacted by this project. Regis can minimize the risk, but if the Belubula River should be adversely affected by this mine, it would spell the end of employment for myself due to the water requirements of our business being the food industry, but it would spell the end of careers and jobs for hundreds of other workers with our industry, local farms and various other businesses who all rely on bore and river water which runs from the Belubula or its aquifers. In short, they will be leaving myself and many other with

a consent black cloud of what if hanging over our heads for they may not hit an aquifer today, but there is no certainty they won't tomorrow. No guarantee can be made.

I am deeply concerned about the environmental impact the mine will have for our beautiful region. It's no secret the mines in the country have a bad reputation for putting massive holes in the ground, extracting what they can out of the land for the benefits of their shareholders and then leaving a huge hole with not practical use for farmers, local flora and fauna, not to mention tailings dams riddled with heavy metals and other toxic substances. My next concern is the local road infrastructure. As the road which I travel on a daily basis cannot cope with current traffic demands as it is, and now they wanna put more heavy vehicles, more heavy machinery on the roads, which are already unsafe, I face the daily task of transporting my children around Blayney roads for school, sporting activities, childcare, central shopping, et cetera. And more heavy vehicle traffic will present further hazards for myself driving on roads which I carry precious cargo than amount of gold to equal or surpass.

My next concern is the local economy. Whilst Regis claims this mine will bring jobs to the local community, I challenge any person here in the room to speak to any local shop keeper who has sufficient staff. Being a previous small business operator, I know the challenges of finding staff as well keeping them and the question beg where will they find the people to fill these positions and at what cost to our local existing business? Robbing Peter to pay Paul. Housing and rental demands cannot currently be met, local childcare, of which I utilize, is already understaffed and placing more demand for housing and more demand for childcare will only make it harder for us to find rentals for workers, ourselves, or spots in daycare for our children. Other concerns I have are dust and noise pollution for the area. As a sufferer of bad hay fever and dust allergies, I do not want to live and work in an area where the daily norm is taking antihistamine due to poor air quality and extra dust levels.

This whole saga has affected my mental health greatly. The worry of the future for this beautiful region and mine and my family's place in it is an extra burden that I and many others can do without I assure you. I have spoken to many local friends and relatives and even raised the issue with a few strangers, and I can assure you 90% of them are strongly against this mine, all carrying many of the same concerns and some with other concerns which I cannot mention in the brief time you have allowed me to speak. However, I will be going more in depth in my written submission.

Lastly, I wish to say that Blayney is a small country town with a local community that any big city should be in itself. In fact until moving into Blayney Shire, I never realized that I really had no proper sense of what it meant to live in a community. It is the country lifestyle and values that make this the best place on Earth to live and work, and put this in jeopardy just to take a bit of gold or... and other mineral from the ground for 10 years is absurd. My last remark is I cool with the IPC to have the condition that should they seek it to allow this monstrosity to take place that no offsite materials can be transported [inaudible 03:23:39] for processing. Thank you for your time.

Commissioner Williams:

Uh, thank you Mr. Bennett. Um, sorry, Mr. Bennett?

Scott Bennett:  
Yes.

Commissioner Williams:  
Sorry to- to... Um, will you be making further submissions with more details?

Scott Bennett:  
No, only written.

Commissioner Williams:  
Yes, okay, and they're given equal weight to oral submissions of course.

Scott Bennett:  
Yeah, thank you very much.

Commissioner Williams:  
Thank you very much, Mr. Bennett.

Commissioner Sykes:  
Thank you.

Commissioner Williams:  
Thank you.

James Emmett SC:  
Next, I invite Elizabeth Russ to address the commission.

Elizabeth Russ:  
To the IPC Commissioners, good afternoon. My name is Elizabeth Russ, and I'm a resident of Kings Plains. My position is total opposition to the Regis Resources Mining application. I live at RLE, 84 Walkom Road, Kings Plains, along with my husband Bob. On some Regis Resources maps, our home and property are marked as R32. I am led to believe that you may have pulled into the driveway of our home during your recent site visit. If so, I believe you will have some idea of the home, and I hope some understanding why it is such a landmark in the Kings Plains District. And in fact, in the bloody Shire.

Photos of our home have graced advertising billboards, calendars, and advertisements for new cars. From the front veranda of our home, the line of sight is directly to the mine site, a distance of approximately one quarter. Other neighbors I know are closer. But it is an intrusion on our privacy, I would think, especially with mine activities to be carried out 24/7. The original RLE property comprises 112 hectares, and another 81.5 hectares joins RLE, which we acquired following our return to live at RLE.

We have also a third block of land to the south of Blayney. On these properties, we produce Angus beef cattle. My reason for outlying property details will become evidence shortly. My

heritage, I am the third generation to have lived in that beautiful federation style home situated at 84 Walkom Road. It is where I grew up. Just as an insight, my maiden name happens to be Walkom, so therefore the name does have some significance in the district. The home itself was completed in September, 1918 in time for my grandparents to move into it following their marriage. The ownership of the land, however, goes back a further two generations, having been gifted to my grandfather from his grandfather James' Deef by his mother. Thus, five continual generations have had ownership and stewardship of RLE. The original Deef family, and their descendants were also long-term residents of the area. James, having acquired some 968 acres in 1850. So five generations on both my paternal sides have worked, and lived, and raised their families in this area. We now face the destruction of that prime agricultural land. It appears that the constant family caretaker ship of 164 years may well come to an end with the passing of my husband, and myself if the McPhillamys gold mine is granted approval.

We have three children. We have three passes of land each with its own title as previously mentioned. However, not one of our children wishes to live at RLE if a mind is present, and it is not because they do not love RLE. My husband and I left Blayney in 1990 for him to pursue his career aspirations. We returned in 2001, always determined to come back to Blayney and to King's Plains in particular.

To our children, when we told them that we were going to see Grandma and Grandpa, " Oh good, we're going home." So to our children, RLE means as much, but they are not prepared, and understandably so, to want to live at RLE. It is ironical that a mining company with its head office on the other side of the country has influenced over our succession planning, which should be a private family matter. As my husband and I age, and our future is looking less secure than it ever has, just at a time when it should be at its most secure, I really don't know what we are going to do. There are other homes and buildings of heritage significance in Kings Plains area, which have not rated a mention either in Regis Resource's application, or the DPE assessment of recommendations. The only exception being the property known as Hoard on the Dungeon Road.

Buildings such as the old schoolhouse and residence, and the former Methodist/Anglican Church, all in Kings Plains apparently do not rate. These structures could well be damaged through blasting and dust creation. I wish to recommend that this commission instruct Regis Resources to put into place measures to prevent damage to these buildings, should the government gain permission to construct the mine.

I believe that social impact and health issues have also been glossed over, although I was interested to note Steve O'Donohue made a lot of reference to social impact this morning. But I feel it's certainly been glossed over by Regis Resources. The possibility of development of this mine has been hanging over the heads of the Kings Plains residence now for almost 20 years, with two other mining companies involved prior to the emergence of Regis resources as a player, the uncertainty of not knowing has left residents unable to plan for the future, should they stay or should they go?

If the mine doesn't happen, then there is no need. Age and health issues as, as a- will play an influ- does play an influence as time marches on. For 20 years that we have been back there, um, we have, we've came back when we were in our 50s, and we've returned to live in the district.

We are now in our 70s and our thinking has changed. The management of Regis Resources and the DPE need to be made to realize that stress related issues can lead to physical and mental health issues.

We, in King's Plains, have been under stress for close to 20 years, a situation which may well become much worse if and when construction and mining begin. I wish to recommend that Regis Rejoice Resources be required to make funds available to pay for residents expenses, should they need to seek treatment for stress related issues, or health related issues due to dust and anxiety, I might add.

A situation could well be worse during the construction aid, state as the south bound is created. Dust along with noise could be more significant then, than during the actual building of the mine itself. I'm afraid I do not have much faith in the assurance as made by Regis in this regard. It is noted that the DPE assessment and recommendation documents that health and social impacts are listed in, is in an index as other under... listed, under other issues. This appears to be very dismissive of health and wellbeing.

Health and the wellbeing of residents should be paramount and not swept away. I would urge the members of this commission to look carefully at the social impact assessment expert review. This document highlights the lack of support being offered by religious resources in terms of social impact. The mine is very close to many Kings Plains residence, certainly within two kilometers. The number of residents within that two kilometers is apparently 88. There are concerns for way of life, rural amenity, community health and wellbeing, personal and property rights and aspirations, and decision making systems, just to name a few. In particular, and with regards to the, uh, social impact statement, I refer you to 3.1.6, and 3.1.7 of that document.

I also wish to express my grave concerns regarding water, both ground and surface water. These concerns are not only for our own farming, operational needs, but also of our neighbors and the wider community. The land, which we acquired since we returned to Kings Plains, was part of one property, when sold, that property was divided four ways. On the land we purchased, is an excellent bore and that bore services the water needs all four of those landholders.

Should the water levels in that bore be affected due to the mining, and we must remember that water always finds its own level, then the likely... livelihoods of four different property owners and their families may well be jeopardized. On questioning a Regis team member regarding this, the throwaway line was, "Oh, we could dig it deeper." I hope that the management of Regis will be true to this. But please excuse my cynicism, I am aware that the DPE has made stipulations regarding water. Natural springs, such as was mentioned by Karen earlier, a part of our watering system for our livestock as well on our property.

And the effects of them through changing water at levels are also of concern. Some of these creeks, these springs, I'm sorry, are part of a creek showing on the maps as trip one. They're not a permanent creek. The opening of the springs boosts our stock watering supply, but also flows into the upper reaches of the Belubula River, the waters of which are used by farmers, the kilometers downstream, eventually flying into the Lockland River and beyond.

Drops in water flow, may say nothing of mine... to say nothing of mine contaminants will affect water users kilometers away, and not just local users. Once construction of the mine is undertaken, from then to eternity, there will always be a huge hole in the ground. The beautiful rule out lock... outlook would be gone forever. Not that I am claiming that Regis resource hasn't made it clear to Kings Plains residence that there will be a... that hole will never be filled in. However, I do believe that the wider community doesn't realize this, does the area need to become a mini hunter valley?

While having a mine developed here may well have some benefits for our shire, the detrimental effects to near neighbors and others living close by outweighs the benefits in my mind. The consequences in regard to health, both physical and psychological livelihoods and general wellbeing, along with water and environmental harm and the effects on agriculture, agricultural production cannot be overlooked.

Gold may well provide worth for some, and benefits for others. However, you can't eat it. Rural industries such as beef production, crops and honey production are still needed to feed the community. Industries that could well be serious affected in the Kings Plains area, should this mine be allowed to proceed. I urge you to stop this project, and then I thank you for your time.

Commissioner Williams:

Thank you Mrs. Russ, have you made that submission to the, the - - -

Elizabeth Russ:

I will do, yes.

Commissioner Williams:

Thank you very much indeed.

James Emmett SC:

Okay, next invite, Lachlan Price to address the commission.

Lachlan Price:

Good afternoon. My name is Lachlan Price, and I have lived here on the Belubula River all of my. As an emerging fourth generation farmer on this land, I have major concerns around this proposal. I'm looking forward to working on the land and into the future the same as my father, grandfather, and great-grandfather have done before me.

However, this future is not as bright as it once was. This proposal seems to be against everything that I have been brought up to do, work with the land, look after the environment, and listen to nature and work with me. I cannot understand why in the DPE assessment, that we have not been considered as people who may be affected by this development. Our river will be affected negatively, and this will change our farming operation forever. Not only o- not ar- only ours, but every other farmer who relies on the river as a primary water source, for water, for stock, or irrigation for crops. This is something that I will have to manage in the years to come.

I see no inter- intergenerational equity in a project as a lifespan of only 15 years, but as I hope to raise my family here, I'll be left with a mess that the mine will leave behind for me. There will be a tailings dam our our river forever, mind you, that has a dam the wall. And a pit, and a large pit, which will take water from the surrounding area, including the river, for over the next 400 years.

This is not something that I have to live... I, I want to have to live with. Our generation is going to be faced with many environmental issues to fit, and this is another one that can be in-avoided. We should be looking at how to look after the environment, and protecting our agriculture land, not how to ruin it as much as possible.

I have enjoyed many years on the river and Cargo dam by fishing, skiing, and camping, with many more recreational activities in the mix with families and close friends. It is a great area which attracts a large amount of tourism to the area. This is... There is a sailing hub on the bank of the dam and fishing competitions, which are undertaken by many locals and others farther away, with lots of people visiting the ar- the area every year.

This will all change if our water is contaminated by this mine, and this is a real possibility, which no one can give a 100% guarantee answer on that the river will not be contaminated by the chemicals from which is used for extraction. After the floods we've just experienced, it seems more and more likely that this could happen.

Over the past six years, I've watched this proposal become a major part of my family's life. My mom and dad have spent many tiring hours on this ser- on this, on this, including being at meetings, writing letters, talking to the Blayney, they died talking to the local Blayney and surrounding council and much, much more. We have, we have had no quality time as a family as it seems, and that this is all we have talked about and experienced for the last and very long, 60 years.

This is some very special time that I'll never be able to get back, all because someone wants to take a large sum of money that is not necessary in my eyes. It has taken a toll on both my parents, myself and my other three siblings. It has had a negative effect on us, and I'll be pleased when this is all over, and we'll be pleased to have my mom and dad back.

Although I'm only 20 years old, and senior year to just been inexperienced young farmer in the last 20 years, I've learned how incorporate more modern, effective, and regenerative farming techniques into all aspects of my work that I [inaudible 03:42:30]. It is a part of our generation now to enhance the way we are currently farming. I respect the old way of farming, that the future of farming relies solely on people like me who want to look after our agri- agricultural land, and even more, for future generations to come.

In this day and age, you would think that you guys would've come up with a more environmentally friendly and efficient way of mining gold and other, or without burning the environment and the people around it, wouldn't they be looking at it at doing the best job possible? I would like to ask the panel to look at this project more than just a mine, but realize what the impact is going to be on the younger generation and our communities surrounding it. I cannot express enough to you how much I do not want, or think this is a good idea. There are no

real benefits I can see, but it will change this rural farming community to a mining community and we'll destroy the landscape for longer than you think. As a closing thought, think about if this was happening to you and your family. Thank you.

Commissioner Williams:  
Sorry, Mr. Price. Just... Sorry, just one question?

Lachlan Price:  
Yeah.

Commissioner Williams:  
Sorry. Um, you just mentioned that, uh... Correct me if I'm wrong, but, uh, you identified as not being, uh, affected by the, the mine, by DPE's assessment?

Lachlan Price:  
Sorry, what's that?

Commissioner Williams:  
You mentioned that you were not affected... by the mine in DPE's assessment report.

Lachlan Price:  
Oh, we haven't been considered that we will be the people affected.

Commissioner Williams:  
Right.

Lachlan Price:  
Yeah, it seems like that we haven't been considered as people that are going to be affected by this mine.

Commissioner Williams:  
Right, right.

Lachlan Price:  
Yeah.

Commissioner Williams:  
So you're saying you, you will be affected, but you haven't been - - -

Lachlan Price:  
Yeah. But yeah, even now we have been.

Commissioner Williams:  
Right. Thank you, thanks for clarification. Thank you.

Lachlan Price:

No worries.

James Emmett SC:

Next invite, David Price to address the commission.

David Price:

Uh, good afternoon commissioners, and uh, welcome to Blayney. My name is David Price, and I've been farming on the Belubula River for 50 years, and my father before this, and his father before that. I'm a sustainable producer of red meat, running cattle and sheep. We have 3000 acres of prime grazing country at the top of the tail lands in a safe, high rainfall area, which fronts 10 kilometers of the Belubula River. We're downstream of the proponent Regis, which has eight kilometers frontage to the river. The remaining six is made up by other landholders until the river reaches Carcoar Bend.

We have a lot of experts in the room today, and given my experience and knowledge, I'm also an expert when it comes to this river system and how it works. I live and breathe on this river, crossing it multiple times a day, and working with it every day. The river can flood, like we've just seen. It can dry up.

The country along the river is the best country and has saved us in dry up, dry times, and in the heat of summer, during dry times, the river can reduce to water holes and then one day the springs will start operating without any rainfall. The whole river system will fill up and start running again. This creates a charged system, and it fills up every crack, and hole, and bend in the river, keeping the bends and flats green with [inaudible 03:46:34], which is so vital for our production and our business.

Having the river charged, when the rain eventually comes, the water that falls into this catchment will end up in Carcoar Dam, supporting farming and mining downstream. If this river was not charged by these springs, the rain event may just well through a few odd hauls, and end up dry again, giving no water to the storage downstream. Now, Regis and the department want to dam this river, not a gully, or a stream, or a creek. A river in the Murray Valley basin, a wall across the river blocking and stopping all water from the springs and run off into this system forever and ever. I have worked where the Talis stand used to go, this is the very heart of the river system where the best springs start the river to run.

Not only they're going to devastate this system, the risk of contaminating these springs from toxic wastewater would end up anywhere. No one can model to tell when and how the springs operate, and how the water flows. It is just an act of mother nature, and tampering with this is an unknown. The Regis experts tell us that blocking the springs will be fine and they will just go on their merry way. Merry way to where and what live. The river system supports our business by producing red meat, and we respect it. No water, at a crucial time that, that river yields, we negatively affect our production, given our business runs on kilos of red meat produced in clean, healthy, chemical free and sustainable environment.

We rely on good clean running water, and green feed to produce content stock who will put on those kilos of beef and land. In fact, our properties, which most paddocks lead onto the river,

produce enough red meat to feed 10,000 people their daily intake for a year. That is just one property on this river... from, from this river. I have not even mentioned the flow on effects down the production line from the contractor, stock agents to the carriers, to butchers, even the little kid putting the meat at the supermarket.

As we are farmers dealing with risks every day, especially dealing with nature, market- nature and markets to stay afloat, we have to keep up with new techniques. Working in balance with nature and environment. When do this in harmony, then the environment gives back. Given the water issues in this country, and the feeding of people, decreasing the flow and the quality of water, this proposal design is ludicrous. The risk of contamination to me has to be wrong given the size of the flooding just the other day, the tailing stand, the catchment, or even the water around the mine site catchment, which has a one kilometer catchment dam from the mine site catchment, which runs parallel to the river, is a truly close to it.

If it overflows, or cracks, or seeps like Kate is, there is no backup catchment. This goes straight into the river system. This is unbelievable recycling. Asking Regis why put a tailing stand in a river? Why? Because it's the only economical way for them to build a one wall construction, cheaper, economically, maybe for them, but for the future and the environment devastation in this area, I don't think so. Yes, I went to talk to Regis, they never approached me.

I looked at the modeling and minimizing, and asked why they haven't done any flow testing, the only answer they came up with was offering to do some water quality testing, no water flow testing. Why? Probably because they don't want to know how good it is. This was discussed with the department too, but no response. Regis have been there for eight years, at least, why no flow data? Regis's advertising, they are going to drought proof the area. Maybe they should stick to mining because whatever is in the pipeline coming from Lithgow wouldn't be any good for a successful livestock and farming enterprise. The question should be asked what is exactly in this pipeline water?

The modeling has told us that Regis is taking only 4% flow going into Carcoar Dam. If these springs aren't there to charge the system, there will be no flood at all. This 4% has basically been worked out on the percent of the land that flows into the tailing stand and the project side from the catchment area of Carcoar Dam.

Regis has to find water licenses for the use of this water. There is not enough licenses in this part of the system for this. But the department has come up or made up some way to see them get these, the point has to be made that this is not the normal water license, where the license holder takes water out of a running river, as the water passes by. Regis's licenses are completely different because they are taking water before it's even there. I don't know, but does this seem to be a fair and just way for this project to advance?

There was no environmental... There was a... Sorry, there was an environmental flow of 192 meters license let go by the water minister last year, which was interesting how most rivers systems are trying to get back environmental flow. Regis won the tender for this license. Another blow to downstream users. Regis is continuously advertising that they are working with

downstream farmers, and I'm still waiting for some thumb- sort of invitations to talk to them. They just don't wanna hear about how the river system actually works.

As to the department, we had a meeting in this very building back in 2019. The department wouldn't let us talk to them and would be contacting all relevant stakeholders, and how the protests would work. I heard that the department was coming up for some time later to talk to near neighbors, so I had to contact them to get a meeting with Steven O'Donohue. I met with him and an expert at the site of the proposed tailing stand, and they got out of the car and didn't even know where the tailing stand wall was going.

I explained the river system in my case, they took no notes and ha- I had no response to my concerns. I would've thought that I was someone who was going to be greatly affected by this project, and I thought I would've had some sort of feedback or communication after this meeting. Nothing.

We've had a lot of success in mining in this area. We have Browns Creek mine, only five kilometers west of here. It's completely flooded. Unoperational. Yes, they're deep water. Junction Reefs, still leeching toxic water into the Black Re- River downstream. And Cadia, a break in the tailings dam lucky it was the top one. And then the other day, drilling out a vent, 800 meters off the mark and hit a source of water, causing major flooding underground.

Yes, success, maybe these mining factors need overhauled. Maybe this project needs to be looked at as a clean goal project rather than this archaic way of cyanide mining, because it's cheap. We can't change where the goal is, but we can change how it is processed. Even that said, the open cut pick is going to be there and drawing down water from around it, not only from what is left in the river, but two other arteries that feed into this system, which run right next to it for the next 400 years.

The department says this is only local water. In dry times, this will be the difference between a healthy running river, or one not at all. Every consideration has been given to what is under the ground, and no consideration to what is on top. The rivers in this country are the veins of our system, and where these tailing stand and mine site is going, it is the heart of this system. They are wanting to take out the heart. How, how will it be functional?

There are two main resources on this site, water and [inaudible 03:56:42], Regis and the department are wanting to take both forever. And on a personal note, we as farmers have to deal with floods, droughts, virus, pests and diseases. It's all part of farming. But this proposal has taken a far bigger toll in us, and our business today. Thank you for letting me talk, and I am available for any discussion and I live here.

Commissioner Williams:

Thanks, Mr. Price. Thank you very much. Will you be making a written submission as well? Thank you.

James Emmett SC:

Next, Rebecca Price is to address the Commission.

Rebecca Price:

Good afternoon, Commissioners, and I appreciate being able to stand here and speak today. I live with my husband, David, and our four children, Lucky, Harry, Eva and Kent on a mixed grazing property on the Belubula River about, approximately five kilometers south of Blayney. We also manage a number of family properties. One of which is three kilometers south of the proposed mine, also on the Belubula River. In total, we span 10 kilometers river frontage above Carcoar Dam with a landmass of over 3000 acres.

My husband has lived on this country all his life and my children, if they choose, will be fourth generation farmers on this land. This land is very important to us. And the river is our life blood. You may, by now, have read that Regis' experts description of our river is downplayed by its importance and it gave them a somewhat one-sided view of its existence. But here is another, you will have now seen this river with your own eyes. After this last flood, we saw levels rise to new heights, never seen before and records broken. But what you haven't seen is this river in drought. Now, that is something spectacular to see.

Strange, you may think that a river would even be remotely spectacular in a drought. The place, let me explain, we have springs that are located in the river headwaters where the TSF will be built. These springs are numbered in their 20s. And when there is no rain, they continue to provide the river with a trickle meandering down the river, leaving a green trail behind, keeping the river alive and charged, providing habitat and food as well as waterholes for stock and other animals to survive, all the way to care for them without a drop of rain. Its amazing feat means that when it finally does rain, the river flows immediately not having to dry, filled dry cracks and holes, but flows.

We know this because we have seen it over and over again. And we don't need any modeling to tell us otherwise, or to predict what will or should happen because we have seen it. At times, it may look stagnant and it may look degraded. But this can be deceptive. The river hangs on to life and survived some of the driest times when it experienced. It may not look pretty, but it's doing its job perfectly.

Every generation before us has been able to survive and produce quality feed and stock, thanks to this river, the most productive part of our farming operation in every climatic situation that has come before us. However, this proposal is something new. The prospect of damming a river, flooding all of the springs and hoping they're not contaminated or pop up conveniently downstream. This is not natural, and no one knows how this river will react and cope. No one is allowed to dam the river. No one, until now.

When a dam is built in normal, normal situations, its, its sizes condition and any overflow is directed to keep going down the natural course. But this time it will not. And the contents of this [inaudible 04:01:13] will remain over the top of this intricate and complicated set of springs seeps and don't forget the river itself, forever, like a ticking time bomb. This was never considered by the DPE in any part of its assessment. At no point have we have downstream units, users being considered by the proponent or the department as to whether a reduced flow, reduced quality or contamination of the river will actually affect us. Not one condition has been put in place to address the effects on us. Or if any of our needs if this happens. Even with the

reduced flow of supposedly a meager 4%, will have a massive impact on us and will affect our production levels. In fact, there's nowhere in the department's assessment that considers us at all.

They have stated that one of the key related water quality issues was indeed potential impacts on the downstream users in the Belubula catchment. But the DPE did not go on to say what that may look like and what that may be.

Prior to the EIS is coming out, we approached not only Regis, but also their consultants at various open days, asking for them to engage in flow data for the river instead of modeling. We offered our properties to undertake this and for the only required being that they'd come and do water quality tests, if they come out at all. We know that doing six years of flow data would have given more accurate results in the value of this river system. And we feel that Regis also knew that this would be the case. It's much easier to have modeling that can be tweaked to fit the much needed parameters. Our communication with Regis has always been one-sided. The only communication was when we contacted them and of course on their open days when they were armed with all of their experts, otherwise, nothing.

The prospect of our catchment being further affected by the importation of highly toxic water from three sources out of [inaudible 04:03:12] is a massive concern. The proponent they tried to sell this innovation as drought proof in the central west. However, studies have shown that the nickel and zinc levels of this water even when diluted, are still extremely toxic. This water which will also be used as dust suppressants on the road will contaminate soil runoff. The DPE ranks the salinity output of all three sources as being, animals may have initial reluctance to drink and there may be some diarrhea, that stock should adapt without any loss of production. But specifically, the very high salinity measures from Springbok Call Services source means that dairy and beef cattle would incur loss of production and a decline in animal condition and health would be expected. Stock may tolerate these levels for short periods if introduced gradually.

As a farmer, at no time would we want to subject our stock to water that will a, have a reluctance to drink and b, may have some diarrhea. We have some of the most stringently tested and audited industries to ensure we produce healthy and safe meat and livestock. It is absurd to think that the proposal to drought proof this area indeed be a positive addition to the rural community when we can already survived droughts and well, with well-managed bores, dams and rivers. Again, the DPE has not looked at this pipeline water and assessment in terms of inter catchment pollution, and this will do, all this will do is take one polluted water supply and place it in another catchment.

Last year, we took another blow when the minister released the surrendered water licenses in the unregulated part of the river, allowing a 192 mag license, which was surrendered in 2016 to be put up for tender. This license had been surrendered because we knew the river could not handle this type of pumping, and we were happy to leave it as environmental flow, to keep the river healthy.

However, we felt forced to tender for this license, potentially placing great strain on us financially, however, knowing that Regis would be hungrily applying as well, but knowing it

would be worth it if we could keep the water in the river but we lost. And thanks to Regis paying \$960,000, an amount we could never get close to, they now have this license which they can legitimately use up streams there which we were devastated.

Again, the department failed to assess this acquisition by Regis in terms of downstream water security, and how it may affect downstream unit, users as well as negative environmental effects. This project, as you will be acutely aware has affected us all. We were first alerted of it in 2016 when the preliminary EIS came out, and we saw the placement of the TSF. We, very promptly, went to the proponent, then run by Tony McFaul and Rod Smith and voiced our concerns about the location to which they replied, it was the most economical spot to put it. This comment has stayed with me for the last six and a half years.

I am well aware that every great business owner wants the best return on investment. However, at what price to the environment and the surrounding community? This proposal has consumed us and affected our family. It has been a topic of too many conversations, unwanted media attention taken us from our homes at night to be at meetings when our children have been growing through their most formative years. It has been an extremely negative experience. Regis has just sprinkled enough money around the community and sporting clubs to make people and local businesses reluctant to speak up and oppose this proposal. They have not taken our concerns seriously and they have not come near us at all for years. Except recently, an email and a phone call to no doubt tick off the community slash farmer engagement requirements.

Regis had place updates in our local paper every second week for years now, so people just expect the spin and a numb to their existence. But some of us are not, as recently as the end of July, at the end of July last year, one particular article written by Katherine Logan stated tailings are a mix of water and fine particles of rock. What about the other elements of a tailings dam that were left out? Such as lead, zinc, nickel, arsenic, molybdenum, cyanide, sorry, Katherine, I think you are getting the TSF mixed up with a river.

After the history making floods in November, I send an email with photos and a video to David Gainsford, Mike Mitchell Isaak, Clyde Pressure, and Steve O'Donoghue. After receiving an incredibly depart- departmental reply from Steve, something of which we have become accustomed to, he offered a call to which I said, "Yes." I tried to explain to him how this event had been so impactful to all of us, not just farmers, but the whole community, and pleaded with him to get out of his office in Sydney, and stop assessing this project on paper, come out, see it for yourself, and make some balanced decisions based on common sense. But I've got, "No way." He doesn't have to, he made that clear. And this has been the way all along, unanswered emails, no follow up when they have reached out, and the ones, uh, at all, the one time he came out here. No one in the department has looked at this from a human perspective, just words on paper, and lots and lots of modeling. I hung up the phone with tears of frustration, upset that my daughter had to listen to this call as we drove home from school.

This is what this experience has done. It has infiltrated every a- aspect of our lives. In fact, due to this process, I was writing as part of my speeches, I tried to watch my son play his Saturday morning cricket match. I truly believe just because this re- this resource is in the ground doesn't mean these companies such as Regis have the right to get it out regardless of where it is. People

say you can't move the gold. No, I agree. But it shouldn't mean that they have a God given right to mine it out regardless of the people and community in or around it. I appreciate that you understand this next issue, but I feel I have to mention it.

The last six years have taken such a toll on us. It has been done in our own time. We are self-employed, working extremely hard to earn a living like many here today. We have been affected financially by COVID. But every time we spend a moment on this, it has been our, in our own time. Standing here today has taken us from our businesses, at work, our families. This couldn't, couldn't be said to be the com- could be said to be the complete opposite for Regis and the DPE. This is their job, yes, but it doesn't make it fair.

People have said, no one is making you do this. And that is true. But if I'd have sat back and done nothing at all, I would never have forgiven myself. At the end of this process, our lives will have been permanently changed, friendships altered or dissolved, outlooks change, and we are tired. These processes wear you down. They make you question the people who are making the decisions, and it makes you cynical.

I have no desire to stay here, if this mine goes ahead. I can't sit back and watch it unfold. Watch this landscape and community be rubbish and desecrated over the next 15 years. I will not be witness to that. We've always seen ourselves as custodians of this land, which we farm, and our aim is always to leave it better than we found it, for the next generation to do the same, and we're always instilling this into our children as they never get their own futures.

However, how can we do this with the prospect of this mine and the environmental impacts that we'll have in the future? I cannot see any interge- generational equity with this assessment, as it has a relatively short span, time span of 15 years, but the environmental impacts will be multi-generational, felt forever onwards. What a legacy we'll be leaving for future generations. Gold is not a life-saving resource that is dependent on our survival but water is and it's not worth the risk. Thank you.

Commissioner Skyes:

I have a question around inflow modeling. Thank you very much, Rebecca, for your presentation. Um, I just had one question. Uh, earlier in your presentation, you spoke about, um, inflow data. And I was just wondering if you could explain sort of from a modeling, um, program perspective. Um, you, you mentioned that only quality monitoring, um, has taken place or would take place. Could you just, just explain to me what, um, or to us, um, uh, what the inflow data sort of modeling program could look like in a practical sense?

Rebecca Price:

So, I was, so flow data - - -

Commissioner Skyes:

Flow data, sorry.

Rebecca Price:

- - - in flow. So, yeah, so flow data, this, the flow data that they've used in all their assessments has been modeled based on the, the total, um, catchment area and the runoff into the tailing storage facility.

Commissioner Skyes:  
Mm-hmm.

Rebecca Price:  
So, we've read today that they've actually been at the mine for 10 years. They could have done flow, actual real time flow data over 10 years to get a more accurate, um, amount of water and, and quality of the, the flow that goes through the river - - -

Commissioner Skyes:  
Mm-hmm.

Rebecca Price:  
- - - rather than based 100% on modeling.

Commissioner Skyes:  
Yeah. Thank you for clarifying that.

Rebecca Price:  
No, that's okay.

Commissioner Skyes:  
Yeah, thanks.

Commissioner Williams:  
Thanks, Ms Price. Thank you very much.

James Emmett SC:  
Uh, the next speaker is James Stonestreet. I invite him to address the commission. Is James Stonestreet here? I, I think I hear people saying he's speaking remotely. Is that - - -

Audience:  
Yes, yes.

James Emmett SC:  
Oh, oh, all right. In the meantime, um, in the meantime, if, if Mark Tutton is here, we might be slightly ahead of time for Mark Tutton, but if he's ready to make a submission now, we invite him to address the Commission.

Mark Tutton:  
Hello, everyone, commissioners. Um, my name is Mark Tutton, I'm a local re- resident and landowner and opposed to the proposed McPhillamys gold project. Our property address, uh, is 441 [inaudible 04:14:38]. And I live at that address with my partner Michelle and six-year old

daughter, Holly. I'm calling the RPC to reject the DPE recommendations and the mine be rejected. I asked the RPC to know that our property is located 1.2 kilometers to mine site area and our house is located 1.6 kilometers to the boundary as well.

In reference to the development consent, uh, recommended by the DPE, I'll draw your attention to page 41.193 and 194 of the DPE, uh, assessment report. At no point has the applicant regis resources negotiated or discussed the implementation of mitigation measures, measures of our property or any other form of acquisition, quite to the contrary. Um, we had a meeting for years and ask that these questions were told that we would, uh, be affected, not be affected by mine site. Our farmers had rejected this considering their own close proximity to the proposed mine. As opposed to the Kings Plains residence, uh, we are directly to the east, um, from the tailings, the, the administration and processing facility.

Uh, no consideration has been given to the landowners to the east and northeast of the proposed mine. So, I call on the RPC, if the project was approved that the RPC Secretary enforces a mandatory acquisition of our property. At a current rate, three times the value that it is the amount, oppose the RPC's decision including legal fees, relocation costs and taxes as applicable. There is no way that we will be able to live in our property if this is approved.

Now, another point, agriculture. Point 404-30, development application, recommended by the DPE maintenance after three monitoring and management, but does not contain anything in relation to any form of farming, or sheep, or cow. We run an Australian white sheep flock on our property and they graze on pasture and drink water from our dams. There has been no consideration for dust and heavy metal contamination to our water or pasture. I call the RPC to reject the application based on incomplete assessment by the DPE.

The next point I have is noise. Uh, page 44 page three, uh, received locations. Our property is, is, is shown as IR7 district rule, according to the applicant's information provided to the DPE. There is no placement for noise monitoring at the locality at all. A call to have the applicant to install monitoring if the RPC approved the mine and that we are provided with live monitoring information so that we don't have, have to rely on the applicant covering up any exceedances. Um, operational noise criteria, page seven and page nine. The recommended, uh, development consider getting more estimates should be maintained throughout an entire project. If the RPC approved, I did not agree with the extra noise level for construction phase. We should not have to put up with any of this noise as it's worth living in the first instance.

Air quality criteria, 30, page 13, DPE recommended - - -

Commissioner Williams:  
Keep going.

Mark Tutton:  
Is that okay?

Commissioner Williams:  
Yes, keep going. You've still got a minute.

Mark Tutton:  
Keep going?

Commissioner Williams:  
Yes, please. Thank you.

Mark Tutton:  
Okay, um, uh, if the RPC approve, I do not agree with the extra noise level for construction phase, we should not have to put up with any of these noise if we live here in first instance.

Air quality criteria be 30, page 13 DPE recommended consent, the applicant is to provide dust monitoring of their property. Should the officer approve the application and we ask that we have real time access to monitoring. So, if there's any exceedances that we do not have to rely on the applicant is covering it up. Compensatory, uh, water supply. D42 page 15. The applicant must test the land owners water supply from rainwater tanks on a weekly basis and if contaminated from the mine site, provide alternative permanent water supply, all their drinking, all the supplies collected from our roof installing things. So, if there was a dust event for instance.

Commissioner Williams:  
Finish up, please. Thanks.

Mark Tutton:  
Is that alright.

Commissioner Williams:  
That's all right. Keep going.

Mark Tutton:  
Okay. Uh, if there is enough past event, uh, for instance, our potable water will be contaminated. Biodiversity, I call the IPC to reject their proposal, as it will have a detrimental effect on the native animals in the locality. Please, draw, draw your attention to the photos that live in your area. I would like to point out to the IPC that the DPE didn't make any effort to do the due diligence to come, and see, or speak to any of the land owners to the east and northeast of the proposed project. Rather rely on the applicant's information. And finally, as our property is located near the proposed pipeline corridor our access roads with crosswind traverses pipeline. I asked that the RPC if the project is approved, that the IPCC make sure that we have access at all times during construction of the pipeline. The roads affected are, are the Victoria, in the Victoria State Forest, gardens road, pounds lane across the road. Thank you.

Commissioner Williams:  
Thanks. Thank you very much, Mr. Tutton. Any questions.

Commissioner Skyes:  
No.

Commissioner Williams:

Uh, Mr. Tutton, could you, uh, make sure you submit that to the IPC as well, the, the observations please. Good. Thank you.

James Emmett SC:

The next person to address the commission will be Mr. James Stonestreet who will address the commission remotely. We have him on screen.

James Stonestreet:

All right. I'm James Stonestreet. Um, I, myself and my family farm approximately two and a half thousand acres surrounding, uh, the mine site of Kings Plains as well as several blocks to the east and north of town that have significant views of the mine site itself.

Uh, we plant lots of trees every year and spending considerable in the community also. The addresses we have are 3187 and 3257 Mid Western Highway, Kings Plains. These properties both front the highway between Dungeon Road and Kings Plains Road directly opposite the southern . We've owned this property after our parents for four years and our parents have owned this since 2004. We've had no correspondent with Regis or the department in regards to our farming business and how it will affect our business going forward.

Regis have filed to us to determine and the department what effects the mine will have for noise, dust and light pollution. Agriculture, in general, has not been touched on as the previous speaker has mentioned, and been fed a falsity of potable water being centered here, which sounds great for agriculture but its salty.

On both blocks, we have fronting those roads, we have housing entitlements for both those blocks and also, we have no value. And our ability to sell those blocks as no one in their right mind would build a house opposite the proposed mine site. On 330 [inaudible 04:23:43] Drive which joins the two blocks to the south, we have a permanent water creek that is a major tributary to the Belubula River. This river has numerous springs. Uh, during the '17, '18 and '19 drought, spared our livestock and utilized our ability to feedstock without trapping water. If this river is to be diverted around the mine site, surely, this is going to have an effect flowing up to our river. But again, Regis nor the department have any correspondence in relation to us and how that will affect us.

In terms of this, we have some sort of recording station with the, the readers on our boundary, within 50 meters of our boundary in an obscure location. Unfortunately, I wasn't able to load the photos up, they'd never cared to make contact with us. And let us know what that monitoring station is into the bottom of the hill, tucked behind the hill on a bunch of tree lines. I'm sure it's connecting river to the top.

We also have a property on 269 Marshalls Lane, which we go pass the Regis warehouse. We're up on top of another hill there. And we build the house in 2018. It looks directly east. You know, 5.5 kilometers from the southern bun wall]. During the drought, '17, '18, '19, I would agree with, with the data that the wind was predominant westerly wind. But now the predominant wind in the last two and a half years has been easterly. Not only will this blow across our property, it will also go down in the valley, in deployment.

At proper time, we do have people crossing the Kings Plains Highway, at Gerald's Mount uh, walls and not ever vehicle but it is. I demonstrate that light can travel much further than what's been currently assessed in the EIS.

Um, another one we have is about the appearance and visual aspect of the mine itself. At, at present, I'm looking at looking a sergent hill, which is 957 meters above sea level. This is our hill over here at 984 meters . And as to page 33, of the amendment report, the southern bundle here will reach a height with 1075 meters which takes some few meters about one of the current price points in the area. And we'll also make it clearly visible to the majority of Blayney as surgent hill is currently visible to the majority of Blayney especially those that have built up in the new housing area.

On top of this when we have a, a rise of 90 meters in sea level you would imagine we're going to have a significant effects in the windage particular and I don't see any data taking account for that. Regis and the department have again failed accurate assess the true effects from these projects. And in many a- areas, even friends now 7km away blissfully aware looking out of their house will be looking all the way into the mine site as well.

On top of this, this is primary cultural land and it has not been assessed for its true value. And then we have an issue with the water which I'm sure many people are covering off on but not as an effect this area, it effects from here to where it enters this sea in south australia. Thanks for your time.

Commissioner Williams:

Uh, thanks very much, Mr. Stonestreet. We appreciate that and also the, the imagery, the visuals you have shown us as well. Thanks for your time.

James Stonestreet:

All right. Absolutely. Thanks for your time.

James Emmett SC:

Uh, the hearing will now take a break for another 15 minutes again. Can I ask everyone to be seated 15 minutes from now, that is at, uh, 20 to four.

Can I invite everyone to take a seat now. For the last session of the day, uh, we're, we're about to resume submissions. Can I just, uh, uh, we are 15 minutes ahead of time. So if we come to someone before the time they've been allocated and they're not ready yet or they're not here, we move on to the next person and come back to anybody who's not ready. Um, but, um, the first speaker, uh, scheduled after the break is Anthony McIntosh. He's, he's definitely ready to make his address now. Can I invite him to address the commissioner? Thank you.

Anthony McIntosh:

Hi, my name is Anthony McIntosh. I'm represent- representing my family, boys and children, we thank you for your time. Uh, we built a lifestyle on our property at 325 Mid Western Highway at Kings Plains. With minimal impact, we enjoy the serenity of the area and this will greatly impact our lives.

Now, we have, uh, we've we've set our lifestyle up for a minimal impact on the environment. We have solar panels, veggie patch, fruit trees and chooks. We have our own local produce. This will impact them animals with explosions, the dusts. We look after people with disabilities, with hydrotherapy in our pool. Yeah, there's my wife suffers from asthma when exposed to particulates, matters and risks or Crystalline silica. We fear for our family and friends lives really.

Yeah, what we're looking at, like the tailings dam, that there's no backup. We have, we have pumps et cetera. We have two pumps. They've got an extra one in the shed just so they can put runoff. I don't know these things. Yeah, we have water erosion from bores and noise and light, dust pre- predominantly easterly winds as I live, you know there for approximately 20 years. And they're predominantly easterly. You know, I can hear trucks coming up mount fitz most nights.

What is, what if the mine sold on another company? We have all these things that have been put in place, or trapped down and thrown out the window. Yeah. Like are they going to, um, supply with, with drinkable water because of the particulates of the silica. Yeah, they're going on the routes, are catching up with air and water, you know, [inaudible 04:30:16] are banned for noise reduction. The purchase of our land which needs to be conditionally private, which states following an event of noise exceeding the limit set in title and upon receipt of written request, made the main column the predominant proponent must implement mitigation additional if some measures already exist in the system with a relay to mitigate the impact of noise vibration, dust on the property, they must be fully funded by the proponent and good compensation for the costs incurred to deal with the immediate impacts experienced until a permanent solution is, uh, you know, implemented.

The proponent is also responsible for ongoing maintenance costs and mitigation measures until the inclusion of mining operations. This condition is consistent with other recently recommended and approved projects. And there is no reason it shouldn't be a condition of this con- consent as well, that allow further addition consent will then follow in relation to the acquisition of a land house property again, that is normally conditioned in projects like this. The condition needs to start getting noise impacts exceed limits, the allowance exceeded or glassing on the limits of the air quality. The affected land, however can request the proponent to acquire the property upon receipt of the regular requests.

The proponent must acquire the land in accordance with the following within two months of receiving a written request for acquisition from the landowner. With acquisition rights, the application must be made in a binding written offer to the landholder, based on the current market value... of the landholder's interest in the land to date. The written request of the land is unaffected by, uh, the DOL having regard to existing and permanent use - - - what's that?

Commissioner Williams:  
Oh, please keep going.

James Emmett SC:  
That's, that's the bell.

Commissioner Williams:

You've still got another, still got another minute.

Anthony McIntosh:

Right. Existing and in accordance with our environment planning instruments at the date of the written request. Present of improvements of the land, and/or any improved building or structure left and physically commenced at the date of the land as written request, and is due to be completed subsequently to that date. The cost associated with relocating, including pets, livestock, belongings and contents, mortgage discharge fees, including loan payouts, costs, the cost of taking out a new loan for subsequent properties, and obtaining independent legal advice and expert advice for determining the acquisition price of the land, and the terms of [inaudible 04:33:10] on which it has been acquired.

Reasonable compensation for any disturbance caused by the land acquisition process, including, but not limited to, legal fees, for the purchase of new property, agent fees, and looking for a suitable new property, and other professional fees that relate to this process, additional financial compensation for the value of equivalent New South Wales stamp duty on the value of, of the property being sold, for the purchase of new property when an appropriate one is located, 50% of value of the property as compensation for the loss of life and displacement, and, and especially the stress that we've been going through over this matter.

If within two months of the binding written offer being made under the conditions above, the applicant, we cannot agree on the acquisition price of the lands and the terms upon which the land is to be required, then either party may refer the matter to the planning secretary for resolution. Upon receiving a request under the conditions above, the planning secretary requests-

James Emmett SC:

Mr. McIntosh, I'm sorry to interrupt, the second bell was the end of the time that's been allotted, subject to the Chair's discretion - - -

Anthony McIntosh:

Oh, I mean, I was just assuming you might give me a bit of leeway, as you said earlier, minutes earlier.

James Emmett SC:

Yep. That's, that's, that's a matter for the, for the Chair - - -

Commissioner Williams:

Mr. McIntosh. Yes, yeah, finish it up quickly, that'd be good.

Anthony McIntosh:

Yep.

Commissioner Williams:

Thank you.

Anthony McIntosh:

Thank you. Upon receiving a request under the conditions above, the planning secretary will receive the division of Australian Property Institute, and book in a qualified independent valuer, consider submissions from both parties, determine a fair and reasonable a- acquisition price for the land, and the terms in which the land is being acquired, have regard to the matter referred to in the above conditions.

I can't stress this enough, that, you know, the amount of degradation, and further down the Lachlan Valley, for this [inaudible 04:35:10] to be put at the start of the river is just unfathomable. I, I thank you for your time, but I just can't understand.

Commissioner Williams:

Sorry, th- thanks, Mr. McIntosh. Could I just ask one question of clarification? So, I, just at the beginning, I missed, uh, uh, y- your property's on Mid-Western Highway?

Anthony McIntosh:

Yes.

Commissioner Williams:

And you're located to, to, to the west of the proposed mine?

Anthony McIntosh:

Yes.

Commissioner Williams:

Therefore, affected by ongoing easterly winds?

Anthony McIntosh:

Beg your pardon?

Commissioner Williams:

Therefore you could be affected by the, um - - -

Anthony McIntosh:

I will be.

Commissioner Williams:

- - - prevailing easterly winds?

Anthony McIntosh:

Yeah, I will.

Commissioner Williams:

And, and talking about the, the mitigation and acquisition provisions, uh, approximately how far are you from - - -

Anthony McIntosh:  
About three kilometers.

Commissioner Williams:  
Okay, thanks. Just getting, that's clarified. Thanks very much, Mr. McIntosh.

James Emmett SC:  
Thank you. Uh, just before I, um, call the next speaker, just to remind everyone, the first bell, um, will indicate that there is one minute left of the allotted time, and the second double bell will indicate that the allotted time is up. That's subject to the discretion of the Chair. And just to remind everyone, if there's a document that you're reading from and you don't have time to read all of it, send it to the commission before 5:00 PM on the 15th of February, 2023, and the Commission will have it before it, and consider it in making its decision.

Um, the next, the next person to address the Commission is Jack Standing.

Jack Standing:  
Hello. My name is Jack Standing, I'll be speaking on behalf of my parents, David and Francis Standing, the landholders at 253 Walkom Road, Kings Plains.

We have a number of concerns regarding the environmental impact of the project. It's extremely pros- close proximity to a large number of the dwelling. And also the range of concerns regarding Regis' conduct in their proposed mitigation concerns. Our first major concern is dust emissions from the site, which we believe that, despite the mitigation efforts, will likely still remain an issue, just as it is at the nearby Cadia site. Drinking water contamination is a likely outcome, as our only water supply is fed from tanks, and depending on the levels of dust emissions, if they occur, this may be impossible to mitigate.

The company has also been vague and non-committal as to how they will monitor for dust and noise on impacted land holdings. All agricultural concerns near to the site are likely to be affected by this, and if the continued dust emissions from Cadia stand as an example, there will be done to remedy this. We also have concerns for our respiratory health, and if we were to suffer any ill effects, we'd have no proof that it was caused by the dust as there's limited dust monitoring.

Due to our p- proximity to the site, which we would share a border with, if not for being divided by the Mid-Western Highway, also brings to question the impact of both noise and light pollution. Any glow during the night is likely to be severe and unending, and noise impacts to be similar. To alleviate this, Regis has proposed the construction of a tall, southern amenity bund, however this creates its own problems. The bund will be constructed less than 700 meters from the dwelling over a period of two to three years. Previously, Regis has admitted to us that noise impacts from this construction, due to its intensive nature and proximity to our house, would likely exceed allowable levels for a period in excess of 18 months, potentially rendering our house uninhabitable.

This admission, however, has been given no further acknowledgement since, and further development of mitigations plans has failed to address this issue. Like the issue of dust, Regis has also been vague as to how they'll [inaudible 04:38:45] noise off their site.

We also have concerns as to our water resources. Disregarding the wider concerns about contamination of the entire Belubula River to the, due to the construction of tailings down on the river itself, our own water resources from the property would likely be negatively affected. As to the extent of these effect, we cannot be sure, and currently neither can Regis. We have had one water survey conducted from the last three years by Regis, but with no f- proposal for an ongoing plan to monitor water levels. This is of great concern to us, as our permanent springs have never run dry during the ent- our entire tenure of the property, a length of time approaching 20 years. If this mine is to go ahead, we would request that Regis be required to monitor the levels of these springs, and replace the water if necessary. Our proximity to the truck entry site is also of great concern to us. Its location roughly 500 meters from our house raises concerns not only of increase heavy vehicle traffic, but also of greatly increased noise generated from the compression braking due to our proximity to the highway, which is less than 100 meters to the house. This combined with the construction of the amenity bund will result in a constant background noise. There are also no current measures proposed to reduce this increased noise just from the trucks, disregarding all other noise emissions. And I said before, there's no measures, there's no measures to measure the noise of, on our property.

We also believe the site of the mine proposes an acceptable danger to the native wildlife. It is likely the populations of koalas will be affected, if not destroyed, at the direct site of the open-cut pit. The location of said pit will also destroy the last stand of old-growth eucalyptus near the site. We also consider the construction of a water pipeline carrying waste water from Mount Piper to be a great risk along its total length.

And we ask, if the project should be approved, we believe that further conditions of consent should include the following. Mitigated measures for dwellings, including soundproof cladding, double-glazed windows, air conditioning filtration and water filtration systems, monitoring for loss of private water resources, further mitigation matters, measures to monitor for dust, noise, and light emissions on impacted residents' properties, and an acquisition offer valid for the entire life of the mine, which offers a multitude of current market rate.

This short review of our concerns is not an exhaustive list, but rather a short summary of what we think will most impactful on our way of life. The proposal must not be allowed to proceed until these concerns have been totally alleviated. As my parents have said on numerous occasions, had they have known that a mine would be developed there, would ha- they would have never purchased the property two decades ago. Due to this, Regis owes it to them to have as little impact on them as physically possible.

And I'd just like to quickly touch on the, uh, lack of correspondence. We've had very little, uh, information come out of Regis directly to us for the last two years. And we believe they were deliberately misleading when they gave us the landholder mining consent form. Um, they gave it to us and told us it was not much of an issue, and it turns out it was quite important.

Commissioner Williams:  
Thanks very much, Mr. Standing. Thank you.

James Emmett SC:  
Can I next invite Bill Allen to address the Commission.

Is Bill Allen here? We're a little bit ahead of time for Bill Allen, so if - - - Oh, Bill?

Bill Allen:  
[Speaking indigenous language] What I said was, um, g'day, and thank you for here. My name is Dindawan, Dinawan Dyirribang, uh, of the clan of the Wiradjuri nation. Part of the Bathurst Plains, but also has association with this area.

My family, uh, is called the group, and my descendancy goes back to the fellow that some people know as Windradyne, he was a, he was a Wiradjuri war man, we was the, uh, head warrior on the day of, when colonial, uh, colonialism came to, to this part of the country. I'm part of the Bathurst Wiradjuri elders. Uh, we are made up of elders who come from four different clan groups, which is me, the which goes to from here to the Kala- to the Kalari, which is the Lachlan River, the, which goes to the north of Bathurst, and the, which is another mob that goes to the north of Bathurst.

So, I come here to speak on, today on, about country. I have the authority, as a Wiradjuri elder, to speak for country. We elders in Bathurst here have been fighting to try to, to protect country for a long, long time. We had the Battle in Bathurst here, with Mount Panorama, or as Wahluu as we call it, to protect the site on top of the mountain, which doesn't, you know, where they wanted to build a go kart track. Not just from a cultural perspective of it destroying the whole culture s-aesthetics of it, but also the, the site that they were gonna build it on, it would have taken away the, the, the aesthetics of the area of what that place is supposed to be about, which is about meeting a challenge.

And what that challenge is, is that the young fellas, when they came from here, they were taken over that way and put through their paces to become young w-, to become young warriors. So, Wahluu is a very, very important part of the story, as is this pa- place here. This place is like the staging area, where the boys from all parts of Wiradjuri country came to go through law to become warriors. So, with me talking to you today, and wearing this head- red headband, I'm speaking to you about my law. I know the white fella law, and that's what we deal with, white fella law all the time. But here, this is Black fella law what I'm talking about. And that area's very, very significant. And some of the things that have been said in reports that I've read is just complete and utter garbage.

Because we don't have archeologists, archeologists in this country, 'cause I've worked 12, 12 years in national parks, I worked as an Aboriginal site officer, and I read a lot of reports written by archeologists, a lot of them plagiarize stuff. They can't write their own stuff, particularly for the Central West. Central West is an area void of being p- being, being, um, studied to, to understand the, the Wiradjuri connection, and, and cultural sites in this, in the whole of the Central West.

So, that's why there's not much information out there. But we have a young lady who put her time and effort, can't think why, to write up these reports for the Orange Aboriginal Land Council, and then they dismissed what, what she put to 'em. Because they're after this. And I'll be straightforward with your fellas on that. That's what it's about, money. It's not about the cultural integrity and the protection of that place.

Like I said, I can speak for that place, I noticed, we, we got, they only spoke with the tangible site. They didn't talk about the intangible, the story associated with that place. I told you a little bit here about the boys coming from everywhere, that's a part of the story. That's not recorded in the, in their, in their reports, saying anything like that. Like I said, m- the elders in our group carry stories of this place here, what happened here, because they were s- they were s- they were still passed all down to our family, even though families were decimated during the, during the Bathurst Wars of 1824. We still survived, we still have the knowledge. We still are able to read the country, because that's what it's about, understanding and reading the country.

So, we are opposed to it on cultural grounds, but also even the, the ecological grounds. Now, it's, it's, it's at the headwaters of a significant river, the Bilabula, which is pronounced Bila-bula, which means two rivers. One river up top, one river underneath. That's what starts from there. And that carries all the water and everything downstream to everybody else. Orange Land Council didn't re- acknowledge that, you know, some of their people go fishing along that river. And if there was a bust in the, in the tailings dam, our whole s- water system is stuffed, and then our p-, then those people would not be able to go doing fishing if they, as they talk about themselves over there in Orange, because they go along that river, I know some of them, they do it.

Some of the sites there have not been properly a- identified. So, it's, there's a lot of fa- lot of faults and holes in what, what's been done. And it needs to be re-, the whole thing needs to be redone, because the Orange Land Council have dismissed what they, what they paid this young lady to go and do, and dismissed all the information she collected to say that there is no cultural significance, but they then come and talk to us... she spoke to us, that's why it was, all, all that stuff was in there about how significant the area was. But them fellas did their little review, and they never, ever come and spoke to us. And I don't think they, from what I'm been told, spoke to too many other people either. So, they're what we call [Speaking indigenous language] fellas. So, that, so what I'm saying to you is that that whole thing needs to be re-looked at by an independent archeological firm, Aboriginal archeological firm that has expertise in, in knowing about Aboriginal culture. Like I said, most archeological companies don't know about Aboriginal culture. They know what to look for, they know what, how to identify objects, but they don't know the culture that goes with it.

And I'd, like I said, I would, I would like to recommend that Regis, or this commission recommended another company come in and redo the whole thing. And have a look over the whole, h- have a look over the reports that have been written. Because I know for a fact that some of the stuff in there is, is pretty sacred stuff, and you go in there and destroy bits, it's gonna be horrendous for us. But not just for us, all of us as, as human beings, what's gonna happen.

Because there's just too much damage being done to the Mother. We just take too much from our Mother. We don't need all this stuff all the time.

So, that's my, my little saying. Um, if there's, youse got any questions to me I'll answer 'em if I can. But, um, otherwise, thank you.

Commissioner Williams:  
Questions?

Commissioner Menzies:  
Thank you, Mr. Allen. Uh, one question of clarification. You talked about the boys from, from surrounding areas coming here. Was that specifically to the mine site, or to the more general area here?

Bill Allen:  
No, they came from Wiradjuri country, all over Wiradjuri country. So, it wasn't all over Australia.

Commissioner Menzies:  
Yeah, no - - -

Bill Allen:  
This is - - -  
Commissioner Menzies:  
- - -so, so locally- - -

Bill Allen :  
This is Wiradjuri country.

Commissioner Menzies :  
Yep.

Bill Allen:  
So, they came here from down south, southwest, the west, and the northwest and the north. And they all came here to different, it's different songlines that they followed to get here, all right? And this, like I said, where the mine site is, where youse are gonna do stuff, that's the main crux of, of business that was carried out. And like I said, there's trees there, somebody s-, the previous speaker said about them being the last old-growth stand. Well, that's the reason why, because they were, those trees were what we call ancestral trees. So, when the boys came, they were, they'd be lined up behind certain trees, and, and that's [inaudible 04:53:15] their tree that they had to connect with.

Commissioner Menzies:  
Thank you.

Commissioner Williams:

Mr. Allen, you mentioned, a woman who prepared, or submitted, or assisted in a report, the Orange Local Aboriginal Land Council. Uh, is that report available at all?

Bill Allen:  
What's that?

Commissioner Williams:  
Th- the report that you're referring to that was done by that woman who spoke to you about the cultural aspects of, of - - -

Bill Allen:  
Oh, what, uh, yeah, well sub- well, it was, from my understanding, it was submitted to, as part of the, the, the reports and everything in the early stages.

Commissioner Williams:  
Right.

Bill Allen :  
And the, they had a change of people over there or something, and that's when they went and investigated it themselves o- and that, and then, uh, dismissed, uh, just about everything.

Commissioner Williams:  
Right. Right. Okay.

Bill Allen:  
So, yeah, we s- we've got copies and all that.

Commissioner Williams:  
Have you got copies of that?

Bill Allen:  
Yeah.

Commissioner Williams:  
If you'd like to submit that to the IPC, if you're able to, we'd be very happy to receive the submission.

Bill Allen:  
Yeah.

Commissioner Williams:  
If that's possible.

Bill Allen:  
Yep.

Commissioner Williams:  
Uh, th- that would be very helpful.

Bill Allen:  
Yep.

Commissioner Williams:  
Thanks, thank you very much, Mr. Allen.

James Emmett SC:  
Can I next invite Kate Church to address the Commission?

Kate Church:  
Good evening, Independent Planning Commission, residents, and neighbors. My name is Kate, I'm here to speak today, proudly on behalf of the Church family. My parents, Lindy and Phillip Church, have been living on 150 acres at Kings Pa- Plains for the past 40 years. Myself and my brothers have been fortunate enough to grow up in this beautiful land, and we're now sharing this with our children. The map that should hopefully be behind me shows our property at Pounds Lane, and the proximity to the proposed mine site. My aim today is not only to explain to you the devastating impact that this proposed mine has had on our family, but on our neighbors and our community as a whole.

Mom and dad found this property 40 years ago, and commenced building their dream home. They've been improving and caring for the land that they love ever since. Anyone who has visited the property would speak to the fact that the established home gardens would be impossible to duplicate in other location. Family and community get-togethers at Pounds Lane have clearly been the highlight of all of our lives.

10 years ago, the first mention of the McPhillamy mine project on their doorsteps has changed their lives entirely. They've been trying to cope with the ongoing stress and anxiety associated with the uncertainty of their future for decade now. The thought that they could be forced from the land that they love, or at best, have our way of life altered forever, has placed incredible stress upon all of us. The uncertainty has played a role in every single decision that they've had to make in the past 10 years, not only in regards to their home or potential improvements to make to the property, but with every business decision to be made about beef production, whether to outlay the cost of plowing a new paddock, to putting up a new shed, or what is the point, am I gonna lose it all anyway?

In the past 10 years that my parents have been communicating with various representatives from Regis, they've yet to receive an honest answer to a single question that they have asked. In the early stages of the mine, Chris Roach would smile and assure them that they needn't worry about being affected by the mine at all. They should just carry on living their lives as normal. Tony McPaul continually stated that they would not be affected by any form of pollution or changes to the water table or quality. Their concerns were, and still are continuously, patronizingly dismissed.

Five years ago, my father first became ill, and has been suffering, suffering the devastating effects of lung and autoimmune disease ever since. As you can imagine, these health concerns alone are a lot for a family like ours to handle. Being with dad is the heart of our business, and our family. On top of this, discussions about the environmental impacts, such as dust, would add to Dad's health prompted Mom and Dad to approach Regis when it reached a point that they couldn't stand it any longer.

Dad said, "Righto, make us an offer and we will go." Tony McPaul's words echo in my father's mind to this day, "At the moment, we are short of funds and we just can't afford to purchase any more properties."

All of Mom and Dad's concerns were dismissed, and they're currently in the exact same position, and this is five years later. You can imagine the feeling of worthlessness. We're not important to Regis, our health issues are not important, our concerns are not important, our feelings aren't important, our businesses aren't important, and our lifestyles, family histories, and our futures are not important to Regis.

The mine is the only thing that is important to Regis. They've supplied plenty of facts about how the mine will operate from day to day to Mom and Dad, about how important the gold is, but nothing about our community. There's 85 families out there like ours within a two kilometer radius of the proposed site. We know that they're feeling the same pain, as our community is a tight-knit one. We attend social events and community meetings together, and we're all aware of the shared stress and anxiety. Everybody knows everybody in the country, and Blayney Shire is no different.

Mom and Dad have watched their close neighbors' lives be decimated. Two of their closest neighbors and friends couldn't cope with the stress and anxiety anymore, and they couldn't see any option but to sell. Forced from their family farms has made them very regretful and bitter. One couple have even separated now. We know that Regis have offered contracts to some residents and not to other, offering purchase under Regis Resources' specific terms and their determination of what market value is. Obviously our community is slowly unraveling into social isolation, as other families have slowly been pickpocketed away.

Who knows what the future will hold for us, and for our families? But the emotional cost so far is impossible to calculate. Thank you.

Commissioner Williams:

Thanks. Sorry, Ms. Church, just, just one m- point of clarification, if I might. Um, uh, just your location at the beginning, did you say Pounds Lane?

Kate Church:

- - - they're at triple-two Pounds Lane.

Commissioner Williams:

Thank you very much.

Kate Church:  
Yeah.

Commissioner Williams:  
Thank you. That's, uh, I didn't need to know exactly where you live, but just (laughs) - - -

Kate Church:  
That's all right.

Commissioner Williams:  
- - - a, a general direction though. Thank you very much.

Kate Church:  
Thank you.

Commissioner Williams:  
Any questions? Thank you very much.

James Emmett SC:  
Ms. Church, just one minor thing, y- you, you referred to a map. If there's a map that you would like, your, um, property located on it, if - - -

Kate Church:  
Yep.

James Emmett SC:  
- - - if there's a map that you want the IPC, the commission to consider, um, you should inc-, could you include that in any written submission before the 15th of, um - - -

Kate Church:  
Yeah.

James Emmett SC:  
- - - February? Thank you.

Kate Church:  
Absolutely. Thank you.

Commissioner Williams:  
Thank you very much.

James Emmett SC:  
Can I invite as the next speaker, um, if, if he's ready, this is before the scheduled time, um, we're moving slightly out of order, Tony Newman, if he's here and ready to address the Commission.

Tony Newman:

My name is Tony Newman, and I live at 262 Walkom Road, Kings Plains. And I'd like to talk about my property, and why it's perfect for my current lifestyle, and why I don't wish to leave, but feel I'm being forced to relocate from my home. I've listed some concerns.

Convenience. Convenience is one of my greatest assets my property has at the moment. My fear is losing it if Regis Resources get approval to mine. I need to be central to Blayney and Bathurst for work, our family business is school buses, with a bus depot in both towns. The Blayney depot is 8 minutes away from my property, and the Bathurst depot is 25 minutes away in Kelso. My sister lives on the Bathurst side of, on the Blayney side of Bathurst, only being 14 minutes away. My property is only 20 minutes away from the center of Bathurst.

I do spend a lot of time in Bathurst visiting family and friends, and love the convenience of my current location. We have a fuel business consisting of an unmanned truck stop which is connected to our bus depot business, and a separate service station which we lease. One of my jobs is to maintain plant and equipment for both sites, which is 7 days a week. Having the convenience of only being 8 minutes away from work takes some of the pain out of me being on call after hours and weekends.

Being only 8 minutes from work also gives me the ability to go home for lunch through the week sometimes. It doesn't happen all the time, but when it does happen, I enjoy the break from work. My property is also located on the highway, which again has convenience. No dirt roads, less wear and tear on vehicles, less kilometers to travel to work. And I also have aging parents. My mother lives in Blayney, my father now lives in Bathurst with my sister as of four weeks ago due to his dementia. My mother is not able to provide full-time care anymore, my sister and myself now provide care for my father, which involves more travel to Bathurst.

Overall, these benefits may seem trivial to some, but for me they are important. When I drive a school bus both morning and afternoon, combined with three, which is three hours a day, then include the other driving I do per day, it equates to approximately three and a half to four hours a day. That's why my property is convenient for my lifestyle. I don't wish to live 30 or 40 Ks from work or Bathurst and travel the extra distances each day. That's not practical, cost effective, and it takes more of my time. It's not convenient.

So, looking at my lifestyle, my current position, I, and in my 10-acre property in Kings Plains is extremely convenient. Another point I'd like to make is the design position and benefits of my property. I have 1000 meters of altitude, views of Mount Canobolas from my front door, test bore water I can drink, lots of trees and animal habitat, and much more. I have an interest in biodynamic farming which I have been applying for over 15 years. This farming technique adopts the principals of chemical-free farming, making and applying organic preps, and working to help restore the balance of the soil. My fear is contamination of my soil, drinking water, and the food I grow due to the mining process.

The make-up of the material from the pit, when exposed and wet, becomes acid-forming. That's not ideal for a biodynamic property. My property's approximately 100 meters from the Regis boundary, 2-300 meters from the amenity bund, and 400 meters from the waste rock emplacement. You may now understand my problem. I also practice radionics in conjunction

with biodynamics to help apply and transfer frequencies of not only biodynamic products, but also remedies for the benefit of healing the human body. If Regis Resources were given approval to mine the Kings Plains area, myself and my property would not only, not be able to coexist due to our polar opposite primis- principles, but to start again on a new property would be devastating. And trying to find another chemical-free, biodynamic property in the area to purchase would be almost impossible.

I would need to re-locate further away, which would not be convenient to my current lifestyle. I have an enclosed orchard, 18 by 10 meter greenhouse, 9 by 5 meter by 1.2 meter external garden beds. That gives you some idea of the scale of my project. Other projects I'm currently working on at the moment is creating wildlife habitat for my property. S- the simple idea of creating food, water and shelter for animals is proving successful due to the range of wildlife that now reside on my property. So, overall, this property that I may have developed in this current location, it is perfect for my lifestyle. Why would I want to move when it's set up the way I want?

But here's my problem. Not wanting to move, and the negotiate agreement process. If Regis Resources was to receive approval to mine, I will need to move. Again, this is due to myself and Regis having polar opposite concepts of what is loving for this land. I want to heal this more parts of the land, make it better for me and all wildlife, and leave it in the state of good health, while Regis Resources wants to mind this amazing piece of Australia, and you know what happens next. By the time Regis has finished its mining process, they will contaminate 642 acres area of the tailing land, covering out multiple springs that feed the Belubula River, leave us with 1.2 kilometer wide, 460 meter deep peep of contaminated water, pump saline based contaminated water from the Lithgow area, to leach contaminate underground springs and aquifers, and leave us with a tailing stand, not rehabilitate at the end of its life.

A bit of top soil and some grass doesn't cut it, sorry. How many trees will Regis plant over the 642 acres TSF? None. Trees won't grow over the old tailings down south inside the sub soil will be contaminated. It won't support tree growth. Anything deep-rooted won't survive. This is not rehabilitation. Using rock and top soil at TSF to cover the problem is just a box ticking exercise put in place to tick the rehabilitation box for the DPE. All these contamination for a 10 year protest seems environmentally irresponsible. Regis will essentially become environmental vikings in the Kings Plains area. I think you know what I mean by this.

I will now raise another issue surrounding negotiating agreement. So if I've been forced to relocate from my current home due to my beliefs, and only get off at market value, that's right, market value, because that's all Regis's, Regis Resources is offering, by the way, which is a true story, then I'll be limited to what I can purchase from the sale of my property only being 10 acres. So what if I'm not able to find 10 acre, a 50 acre, a 100 acre property on the Backus road with the money I received from the sale?

I will need to borrow more money to find a bigger property to relocate. What if I need to knock on doors to find the perfect location that suits me, something that is convenient to my lifestyle and suits my way of life? And I'm not talking about tens of thousands of dollars, I'm talking about hundreds of thousands of dollars based on today's property market.

If I'm going to be... And I'm going to be very selective on what property I purchased due to the interest they have. So I ask you now, what option do myself and the other Kings Plains residents have? Because I'm telling you right now, based on how Regis Resources has treated myself and others in the past, they don't give a shit where we end up, or how much it costs the residents surrounding the mine to relocate. They don't care at all. If they did, they would've offered the residents in Kings Planes more than market value.

Honestly, the stress this project is placed on myself and other, others in the community, and especially the resident of Kings Plains, is physically and emotionally taxing. I know this directly due to the effect I feel in dealing with Regis Resources and the DPE. I get angry. I get really angry. They know. For example, Stephen O' Donahue, Mandana and another consultant, I don't remember e- e- I don't remember his name, um, held a meeting with the BHPG at Emma Lenche's property, my next door neighbor, in October, 2019.

After the meeting, the DPE representative agreed to visit my property so I could run over some of the concerns I had related to the mine project. We spoke for over an hour, no notes were taken that I witnessed, and then I waited for response from the DPE to my concerns. Would you like to know how long I rated? From October, 2019, 2019 for response regarding my concerns about the mine from the DPE team? Never got one, zero.

The only time I've talked to Steven O'Donoghuge since at home visit was via phone conversations regarding the negotiated agreements in the last three to four months, which I initiated. And again, after multiple conversations with Steven regarding the unfair structure of this agreement, he advised nothing could be done to change it. I think I did ask the DPE if the DPE would forward my concerns to the IPC in our assessment regarding agreement structure, and offer of only market value was, uh, for the purchase price of my property.

I'm not sure whether you got anything from them regarding that, that's for you to look up. So regarding my negotiated agreements, why do the residents, that will have to have no option but to move due to multiple negative impacts the mine will create if somewhere they don't wanna live, for a large sums of money to relocate due to only s- receiving market value for their property, this is all because of a mining company is forcing a new way into our Kings Plains field.

The responsibility of any Kings Plains res- resident being forced to move from their home should be the financial responsibility of Regis Resources, not just hand the residents market value as being offered cash for the property and catch you later. Regis needs to assist the residents financially in finding a new property. So when did this screw you behavior from Regis Resources towards the Kings Plains resident become acceptable?

I do believe we were here and established first, right? I kind of know a little bit now how the aboriginal people of this area felt 200 years ago when the first European settlers stand up and were forced out, out by... out of their home. I guess this is progress again, huh? I didn't vote for this project. The truth is I completely oppose it. I should not have to relocate when I'm exactly where I wanna be today. But I also know that my property will become contaminated, I'll need to

move. This verbal submission is not only representing me, but other residents surrounding the mine and people of the shire.

The reality is, our homes should be our sanctuaries. Our place to live, our place to rest, and our place to heal, a place to feel safe and a place to enjoy. Our homes will not be any of those things. Having an operational line across the road from our home, not only creates physical contamination, recreates emotional stress and anxiety to these residents, and therefore physical pain. I know this firsthand.

These will not be homes. There'll be places of anger and frustration. The emotional stress and anxiety, just going through the approval process over the last 10 years has been far above what I expected. The anger I've felt and witnessed from my fellow [inaudible 05:11:58] members and people within the community... I'll keep going, I'm finished.

Commissioner Williams:  
How much long have you got to, uh - - -

Tony Newman:  
Just the end of this three paragraphs.

Commissioner Williams:  
Okay. Quickly, thank you.

Tony Newman:  
The anger I've felt and witnessed from my fellow BH- BHP members and people within the community that opposes project is meant, and Regis hasn't even started mining them. The fact that people feel this way within the community about Regis indicate something must be wrong with their design and processes, otherwise, they would be already operating by now, right?

Look at the res- resistance of the project from not only locals, but other groups and individuals outside the community. This speaks loudly of bad design and concerning processes. It's been 10 years. That gives you an indication of that. The reality is, if Regis Resources had good project design, community engagement, environmental and social impact considerations, respect to the aboriginal people, culture and their country, I could go on, et cetera, et cetera, et cetera. Then myself and all individuals, stakeholders, environmental groups, and anyone else opposing this project would've nothing to say, right? Have nothing. This project is not right, this project is far from right. I will expand on these issues with my written submission to give you more detail and clarity. Thank you very much for consideration.

Commissioner Williams:  
Thanks Mr. Newman. Uh, sorry, your last point there, was you will be making written submission as well to expand?

Tony Newman:  
Right.

Commissioner Williams:  
Great, thank you very much.

Tony Newman:  
Thanks.

James Emmett SC:  
Can I next invite John Davis, to address the commission, if John Davis is ready to do so now.

John Davis:  
Thanks for the opportunity to address this, uh, public hearing. I'm not quite sure whether I'm in the right room or not. Um, I'm here to, to actually put up a case that, if the proposal goes through, that the, the advantages that would come to the area would be quite sensational. And, um, so my name's John Davis. Um, I'm married, three grown up children, six um, grandchildren. Um, I live in Orange. My employment is, um, motor dealer, 57 years, I'm from Forbes Orange. Uh, Bathurst and Young.

And the reason I believe that I could have gave some input to, was the government experience that I've had over the years, uh, which I think is quite extraordinary in this area. Um, and I'll just, sort of, run through it in regards to it in local government, like Orange City, um, Bathurst Drew, or sorry, Blayney and other council, and if you combine them together, uh, we have a situation where, uh, in years gone by, we had the Kate, the New Crest, um, proposal and I just happened to be, at that time, uh, a council on the Blayney council.

And for the first seven years I was, um, a counselor and for the following, um, 10 years, I was the mayor, so 17 years in Blayney. And the process was very much the same as... Well, it was exactly the same as what we're going through here now. And there were certainly, um, uh, a bigger group, a bigger group, but the same, the same challenges in regards to, uh, whether we get through or not.

Um, we certainly, um, had to, from a council's point of view, from my point of view, we had quite a few meetings in regards to the residents. Uh, we had quite a few meetings with, uh, the, the state government and the departments, and it was, uh, a little unusual because the, uh, the, the New Crest, um, proposal, Kate had Orange to bond and Blayney as a councils. And I think as a reward along the way, we were very leaning forward a hell of a lot higher, uh, than, um, our, our, um, bigger councils or Betha and Bathurst Orange.

Uh, we were very aggressive at the time and, uh, they gave us the cha- chance of, Ivy being selected as the chairman of the group. My general manager, Ray Honry, was the assistant to move that process through to see whether it was a pro- uh, proposal, would it be successful? Um, and how it would go. And which we certainly, uh, we certainly did.

Uh, when you consider Orange with 35,000 people, uh, we were, sort of, about six or seven, thereabouts, a thousand that was, sort of, in wonder how come that sort of happened. But we went through the full proposal. And it got a [inaudible 05:17:24], and, and there's been, um, I believe, as long as everything's on the table before you start, long as, long as the, uh, the, uh,

proposal gets through on its merits, and you've got a sort of a, a working party between the, um, the people that the land's on, or was on in that area.

And also, um, if they can get together and, and keep their word, that's the most... And I think most of the discussion today has come about really respect and, like, uh, there's no risk to Blayney, Blayney, for example. And we've, we've got the examples. For example, um, when I came to council in '87, uh, the place was near broke, uh, the, um, the president at that time was, uh, Mary, uh, Colbert. And he put us in a bus, 12 councilors around, we went, we got dirt, dust, went all dirt roads, um, it was aw- awful. We had lunch and then got back to room, uh, council chambers and, and we sat down and said, "Well, how are we gonna fix them all, we're all new counselors. There's a few here, probably, were those counselors at the time."

They said, "Well, how much money are we gonna fix that... the projects?" He said that 1.4 million, that was 1987. It's a bit of money. And you, you can see the councilors trying to sort out their little projects. And I said from the its... From my chair, Mr. President, 1.4 million, how much we got? And he said, 38,000. And that's where you start from. And like Blayney has been a very, very since then. Blayney really has come alive. And it's now starting to go again. There's no risk about that.

If it had a go line, it would certainly, would certainly, um, uh, go ahead leaps and bounds. And I have heard a couple of comments during the day where, "Oh, well there's no- I mean, there's nobody going, but, um, take the jobs cause there's nobody around." Well, that's correct, but the thing is, the best part about what I said about the gold mine was, we had people, when I went to school, people went to say high school certificate, or high school certificate, that's it. They never went to... If they went to university, they've never come back.

With the mining industry, like, they can go to the university and they can get jobs here. I'm all about jobs. Everybody knows that, and I run back down. The mine would certainly be very, very good if it complied, and so that's not my way. That's in your, uh, quarter.

Commissioner Williams:

All right. Thank you, thank you very much Mr. Davis.

John Davis:

Thank you very much.

Commissioner Williams:

Any questions? Any questions?

Commissioner Skyes:

No.

Commissioner Menzies:

No questions

James Emmett SC:

Uh, the next speaker, uh, we'll address the commission remotely and that is Damien Porter, who hopefully we have online. We'll bring... Mr. Porter, you're on screen now.

Damien Porter:

Thanks. Thanks very much, uh, commissioner, residents and others present today. I thank you for the opportunity to speak, um, today. My name's Damien Porter, uh, I'm general manager of Mars Group. Uh, we're a industrial services business based in Dubbo, New South Wales, with, um, operations also in Orange and Bathurst.

Um, I'm speaking today briefly, uh, in favor of the mine. Um, obviously, uh, with the business that we operate, uh, there is servant and economic benefits and opportunities, um, that are available to us, uh, and others, um, as a result, as a direct result of, um, of the mine, uh, proceeding. Um, we employ around 1,800 employees, uh, 1,200 of thereabouts for which are based in the Central West region. Um, and where obviously, the, like John just mentioned, um, looking, looking for many more and projects like this will allow us to, um, to get, uh, good long term employees, uh, to the business and to the region.

Um, we've been approached by Regis and been discussions with, um, senior management there for quite a while in regards to the project, and, and the economic viability. Uh, we've been, uh, assisted very... uh, engaged very early in the piece to assist with, um, the economic feasibility studies, uh, which, uh, we've provided various pricing and, uh, to Regis to, um, assist them with, um, with, um, understanding the economics behind the, uh, construction of the site.

Uh, just, yeah, that's, that's pretty much it from me. Uh, obviously your local business, uh, with, with intentions to grow and believe that this project will, um, will encourage us and others to, um, to, um, take advantage of that, uh, economic opportunity. Thank you.

Commissioner Williams:

Uh, thanks Mr. Porter. Um, sorry, you mentioned the, the employment figures, or employment figure for... is it Central West or your entire, uh, operations?

Damien Porter:

So, so our entire operations is about 1,800, uh, employees, up 1,200 of those are based in, uh, the Central West and New South Wales.

Commissioner Williams:

Great. Thank you very much.

Damien Porter:

Thank you

Commissioner Skyes:

Hi. Thanks. Thanks, Damien. I also, um, had a, a question, just your comment on, you know, the scale of your operations, and we have heard some comments throughout the day on, um, you know, the lack of, um... or workforce shortage in, in the area in general. Um, like, do you see skill shortage or workforce shortage? Um, a key risk should, um, the project progress?

Damien Porter:

Uh, certainly, work- workers are, are certainly under the count, I think with a project like this, it offers, uh, sustainable longevity. Um, a staff are a lot more, um, you know, inclined to, to, to come to the business. Um, generally we, we do short term to long and medium term projects, um, in the construction phase. Um, but with the project such as this, the, the services that we would provide would be on a long-term nature, um, which would, um, encourage employees to, um, to come to us and, and remain in the region for, um, for a longer period of time.

Commissioner Skyes:

Thank you.

Commissioner Williams:

Thanks very much, uh, Mr. uh, Mr. Porter with... That's, that's great.

Damien Porter:

I just appreciate the opportunity to chat and thanks very much.

Commissioner Williams:

Thank you very much indeed for addressing us. Thank you.

James Emmett SC:

Uh, the, um, next speaker who will address the Commission remotely, uh, um, will be online, we hope shortly, he's not presently online, so the Commission will take a short break, uh, while the, um, Commission staff confirm the link.

I, I apologize. When I said the next speaker would speak remotely, that wasn't correct. We have the next speaker here in person. That is Claire Bennett. Can I invite Ms. Bennet to address the Commission.

Claire Bennett:

Good afternoon, commissioners. My name is Claire Bennett, and I'm the Secretary of the Central Tablelands Aprif Association. I've been endorsed by our state body, the New South Wales, Apriest Association to speak today, opposing the pro- proposed gold mine owned by Regis Resources. I'm here today to convey the concern of our members, the everyday beekeeper.

The Central Tablelands branch covers from Lithco to Marlon, Cowra to Muji. It has been the largest member.... It has the largest members in New South Wales with 43 members. Beekeepers from our branch operate approximately 20 to 23,000 beehives, plus additiona- additional additional several thousand beehives registered with the New South Wales DPR. The Central Tablelands also has a large amateur beekeeping group.

If resources are continued to be taken from our industry, where does this leave beekers, beekeepers? Both in our local area and Australia wide. Our resources in the Central Tablelands are quickly diminishing. The urban sp- urban sprawl of our region has massive growth industry, and other mining activities such as Kadia, Trunky Creek, Arcadia, and Trunky Creek, Regis

Resources is also drilling several locations in the district. For example, Discovery Ridge at Cark and Ball Till near Borrenal, west of orange.

To the north of the Central Tablelands, access to the broadleaf iron bike tree has been denied by emerging coal mines. If the beekeeping industry does not start to protect its resources, they will simply run out. If Regis Resources proposed mine is approved, approximately 22 hectares, a virgin native bush will be destroyed. Many trees well over 100 years old. Trees from this area include yellow box and the endangered lake Red gum producing some of the finest honeys, not just in Australia, but around the world.

Regis have pledged to plant 22 hectares of native tree seedlings at an offsite location. These seedlings would take approximately 15 years to grow to the stage that where they would be viable for potential nectar production, given the harsh Australian environment, it would be expected that not all of these seedlings would survive. It has also been proven that old mature trees, like the trees proposed to be destroyed, are more productive in terms of nectar use. Given that the mine's lifespan is only 11 years, these trees will not reach maturity for honey production before the mining project concludes.

One issue that has been overlooked with the proposed project is the destruction of top soil. This will destroy any ground flora, which is essential for pollen, nectar, and breeding bees. The Central Tablelands is also concerned about contamination. The Department of Environment and the N Risk report do not come to any real conclusions about bees drinking from tailing stamps, as this has never been studied in depth.

In June, 2022, the beekeeping industry was faced with the incursion of varroa mite. Until this time, Australia was the only country freeing the world from this pest. Due to this incursion, more resources have been lost. Beekeepers cannot keep bees in the restricted zones. This makes resources in Central Tablelands even more competitive.

Apris and the Central Tablelands contribute millions of dollars to the economy, directly and indirectly through employment, pollination, and in supporting many local businesses such as mechanics, beekeeping, supply, and hardware stores in day-to-day running of their businesses. Central Tablelands branch is also concerned that the proposed mine will directly compete with the agricultural workers in the labor market, which is already in such short supply.

Some of our members have had to source labor from overseas or even halt expansion of their business due to insufficient staff. Commissioners, I would like to make you aware that the average age of a beekeeper in Australia is 58 years old. In the last few years, beekeepers in the Central Tablelands have had to face many obstacles such as drought, fire, floods, COVID, varroa, and now the ongoing battle of loss of our resources.

Some have it called quits, others, it's just a matter of time. The proposed mine will take more crucial native flora from our already diminished resources, in both private and public land side. Without young people like myself advocating for our industry, and continuing to fight for these resources, young people today will think twice about entering this industry. This will have huge implications for the Central Tablelands and Australia as we know it.

New South Wales is the largest producer of honey in Australia, and provides the largest number of hives for pollination. The proposed mine will not only affect our industry, but every single person in this room as a consumer. One in every three bites of food, due to pollination of honeybees. No resources equals lack of beekeepers, equals a threat to our food supply. If our industry does not look after its grassroots, we bake, uh... we face a bleak future. The Central Tablelands branch is extremely disappointed that Regis have not consulted them on this proposal. Commissioners, thank you for your time today.

Commissioner Williams:

Thank you, thank you. Yeah, yeah, just while we're waiting, sorry, just a point of clarification, Ms. Bennett.

Claire Bennett:

Yeah.

Commissioner Williams:

Um, you mentioned that loss of 22 hectares of native vegetation - - -

Claire Bennett:

Yeah.

Commissioner Williams:

- - - on, on the side. Uh, any replanting offsetting that would occur?

Claire Bennett:

Yeah.

Commissioner Williams:

You sa- correct me if I'm wrong. In your argument, the, the time it'll take for that to grow, to reach maturity or sufficient stage - - -

Claire Bennett:

That's right.

Commissioner Williams:

- - - for these flowers that the issue?

Claire Bennett:

Yeah, correct. So e- if they plant trees today, um, before the... It'll be approximately 15 years if the trees survive before they'd viable for nectar or honey production.

Commissioner Williams:

Mm-hmm.

Claire Bennett:

Um, and it will never be the same. The trees that they're taking away are hundreds of years old. Um, and studies have proven that trees of that age have much more, uh, nectar yield than newly trees, even 15 years old. Yeah.

Commissioner Sykes:  
Mmh.

Commissioner Williams:  
Sorry also, you mentioned, um, the possibility of bees drinking water from the tailings dam?

Claire Bennett:  
Yeah.

Commissioner Williams:  
Is there any evidence for that, the bees will do that?

Claire Bennett:  
Uh, well, there was some reports done, I believe. I'm not 100% over that. But, um, it's not good for bees to drink. Obviously, We don't know what's in the, in the source of water, but any contamination to bees is lethal to bees. So, yeah. But there's no real report that's being adequately done on that.

Commissioner Sykes:  
Thanks very much, Claire. I actually had a, a similar question as well, um, around the bees and the tailing stems. But separately, um, you mentioned New South Wales being the largest producer of honey in Australia.

Claire Bennett:  
Yeah.

Commissioner Sykes:  
Could you give us some context of, um, this central West region - - -

Claire Bennett:  
Yeah.

Commissioner Sykes:  
- - - in terms of the contribution to New South Wales contribution or Australia?

Claire Bennett:  
Yeah, definitely. Well, uh, part of one of our members groups is the la- one of the largest beekeeping companies in Australia. Uh, that makes up, uh, some of the portion of our members, but we have 43 members in total. Uh, and as I said, around 20 to 23,000 beehives. Um, there's lots of land that's already been taken off, uh, beekeepers that, um, that we can't use anymore through local land services and forestry commissions.

Commissioner Skyes:  
Mm-hmm.

Claire Bennett:  
Um, the lands already being, uh... is slowly taken away from what's the more land that we lose, the less bees that we can keep, the less, um, hives that we will have for pollination purposes. And I'm not, uh, over exaggerating when I say that is a genuine concern for our food supply. And yeah, so we have a very large beekeeping group in the Central Tablelands, even with a lot of beehives who are already struggling to find land to put their hives.

Commissioner Skyes:  
Mmh.

Claire Bennett:  
And the age of the beekeepers that they are, they... Some of them don't have much fight left. And if it gets harder than what it already is, then, you know, they won't be here for very long.

Commissioner Skyes:  
Thank you.

Claire Bennett:  
Thank you for your time.

Commissioner Williams:  
Thank you very much. But that'll be a presentation, just spending... Well, I think that's all our speakers for, for the day. So, um, I'd just like to, uh, today's proceeding. So, so thank you all. Um, thank you to everyone who presented today and for your thoughtful presentations. A transcript of today's proceedings will be made available on our website in the next few days. Um, just a reminder that the commission will accept written submissions on the McPhillamys gold project up until 5:00 p.m. Australian Eastern daylight time, time, on Wednesday the 15 of February, 2023.

Um, it's particularly helpful to us if you can comment in your submission at this stage on things like the assessment report for this project prepared by the department, and the associated draft conditions. Um, you could submit your comments using the, uh, and I quote, uh, "Make a submission." Portal on our website. Um, we'll be back tomorrow morning at, uh, 10:00 a.m. for day two proceedings. Um, thank you very much for your company today, uh, from all of us at the commission. Uh, enjoy your evening and goodnight.

- - - Ah, I think we have a question from the audience?

[Audience, inaudible]

Commissioner Williams:  
It's within their... They're entitled to talk from their perspective of their reputation.

[Audience, inaudible]

Commissioner Williams:

Well, that's, that's newspaper articles. Um, you would need to have direct evidence. Um, do you want to - - -

James Emmett SC:

Um, can, can I say this? The, um, to the extent that the Commission receives submissions that are not relevant, that are... um, and there are certain matters like reputation that are formally irrelevant, the Commission will not take them into account.

[Audience, inaudible]

James Emmett SC:

Can I say, you know, no. That's the, the, um, reference to the mandatory irrelevant matters that, uh, that the Chair referred to in opening. Those are matters that the, that are dictated by a statute. We don't have context. That's not a choice of the, of this Panel, uh, in relation to those mandatory matters.

Commissioner Williams:

The matters for consideration of the Environment Planning Assessment Act, uh, make it very clear we can't consider past breaches.

[Audience, inaudible]

Commissioner Williams:

Um, it's not my personal comment that I have to hold views. I have determined, uh.. I base, as we all do, base our decisions on legislation and policy and, and, and community consultation.

[Audience, inaudible]

Commissioner Williams:

Of course not. No. Not at all. Not at all. Look, if there's anything you would like to say in that area, you could put that in your written submissions. Uh, but I do, do caution that we, we are constrained in what we, by statute, can and can't consider. And that's the legislation, not us.

Thank you very much. Thanks for your questions. Thank you. Goodnight everyone. Have a good evening. Thank you.

**END OF TRANSCRIPT**