



Our ref: DOC22/652802

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Dear Mandana

McPhillamys Gold Project – Amendment 2

Thank you for your e-mail dated 15 July 2022 to the Biodiversity, Conservation and Science Directorate (BCS) of the Department of Planning and Environment inviting comments on the response to BCS's comments for the McPhillamy's Gold Project (Mine and Pipeline).

BCS has reviewed the response from EMM (*Response to recommendations from Biodiversity, Conservation and Science Directorate*) dated 14 July 2022 and the updated BDAR. BCS has also reviewed additional information provided to BCS on 12, 16 and 18 August 2022.

BCS provide several new comments that require action. Our detailed comments are provided in **Attachments A and B**, which includes a tracking summary against our previous comments.

If you require any further information regarding this matter, please contact myself via michelle.howarth@environment.nsw.gov.au or (02) 6883 5339.

Yours sincerely

Michelle Howarth
A/Senior Team Leader Planning North West
Biodiversity, Conservation and Science Directorate

23 August 2022

Attachment A – BCS's detailed comments

Attachment B – BCS's tracking summary against previous comments

BCS's detailed comments

McPhillamys Gold Project – Amendment 2

1. The BDAR must be updated to reflect changes to credit liabilities in the BAM-Calculator

Recently the BAM support team identified a BAM calculator (BAM-C) issue that was impacting credit calculations for some BAM-C cases. The BAM-C cases and credit reports included within the revised BDAR for McPhillamy's Gold Project (pipeline portion only) are affected by this error which incorrectly results in a lower ecosystem credit obligation. This issue has now been resolved in the McPhillamy's BAM-C cases and the cases have been returned to the accredited assessor.

The accredited assessor must generate updated credit summary reports for each of the pipeline BAM-C cases, and update the BDAR throughout to ensure that the credit liabilities presented in the BDAR are consistent with the corrected BAM-C calculations.

Recommendations

- 1.1. Update BDAR throughout to ensure credit liabilities presented in the BDAR are consistent with the corrected BAM-C calculations.
- 1.2. Attach updated credit summary reports to BDAR.

2. Presence of the Key's Matchstick Grasshopper must be determined

BCS note that following quarterly updates to the BAM-C a new candidate species, the Key's Matchstick Grasshopper, is now listed as a species for assessment in the Orange, Bathurst and Hillend IBRA subregions, for both the pipeline and mine site. As required by section 5.2.4(2) of the BAM, the presence of the species must be determined by conducting a targeted survey, assuming the species is present, or obtaining an expert report.

Recommendations

- 2.1. The presence of the Key's Matchstick Grasshopper must be determined in accordance with section 5.2.4(2) of the BAM.

3. Updates are required to Purple Copper Butterfly and Pink-tailed Worm Lizard species polygons

BCS received additional information from the accredited assessor on 12 August 2022 identifying small errors in the total hectares for both the Purple Copper Butterfly and Pink-tailed Worm Lizard. BCS have reviewed the calculation errors and accept the following changes;

Entity	Species polygon total area described in amended BDAR dated 14 July 2022	Corrected Species polygon total area
Purple Copper Butterfly	1.14	1.18
Pink-tailed Worm Lizard	4.12	4.03

Recommendations

- 3.1. The BAM-C and BDAR must be updated to be consistent with the above corrected values.

BCS's tracking summary against previous comments

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BCS Comments dated 24 June 2022	EMM Response dated 14 July 2022	BCS Comments
<p>Large-eared Pied Bat and Brush-tailed Rock Wallaby species polygons are not consistent with Appendix G</p> <p>Table 7 of Appendix G in the BDAR outlines the amount of potential habitat identified for each candidate species that has been assumed present within the proposed new section of pipeline in the Bathurst IBRA subregion (north option). Table 7 states that 2.43 hectares of potential habitat is present for both the Large-eared Pied Bat and the Brush-tailed Rock Wallaby however only 0.7 hectares of habitat has been entered into the BAM-C. In the absence of targeted surveys and where a species is been assumed as present all suitable habitat must be included in the species polygon.</p> <p><u>Recommendation</u></p> <p>Include all suitable habitat in the species polygon for Large-eared Pied Bat and Brush-tailed Rock Wallaby or provide adequate justification for the exclusion of parts of the habitat.</p>	<p>Section 2.1.2 of <i>Response to recommendations from Biodiversity, Conservation and Science Directorate</i> dated 14 July 2022.</p>	<p>BCS is satisfied with additional justification provided. No further comments.</p>
<p>Booroolong Frog species polygon has been reduced</p> <p>The species polygon for the Booroolong Frog has been reduced by 1.49 hectares in the Capertee Uplands IBRA subregion. BCS understands that</p>	<p>Section 2.2.2 of <i>Response to recommendations from Biodiversity, Conservation and Science Directorate</i> dated 14 July 2022.</p>	<p>BCS has reviewed the response to recommendations dated 14 July 2022, the updated spatial layer (provided to BCS on 16 August 2022) and additional information (provided to BCS on 18 August 2022) and</p>

<p>the proposed amendment includes the removal of the Mount Piper blowdown pipeline in the Capertee Uplands IBRA subregion; however, the area removed is not associated with the Booroolong frog. It is not clear why this area has been reduced. The BDAR must clearly articulate and justify why changes to the polygon for the Booroolong frog have been made.</p> <p>The species polygon for the Booroolong frog has also been reduced by 0.46 hectares in the Bathurst IBRA subregion (south option). The BDAR must clearly articulate and justify why changes to the polygon for the Booroolong frog have been made.</p> <p><u>Recommendation</u></p> <p>Provide adequate justification for the changes made to the Booroolong frog species polygon in the Capertee Uplands and Bathurst (south option) IBRA subregions.</p>		<p>accept the final polygon for Booroolong Frog with an area of 1.28 hectares.</p> <p>BCS acknowledges that the additional information from the assessor provided on 16 August 2022 states that area figures were doubled in error for the polygon in the Capertee Uplands IBRA subregion.</p> <p>Creek crossings with suitable habitat (rock or cobble banks) in Bathurst (south) and Capertee Uplands IBRA subregions were buffered by 50 metres from the instream area of habitat (as described in Table 5.12 of the BDAR), giving a total area of 14.12 ha. The polygons were then intersected with the construction management zones (DIMZ, TRWIMZ and WIMZ, as described in Section 4.2.3 of the BDAR) of the pipeline alignment, to define the area of project impact within each unrefined species polygon. The project impact totals 1.28 hectares.</p> <p>BCS accepts the proposed amendments to the BAM-C provided by the assessor on 18 August 2022.</p> <p><u>Recommendation</u></p> <p>The accredited assessor must update the BDAR and BAM-C to be consistent with the above.</p>
<p>Brush-tailed Phascogale species polygon has been reduced</p>	<p>Section 2.3.2 of <i>Response to recommendations from Biodiversity</i>,</p>	<p>BCS acknowledges that section 2.3.2 of <i>response the recommendations</i> states that the area of 0.1 hectares entered into the</p>

<p>The species polygon for the Brush-tailed Phascogale has been reduced in the Orange IBRA subregion in the BAM-C. In tab 6 of the BAM-C the assessor has entered 0.1 hectares for vegetation zone '277 intact' instead of 1.1 hectares. Based on the information provided in the BDAR and a review of the spatial data it appears that the correct figure is 1.1 hectares and the figure entered into the BAM-C is an error.</p> <p>The data presented in the BDAR, spatial data and BAM-C must be consistent.</p> <p><u>Recommendation</u></p> <p>Ensure that all data entered into the BAM-C is consistent with the BDAR and spatial data.</p>	<p><i>Conservation and Science Directorate</i> dated 14 July 2022.</p>	<p>BAM-C for vegetation zone '277 intact' is incorrect and will be updated to 1.1 hectares.</p> <p><u>Recommendation</u></p> <p>The accredited assessor must update the BDAR throughout to be consistent with the updated BAM-C.</p>
<p><u>Austral Toadflax and Silky Swainsona-pea species polygons have been reduced</u></p> <p>The species polygon for the Austral Toadflax and Silky Swainsona-pea has been reduced by 0.70 hectares in the Bathurst IBRA subregion (north option). The 0.70 hectares that have been removed from the polygon are part of the vegetation zone '1330 DNG', the area of this vegetation zone has not changed as a result of the pipeline amendment and therefore it is unclear why part of this vegetation zone has now been excluded from these species polygons. The BDAR must clearly articulate and justify why changes to the polygon for these species have been made.</p> <p><u>Recommendation</u></p> <p>Provide adequate justification for the changes made to the Austral Toadflax and Silky Swainsona-pea species polygons in the Bathurst (north option) IBRA subregion.</p>	<p>Section 2.4.2 of <i>Response to recommendations from Biodiversity, Conservation and Science Directorate</i> dated 14 July 2022.</p>	<p>BCS is satisfied with additional justification provided. No further comments.</p>