Our ref: MAAG0008420
LETT0005011

Planning and Assessment, Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124
Attn: Mandana Mazaheri

Dear Mandana Mazaheri

By email: Submission by Major Project Website

McPhillamys Gold Project (SSD-9505): Submissions Report

I refer to the email dated 8 September 2020 inviting the Resources Regulator to provide advice regarding the McPhillamys Gold Project (SSD-9505) Submissions Report.

Development Details

The McPhillamys Gold Project is a proposed gold mine located approximately 8 kilometres north-east of Blayney, NSW. The McPhillamys Gold Project proposes to:

1. Construct an open cut mining operation with a tailings storage facility (TSF), processing plant, waste rock emplacement (WRE) and ROM.
2. Construct a pipeline to enable the supply of water to the mine site from Lithgow.

Advice requested

The Resources Regulator has previously provided advice on the following:

1. SEARs to be applied to the project in August 2018 (Our Ref: MCV18/885, DOC18/586199)
2. Adequacy of the Environmental Assessment in October 2019 (Our Ref: MAAG0004294, LETT0003091).

The current request for advice relates to the McPhillamys Gold Project Submissions Report dated September 2020, which provides information in response to submissions received, including that of the Resources Regulator noted above.

Environment and Rehabilitation

The Mining Act Inspectorate within the Resources Regulator has responsibility for providing strategic advice for environmental issues pertaining to the proposed project in so far as they relate to or affect rehabilitation.

The Mining Act Inspectorate advises the Department of Planning, Industry and Environment that information contained in the submission report addresses issues previously raised by the Resources Regulator with the exception of the following:

Final landform of Tailings Storage facility (TSF)

The Submission Report shows a reconfiguration in the final landform and surface water management for the TSF. The final landform now directs surface water east, rather the west. Although the conceptual final landform diagram (Figure 4.19) does not indicate any surface water management structures to allow surface water collected on the TSF to be discharged, information in the *Appendix D Tailings Storage Facility- design review and response to submissions* indicates that a "TSF beach drain" as well as an emergency spillway are to be incorporated into the final landform (refer to drawing 1000-301 Post Closure Layout Plan). Based on the revised information provided, the Resources Regulator requires the following to be addressed:

- Clarification that the the final landform will incorporate both a TSF beach drain and an emergency spillway i.e. update to the conceptual final landform diagram (Figure 4.19).
- Confirmation of the performance of these structures to withstand significant rainfall events, noting that both ANCOLD and the recent ICMM Global Tailings Review specify design criteria of 1:10,000 AEP for tailings facilities post closure.

Capping design for tailings storage facility and waste rock emplacement to accommodate tree growth

The Resources Regulator notes the information provided on the capping design for both the TSF and WRE to accommodate tree growth. Information provided that proposed capillary break on the TSF will be 'self healing' does not address the our concern regarding trees naturally establishing on the TSF and the capping being able to sustain this.

In order to validate the capping design to accommodate trees, we will require trials and research to assess the design as part of a Rehabilitation Management Plan (currently covered by the Mining Operations Plan requirement under the Mining Act 1992).

As part of the development of the Rehabilitation Management Plan/Mining Operation Plan, the Resources Regulator will seek clarification rehabilitation risks, identification of risk treatment controls, their implementation and monitoring of effectiveness specific to the capping design for the tailings Storage Facility and Waste Rock Emplacement.

It should be noted that the Resources Regulator’s does not provide any endorsement of the proposed rehabilitation methodologies presented in the EIS. Under the conditions of a mining authority granted under the Mining Act 1992, the Resources Regulator requires an authority holder to adopt a risk-based approach to achieving the required rehabilitation outcomes. The applicability of the controls to achieve effective and sustainable rehabilitation is to be determined based on the site specific risk assessments conducted by an authority holder. An authority holder may also be directed by the Resources Regulator to implement further risk control measures that may be required to achieve effective rehabilitation outcomes.

Work Health and Safety

The Mine Safety Inspectorate within the Resource Regulator is responsible for ensuring the mine operators' compliance with the Work Health and Safety (WHS) legislation, in particular, the effective management of risks associated with the principal hazards as specified in the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014.

The Mine Safety Inspectorate advises the Department of Planning, Industry and Environment that there is no further comment to the information provided in the previous correspondence dated October 2019.

If you require additional information, please contact the Resources Regulator on 1300 814 609 or via email at nswresourcesregulator@service-now.com.

Yours sincerely,

Chris Rudens
Manager Environmental Projects
Resources Regulator

29 September 2020