



McPhillamys Gold Project Amendment Report

Prepared for LFB Resources NL
May 2022





MCPHILLAMYS GOLD PROJECT

AMENDMENT REPORT

MAY 2022

EXECUTIVE SUMMARY

The McPhillamys Gold Project (MGP) is located 8 kilometres north-east of Blayney in Central West of New South Wales (NSW). The MGP would include the development and operation of an open cut gold mine and supporting infrastructure over a 15-year project life.

LFB Resources NL, a 100% owned subsidiary of Regis Resources Limited (Regis) is the applicant for the MGP.

Regis submitted the *McPhillamys Gold Project Environmental Impact Statement* (Regis, 2019) (the EIS) for assessment under the *Environmental Planning and Assessment Act 1979* in 2019 and subsequently in 2020, submitted the *McPhillamys Gold Project Amendment Report* (Regis, 2020b) (the 2020 Amendment Report) to incorporate project changes proposed in response to the submissions received on the EIS.

Since lodgement of the 2020 Amendment Report, Regis has refined the MGP design to respond to particular comments raised by the Department of Planning and Environment – Water regarding the mine site water management system, and to reflect the outcomes of ongoing consultation with landholders (including Energy Australia) at the mine site and along the water supply pipeline.

In summary, when compared to the 2020 Amendment Report, the proposed amendments to the MGP design would include:

- revised mine site water management system;
- revised Mining Lease Application (MLA) 574 boundary;
- revised alignment of a section of the northern option of the water supply pipeline; and
- revised location of the Mount Piper Power Station water supply pipeline connection point.

The proposed amendments to the mine site water management system would maximise the amount of clean water being diverted around the mine site, resulting in an additional 32 hectares of undisturbed catchment being diverted around the mine site into the Belubula River.

In addition, the reduction in MLA boundary as well as the revised alignment of a section of the northern option of the water supply pipeline would result in an overall reduction in the surface development area of the MGP.

Overall, the proposed amendments would not result in any additional material environmental impacts beyond those assessed in the 2020 Amendment Report.

Accordingly, the conclusion in the EIS and 2020 Amendment Report that the MGP is, on balance, considered to be in the public interest of the State of NSW remains unchanged.

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1. INTRODUCTION

1.1. BACKGROUND

The McPhillamys Gold Project (MGP) is located 8 kilometres (km) north-east of Blayney in Central West of New South Wales (NSW) (Figure 1-1).

The MGP would include the development and operation of an open cut gold mine and supporting infrastructure over a 15-year project life.

LFB Resources NL (ABN 90 073 478 574), a 100% owned subsidiary of Regis Resources Limited (Regis) is the applicant for the MGP. The contact details for LFB Resources NL as well as the NSW head office in Blayney are as follows:

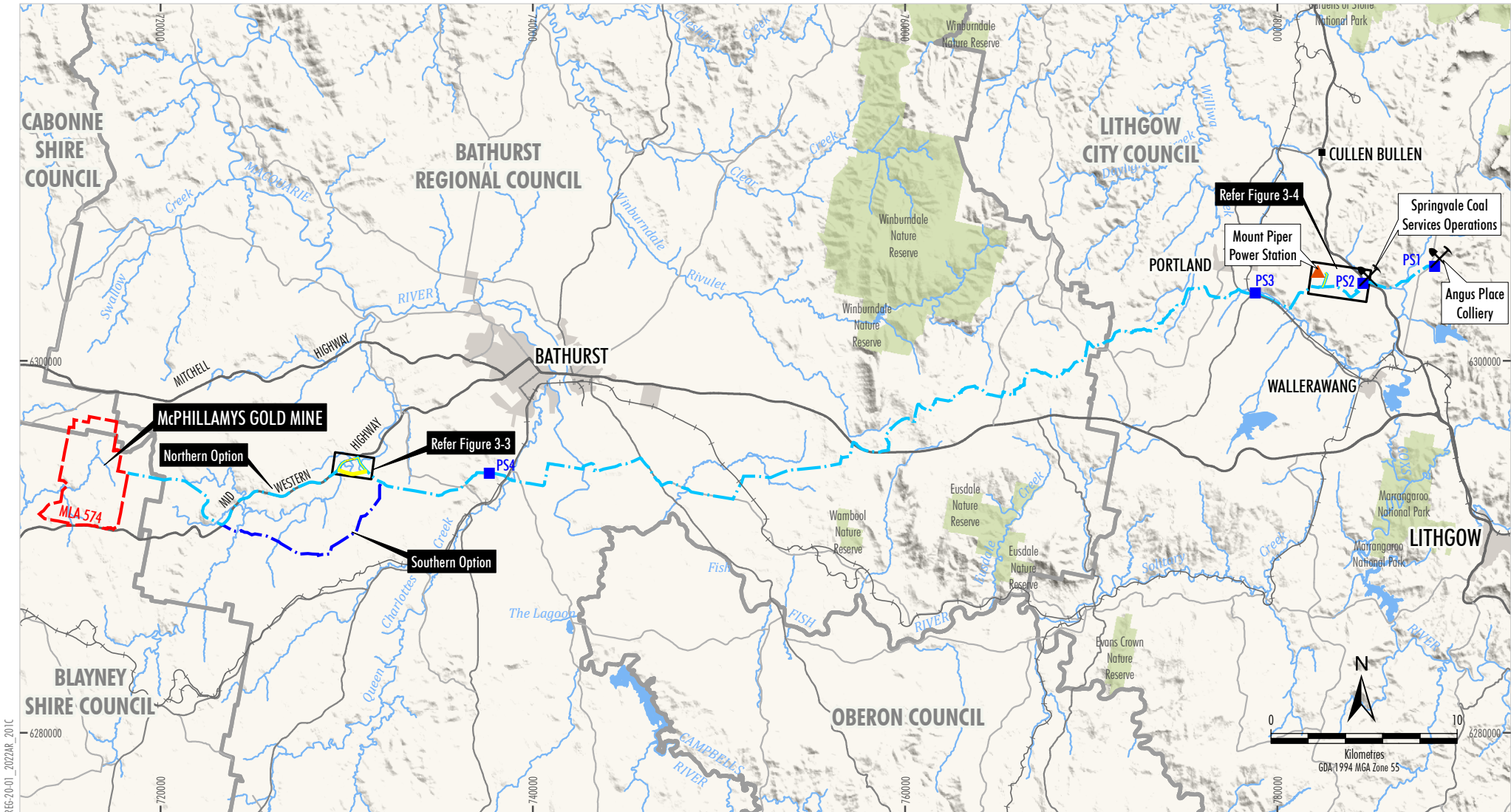
LFB Resources NL	NSW Head Office
Level 2, 516 Hay Street	57 Adelaide Street
Subiaco WA 6008	Blayney NSW 2799

This Amendment Report has been prepared for the MGP by Regis to describe proposed changes to the mine site water management system (Section 3.2), MLA 574 boundary (Section 3.3) and the water supply pipeline (Section 3.4). Regis seeks to incorporate these amendments into the MGP by obtaining the agreement of the consent authority, pursuant to clause 37 of the NSW *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation 2021), to amend the MGP that is subject to State Significant Development (SSD) Application No. 9505.

1.2. SUMMARY OF THE MCPHILLAMYS GOLD PROJECT

The MGP would consist of the following key components (Figure 1-1):

- mine site, including:
 - open cut pit;
 - a carbon-in-leach ore processing facility;
 - waste rock emplacement;
 - tailings storage facility (TSF);
 - site water management system;
 - other ancillary infrastructure (including workshop and administration buildings); and
- water supply infrastructure, including:
 - a water supply pipeline (including two alignment options – the northern and southern alignment options) to transfer water from Centennial’s Angus Place Colliery and Springvale Coal Services Operations and Energy Australia’s Mount Piper Power Station to the MGP;
 - four pumping station facilities;
 - a pressure reducing system; and
 - a communication system.



Source: NSW Spatial Services (2020); Regis (2022)

- LEGEND**
- Mining Lease Application
 - National Parks and Wildlife Estate
 - Local Government Boundary
 - Watercourse
 - Railway
 - 2020 Amendment Report Water Supply Pipeline
 - Pumping Station
 - 2022 Amendment Report
 - Amended Water Supply Pipeline
 - 2020 Amendment Report Water Supply Pipeline No Longer Required


McPHILLAMYS GOLD PROJECT
 Regional Location

Figure 1-1

1.3. PREVIOUS STEPS IN THE ASSESSMENT

Regis submitted the *McPhillamys Gold Project Environmental Impact Statement* (Regis, 2019) (the EIS) for assessment under the *Environmental Planning and Assessment Act 1979* (EP&A Act) in 2019. The MGP was publicly exhibited from 12 September 2019 to 24 October 2019. During this period, government agencies, organisations and members of the public were invited to provide submissions on the EIS to the Department of Planning and Environment (DPE).

In 2020, Regis submitted the *McPhillamys Gold Project Submissions Report* (Regis, 2020a) (the Submissions Report) to the DPE in response to the submissions received on the EIS. The *McPhillamys Gold Project Amendment Report* (Regis, 2020b) (the 2020 Amendment Report) was also submitted with the Submissions Report to incorporate project changes proposed in response to the submissions received on the EIS. Government agencies, organisations and members of the public were invited to provide submissions on the 2020 Amendment Report to DPE.

1.4. DESCRIPTION OF THE PROPOSED AMENDMENTS

Since lodgement of the 2020 Amendment Report, Regis has refined the MGP design to respond to particular comments raised by the Department of Planning and Environment – Water (DPE-Water) regarding the mine site water management system, and to reflect the outcomes of ongoing consultation with landholders (including Energy Australia) at the mine site and along the water supply pipeline.

In summary, when compared to the 2020 Amendment Report, the proposed amendments to the MGP design would include:

- revised mine site water management system;
- revised Mining Lease Application (MLA) 574 boundary;
- revised alignment of a section of the northern option of the water supply pipeline; and
- revised location of the Mount Piper Power Station water supply pipeline connection point.

The proposed amendments would maximise the amount of clean water diverted around the mine site and reduce the MGP surface development area resulting in a reduction in the potential environmental impacts of the MGP.

No other changes to the MGP described in the 2020 Amendment Report would be required.

1.5. STRUCTURE OF THE AMENDMENT REPORT

This Amendment Report has been prepared in consideration of the *State Significant Development Guidelines – preparing an amendment report* (Department of Planning, Infrastructure and Environment [DPIE], 2021). The structure of the document is as follows:

- Section 1 Provides an introduction to the MGP, an overview of the assessment process to date and the amendments to the MGP presented in the EIS and the 2020 Amendment Report.
- Section 2 Details the strategic context of the amended MGP.
- Section 3 Provides a detailed description of the amended MGP.
- Section 4 Details the statutory context of the amended MGP.
- Section 5 Describes the engagement undertaken in relation to the amended MGP.
- Section 6 Details the assessment of impacts of the amended MGP.
- Section 7 Provides an evaluation of the amended MGP merits.
- Section 8 Lists the documents referenced in the Amendment Report.

2. STRATEGIC CONTEXT

The strategic context of the MGP, which includes the benefits of the MGP to NSW and the region, is provided in Sections 3 and 39 of the EIS and Section 3 of the 2020 Amendment Report. Given the minor nature of the proposed amendments to the MGP, there would be no material change to the strategic context of the MGP.

3. DESCRIPTION OF AMENDMENTS

3.1. OVERVIEW

The proposed amendments to the MGP include changes to the mine site water management system (Section 3.2), MLA 574 boundary (Section 3.3) and the water supply pipeline (Section 3.4).

The proposed amendments would not change or increase the following key components of the MGP:

- project life;
- mining method and rate;
- processing method and rate;
- waste rock and tailings management;
- water supply source or demand;
- hours of operation;
- workforce; or
- rehabilitation.

Table 3-1 provides a summary of the amended MGP compared to the MGP as presented in the 2020 Amendment Report.

The Project Description (Appendix B of the 2020 Amendment Report) has been updated to incorporate the proposed amendments and is provided as Appendix B.

3.2. AMENDMENTS TO MINE SITE WATER MANAGEMENT SYSTEM

The proposed amendments to the mine site water management system are consistent with changes suggested by the DPE-Water in a letter dated 22 June 2021 to maximise the amount of clean water diverted around the mine site. The proposed amendments to the mine site water management system include:

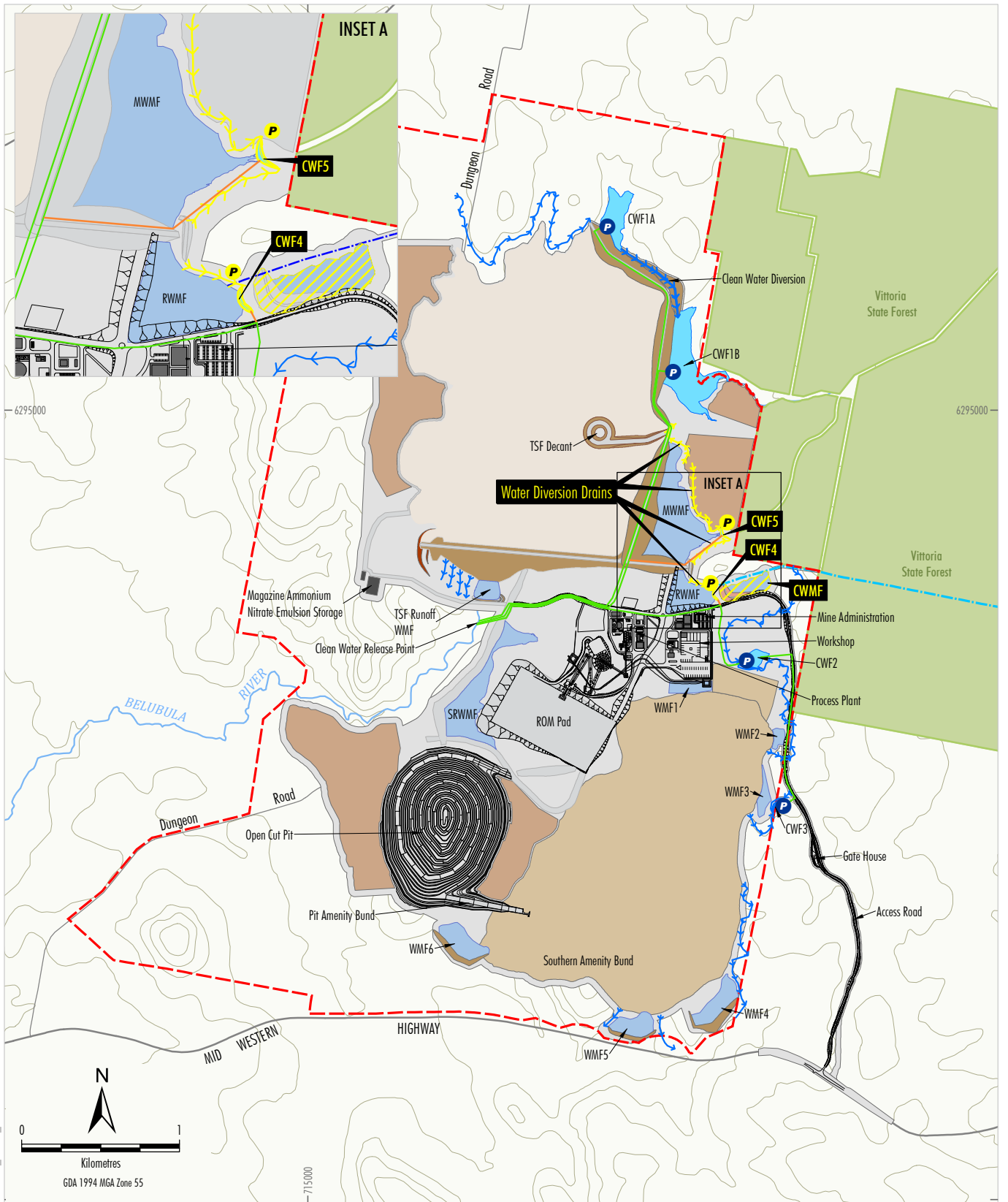
- consolidation of the raw water management facilities, including:
 - removal of the Construction Water Management Facility (CWMF);
 - construction and operation of a clean water diversion system around the Raw Water Management Facility (RWMF); and
- construction and operation of a clean water diversion system around the Main Water Management Facility (MWMF).

The amended mine site water management system and schematic are shown on Figures 3-1 and 3-2, respectively.

No other changes to the mine site water management system described in the 2020 Amendment Report would be required.

**Table 3-1
Project Summary Comparison Table**

MGP Component	Summary of the MGP as Presented in the 2020 Amendment Report	Summary of the Amended MGP
Project Life	<ul style="list-style-type: none"> 15 years comprising construction, mining, and rehabilitation phases. 	<ul style="list-style-type: none"> Unchanged from the 2020 Amendment Report.
Tenements	<ul style="list-style-type: none"> MLA 574 and MLA 595. 	<ul style="list-style-type: none"> Minor change to the MLA 574 boundary. MLA 595 unchanged from the 2020 Amendment Report.
Mining Method and Rate	<ul style="list-style-type: none"> Conventional ore cut mining methods at up to 8.5 million tonnes per annum (Mtpa) of ore. 	<ul style="list-style-type: none"> Unchanged from the 2020 Amendment Report.
Processing Method and Rate	<ul style="list-style-type: none"> Carbon-in-leach gold processing plant processing up to 7 Mtpa of ore. 	<ul style="list-style-type: none"> Unchanged from the 2020 Amendment Report.
Product Transport	<ul style="list-style-type: none"> Product gold transported off-site via road. 	<ul style="list-style-type: none"> Unchanged from the 2020 Amendment Report.
Waste Rock Management	<ul style="list-style-type: none"> Waste rock placed in a waste rock emplacement up to height of 1,065 metres Australian Height Datum (m AHD) (1,075 m AHD including microrelief). 	<ul style="list-style-type: none"> Unchanged from the 2020 Amendment Report.
Tailings Management	<ul style="list-style-type: none"> Tailings deposited in an engineered TSF. 	<ul style="list-style-type: none"> Unchanged from the 2020 Amendment Report.
Site Access	<ul style="list-style-type: none"> Primary access to mine site via a new intersection off the Mid-Western Highway. 	<ul style="list-style-type: none"> Unchanged from the 2020 Amendment Report.
Water Management System	<ul style="list-style-type: none"> The objective of water management system is to control runoff from construction and operational areas while diverting up-catchment water around these areas. 	<ul style="list-style-type: none"> Revised mine site water management system to maximise the amount of clean water diverted around the mine site.
Water Supply	<ul style="list-style-type: none"> Water supply pipeline (northern and southern options) to transfer water from Angus Place Colliery, Springvale Coal Services and Mount Piper Power Station. 	<ul style="list-style-type: none"> Revised alignment of a section of the water supply pipeline (northern option). Revised location of Mount Piper Power Station water supply pipeline connection point removing the requirement for the proposed Mount Piper Power Station connection water pipeline. Other components unchanged from the 2020 Amendment Report.
Electricity Supply	<ul style="list-style-type: none"> Permanent mains power supplied via a new electricity transmission line (subject to separate approval). 	<ul style="list-style-type: none"> Unchanged from the 2020 Amendment Report.
Operating Hours	<ul style="list-style-type: none"> 24 hours per day, 7 days per week. 	<ul style="list-style-type: none"> Unchanged from the 2020 Amendment Report.
Workforce	<ul style="list-style-type: none"> Construction: 710 full time equivalents. Operation: 320 full time equivalents. 	<ul style="list-style-type: none"> Unchanged from the 2020 Amendment Report.
Rehabilitation	<ul style="list-style-type: none"> Progressive rehabilitation in accordance with the rehabilitation strategy. 	<ul style="list-style-type: none"> Unchanged from the 2020 Amendment Report.



REG-20-01_2022AR_202C

LEGEND

- NSW State Forest
- 2020 Amendment Report
- Mining Lease Application (MLA 574)
- Mine Site Surface Development Area
- Waste Rock Emplacement
- Tailings Storage Facility
- Soil Stockpile Area
- Clean Water Facility
- Water Management Facility
- Clean Water Diversion Drain
- Clean Water Diversion Pipeline
- Clean Water Diversion Pump
- Water Supply Pipeline
- 2022 Amendment Report
- Clean Water Facility
- Water Mangement Facility No Longer Required
- Clean Water Diversion Drain
- Clean Water Diversion Pipeline
- Clean Water Diversion Pump

Source: NSW Spatial Services (2020); Regis (2020, 2022)

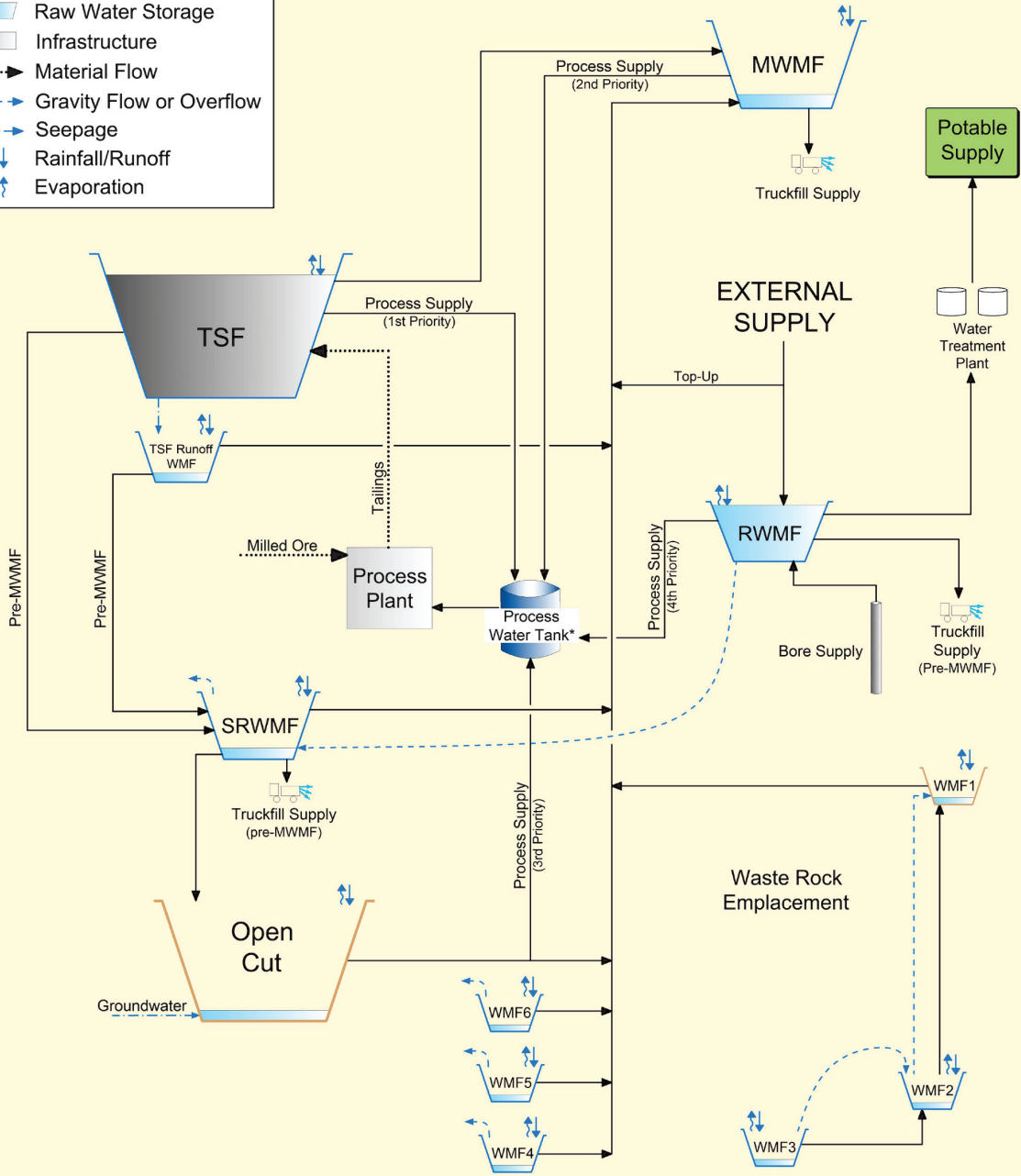


McPHILLAMYS GOLD PROJECT
Amended Mine Site Water Management System

Figure 3-1

LEGEND

- Pumped Flow
- ∩ Dam Storage
- ∩ Excavated Storage
- ▒ Tailings Storage
- ∩ Raw Water Storage
- ▒ Infrastructure
- ⋯→ Material Flow
- - -> Gravity Flow or Overflow
- - -> Seepage
- ↓ Rainfall/Runoff
- ↕ Evaporation



* Not explicitly modelled
 Note: Prior to MWMF being commissioned, WMF1, WMF4, WMF5, WMF6 and Open Cut would be pumped to SRWMF.
 Note: Unless otherwise shown, storages could spill externally.
 Note: Clean water diversion dams/pumps are not part of the mine water management system hence are not included on this schematic.

REG-20-01_2022AR_001B



McPHILLAMYS GOLD PROJECT
 Amended Mine Site Water Management Schematic

Figure 3-2

Raw Water Management Facilities

The CWMF was proposed in the 2020 Amendment Report as an initial raw water supply storage for construction activities.

Regis has reviewed the staging of the water storage construction and determined that the RWMF can be constructed earlier so that it can be utilised as the raw water supply storage during the construction phase instead of the CWMF (Figures 3-1 and 3-2). The CWMF would therefore not be required for the amended MGP.

The RWMF would generally remain unchanged from the 2020 Amendment Report except that, consistent with the DPE-Water’s advice, a clean water diversion system would be constructed and operated upstream of the RWMF, including (Figure 3-1):

- a diversion drain;
- a new clean water facility (CWF4) with a capacity of approximately 1.6 million litres (ML); and
- pumps and pipelines to convey water captured in CWF4 to the Belubula River downstream of the mine site (at the stilling basin downstream of the SRWMF).

The proposed RWMF clean water diversion system would be located inside the surface development area proposed in the 2020 Amendment Report (i.e. no additional surface development area would be required).

Main Water Management Facility

The MWMF was proposed to contain operational water collected on-site in the 2020 Amendment Report. Although there is no change to the operation of the MWMF, consistent with the DPE-Water’s advice, it is proposed to construct and operate a clean water diversion system upstream of the MWMF, including (Figure 3-1):

- three diversion drains;
- a new clean water facility (CWF5) with a capacity of approximately 3 ML; and
- pumps and pipelines to convey water captured in CWF5 to the Belubula River downstream of the mine site (at the stilling basin downstream of the SRWMF).

The proposed MWMF clean water diversion system would be located inside the surface development area proposed in the 2020 Amendment Report (i.e. no additional surface development area would be required).

3.3. AMENDMENT TO MINING LEASE APPLICATION 574 BOUNDARY

Since the preparation of the 2020 Amendment Report, the requirement for minor changes to the MLA 574 boundary in the vicinity of WMF5 have been identified based on the outcomes of ongoing landholder consultation. The amended MLA 574 boundary is shown on Figure 3-1.

The amended MLA 574 boundary would result in an approximate 1 hectare (ha) reduction in the surface development area proposed in the 2020 Amendment Report. It is noted that the footprint of WMF5 would be reduced as a result of the amended MLA 574 boundary, however, the overall volume and function of this facility would remain unchanged.

3.4. AMENDMENT TO WATER SUPPLY PIPELINE

Since the preparation of the 2020 Amendment Report, the requirement for the following changes to the water supply pipeline have been identified based on the outcomes of ongoing landholder consultation:

- revised alignment of a section of the northern option of the water supply pipeline; and
- revised location of the Mount Piper Power Station water supply pipeline connection point, removing the requirement for the proposed Mount Piper Power Station connection water pipeline as part of the MGP.

No other changes to the water supply infrastructure described in the 2020 Amendment Report would be required.

Revised Water Supply Pipeline (Northern Option) Alignment

The 2020 Amendment Report included two water supply pipeline alignment options, the northern and southern options (Figure 1-1).

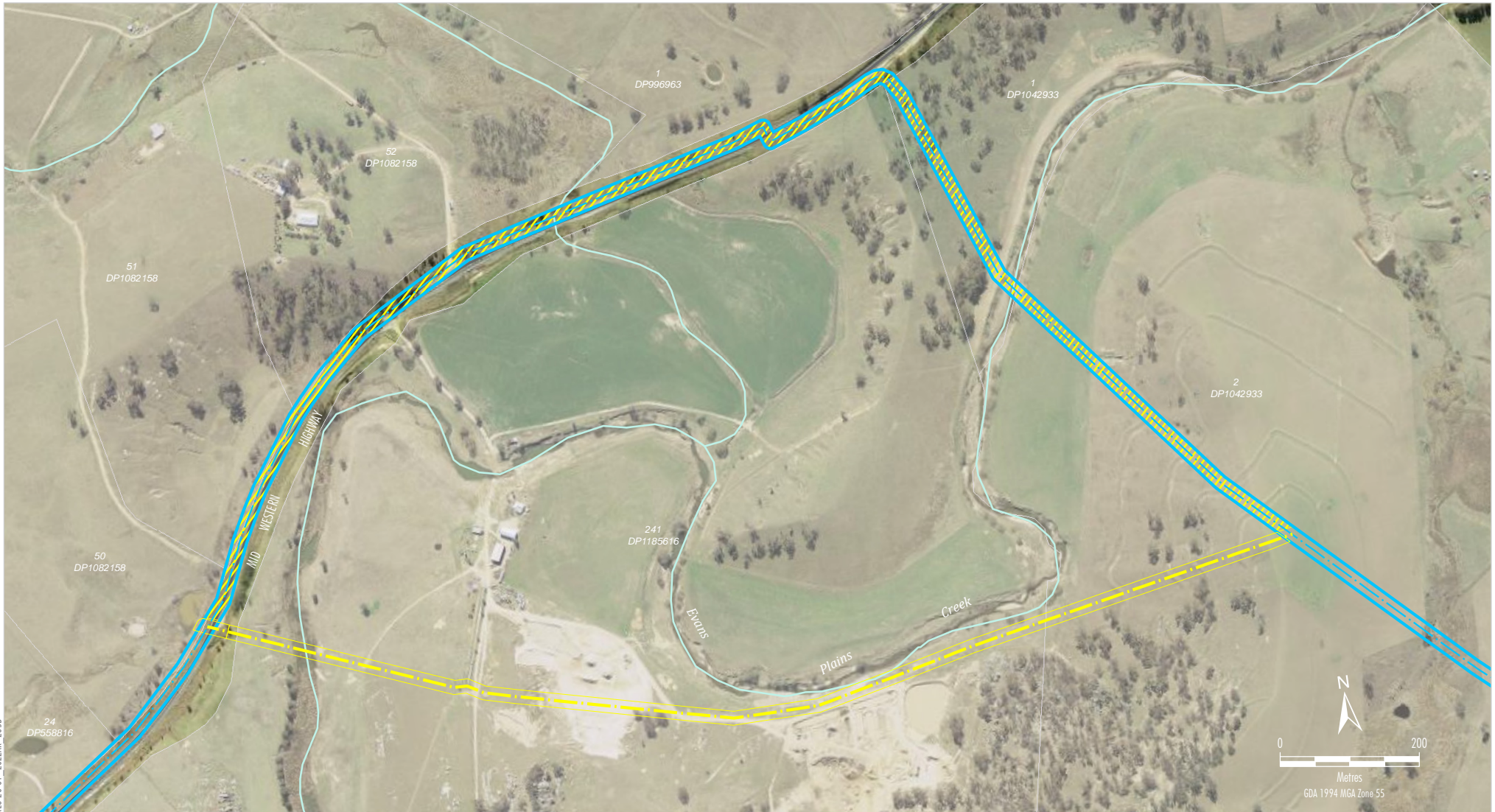
A section of the northern option of the water supply pipeline is proposed to be realigned based on the outcomes of landholder consultation. The realigned section of the water supply pipeline would be approximately 1.6 km in length which is approximately 0.6 km shorter than the section of the 2020 Amendment Report water supply pipeline that it would replace (Figure 3-3).

The realigned section of the water supply pipeline would predominantly be located on previously cleared agricultural land to minimise native vegetation clearance (Figure 3-3). The surface development widths along the realigned water supply alignment would be consistent with the 2020 Amendment Report water supply alignment:

- White Box Yellow Box Blakely’s Red Gum Woodland and Derived Native Grassland listed as a Critically Endangered Ecological Community (CEEC) under the EPBC Act (the CEEC Communities) – 6 metres (m) surface development width;
- Other Native Vegetation and State Forests – 8 m surface development width; and
- Non-native Vegetation and Disturbed Areas – 20 m surface development width.

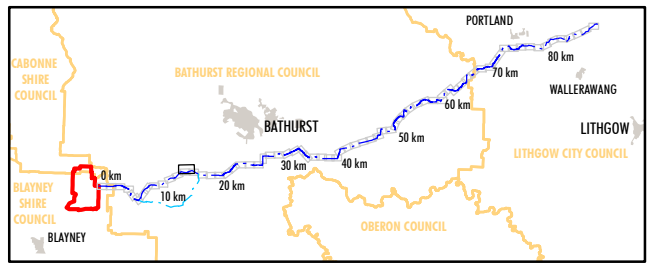
The water supply pipeline was proposed to cross Evans Plains Creek using open trenching techniques. The realigned water supply pipeline would cross Evans Plains Creek approximately 2.3 km upstream of the original crossing point (Figure 3-3). The crossing would be undertaken using open trenching techniques consistent with the 2020 Amendment Report. The realigned water supply pipeline would avoid crossing one unnamed watercourse (Figure 3-3).







In addition, the surface development area associated with the now amended section of the 2020 Amendment Report northern alignment water supply pipeline would no longer be required resulting in a net reduction in surface development area (Figure 3-3).



REG-21-01_2022AR_2058

Source: NSW Spatial Services (2020); Regis (2020, 2022)



LEGEND	
	Watercourses
	2020 Amendment Report Water Supply Pipeline
	Water Supply Pipeline 20 m Corridor
	2022 Amendment Report Amended Water Supply Pipeline
	Amended Water Supply Pipeline 20 m Corridor
	2020 Amendment Report Water Supply Pipeline Corridor No Longer Required

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**Amended Water Supply Pipeline
-Northern Option Alignment**

Figure 3-3

Revised Mount Piper Power Station Water Supply Pipeline Connection Point

A Mount Piper Power Station connection water pipeline was proposed in the 2020 Amendment Report to link the water supply pipeline to the Mount Piper Power Station connection point (i.e. “Blowdown Pond 1”) (Figure 3-4).

Based on consultation with Energy Australia, it is proposed that the Mount Piper Power Station water supply pipeline connection point would be relocated to Pumping Station 2. This would remove the requirement for the Mount Piper Power Station connection water pipeline proposed in the 2020 Amendment Report (Figure 3-4).

There would be no change to the water source (and associated water quality) proposed and assessed in the EIS and the 2020 Amendment Report. Water supplied by Energy Australia would be sourced from the Mount Piper Power Station water management system, including the cooling towers and associated ponds and dams.

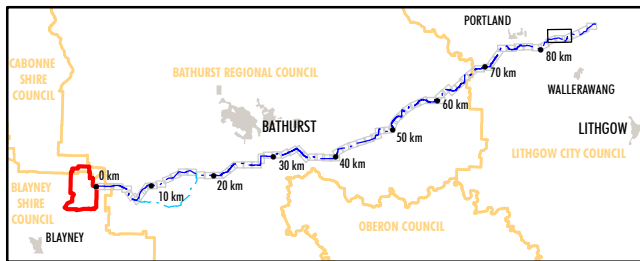
No additional surface development area would be required at Pumping Station 2. In addition, the surface development area associated with the Mount Piper Power Station connection water pipeline proposed in the 2020 Amendment Report would no longer be required resulting in a net reduction in surface development area and reduction in the overall pipeline length by approximately 0.9 km (Figure 3-4).

The water supply pipeline required to connect “Blowdown Pont 1” to Pumping Station 2 would generally be located on land associated with the surface development area of the Mount Piper Power Station and Springvale Coal Services Operations.

Accordingly, Centennial has submitted a modification to the Springvale Coal Services Operations approval (SSD-5579) for the construction and operation of a water supply pipeline to connect the Mount Piper Power Station water management system to Pumping Station 2.



REG-20-01_2022AR_2048



LEGEND

- Watercourses
- 2020 Amendment Report
- Water Supply Pipeline
- Water Supply Pipeline 20 m Corridor
- Development Application Area
- Pumping Station
- 2022 Amendment Report
- 2020 Amendment Report Water Supply Pipeline No Longer Required

Note: Mount Piper Power Station water supply pipeline spur subject to separate approval.

Source: NSW Spatial Services (2020); Regis (2020, 2022)



M c PHILLAMYS GOLD PROJECT

**Amended Water Supply Pipeline
- Mount Piper Power Station
Connection Point**

Figure 3-4

4. STATUTORY CONTEXT

The statutory approvals required for the MGP, as outlined in Section 4 of the 2020 Amendment Report, are unchanged by the proposed amendments to the MGP.

Notwithstanding the above, it is noted that on 1 March 2022, the EP&A Regulation 2021 came into force (replacing the EP&A Regulation 2000). In addition, the State Environmental Planning Policies (SEPPs) were consolidated to simplify the State's planning policies on 1 March 2022.

Further discussion of the relevant legislation (including the EP&A Regulation 2021 and relevant SEPPs) applicable to the proposed amendments to the MGP is addressed in the sections below and Appendix C.

4.1. BIODIVERSITY CONSERVATION ACT 2016

The NSW *Biodiversity Conservation Act 2016* (BC Act) provides the legislative framework for biodiversity conservation in NSW.

Section 7.9 of the BC Act provides that an application for Development Consent under Part 4 of the EP&A Act for SSD must be accompanied by a Biodiversity Development Assessment Report (BDAR) unless it is determined that the proposed development is not likely to have any significant impact on biodiversity values.

A BDAR was prepared and submitted in support of the 2020 Amendment Report. As the amended MGP would result in minor changes to the indicative surface development area presented in the 2020 Amendment Report, a new BDAR has been prepared pursuant to section 6.14 of the BC Act with potential biodiversity impacts of the amended MGP assessed in accordance with the *Biodiversity Assessment Method* (BAM) (DPIE 2020) (Appendix E).

4.2. WATER MANAGEMENT ACT 2000

The *Water Management Act 2000* (WM Act) provides the legislative framework for water management in NSW.

Consistent with the 2020 Amendment Report, Regis would comply with water licensing requirements under the WM Act, in consultation with DPE-Water, for the MGP incorporating the proposed amendments.

4.3. STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

The *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (Biodiversity and Conservation SEPP) commenced on 1 March 2022 and is currently in force. The Biodiversity and Conservation SEPP consolidates the provisions of numerous SEPPs, including the former *State Environmental Planning Policy (Koala Habitat Protection) 2020* and *State Environmental Planning Policy (Koala Habitat Protection) 2021*.

Chapter 4 of the Biodiversity and Conservation SEPP applies to certain Local Government Areas (LGAs), including the Bathurst Regional, Blayney and Lithgow LGAs, however, excludes land zoned as RU1, RU2 and RU3, of which portions of the Development Application area are zoned. However, Chapter 3 of the Biodiversity and Conservation SEPP continues to apply regardless of the land zoning.

Revision	1	Page 15	Issue Date	25/05/2022
Doc Number	1113247-005	UNCONTROLLED DOCUMENT WHEN PRINTED	Review Date	-

The Biodiversity and Conservation SEPP requires the councils in certain LGAs (including the Bathurst Regional, Blayney and Lithgow LGAs) to consider whether the land that is the subject of the Development Application comprises “core koala habitat”.

However, since the amended MGP is SSD of which Division 4.7 of Part of the EP&A Act applies, the Independent Planning Commission or the Minister is the consent authority rather than the Council.

Notwithstanding, an assessment of koala habitat has been undertaken in the amended BDAR, which found that portions of the Development Application area comprise koala feed tree species (Appendix E).

4.4. STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

4.4.1. CHAPTER 4 (HAZARDOUS AND OFFENSIVE DEVELOPMENT)

Chapter 4 of *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) applies to the whole of NSW and is concerned with the remediation of contaminated land. It sets out matters relating to contaminated land that a consent authority must consider in determining an application for Development Consent.

“Contaminated land” in the Resilience and Hazards SEPP has the same meaning as it has in Schedule 6, Clause 1 of the EP&A Act:

contaminated land means land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.

Clause 4.6(1) of the Resilience and Hazards SEPP provides that a consent authority must not consent to the carrying out of any development on land unless:

- a) *it has considered whether the land is contaminated, and*
- b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Clause 4.6 of the Resilience and Hazards SEPP further provides:

...

- 2) *Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*
- 3) *The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*

4) *The land concerned is–*

(a) *land that is within an investigation area,*

(b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*

Clause 4.6(2) provides that before a consent authority determines an application for Development Consent, a “preliminary investigation” is required where:

- the application for consent is to carry out development that would involve a “change of use”; and
- that “change of use” is relevant to certain land specified in clause 4.6(4).

The certain land specified in clause 4.6(4) on which the “change of use” must relate is either:

- land that is an “investigation area” – defined in the Resilience and Hazards SEPP as land declared to be an investigation area by a declaration in force under Division 2 of Part 3 of the *NSW Contaminated Land Management Act 1997*; or
- land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines (being *Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land* [Department of Urban Affairs and Planning and Environment Protection Agency, 1998]) is being, or is known to have been, carried out.

The components of the amended MGP that would involve an additional change of use under the Resilience and Hazards SEPP is the amended northern option of the water supply pipeline (i.e. in addition to the previously identified mine development area and water supply pipeline). The amended portion of the pipeline route traverses land that was formally used as a quarry as well as agricultural land (cropping and grazing) (Ground Doctor, 2022).

Ground Doctor (2022) prepared an addendum preliminary site investigation of the amended water supply pipeline in accordance with the Resilience and Hazards SEPP. Ground Doctor (2022) concluded that the land subject to the amended northern option of the water supply pipeline is suitable for the proposed development.

Land contamination management measures would be implemented by Regis consistent with the recommendations of Ground Doctor (2021).

A summary of proposed mitigation and management measures regarding land contamination are provided in Appendix D.

5. COMMUNITY ENGAGEMENT

5.1. RELEVANT GOVERNMENT AGENCIES

5.1.1. DEPARTMENT OF PLANNING AND ENVIRONMENT

Regis has undertaken regular consultation with DPE regarding the MGP and the proposed amendments throughout the preparation of the Amendment Report.

5.1.2. DEPARTMENT OF PLANNING AND ENVIRONMENT – WATER

Regis has continued to consult with DPE-Water regarding the MGP with the proposed amendments to the water management system a result of consultation with DPE-Water to date.

The issues raised by DPE-Water throughout consultation to date have been considered during the preparation of the Amendment Report.

5.1.3. BIODIVERSITY AND CONSERVATION DIVISION (WITHIN THE DEPARTMENT OF PLANNING AND ENVIRONMENT)

Regis provided the Biodiversity and Conservation Division (BCD) with an overview of the proposed MGP amendments as well as outcomes of the amended BDAR on 2 May 2022.

BCD acknowledged Regis' proposed changes to the water supply pipeline route and outcomes of the revised BDAR for the MGP.

5.1.4. HERITAGE NSW

Regis provided Heritage NSW with an overview of the proposed MGP amendments via email correspondence on 20 April 2022 which included the offer of a meeting.

Heritage NSW noted that a meeting regarding the amended MGP was not required and would review the amended Aboriginal Cultural Heritage Assessment (ACHA) (Appendix F).

5.2. COMMUNITY

The Community Consultative Committee (CCC) was briefed on the proposed MGP amendments on 28 March 2022.

5.3. OTHER MGP CONSULTATION

Regis would continue to consult with relevant stakeholders regarding the MGP, including through:

- consultation with relevant councils;
- consultation with nearby landholders;
- consultation with local community groups;
- community newsletters distributed within the Blayney LGA via post and email;
- adverts published in local newspapers (fortnightly);
- maintenance of Regis website containing all CCC minutes, community newsletters, MGP updates and environmental assessment documentation; and
- local office located in the main street of Blayney which is open to the public.

6. IMPACT ASSESSMENT

Regis has undertaken a review of the potential environmental impacts of the amended MGP to identify key potential environmental aspects requiring additional assessment compared to the potential impacts presented in the EIS and 2020 Amendment Report.

The key environmental aspects identified are summarised in Table 6-1 and addressed in Sections 6.1 to 6.3 and Appendices E and F.

No significant additional environmental impacts beyond those assessed in the EIS and 2020 Amendment Report would occur as a result of the proposed amendments to the MGP.

The proposed changes to the mine site water management system would result in additional clean water being diverted around the mine site. In addition, the reduction in MLA boundary as well as the changes to the water supply pipeline would result in an overall reduction in the surface development area of the MGP.

An updated table of the proposed MGP mitigation and management measures to reflect the proposed amendments to the MGP is provided in Appendix D.

**Table 6-1
Summary of Key Potential Environmental Impacts of the Amended MGP**

Environmental Aspect	Key Potential Environmental Issues/Impacts	Section Addressed
Surface Water	An increase in the undisturbed catchment being diverted around the mine disturbance footprint and avoidance of trenching of an unnamed drainage line by the amended section of the northern option of the water supply pipeline would result in an overall reduction in potential impacts to water resources.	Section 6.1
Biodiversity	A reduction in the overall surface development area of the mine site and water supply pipeline would result in a reduction in potential biodiversity impacts. A new BDAR has been prepared to reflect the amended MGP.	Section 6.2 and Appendix E
Aboriginal Cultural Heritage	A reduction in the overall surface development area of the mine site and water supply pipeline would result in a reduction in potential Aboriginal cultural heritage impacts. The amended section of the water supply pipeline has been designed to avoid known Aboriginal heritage sites. An addendum to the existing Aboriginal Cultural Heritage Assessment (ACHA) has been prepared for the amended MGP.	Section 6.3 and Appendix F
Historic Heritage	The amended MGP is not expected to change the potential impacts presented in the EIS and 2020 Amendment Report as no historic heritage items were identified in the amended section of the water supply pipeline (Appendix F).	N/A
Amenity	The amended MGP is not expected to change the potential amenity impacts presented in the EIS and 2020 Amendment Report as there would be no significant change to nature and source of noise and or dust generating activities.	N/A

Table 6-1 (Continued)
Summary of Key potential Environmental Issues/Impacts of the Amended MGP

Environmental Aspect	Key Potential Environmental Issues/Impacts	Section Addressed
Land and Agricultural Resources	The amended MGP is not expected to change the potential impacts presented in the EIS and 2020 Amendment Report.	N/A
Groundwater		
Road Transport		
Visual		
Economic Effects		
Social and Community Infrastructure		
Greenhouse Gas		
Hazards and Risks		

6.1. SURFACE WATER

6.1.1. SITE WATER BALANCE

The water balance model for the MGP, which was updated for the 2020 Amendment Report (Hydro Engineering & Consulting [HEC], 2020), simulates the management of the operational water system over the life of the mine site, and no external (off-site) overflows from site water management were predicted and the water supply pipeline would reliably meet the MGP water demand.

The proposed amendments to the MGP are not expected to change HEC’s (2020) conclusions as:

- the mine site water management catchment would reduce by 32 ha (i.e. the amount of mine water to manage on-site would be reduced);
- the CWMF would have only stored raw water and therefore was not required to manage mine water on site and the capacities of the other water management storages would be unchanged (i.e. the capacity of the mine water management system to manage mine water would be unchanged); and
- the raw water supply would remain unchanged.

6.1.2. STREAM FLOW

The MGP would result in some reduction in streamflow in the Belubula River due to the reduction in catchment area associated with take of water by the mine site (EMM, 2020).

The proposed changes to the mine site water management system for the amended MGP (i.e. clean water diversions around RWMF and MWMF) would result in an additional 32 ha of undisturbed catchment being diverted around the mine site into the Belubula River.

Therefore, the amended MGP would further reduce potential impacts on the flow regime of the Belubula River.

6.1.3. SURFACE WATER QUALITY

As no external (off-site) overflows are expected from the amended MGP (Section 6.1.1) and no changes to the general water management measures (e.g. erosion and sediment control) outlined in the 2020 Amendment Report are proposed, the amended MGP is not expected to change the potential surface water quality impacts as described in the 2020 Amendment Report.

In addition, the amended water supply pipeline alignment would avoid trenching of an unnamed drainage line (Figure 3-3). Therefore, there would be a minor reduction in potential impacts as a result of the avoidance of trenching of this watercourse crossing.

6.1.4. LICENCING

Consistent with the 2020 Amendment Report, Regis would comply with water licensing requirements under the WM Act, in consultation with DPE-Water, for the MGP incorporating the proposed amendments.

6.2. BIODIVERSITY

The amended MGP would result in an overall reduction in the MGP surface development area assessed in the 2020 Amendment Report. A BDAR has been prepared in accordance with BAM 2020 to reflect the amended MGP and is provided in Appendix E.

Table 6-2 provides a summary of the total ecosystem and species credit requirements for the amended MGP.

**Table 6-2
Biodiversity Credit Summary**

MGP Component	2022 Amendment Report Ecosystem Credits	2022 Amendment Report Species Credits
Mine Site		
Mine Development Area	2,813	5,078
Pipeline Development		
Pipeline Development – Northern Option (realignment + removal of Mount Piper Power Station Connection)	441	820
Pipeline Development – Southern Option (removal of Mount Piper Power Station Connection)	480	962

Source: Appendix E

Accordingly, potential impacts would be offset in accordance with the MGP Biodiversity Offset Strategy, and any credit requirements specified in the Development Consent (if granted).

6.3. ABORIGINAL CULTURAL HERITAGE

OzArk (2020) prepared an ACHA for the water pipeline to support the 2020 Amendment Report. OzArk (2022) had prepared an addendum ACHA to incorporate the amended MGP (Appendix F).

The amended section of the water supply pipeline would predominantly be located on agricultural land (cropping and pasture) and disturbed areas (quarry) to minimise impacts to potential Aboriginal cultural heritage sites and areas of cultural sensitivity (Appendix F).

One additional Aboriginal heritage site was identified during the survey of the amended section of the water supply pipeline, which has been recorded as an extension of the previously recorded site Swan Ponds Quarry 1 (AHIMS #44-2-0296) as per the 2020 Amendment Report. Table 6-3 summarises the details of the site.

**Table 6-3
Aboriginal Cultural Heritage Sites Recorded in the Realigned Northern Option**

AHIMS ID	Site name	Site type	Coordinates (GDA Zone 55) East	Coordinates (GDA Zone 55) North	Survey Unit
44-2-0296	Swan Ponds Quarry 1	Artefact scatter with PAD	729865	6294005	3

Regis revised the design of the amended section of the water supply pipeline to avoid impacts to Swan Ponds Quarry 1 (AHIMS #44-2-0296). This includes fencing the boundary of the site with high visibility temporary fencing and placing signs to indicate that all areas beyond the fence is an exclusion zone for personnel, vehicles and the storage of equipment.

Additionally, Ozark (2022) concluded that significant cultural values would not be impacted by the proposed amendment. An Aboriginal Cultural Heritage Management Plan would be developed in consultation with the RAPs and would include appropriate protocols to be followed in the unlikely event that any unidentified Aboriginal heritage items be discovered during construction. Proposed mitigation and management measures are summarised in Appendix D.

7. AMENDED MCPHILLAMYS GOLD PROJECT JUSTIFICATION AND EVALUATION

In summary, when compared to the EIS and the 2020 Amendment Report, the proposed amendment would (as described in Section 4):

- result in an increase in the volume of clean water that would be diverted around the mine site into the Belubula River, and therefore, a reduction in downstream impacts to water resources;
- result in an overall reduction in the surface development area of the MGP;
- not materially change predicted impacts to Aboriginal cultural heritage items; and
- reflect the outcomes of Regis' ongoing consultation regarding the MGP.

The proposed amendments would not result in any additional material environmental impacts beyond those assessed in the 2020 Amendment Report.

Accordingly, the conclusion in the EIS and 2020 Amendment Report that the MGP is, on balance, considered to be in the public interest of the State of NSW remains unchanged.

8. REFERENCES

- Department of Planning, Infrastructure and Environment (2020). *Biodiversity Assessment Method*.
- Department of Planning, Infrastructure and Environment (2021). *State Significant Development Guidelines – preparing an amendment report*.
- Department of Urban Affairs and Environment Protection Agency (1998). *Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land*.
- Department of Planning and Environment (2016). *Community Consultative Committee Guidelines: State Significant Projects*.
- EMM Consulting Pty Ltd (2019). *McPhillamys Gold Project Environmental Impact Statement*.
- EMM Consulting Pty Ltd (2020). *McPhillamys Gold Project Amendment Report*.
- Ground Doctor Pty Ltd (2021). *Preliminary Site Investigation Mine Site*.
- Ground Doctor Pty Ltd (2022). *Addendum 1 to Preliminary Site Investigation of Water Supply Pipeline Route, McPhillamys Gold Mine*.
- Hydro Engineering & Consulting Pty Ltd (2020). *Revised Surface Water Assessment – Mine Development*.
- OzArk Environment & Heritage (2020). *Aboriginal Cultural Heritage & Historic Heritage Assessment Report*
- Regis Resources Limited (2019). *McPhillamys Gold Project Environmental Impact Statement*.
- Regis Resources Limited (2020a). *McPhillamys Gold Project Submissions Report*.
- Regis Resources Limited (2020b). *McPhillamys Gold Project Amendment Report*.