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The Secretary,  
Department of Planning, Industry & Environment,  
GPO Box 39  
SYDNEY NSW 2001

Attention: Elle Clémentine

Dear Secretary

**Proposed McPhillamys Gold Project, Kings Plains  
State Significant Development SSD-9505**

I am the owner of the property known as "Athol" on Newbridge Road, Blayney. The property comprises 144ha. I run a cattle breeding and fattening business which in normal seasons stocks about 100 breeding Angus cows. Given current conditions, stocking numbers have been reduced to about 70 breeders.

The western boundary of the property is the Belubula River. It has a frontage to the river of approximately 1 km. Through a give and take fencing arrangement with neighbours on the opposite bank of the river, approximately one half of this distance is accessible from my property. In the paddocks with access to the river, the river is the main source of stock water.

In this submission I will be brief and comment on one aspect only: the reduction in water flows in the Belubula River downstream of the tailings storage facility due to catchment excision. As the EIS discloses, the catchment excised is 4.1% of the Carcoar Dam catchment (Appendix J, page 102). The EIS concludes:

*"This level of change is expected to be imperceptible in comparison with the natural variability in catchment conditions"*

This is a fallacy: it is true but irrelevant, an *ignoratio elenchi*. Yes, it is true that a 4.1% variation of the flows into Carcoar Dam from year to year is natural. The year to year variation is usually much greater than that. But the point is that, in any given year, a 4.1% reduction in inflows from what it otherwise would be is quite substantial. With Carcoar Dam currently at 19.1%, a year on year reduction of 4.1% into the dam is quite substantial in a catchment that rarely fills the dam.

I now come to the personal impact on my stock water availability. The reduction in flows upstream of the dam increases the closer one gets to the mine site, as fewer catchments discharge into the river. I estimate that the reduced flows along my river boundary to be about 7%. This is a large volume of water in a wet year, but that doesn't matter too much. In dry years, the reduced volume is much less, but that is when it counts. It means that, in a dry year, the river will stop flowing about 6 weeks earlier

than it would otherwise have done. That is a substantial negative impact caused by the excision of 964 ha of catchment due to the location of the tailings dam. There is no compensation or mitigation for this admitted and quantified impact.

It is suggested that a Water Access Licence (WAL) under the *Water Sharing Plan for the Lachlan Unregulated and Alluvial Water Sources 2012* will be required for the taking of surface water by Regis in excess of the harvestable rights of 145 ML (appendix J, page 24). The maximum decreased inflow into the dam is estimated at 2,399 ML/year in a wet year (see Table 25). A WAL for this volume of water from an unregulated river upstream of the dam is surely unsustainable.

For other negative impacts caused by the mine, the EIS sets out the mitigation strategies. For example, if ground water drawdown is greater than predicted, Regis will implement "make good" arrangements (Table 9.13). There is no make good arrangement offered if the impacts on base flow in the Belubula River are greater than predicted. The management measure is simply to "notify regulators". In fact, Regis will be drawing water from the Coxs River catchment, so (unusually) a mitigation measure is in fact possible: increase the water sourced from an adjoining catchment and discharge that raw water (after basic treatment) into the Belubula River to make good for the flows reduced due to the location of the TSF. This should apply not only for impacts greater than predicted, but also for the predicted impacts.

I confirm that I have not made any reportable political donations in the previous two years.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Somervaille'.

D R Somervaille