

18 September 2024



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Ms Sue Higginson MLC
Chair, Parliamentary Committee No. 7 – Planning & Environment

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Dear Chair,

RE: Correction to misinformation regarding the McPhillamys Gold Project

I write to you to correct assertions about the McPhillamys Gold Project (the Project) made by Cate Faehrmann MLC at the Committee No. 7 meeting on Thursday 29 August 2024.

Regis Resources Limited (Regis) notes that a number of these assertions were previously addressed at the *Portfolio Committee No. 2 Inquiry into current and potential impacts of gold, silver, lead and zinc mining on human health, land, air and water quality in New South Wales (October 2023)*. This included evidence provided by Regis representatives under oath.

In this regard, we wish to draw your attention to the following:

1. Ms Faehrmann stated: *"...that Regis Resources rejected the Orange Local Aboriginal Land Council's request to come back and resurvey the site because they were only able to survey 14 per cent of the site in the first place? Regis Resources rejected their attempts three times."*¹

At the 2023 Parliamentary Inquiry Ms Faehrmann was told, under oath, that Regis *"...[doesn't] have any record of requests coming to us that we've denied. We don't have any record of that. Orange lands council representatives have undertaken field survey at the projects...representatives of the Orange lands council have also attended the site on numerous times since then as well, including several times this year alone."*²

We further note that since the Inquiry, no current nor former employee of the Orange Local Aboriginal Land Council has provided Regis with any information showing when and how the requests were made and denied.

2. Ms Faehrmann stated: *"There are quite a few Aboriginal stakeholders within that area who have requested access to the site and who have requested an independent cultural heritage impact assessment."*³

At the 2023 Parliamentary Inquiry Ms Faehrmann was told, under oath, that Regis has *"a number of RAPs for the project and RAPs have been offered opportunities to attend the site."*⁴

We note that not all RAPs accepted invitations to attend cultural heritage surveys, as is their right.

¹ Hansard – Portfolio Committee No. 7 – Planning and Environment, Thursday 29 August 2024, pg. 39

² Transcript - Portfolio Committee No. 7 – Planning and Environment hearing, Friday 27 October 2023, pg. 15

³ Hansard – Portfolio Committee No. 7 – Planning and Environment, Thursday 29 August 2024, pg. 39

⁴ Transcript - Portfolio Committee No. 7 – Planning and Environment hearing, Friday 27 October 2023, pg. 15 (verbatim)

3. Ms Faehrmann stated: “...pretty much the only expertise [in the approvals process] was who the proponent engaged.”⁵

At the 2023 Parliamentary Inquiry Ms Faehrmann was told, under oath, that “The extent of the site has been assessed. When it comes to Aboriginal cultural heritage, we've [Regis] had a number of archaeologists, anthropologists and, in some cases, a geoarchaeologist attend the site and undertake extensive field surveys with representatives of the Aboriginal community. That has covered the extent of the site. We have covered the entire disturbance footprint in the assessment for both the mine site and also the water supply pipeline aspect.”⁶

Cultural heritage consultation was done in compliance with planning laws.

4. Ms Faehrmann has consistently questioned that the Orange Local Aboriginal Land Council's original opposition to the project invalidates their later change to a neutral position.⁷

At the Independent Planning Independent Planning Commission hearing, Orange Aboriginal Land Council stated that, “Coming to our conclusions, we've consulted widely with landholders, numerous site surveys, we've even prooftested our own initial EIS”, to reach the conclusion that, “...the proposed development would not impact any known sites or artifacts of high significance. We have (been) satisfied that the culturally identified items of aboriginal culture and heritage which we will be impacted can be properly managed and protected.”⁸

5. Finally, Ms Faehrmann attacked the Cultural Heritage consultation process, how Aboriginal people were engaged by Regis and whether they were able to provide meaningful feedback.⁹

At the 2023 Parliamentary Inquiry Ms Faehrmann was told, under oath, that Regis had been questioned in relation to this issue by the Department of Planning and provided a formal response which is publicly available on the major projects website.¹⁰

We request the Committee to take note of the above and include this correspondence as formal evidence in any future inquiries related to this Project.

Should you have any queries or wish to discuss this matter further, please contact Wayne Taylor (Project Director) on [redacted] or via email [redacted]

Regards,

Jim Beyer
Managing Director and Chief Executive Officer

CC via email:

Abigail Boyd	Mark Buttigieg	Amanda Cohn
Anthony D'Adam	Cate Faehrmann	Scott Farlow
Wes Fang	Tania Mihailuk	Jacqui Munro
Peter Primrose	John Ruddick (Deputy Chair)	Natalie Ward

⁵ Hansard – Portfolio Committee No. 7 – Planning and Environment, Thursday 29 August 2024, pg. 56

⁶ Transcript - Portfolio Committee No. 7 – Planning and Environment hearing, Friday 27 October 2023, pg. 15

⁷ Hansard – Portfolio Committee No. 7 – Planning and Environment, Thursday 29 August 2024, pg. 39

⁸ Independent Planning Commission McPhillamys Gold Project Public Hearing Day 1 transcript, pg 32

⁹ Hansard – Portfolio Committee No. 7 – Planning and Environment, Thursday 29 August 2024, pg. 56

¹⁰ Transcript - Portfolio Committee No. 7 – Planning and Environment hearing, Friday 27 October 2023, pg. 15