

Save Our Macleay River Inc

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SOMR update March 2024

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Oven Mountain Pumped Hydro

On 6 March, as part of the assessment process regarding the OMPHS EIS and DA, three staff members from the Department of Planning, Housing and Infrastructure (DPHI) visited the Macleay to gather information in addition to the EIS documents and the submissions lodged on the Planning Portal in October 2023.

They requested and met with the SOMR President Paul Smith and the Secretary Rupert Milne Home to discuss the SOMR submission. This was an opportunity to elaborate on several of the issues raised in the extensive and detailed SOMR submission.

There was no indication when the NSW Government Planning Minister's decision about the Oven Mountain Pumped Hydro Project will be forthcoming.

At a recent visit to the OMPHS (Alinta) shop in Kempsey, staff said that they expect to know by June – “either the project will go ahead by then or not at all”.

It seems exploratory work is continuing, on the site with access via The Carrai.

Gravel Extraction in the Riverbed

SOMR has lodged a *suspicious activity report* with NRAR - the NSW Natural Resources Access Regulator – about Gravel Extraction Quarries in an active channel of the Macleay River near Mooneba.

The relevance of the report will now be considered the NRAR Triage Team. There is no time frame given for any decision making; though hopefully this will be done before extension of approvals.

Hillgrove Mine

Larvotto Resources Pty Ltd is now the owner operating the Hillgrove Mine.

In January, SOMR wrote to Larvotto to re-establish communication with the mine operators. The Manager Ron Heeks phoned the SOMR Secretary in response and advised that Larvotto is interested to communicate/work with SOMR. They said that their

immediate priority for Hillgrove is to develop a new Tailings Storage Facility (TSF), well clear of the escarpment (4km), because TSF2 is at capacity. Therefore, material held in the old TSF1, close to the escarpment, cannot be reprocessed until a new facility is built, - This could be 2 to 3 years away.

On 18 March Larvotto reported the completion of a “diamond drilling program, designed to extend high-grade mineralisation at Bakers Creek” and on 20 March the signing of a USD\$8M funding package with Xcelsior Capital Ltd and Wogen Resources Ltd to respectively finance the mine development.

For further information: <https://www.larvottoresources.com/>

New England and Armidale area water needs

There is increasing concern about water use in the Upper Macleay Catchment.

Without any consideration of downriver water needs, Armidale Regional Council (ARC) is planning for ambitious population growth from 24,000 (Census 2021) to 50,000 by 2040 and the growth of 4,000 jobs based on industry expansion such as the education sector and water intensive horticulture/agriculture.

The Draft Local Planning Statement is on exhibition until 31 March 2024. The Summary Brochure explains:

“Towards 50,000 is underpinned by a water security package which includes the already funded raising of the Malpas dam wall by the maximum 6.5 metres (announced June 2022) and the connection of Oaky River dam (purchased from Essential Energy in December 2022) to our water network. This will increase the secure water supply in our region from 2,430 megalitres per annum (MLpa) to about 8,000MLpa allowing expansion of our engine industries to drive the growth of our region and support a population beyond 50,000.”

<https://yoursay.armidale.nsw.gov.au/draft-local-strategic-planning-statement>

Some noteworthy details:

- Oaky Dam has been purchased by ARC for \$4.3m; pre-construction work on the concept design phase has been occurring since February 2023; a ‘willingness to pay’ consultation of ARC residents, foreshadowed by the Mayor, is yet to occur.
- Malpas Dam wall level to be raised by 6.5m. The work requires the dam to be half-empty
- ARC moved onto Level 1 water restrictions (11 March 2024)
- Concern continues at the consideration of Guyra bores being included in the ‘water security’ strategy. This challenges Council undertakings that the bores would only be used in the event of severe drought, with no definition of ‘severe.’
- Blue Green Algae Alert: Gara River (posted 6 March 2024)
- Styx River Forest logging has restarted for about 6 weeks with significant logging activity; conservation groups encouraging ARC to join other local Councils in urging State Government to halt logging in State Native Forests; significant impact on the River.

Kempsey Shire Council Tree Policy

Councillor Arthur Bain has invited interested residents and community groups to develop a Tree Policy. SOMR is represented on this Advisory Group. The need for the protection of trees in the Kempsey Shire and more to be planted in urban as well as rural areas is being discussed. SOMR's specific interest is riparian protection, which links in with the longer-term plan to establish the 'Rights of the River.'

Rights of the River

As previously reported, a world-wide movement is recognising the Rights of Nature in law; acknowledging that all life on Earth, all life supporting ecosystems, have a right to exist, thrive and evolve and can be recognised as legal entities. For a river, such fundamental rights give the right to flow, the right to be free from pollution, and even the right to take legal action.

SOMR members are gathering information as first steps in the process leading towards the Macleay River being declared a "legal living entity".

In 2017, the first river to be given full legal rights was the Whanganui River in New Zealand.

In Australia, the Birrarung Council has been established to champion the interests of the Birrarung (Yarra River) "as one living and integrated natural entity from source to sea".

<https://birrarungcouncil.vic.gov.au/about-us/about-the-council>

For the protection of the rivers, First Nation custodians are playing a major role.

This is a long process with much opportunity for education and debates is anticipated. In the meantime, practical steps for riparian protection can be taken.

For more information on the legal protection of nature, go to the Australian Earth Law Alliance <https://www.earthlaws.org.au/> . There are many most informative videos with Australian and International speakers. The Universal Declaration of the Rights of Rivers can be found on <https://www.rightsofrivers.org/>.

SOMR Information Forum postponed to 7 August

Under the heading "Macleay River Water Quality - SCU-SOMR citizen science project" SOMR and Prof Johnson of Southern Cross University (SCU) propose a Community Forum to take place in Bellbrook to relay the findings of water testing.

SOMR members have collected Macleay River water samples at Bellbrook for some 7 years, which have been analysed by Prof Scott Johnson at SCU in Lismore, primarily to understand Arsenic and Antimony mobility in the catchment. With base-line data before the 2019 bushfires and 2021-2022 floods, impacts and changes can be measured. This work has become a significant leading project in the field, nationally and globally.

Scientists from University of New England who have done long term studies of the mining impacts on the Macleay are invited to participate. Initially planned for March 24, the Forum is postponed to 7 August due to prior commitments of all involved.