14 October 2026

Common sense prevails and clears the path for Minister Watt to approve a billion-dollar gold project

The Association of Mining and Exploration Companies (AMEC) welcomes today's Federal Court decision overturning the Commonwealth's controversial decision to block the McPhillamy's Gold Project in New South Wales, and now calls on Federal Environment Minister Murray Watt to act swiftly and clear the way for the project to proceed.

The Federal Court ruled that former Environment Minister Tanya Plibersek's 2024 declaration under Section 10 of the Aboriginal and Torres Strait Islander Heritage Protection Act was invalid, referring the matter back to the current Minister for redetermination.

AMEC Chief Executive Officer, Mr Warren Pearce said, "The ruling is a welcome victory for common sense and an important opportunity to restore confidence in Australia's project approvals system.

"AMEC has always maintained that the original decision to block McPhillamy's was wrong, and today's Federal Court ruling is a welcome vindication of those concerns.

"This project had already undergone years of extensive environmental and cultural heritage assessments and received the necessary approvals, yet a subsequent ministerial decision effectively brought a billion-dollar investment to a standstill.

The Federal Court has now found that decision was invalid, reinforcing just how important proper process and procedural fairness are.

Now that the Federal Court has found the decision to be invalid, Federal Environment Minister, Murray Watt, should waste no further time in reconsidering this matter and clearing the way for the project to proceed.

McPhillamy's has already faced years of uncertainty, and further unnecessary delays would only compound the damage to investment confidence and the regional economy.

The ongoing support of the project from the Orange Local Aboriginal Land Council, and its strong opposition to the original heritage protection declaration, should not be overlooked.

"It should not be forgotten that the Orange Local Aboriginal Land Council supported this development and strongly disputed the cultural heritage claims used to justify blocking the project.

"Those concerns deserved to be taken seriously, and the original decision raised significant questions about how competing evidence and local Aboriginal perspectives were considered," added Mr Pearce.

This case highlights the need for greater consistency, transparency and certainty in Australia's regulatory approvals processes.

"Australia cannot afford an approvals system where major projects can be derailed after years of assessment, consultation and investment. We must protect cultural heritage, but we

must also have a system that is fair, transparent, consistent and gives investors confidence that the rules will be applied correctly."

"The McPhillamy's project has already been delayed long enough. The Minister now has an opportunity to bring this unnecessary uncertainty to an end and allow a significant regional investment to move forward."

ENDS

Warren Pearce is in Canberra and available for interviews - please contact Ryan to organise:
Ryan Rampling, Nation Manager – Media & Communications – 0419 809 341 | ryan.rampling@amec.org.au

FAQs

Why was the McPhillamy's Gold Project blocked?
The NSW Gold Project in New South Wales was blocked in 2024 following a cultural heritage protection declaration by former Federal Environment Minister Tanya Plibersek under Section 10 of the Aboriginal and Torres Strait Islander Heritage Protection Act. The decision halted progress on the billion-dollar gold project despite years of environmental and cultural heritage assessments and previous approvals.

Why did the Federal Court overturn the McPhillamy's Gold Project decision?
The Federal Court ruled that the Commonwealth's decision to block McPhillamy's was invalid. The ruling concerned procedural fairness and the decision-making process, rather than determining the merits of the cultural heritage claims. The matter has been returned to the Federal Environment Minister for reconsideration.

Does the Orange Local Aboriginal Land Council support the McPhillamy's Gold Project?
Yes. The Orange Local Aboriginal Land Council has supported McPhillamy's and strongly disputed the cultural heritage claims used to justify the original Commonwealth decision. AMEC believes the views of local Aboriginal representatives must be properly considered in decisions affecting major regional development projects.

What happens next for the McPhillamy's Gold Project and Environment Minister Murray Watt?
Federal Environment Minister Murray Watt must now reconsider the matter following the Federal Court's ruling. AMEC is calling on the Minister to act without unnecessary delay and clear the way for the project to proceed, providing greater certainty for investors, regional communities and the resources industry.

What does the McPhillamy's Federal Court ruling mean for mining approvals in Australia?

This case highlights the importance of procedural fairness, regulatory certainty and transparent decision-making in Australia's mining approvals system. AMEC believes Australia must protect Aboriginal cultural heritage while ensuring responsible exploration and mining projects are assessed fairly, consistently and without unnecessary delays.