



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF PROCEEDINGS

RE: BOWDENS SILVER (SSD-5765)

COUNCIL MEETING

COMMISSION PANEL: PETER DUNCAN AM (Panel Chair)
CLARE SYKES
PETER COCHRANE

OFFICE OF THE IPC: PHOEBE JARVIS
NIMA SALEK
GEOFF KWOK

MID-WESTERN REGIONAL COUNCIL: CR. DES KENNEDY
BRAD CAM
ALINA AZAR

LOCATION: VIA VIDEO CONFERENCE

DATE: 10.30AM, THURSDAY, 2 FEBRUARY 2023

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MR DUNCAN: I have a short statement, Council, to make, before we start, and then we'll go straight onto the proceedings. Good morning and welcome. Before we begin, I'd like to acknowledge that I am speaking to you from Gadigal Land, and I acknowledge the traditional owners of all the country from which we virtually meet today, and pay my respects to Elders past and present.

Welcome to the meeting today to discuss the Bowdens Silver Project, currently before the Commission for determination. The applicant, Bowdens Silver Pty Limited, is seeking approval to develop an opencut silver, lead and zinc mine approximately
10 2 kilometres north of the village of Lue in the Mid-Western Regional Council area. The mine would extract and process around 30 million tons of ore and up to 2 million tonnes per annum to produce a silver-lead concentrate and a zinc concentrate.

My name is Peter Duncan. I am the Chair of the Commission Panel. I am joined by my fellow Commissioners Claire Sykes and Peter Cochrane. We're also joined by Phoebe Jarvis, Geoff Kwok and Nima Salek from the office of the Independent Planning Commission. In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being recorded, and a complete transcript will be produced and made available on the Commission's website.

20 The meeting is one part of the Commission's consideration of this matter, and will form one of several sources of information upon which the Commission will base its determination.

It is important for Commissioners to ask questions of attendees and to clarify issues whenever it is considered appropriate. However, if you are asked a question and are not in a position to answer, please feel free to take the question on notice and provide any information in writing, which we will then put on our website as well.

30 I request that all members here today introduce themselves before speaking for the first time, and for all members to ensure that we do not speak over the top of each other, to ensure accuracy of the transcript. We will now begin. Over to you, is it, Councillor, to start?

MR CAM: Yes, the Mayor.

MR DUNCAN: Mr Mayor, would you like to start?

40 MR KENNEDY: Good morning, all. My name is Des Kennedy. I'm the Mayor Mid-Western Regional Council. I've noted your agenda, which is quite comprehensive, and brushed up on my notes. So as the Mayor, I probably wear two hats here. This is

a big decision for our community. It's very important for our economy, with employing a couple of hundred or 300 employees, et cetera, et cetera. There are major concerns, though, from our community that live up that way and downstream of the mine in regard to water. So we appreciate the opportunity to meet with you guys.

10 This project has raised a lot of community interest, both for and against, as you would have noted in these people that have – you know, are for it and against it. From my point of view, the main concern is that there are some smaller issues in regard to Maloneys Road and a few other things, but it obviously is the quality of water coming
10 out of that – the acid mine drainages, as a technical – people call it. I mean, so the community feedback is that their – and it's always – there's always two sides to every story, as you guys would know for sure, that, you know, the department's consultants have come up with different scenarios, then, the consultants of the community, or the Lue Action Group guys have used, so I guess it's – all I'm really asking is that you take into full consideration the damage long term that could be done if those tailings
20 dams leaked or overflowed or weren't sufficient, and, you know, even in one of – I've got here somewhere, one of Earth Systems, who is the department's consultant, and it says, "It remains our advice that the design of these facilities will need to be updated, noting that GCL liners have a limited design life. Store and release covers are not
20 suitable for acid-mining drainage. Control of the longevity of the AB" – I mean, you people would no doubt have read all these submissions, and they're a concern of our community moving forward.

We support the – council has always supported this mine, from a council point of view, but we're just asking that you make sure just – and to cover Bowdens Silver into the future, that all these leakages and – of course, as soon as you mention silver, they don't – they're people that don't think it's a silver mine, they think it's a lead mine – I mean, that's – and I think I got about 15 emails during the middle of the night last
30 night that are concerned about those things.

MR DUNCAN: Yes.

MR KENNEDY: So that's about my two bobs' worth, so I just ask you to maybe – just looking for the right word – to maybe come up with a middle ground between the consultants at Earth Systems, findings, and the consultants, and I don't know the reputation of the consultants the Lue Action Group have used, whether they've got any credibility or not. So, I mean, I guess that's your decisions and findings here. So I'm open to any questions, but in a nutshell, that's probably the community concern, is the
40 water coming out of, you know, the acid mine drainage. I understand it's a pretty big deposit of silver out there in – and some of these – some of these scenarios that they're

going to treat the water have probably not stood the test of time for a long time, and there may be a guinea pig, some of them, so that's all – about all from me, thanks.

MR DUNCAN: Thanks, Mayor Kennedy. And please be assured we are working our way through the documents and looking forward to not only this meeting but also going out and having a look at the site in about two weeks time, and, you know, we're planning, obviously, consultation sessions in Mudjee with the community, so we're looking to giving that and working our way through. And the sorts of things, issues, that you've raised, were certainly the areas that we've been looking at, and
10 investigating in detail.

So perhaps with the agenda, I mean, not expecting you to go through every line item, but maybe each of that sort of bold parts, if there's anything you wish to raise, management wishes to raise, in the process, just work through that first, and we can ask questions along the way if we have any. So do you just want to work through that, say – we've mentioned – we haven't really mentioned impact on water resources, it's more been the issue of leakage in the facilities, but is there anything on impact of water resources that you wish to raise?

20 MR CAM: It's Brad Cam, the General Manager. No – we obviously had those issues. A lot of these bold issues are things that were put into our submission, and as council, we're not the experts, we just want to make sure that all of those things have been considered as part of the conditions, and most of them have. There's a couple of things that, a little bit later on on your agenda, that we probably want to raise, but not on that particular one.

MR DUNCAN: Thanks, Brad. I'll step through them if you don't mind. Appreciate that.

30 MR CAM: Sure.

MR DUNCAN: Human health. Obviously there's a lot of documentation there, and things for us to see as well.

MR CAM: Yes.

MR DUNCAN: Any particular issue - - -

MR CAM: No.
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MR DUNCAN: - - - in what's been raised? And we do have your submissions, so we
- yes.

MR CAM: Yes.

MR DUNCAN: can refer to that submission and skip away. Amenity: obviously that's
important to the community. Anything in that area?

10 MR CAM: Look, the only - a couple of things - again, it's Brad. I believe that the
visual impact around the transmission line is changing, the way they're actually going
to construct that, they're talking about that being underground. So, you know, that's
something that needs to be at least taken into consideration, and probably the other
main one for us is Maloneys Road, and council were asking - and asked the
department for that, Maloneys Road to actually be constructed prior to construction,
and at the moment it's actually happening in conjunction, and we want that reinstated,
that we want to see Maloneys Road actually constructed and complete before
construction starts.

20 MR DUNCAN: Okay. And with that too, I'll jump to it now, there's obviously a
voluntary - a draft voluntary planning agreement. Are you comfortable with where
the discussions have got to with that?

MR CAM: Yes. Council have signed that off and are happy with the negotiations that
occurred with that VPA.

MR DUNCAN: Okay. All right. On the undergrounding, I'm not sure we've had -
we've been advised of that, but the undergrounding of the transmission line, that's
something that's fairly recent, is it, that - - -

30 MR CAM: Yes, it is. Yes.

MR DUNCAN: Okay. Well, we might find out more about that on the site
inspection.

MR CAM: Yes.

MR DUNCAN: We (not transcribable)

MR CAM: Yes.

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MR DUNCAN: Other social impacts? Obviously they're important.

MR CAM: And, again, probably one of the biggest concerns that we have is the demand on accommodation, but not only obviously the construction period, which we believe is about 320 construction workers at peak - - -

MR DUNCAN: Yes.

MR CAM: - - - and that's certainly - an accommodation strategy is something that needs to be addressed. And please, for the panel's information, it's not just this
10 particular project. We're in the middle of the Renewable Energy Zone.

MR DUNCAN: Yes.

MR CAM: The Orana and Central West Renewable Energy Zone, and having, at the moment, about 16 State-Significant Projects in wind, solar and battery, and that is happening, and will be happening, at the same time as this project. So certainly accommodation for us is not just this project, and it is certainly something that's concerning council and our region, because we have a very strong tourism industry here, and we do not want to see construction workers taking tourism beds when we've
20 worked so hard to build our tourism industry.

MR DUNCAN: Okay. We have thought about that and have mentioned that ourselves this morning. There's a lot going on in the region.

MR CAM: Yes.

MR DUNCAN: And we did hear too that worker sort of transport may be by bus as well as car, so that's probably a positive thing, to reduce the amount of vehicles on the
30 road.

MR CAM: Yes, absolutely.

MR DUNCAN: Okay. So that – is there anything further you want to say about traffic impact while we're at that point?

MS AZAR: About traffic?

MR CAM: Well, we've raised Maloneys Road. Maloneys Road is the main issue.

MR DUNCAN: With Maloneys Road, any draft designs or concepts, I assume council signed off on or are comfortable with, or is there any debate on that?
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MR CAM: Well, council actually will be – would be doing the roads, so that’s a policy of council. We don’t let any other contractor build our public roads, so we will – we’ve done some preliminary work with it, but when it gets to the approval and consent, we’ll certainly get into full detailed design of that.

MR DUNCAN: Okay. And we also understand that there will probably be very small volumes of local traffic other than the mine use on that road, once completed, if the proposal goes ahead.

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MS AZAR: Very little.

MR CAM: Yes, very little. Yes.

MR DUNCAN: Okay.

MR CAM: No, it’s just a local gravel road. We certainly want it upgraded and sealed for the mine.

20 MR DUNCAN: And the intersection itself, all of that will be - - -

MR CAM: Yes, it’s going to have to be upgraded, and we’ve already looked at that, and there’s – my understanding is that the – even the Lue waste facility has to be moved as well, because that’s the most – Transport have looked at the location of where that intersection should be. It will be moved from existing, and it’s through the existing waste transfer station that we have there.

MR DUNCAN: All right. I guess there’s one thing that I wanted to raise with that. We were told that most of the traffic, once that road is completed, if the process goes
30 ahead, would go west. It would – that would be your view as well, and not through the township?

MR CAM: Yes.

MR KENNEDY: The mine – yes, it’s Des Kennedy speaking. Yes, the idea of the road is to take all the mining traffic on that road, rather than mining traffic driving right through the village of – past the school at Lue, so it runs parallel to the – what we’ll call the Lue road, but it’s – it’ll be basically 95 per cent used just by construction and work – from the workforce and the trucks in and out of the proposed mine.

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MR DUNCAN: Okay.

MR CAM: And not through the village.

MR KENNEDY: It's not through the village. So it takes the traffic out, off the highway, we'll call it, through the main road between Mudgee and Ralston, which is – the Lue village is a sort of really long spread out town for a small town of a couple of hundred people. It's about 3 or 4 kilometres long and there's speed restrictions there, so it just takes the traffic away from there, and particularly away from the front of the school, so all the mine traffic would use Maloneys Road.

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MR DUNCAN: Thanks, Mr Mayor. We intend to have a good look at the – that relocate area while we're there as well. And biodiversity?

MR CAM: No, I think we're – no, no further comment.

MR COCHRANE: Can I – yes, sorry, Peter Cochrane, Commissioner. I was just – your comment about the waste and relocating the waste. So that usually creates sort of flowthrough issues. Is there a plan for where that would be relocated?

20 MR CAM: Yes, there is. It's on land that Bowdens owned that they were prepared to offer to us to be able to relocate, so, yes, that – we've had that consultation, and it can be done.

MR COCHRANE: Okay. And no community objection to that?

MR CAM: No, none.

MR COCHRANE: Thank you.

30 MR DUNCAN: So biodiversity, there was nothing further there that hasn't already been documented?

MR CAM: No – just back on that, it probably needs to be noted in the conditions that that – if it's the preferred intersection when you go onsite, then it probably needs to be noted that that transfer station needs to be relocated and rebuilt.

MR KENNEDY: The waste station?

MR CAM: Yes, the weigh station. At their expense, yes.

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MR DUNCAN: So it is a transfer station, rather than a landfill?

MR CAM: Yes. Yes, it's not a landfill. It's not a landfill. It's only a transfer station, and we only have one landfill site, and that's at Mudgee. All the rest of them are just transfer stations. We have 13 of them around our region, and we pick up that rubbish in bins and take it back to our landfill site.

MR DUNCAN: So a potentially better outcome if that were to occur with the proposal.

10 MR CAM: Yes, absolutely.

MR DUNCAN: Okay. All right. Thank you.

MR COCHRANE: Just on that, are you expecting an increased demand for the waste transfer services as a result of the mine?

MR CAM: In terms of construction, we would not want to be receiving the construction waste at our transfer station, and I think we made that clear, but in terms of ongoing, people living around the village, yes, there will be, but we're a growing
20 region and we're experiencing that, not just in Lue, but right across our region, because population is continuing to grow. So we don't see it as a problem.

MR DUNCAN: Further to that comment, Brad, and given what you've said about accommodation, are you expecting Lue itself will grow in this process with residents, or would they be more likely to go into Mudgee or larger townships around?

MR CAM: Probably spread. Mudgee and certainly Ralston, Kandos, we hope that there will be a – certainly a good impact in population growth in Kandos and Ralston as well, to help the school and other businesses there.
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MR DUNCAN: All right. The next one is economics. I think Clare may have had some questions there.

MS SYKES: Thanks, Peter. It's Clare Sykes here. I just had a question around, you know, where you view the significance of Bowdens Silver Project to the future sort of fabric of the region, in terms of economics and resources, and the mining has been part of the region for some time. Do you have any comment around the understanding that future potential of the project – it is significant, it's one of the largest silver resources in the country, as well as, you know, significant globally – you know, where do you
40 see the future potential in terms of the economic potential for the region?

MS AZAR: Sorry, Alina, Director, Development. So certainly from a Kandos, Ralston and economic diversity, it has some significant opportunity. That was an area that we're looking for potential employment previously with another mine that was looking to open but wasn't approved, and Kandos, Ralston are both, according to the last census, areas that have gone a little bit backwards, from a population growth, so opportunity that way. From the – I guess we're a region of different sides. Mudgee region itself and the Mudgee area has got a – already got a strong population growth and a very low unemployment rate at the moment, as opposed to Kandos, and particularly Ralston, Kandos. So it certainly helps with the diversification of the local economy. There will possibly be some job swaps, I believe, between the coal mines and this role, possibly people that are commuting from other areas into the coal mines. Overall, as a region, we are still experiencing growth, and our coal mines still have got a significant number of years ahead, so we don't see that there's a significant problem with the growing cause but it will have a positive contribution, particularly in that Kandos, Ralston area.

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MR DUNCAN: Thanks, Alina. Any further questions?

MS SYKES: No.

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MR DUNCAN: So on that, is there anything more that you wish to add on economics? I think that answers the question we had. If not, other issues – obviously Aboriginal cultural heritage and the historic values, agricultural impacts, hazards, rehabilitation, final landform, greenhouse gas – I guess they're all significant, but anything in that area that you wish to raise?

MR CAM: No, I think they've all been addressed in the conditions, so we're happy with that at this point.

30 MR DUNCAN: All right. Further questions?

MR CAM: We have got a couple of other things that we just wanted to raise.

MR DUNCAN: Yes, please do.

MR CAM: One of them – sorry.

MR DUNCAN: Please do. Go ahead.

40 MR CAM: Okay, thank you. Just, we made a note about a complaints register, and we noticed that that hasn't been formalised in the conditions, and we'd like to think –

like to see that that be added, that there is a complaints register where people can actually lodge a complaint if there's any concerns or issues.

MR DUNCAN: Yes.

MR CAM: It just got missed, perhaps, but needs to be at least considered. And then the second one is that we also wanted to see that the voluntary land acquisition management policy was – it acknowledged two residents, whereas our submission wanted to acknowledge – it to acknowledge all residents within a 2-kilometre radius of the mine site, and we'd like to be considered as well.

MR DUNCAN: I think we've been hearing that there might be five involved now as impacted residents – two plus three that have negligible impact that may also be involved in that process.

MR CAM: Okay, that's good.

MR DUNCAN: I can't confirm that. That's up to the applicant, but I believe that's the case.

MR CAM: Okay. I was just – that was a concern, but it's only identified as two at this point.

MR DUNCAN: I understand. We can clarify that. Yes. And just on the complaints register, I assume, in the conditions I see here reference to a community consolidated – that there'd be some connection of a complaints register through that process. I'm pretty sure that's in the terms of reference, in the department's CCC guidelines?

MR CAM: Yes, sure. It certainly would, but we tend to find with the other mine sites that we have that there is a formalised register where people can go onto when there's issues, even around some of the renewable projects, the same thing.

MR DUNCAN: Yes, we'll certainly note that. If we get to conditions, we'll take that into account. Thank you for that.

MR CAM: Yes, thank you. I don't have anything further. I'm not sure whether the Mayor Alina has. Thank you.

MR DUNCAN: I'll ask any questions from this side.

MR COCHRANE: My quick question was, were there any other aspects of the conditions that you had comments or concerns about, or, sorry, the proposed conditions?

10 MS AZAR: Yes. So, Alina speaking. We were given a copy of the draft conditions from the department and did provide feedback. In the most instance, our feedback has been incorporated. A lot of that was about ensuring council were involved in management plans. So that's probably noted. The main conditions that Brad has mentioned that we want to see amended is certainly the Maloneys Road work being done prior to construction. And then the only other comments that were not included – sorry, I'm just going to quickly find my point – we had a note, under the Biodiversity Management Plan, B53, number G, our environment team want to see a seasonally based program, and they insert the words “for the life of the project” – I think it's just about ensuring long-term plans are ongoing. They might be captured somewhere else, but that was our comment, but that was probably the major comments in terms of the conditions. Everything else, we had provided feedback and had those comments included.

20 MR DUNCAN: Thank you. Chris? Question – Phoebe has got a question, I think.

MS JARVIS: Sorry, councillors. It's Phoebe here, just from the office of the IPC. Would you be able to follow that up, just with a couple of points in writing, just so we can clarify and make sure we get those right in the review of the conditions?

MS AZAR: Yes.

MR DUNCAN: I think those final points to be made would be helpful in writing, or by email is fine.

30 MS JARVIS: Yes, email is fine. Thank you.

MR DUNCAN: Clare?

MS SYKES: Yes – no, nothing further.

40 MR DUNCAN: Mr Mayor and your colleagues, I think we've got enough – as much as we need at this stage. We reserve the right to come back, but obviously we've got the site inspection and the public meeting, but thank you again for all your time today. Sorry, we have got one more.

MR COCHRANE: Sorry, I've just read – the real-time noise monitoring – so they've committed to two locations for real-time noise monitoring, one in Lue. I'm not sure where the other one was, they didn't make that clear, but is council involved in where those might be located?

MR KENNEDY: No, we haven't been.

MR COCHRANE: Okay. I'm sure there will be some community interest in that.

10 MR KENNEDY: Yes.

MS AZAR: Absolutely.

MR COCHRANE: Okay. Thank you.

MR DUNCAN: If we could find out more on the site inspection.

MS AZAR: Sorry, the Mayor just has one comment.

20 MR KENNEDY: Not – nothing – I just missed a note that I had scribbled out here. I'm just banging on about the water quality after the mine and during the mine there, and I've just scribbled some notes here last time. We were concerned by a comment in the Earth Systems report, where it advised that “the design of the facilities will need to be updated, noting that GCL liners have a limited design lift, store and release covers are not suitable for acid-binding drainage.” So I'm sure you guys are all over that, but that's something that really needs to be addressed before they start, you know, for approvals, or before they start mining. It's about the aftermath of the downstream of the mines, my biggest concern. I mean, they've been very good corporate citizens, I might add, Bowdens, but when you get a consultant of the Planning Department, Earth
30 Systems, having concerns about the acid mine drainage, it puts a – raises a red flag with my just common sense brain box.

MR DUNCAN: Mr Mayor, we would agree. We will look at that.

MR KENNEDY: Thank you.

MS AZAR: Sorry, Alina – one more comment in regards to the conditions, and in terms of why we've said from the health point of view that we were comfortable is, it's been based on the report from the department commenting that the health
40 conditions were satisfactory. So based on that report, that's where we're comfortable, and then the conditions, we support the actions that have been put in place that

monitor health, and we'd hate to see them removed. I just wanted to put that point in there.

MR DUNCAN: Thank you. Thanks, Alina. All right. Final call – comments or questions?

MR KENNEDY: All good.

MR CAM: No, thank you. Thank you for your time.

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MR DUNCAN: Okay. Mayor Kennedy, Brad and Alina, thank you very much for your time today. It's been really helpful. It's always good for us to get a broader perspective, and particularly that of the community and the council. So looking forward to coming out and seeing the proposal onsite and meeting with the community. Thank you.

MR KENNEDY: Look forward to catching up.

MEETING CONCLUDED

[11.01am]

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